



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

Vision, Mission, and Goals

California State Board of Education.

VISION

All California students of the 21st century will attain the highest level of academic knowledge, applied learning and performance skills to ensure fulfilling personal lives and careers and contribute to civic and economic progress in our diverse and changing democratic society.

MISSION

Create strong, effective schools that provide a wholesome learning environment through incentives that cause a high standard of student accomplishment as measured by a valid, reliable accountability system.

GOALS

1. *Standards.* Adopt and support rigorous academic content and performance standards in the four core subjects for kindergarten and grades 1 through 12.
2. *Achievement.* Ensure that all students are performing at grade level or higher, particularly in reading and math, at the end of each school year, recognizing that a small number of exceptional needs students must be expected, challenged, and assisted to achieve at an individually determined and appropriately high level. Advocate for mandatory intervention for every child not at grade level. Do everything possible to ensure that "the job is done right in the first place".
3. *Assessment.* Maintain policies assuring that all students receive the same nationally normed and standards-based assessments, grades 2 through 11, again recognizing that a small number of exceptional needs students must be separately and individually assessed using appropriate alternative means to determine achievement and progress.

Questions: State Board of Education | 916-319-0827

Last Reviewed: Friday, August 26, 2011

California Department of Education

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Bylaws

For the California State Board of Education, Amended July 9, 2003.

ARTICLE I

Authority

The California State Board of Education is established in the Constitution of the State of California and empowered by the Legislature through the California Education Code.

ARTICLE II

Powers and Duties

The Board establishes policy for the governance of the state's kindergarten through grade twelve public school system as prescribed in the Education Code, and performs other duties consistent with statute.

ARTICLE III

Members

APPOINTMENT

Section 1.

The State Board of Education consists of 11 members who are appointed by the Governor with the advice and consent of two-thirds of the Senate.

*CC, Art. IX, Sec. 7
EC 33000 and 33000.5*

TERM OF OFFICE

Section 2.

(a) The term of office of the members of the Board is four years, except for the student member whose term is one year.

(b) Except for the student member, who serves a one-year term, terms expire on January 15 of the fourth year following their commencement. Members, other than the student member, continue to serve until the appointment and qualification of their successors to a maximum of 60 days after the expiration of their terms. If the member is not reappointed and no successor is appointed within that 60-day period, the member may no longer serve and the position is deemed vacant. The term of the student member begins on August 1 and ends on July 31 of the following year.

(c) If the Senate refuses to confirm, the person may continue to serve until 60 days have elapsed since the refusal to confirm or until 365 days have elapsed since the person first began performing the duties of the office, whichever occurs first.

(d) If the Senate fails to confirm within 365 days after the day the person first began performing the duties of the office, the person may not continue to serve in that office following the end of the 365-day period.

EC 33001; 33000.5

GC 1774

VACANCIES

Section 3.

Any vacancy shall be filled by appointment by the Governor, subject to confirmation by two-thirds of the Senate. The person appointed to fill a vacancy shall hold office only for the balance of the unexpired term.

EC 33002

STUDENT MEMBER

Section 4.

Finalists for the student member position shall be selected and recommended to the Governor as prescribed by law.

EC 33000.5

COMPENSATION AND EXPENSES

Section 5.

Members of the Board shall receive their actual and necessary travel expenses while on official business. Each member shall also receive one hundred dollars (\$100) for each day he or she is acting in an official capacity.

EC 33006

GC 11564.5

CONFLICT OF INTEREST CODE

Section 6.

Board members shall file statements of economic interest as required by the Fair Political Practices Commission. The terms of a standard Conflict of Interest Code, adopted by the Commission and as may be amended, are incorporated by reference and constitute the Conflict of Interest Code of the Board.

2 CCR 18730

5 CCR 18600

ARTICLE IV

Officers and Duties

PRESIDENT, VICE PRESIDENT

Section 1.

Officers of the Board shall be a president and a vice president. No member may serve as both president and vice president at the same time.

Section 2.

(a) The president and vice president shall be elected annually in accordance with the procedures set forth in this section.

(b) Prior to the December regular meeting, letters of nomination for the offices of president and vice president for the forthcoming calendar year shall be submitted to the executive director. When a member submits a letter nominating another member for either office, it shall be understood that the member being nominated has been consulted and has agreed to serve if elected. Members interested in serving in either office may nominate themselves.

(c) At a time to be set aside for the purpose by the president at the December meeting, the executive director shall indicate the names placed in nomination in accordance with paragraph (b). The president shall then call for other nominations from the floor, including self-nominations, which shall then be in order and shall not require a second.

(d) From the names placed in nomination at the December meeting, along with any additional nominations from the floor subject to the conditions set forth in this paragraph, a president and a vice president shall be elected at the beginning of the January regular meeting each year, with the newly elected officers assuming office immediately following the election. No member may nominate himself or herself for the office of president or vice president at the January meeting, and any nomination for such office must be seconded if made at the January meeting.

(e) Six votes are necessary to elect an officer, and each officer elected shall serve for one year or until his or her successor is elected.

(f) If, in the Board's judgment, no nominee for the office of president or vice president can garner sufficient votes for election to that office at the January meeting, a motion to put the election over to a subsequent meeting is in order.

(g) In the event a vacancy occurs in the office of president or vice president during a calendar year, an election shall be held at the next meeting. Any member interested in completing the one-year term of an office that has become vacant may nominate himself or herself, but each nomination requires a second.

(h) The State Superintendent of Public Instruction shall preside only during the election proceedings for the office of president and for the conduct of any other business that a majority of the Board members may direct.

EXECUTIVE OFFICER

Section 3.

The State Superintendent of Public Instruction shall be secretary and shall act as executive officer of the Board.

EC 33004

DUTIES OF THE PRESIDENT

Section 4.

The president shall:

- *serve as spokesperson for the Board;*
- *represent the position of the Board to the State Superintendent of Public Instruction;*
- *appoint members to serve on committees and as liaisons, as prescribed in these Bylaws, and as may be needed in his or her judgment properly to fulfill the Board's responsibilities;*
- *serve as ex officio voting member of the Screening Committee and any ad hoc committees, either substituting for an appointed member who is not present with no change in an affected committee's quorum requirement, or serving as an additional member with the affected committee's quorum requirement being increased if necessary, provided that in no case shall the service of the president as ex officio voting member increase the total voting membership of a committee to more than five;*
- *preside at all meetings of the Board and follow-up with the assistance of the executive director to see that agreed upon action is implemented;*
- *serve, as necessary, as the Board's liaison to the National Association of State Boards of Education, or designate a member to serve in his or her place;*
- *serve, or appoint a designee to serve, on committees or councils that may be created by statute or official order where required or where, in his or her judgment, proper carrying out of the Board's responsibility demands such service;*
- *determine priorities for expenditure of Board travel funds;*
- *provide direction for the executive director;*
- *direct staff in preparing agendas for Board meetings in consultation with the other members as permitted by law;*
- *keep abreast of local, state, and national issues through direct involvement in various conferences and programs dealing with such issues, and inform Board members of local, state, and national issues;*
- *and participate in selected local, state, and national organizations, which have an impact on public education, and provide to other members, the State Superintendent, and the staff of the Department of Education the information gathered and the opinion and perspective developed as the result of such active personal participation.*

DUTIES OF THE VICE PRESIDENT

Section 5.

The vice president shall:

- *preside at Board meetings in the absence of the president;*
- *represent the Board at functions as designated by the president;*
- *and fulfill all duties of the president when he or she is unable to serve.*

DUTIES OF COMMITTEE CHAIR

Section 6.

The chair of the Screening Committee or any ad hoc committee shall:

- *preside at meetings of the committee he or she chairs, except that he or she shall yield the chair to another committee member in the event he or she will be absent or confronts a conflict regarding any matter coming before the committee, and may yield the chair to another committee member for personal reasons; and*
- *in consultation with the president, other committee members, and appropriate staff, assist in the preparation of committee agendas and coordinate and facilitate the work of the committee in furtherance of the Board's goals and objectives.*

DUTIES LIAISON OR REPRESENTATIVE

Section 7.

A Board member appointed as a liaison or representative shall:

- *serve as an informal (non-voting) link between the Board and the advisory body or agency (or function) to which he or she is appointed as liaison or representative; and*
- *reflect the position of the Board, if a position is known to him or her, on issues before the advisory body or agency (or within the function) to which he or she is appointed as liaison or representative and keep the Board appropriately informed.*

DUTIES OF A BOARD MEMBER APPOINTED TO ANOTHER AGENCY

Section 8.

The member shall:

- *to every extent possible, attend the meetings of the agency and meet all responsibilities of membership; and*
 - *reflect through his or her participation and vote the position of the Board, if a position is known to him or her, and keep the Board informed of the agency's activities and the issues with which it is dealing.*
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ARTICLE V

Meetings

REGULAR MEETINGS

Section 1.

Generally, regular meetings of the Board shall be held on the Wednesday and Thursday preceding the second Friday of each of the following months: July, September, November, January, March, and May. However, in adopting a specific meeting schedule, the Board may deviate from this pattern to accommodate state holidays and special events. Other regularly noticed meetings may be called by the president for any stated purpose.

EC 33007

SPECIAL MEETINGS

Section 2.

Special meetings may be called to consider those purposes specified in law if compliance with the 10-day notice would impose a substantial hardship on the board or if immediate action is required to protect the public interest.

OPEN MEETINGS

Section 3.

(a) All meetings of the Board, except the closed sessions permitted by law, and all meetings of Board committees, to the extent required by law, shall be open and public.

(b) All meetings shall conform to the Bagley-Keene Open Meeting Act, including requirements for notices of meetings, preparation and distribution of agendas and written materials, inspection of public records, closed sessions and emergency meetings, maintenance of records, and disruption of a public meeting. Those provisions of law which govern the conduct of meetings of the Board are hereby incorporated by reference into these Bylaws.

(c) Unless otherwise provided by law, meetings of any advisory body, committee or subcommittee thereof, created by statute or by formal action of the Board, which is required to advise or report or recommend to the Board, shall be open to the public.

GC 11120 et seq.

NOTICE OF MEETINGS

Section 4.

(a) Notice of each regular meeting shall be posted at least 10 days prior to the time of the meeting and shall include the time, date, and place of the meeting and a copy of the meeting agenda.

(b) Notice of any meeting of the Board shall be given to any person so requesting. Upon written request, individuals and organizations wishing to receive notice of meetings of the Board will be included on the mailing list for notice of regular meetings.

SPECIAL MEETINGS (ADDITIONAL PROVISIONS)

Section 5.

(a) Special meetings may be called by the president or by the secretary upon the request of any four members of the board for the purposes specified in law if compliance with the 10-day notice requirements would impose a substantial hardship on the board or if immediate action is required to protect the public interest.

(b) Notice of special meetings shall be delivered in a manner that allows it to be received by the members and by newspapers of general circulation and radio or television stations at least 48 hours before the time of the special meeting. Notice shall also be provided to all national press wire services. Notice to the general public shall be made by placing it on appropriate electronic bulletin boards if possible.

(c) Upon commencement of a special meeting, the board shall make a finding in open session that giving a 10-day notice prior to the meeting would cause a substantial hardship on the board or that immediate action is required to protect the public interest. The finding shall be adopted by a two-thirds vote of the board or a unanimous vote of those members present if less than two-thirds of the members are present at the meeting.

*EC 33008
GC 11125*

EMERGENCY MEETINGS

Section 5.

(a) An emergency meeting may be called by the president or by the secretary upon the request of any four members without providing the notice otherwise required in the case of a situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities and which is properly a subject of an emergency meeting in accordance with law.

(b) The existence of an emergency situation shall be determined by concurrence of six of the members during a meeting prior to an emergency meeting, or at the beginning of an emergency meeting, in accordance with law.

(c) Notice of an emergency meeting shall be provided in accordance with law.

GC 11125.5

EC 33008

EC 33010

CLOSED SESSIONS

Section 6.

Closed sessions shall be held only in accordance with law.

GC 11126

QUORUM

Section 7.

(a) The concurrence of six members of the Board shall be necessary to the validity of any of its acts.

EC 33010

(b) A quorum of any Board committee shall be a majority of its members, and a committee may recommend actions to the Board with the concurrence of a majority of a quorum.

ORDER OF BUSINESS

Section 8.

The order of business for all regular meetings of the Board shall generally be:

- Call to Order*
- Salute to the Flag*
- Reorganization of the Board (if necessary)*
- Approval of Minutes*
- Communications*
- Announcements*
- Report of the Superintendent*
- Reports of Board Ad Hoc Committee and Liaisons (as necessary)*
- Ordering of the Agenda*
- Consent Calendar*
- Full Board Items*
- Reports of Board Standing Committees*
- President's Report*
- Member Reports*
- Adjournment*

CONSENT CALENDAR

Section 9.

(a) Non-controversial matters and waiver requests meeting established guidelines may be presented to the Board on a consent calendar.

(b) Items may be removed from the consent calendar upon the request of an individual Board member or upon the request of Department staff authorized by the State Superintendent of Public Instruction to submit items for consideration by the Board.

(c) Items removed from the consent calendar shall be referred to a standing committee or shall be considered by the full Board at the direction of the president.

ARTICLE VI

Committees and Representatives

SCREENING COMMITTEES

Section 1.

A Screening Committee composed of no fewer than three and no more than five members shall be appointed by the president to screen applicants for appointment to Board advisory bodies and other positions as necessary; participate, as directed by the president, in the selection of candidates for the position of student Board member in accordance with law; and recommend appropriate action to the Board.

AD HOC COMMITTEES

Section 2.

From time to time, the president may appoint ad hoc committees for such purposes as he or she deems necessary. Ad hoc committees shall remain in existence until abolished by the president.

REPRESENTATIVES

Section 3.

From time to time, the president may assign Board members the responsibility of representing the State Board in discussions with staff (as well as with other individuals and agencies) in relation to such topics as assessment and accountability, legislation, and implementation of federal and state programs. The president may also assign Board members the responsibility of representing the Board in ceremonial activities.

ARTICLE VII

Public Hearings: General

SUBJECT OF A PUBLIC HEARING

Section 1.

(a) The Board may hold a public hearing regarding any matter pending before it after giving the notice required by law.

(b) The Board may direct that a public hearing be held before staff of the Department of Education, an advisory commission to the Board, or a standing or ad hoc committee of the Board regarding any matter which is or is likely to be pending before the Board. If the Board directs that a public hearing be held before staff, then an audiotape of the public hearing and a staff-prepared summary of comments received at the public hearing shall be made available to the Board members in advance of the meeting at which action on the pending matter is scheduled.

5 CCR 18460
EC 33031
GC 11125

COPIES OF STATEMENTS

Section 2.

A written copy of the testimony a person wishes to present at a public hearing is requested, but not required. The written copy may be given to appropriate staff in advance of or at the public hearing.

TIME LIMITS FOR THE PRESENTATION OF PUBLIC TESTIMONY

Section 3.

At or before a public hearing, the presiding individual shall (in keeping with any legal limitation or condition that may pertain) determine the total amount of time that will be devoted to hearing oral comments, and may determine the time to be allotted to each person or to each side of an issue.

5 CCR 18463
EC 33031

WAIVER BY PRESIDING INDIVIDUAL

Section 4.

At any time, upon a showing of good cause, the presiding individual may waive any time limitation established under Section 3 of this article.

5 CCR 18464
EC 33031

ARTICLE VIII

Public Hearings: School District Reorganization

SUBMISSION OF PROPOSALS AND PETITIONS

Section 1.

A proposal by a county committee on school district organization or other public agency, or a petition for the formation of a new district or the transfer of territory of one district to another shall be submitted to the executive

officer of the Board. The executive officer of the Board shall cause the proposal or petition to be:

- reviewed and analyzed by the California Department of Education;*
- set for hearing before the Board (or before staff if so directed by the Board) at the earliest practicable date; and*
- transmitted together with the report and recommendation of the Department of Education to the Board (or to the staff who may be directed by the Board to conduct the hearing) and to such other persons as is required by law not later than ten days before the date of the hearing.*

CCR 18570

ARGUMENTS BEFORE THE BOARD: ORIGINAL SUBMISSION

Section 2.

At the time and place of hearing, the Board (or staff if so directed by the Board) will receive oral or written arguments on the proposal or petition. The presiding individual may limit the number of speakers on each side of the issue, limit the time permitted for the presentation of a particular view, and limit the time of the individual speakers. The presiding individual may ask that speakers not repeat arguments previously presented.

CCR 18571

RESUBMISSION OF THE SAME OR AN ESSENTIALLY IDENTICAL PROPOSAL OR PETITION

Section 3.

If the same or an essentially identical proposal or petition has been previously considered by the Board, the documents constituting such a resubmission shall be accompanied by a written summary of any new factual situations or facts not previously presented. In this case, any hearing shall focus on arguments not theretofore presented and hear expositions of new factual situations and of facts not previously entered into the public record.

CCR 18572

STATEMENTS

Section 4.

All statements are requested to be submitted to the Board (or to staff if so directed by the Board) in advance of the presentation. Statements are requested to be in writing and should only be summarized in oral testimony.

ARTICLE IX

Public Records

Public records of the Board shall be available for inspection and duplication in accordance with law, including the collection of any permissible fees for research and duplication.

GC 6250 et seq

ARTICLE X

Parliamentary Authority

RULES OF ORDER

Section 1.

Debate and proceedings shall be conducted in accordance with Robert's Rules of Order (Newly Revised) when not in conflict with rules of the Board and other statutory requirements.

Section 2.

Members of the public or California Department of Education staff may be recognized by the president of the Board or other presiding individual, as appropriate, to speak at any meeting. Those comments shall be limited to the time determined by the president or other presiding individual. All remarks made shall be addressed to the president or other presiding individual. In order to maintain appropriate control of the meeting, the president or other presiding individual shall determine the person having the floor at any given time and, if discussion is in progress or to commence, who may participate in the discussion.

Section 3.

All speakers shall confine their remarks to the pending matter as recognized by the president or other presiding individual.

Section 4.

Public speakers shall not directly question members of the Board, the State Superintendent, or staff without express permission of the president or other presiding individual, nor shall Board members, the State Superintendent, or staff address questions directly to speakers without permission of the president or other presiding individual.

Section 5.

The Chief Counsel to the Board or the General Counsel of the California Department of Education, or a member of the Department's legal staff in the absence of the Board's Chief Counsel, will serve as parliamentarian. In the absence of legal staff, the president or other presiding individual will name a temporary replacement if necessary.

ARTICLE XI

Board Appointments

ADVISORY BODIES

Section 1.

Upon recommendation of the Screening Committee as may be necessary, the Board appoints members to the following advisory bodies for the terms indicated:

(a) Advisory Commission on Special Education. The Board appoints five of 17 members to serve four-year terms.

(b) Curriculum Development and Supplemental Materials Commission. The Board appoints 13 of 18 members to serve four-year terms.

EC 33530

(c) Child Nutrition Advisory Council. The Board appoints 13 members, 12 to three-year terms and one student representative to a one-year term. By its own action, the Council may provide for the participation in its meetings of non-voting representatives of interest groups not otherwise represented among its members, such as school business officials and experts in the area of physical education and activity.

EC 49533

(d) Advisory Commission on Charter Schools. The Board appoints eight members to two-year terms.

EC 47634.2(b)(1)

State Board of Education Policy 01-04

OTHER APPOINTMENTS

Section 2.

On the Board's behalf, the president makes the following appointments:

(a) WestEd (Far West Laboratory for Educational Research and Development). Five individuals to serve three-year terms on the Board of Directors as follows:

- one representing the California Department of Education;*
- two representing school districts in California; and*
- two representing county offices of education in California.*

JPA-FWL

(b) Trustees of the California State Summer School for the Arts. Two members, one of whom shall be a current member of the Board, for terms of three years.

EC 8952.5

(c) No Child Left Behind Liaison Team. Two members for terms not to exceed two years.

EC 52058.1

SCREENING AND APPOINTMENT

Section 3.

Opportunities for appointment shall be announced and advertised as appropriate, and application materials shall be made available to those requesting them. The Screening Committee shall paper-screen all applicants, interview candidates as the Committee determines necessary, and recommend appropriate action to the Board.

ARTICLE XII

Presidential Appointments

LIAISONS

Section 1.

The president shall appoint one Board member, or more where needed, to serve as liaison(s) to:

(a) The Advisory Commission on Special Education;

(b) The Curriculum Development and Supplemental Materials Commission;

(c) The National Association of State Boards of Education, if the Board participates in that organization.

(d) The Commission on Teacher Credentialing.

(e) The California Postsecondary Education Commission: one member to serve as the president's designee if the president so chooses, recognizing that no person employed full-time by any institution of public or private postsecondary education may serve on the commission.

EC 66901(d) and (h)

OTHER

Section 2.

The president shall make all other appointments that may be required of the Board or that require Board representation.

ARTICLE XIII

Amendment to the Bylaws

These Bylaws may be amended at any regular meeting of the Board, provided that the amendment has been submitted in writing at the previous regular meeting.

Abbreviations

Abbreviations used in these Bylaws, citing Board authority, are:

Abbreviation	Description
CC	Constitution of the State of California
CCR	California Code of Regulations
<i>EC</i>	<i>California Education Code</i>
<i>GC</i>	<i>California Government Code</i>
CFR	Code of Federal Regulations
JPA-FWL	Joint Powers Agreement Establishing the Far West Laboratory for Educational Research and Development, originally entered into by the State Board of Education on February 11, 1966, and subsequently amended

Dates of Adoption and Amendment

Status	Date
Adopted	April 12, 1985
Amended	February 11, 1987
Amended	December 11, 1987
Amended	November 11, 1988
Amended	December 8, 1989
Amended	December 13, 1991
Amended	November 13, 1992
Amended	February 11, 1993
Amended	June 11, 1993
Amended	May 12, 1995
Amended	January 8, 1998
Amended	April 11, 2001
Amended	July 9, 2003

Questions: State Board of Education | 916-319-0827

Last Reviewed: Friday, October 28, 2011

California Department of Education

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SBE Agenda for January 2012

Agenda for the California State Board of Education (SBE) meeting to be held on January 11 and 12, 2012.

State Board Members

Michael W. Kirst, President
Trish Williams, Vice President

James Aschwanden
Yvonne Chan
Carl Cohn
Aida Molina
James C. Ramos
Patricia A. Rucker
Ilene W. Straus
Caitlin Snell, Student Member

Secretary & Executive Officer

Hon. Tom Torlakson

Executive Director

Susan K. Burr

Schedule of Meeting	Location
Wednesday, January 11, 2012 8:30 a.m. Pacific Time ± STATE BOARD OF EDUCATION Closed Session – IF NECESSARY (The public may not attend.)	California Department of Education 1430 N Street, Room 1101 Sacramento, California 95814 916-319-0827

The Closed Session (1) may commence earlier than 8:30 a.m.; (2) may begin at or before 8:30 a.m., be recessed, and then be reconvened later in the day; or (3) may commence later than 8:30 a.m.

CLOSED SESSION AGENDA

Conference with Legal Counsel – Existing Litigation: Under *Government Code* sections 11126(e)(1) and (e)(2)(A), the State Board of Education hereby provides public notice that some or all of the pending litigation which follows will be considered and acted upon in closed session.

- *Alejo, et al. v. Jack O’Connell, State Board of Education, et al.*, San Francisco County Superior Court, Case No. CPF-09-509568 CA Ct. of Appeal, 2nd Dist., Case No. A130721
- *California School Boards Association, et al. v. California State Board of Education and Aspire Public Schools, Inc.*, Alameda County Superior Court, Case No. 07353566, CA Ct. of Appeal, 1st Dist., Case No. A122485, CA Supreme Court, Case No. S186129
- *California School Boards Association and its Education Legal Alliance, et al. v. The California State Board of Education, et al.*, Sacramento County Superior Court, Case No. 34-2008-00021188-CU-MC-GDS, CA Ct. of Appeal, 3rd Dist., Case No. C060957
- *Doe, Jane, and Jason Roe v. State of California*, Tom Torlakson, the California Department of Education, the State Board of Education, Los Angeles Superior Court, Case No. BC445151
- *Emma C., et al. v. Delaine Eastin, et al.*, USDC (No.Dist.CA), Case No. C-96-4179

- *EMS-BP, LLC, Options for Youth Burbank, Inc., et al. v. California Department of Education, et al.*, Sacramento County Superior Court, Case No. 03CS01078 and 03CS01079 and related appeal
- *K.C. et al. v. Jack O'Connell, et al.*, U.S. District Court, Northern District of California, Case No. C 05 4077 MMC
- *Options for Youth-Victor Valley, et al. v. California Department of Education, et al.*, Los Angeles County Superior Court, Case No. BC347454
- *Options for Youth, Burbank, Inc., San Gabriel, Inc. Upland, Inc. and Victor Valley*, Notice of Appeal Before the Education Audit Appeals Panel, OAH Case No. 2006100966
- *Opportunity for Learning - PB, LLC; Opportunities Learning - C, LLC, and Opportunities for Learning WSH, LLC*, Notice of Appeal Before the Audit Appeals Panel
- *Porter, et al., v. Manhattan Beach Unified School District, et al.*, United States District Court, Central District, Case No. CV-00-08402
- *Perris Union High School District v. California State Board of Education, California Department of Education, et al.*, Riverside County Superior Court, Case No. RIC520862
- *Reed v. State of California, Los Angeles Unified School District, State Superintendent of Public Instruction, Jack O'Connell, California Department of Education, and State Board of Education, et al.*, Los Angeles County Superior Court, Case No. BC432420, CA Ct. of Appeal, 2nd Dist., Case No. B230817, CA Supreme Ct., Case No. 5191256
- *Today's Fresh Start, Inc. v. Los Angeles County Office of Education, et al.*, Los Angeles County Superior Court, Case No. BS112656, CA Ct. of Appeal, 2nd Dist., Case Nos. B212966

Conference with Legal Counsel – Anticipated Litigation: Under *Government Code* sections 11126(e)(1) and (e)(2)(B), the State Board of Education hereby provides public notice that it may meet in closed session to decide whether there is a significant exposure to litigation, and to consider and act in connection with matters for which there is a significant exposure to litigation. Under *Government Code* sections 11126(e)(1) and (e)(2)(C), the State Board of Education hereby provides public notice that it may meet in closed session to decide to initiate litigation and to consider and act in connection with litigation it has decided to initiate.

Under *Government Code* section 11126(c)(14), the State Board of Education hereby provides public notice that it may meet in closed session to review and discuss the actual content of pupil achievement tests (including, but not limited to, the High School Exit Exam) that have been submitted for State Board approval and/or approved by the State Board.

Under *Government Code* section 11126(a), the State Board of Education hereby provides public notice that it may meet in closed session regarding the appointment, employment, evaluation of performance, or dismissal, discipline, or release of public employees, or a complaint or charge against public employees. Public employees include persons exempt from civil service under Article VII, Section 4(e) of the California Constitution.

Schedule of Meeting	Location
Wednesday, January 11, 2012 8:30 a.m. Pacific Time ± (Upon Adjournment of Closed Session, if held.) STATE BOARD OF EDUCATION Public Session	California Department of Education 1430 N Street, Room 1101 Sacramento, California 95814 916-319-0827

Please see the detailed agenda for more information about the items to be considered and acted upon. The public is welcome.

Schedule of Meeting	Location
Thursday, January 12, 2012 8:30 a.m. Pacific Time ± STATE BOARD OF EDUCATION Closed Session – IF NECESSARY (The public may not attend.)	California Department of Education 1430 N Street, Room 1101 Sacramento, California 95814 916-319-0827

The Closed Session (1) may commence earlier than 8:30 a.m.; (2) may begin at or before 8:30 a.m., be recessed, and then be

reconvened later in the day; or (3) may commence later than 8:30 a.m.

Schedule of Meeting	Location
Thursday, January 12, 2012 8:30 a.m. Pacific Time ± (Upon Adjournment of Closed Session, if held.) STATE BOARD OF EDUCATION Public Session	California Department of Education 1430 N Street, Room 1101 Sacramento, California 95814 916-319-0827

Please see the detailed agenda for more information about the items to be considered and acted upon. The public is welcome.

ALL TIMES ARE APPROXIMATE AND ARE PROVIDED FOR CONVENIENCE ONLY

ALL ITEMS MAY BE RE-ORDERED TO BE HEARD ON ANY DAY OF THE NOTICED MEETING

THE ORDER OF BUSINESS MAY BE CHANGED WITHOUT NOTICE

Persons wishing to address the State Board of Education on a subject to be considered at this meeting, including any matter that may be designated for public hearing, are asked, but not required, to notify the State Board of Education Office (see telephone/fax numbers below) by noon of the third working day before the scheduled meeting/hearing, stating the subject they wish to address, the organization they represent (if any), and the nature of their testimony. Time is set aside for individuals so desiring to speak on any topic **not** otherwise on the agenda (please see the detailed agenda for the Public Session). In all cases, the presiding officer reserves the right to impose time limits on presentations as may be necessary to ensure that the agenda is completed.

REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY

Pursuant to the *Rehabilitation Act of 1973* and the *Americans with Disabilities Act of 1990*, any individual with a disability who requires reasonable accommodation to attend or participate in a meeting or function of the California State Board of Education (SBE), may request assistance by contacting the SBE Office, 1430 N Street, Room 5111, Sacramento, CA, 95814; telephone, 916-319-0827; fax, 916- 319-0175.

CALIFORNIA STATE BOARD OF EDUCATION

FULL BOARD AGENDA
Public Session

January 11, 2012

Wednesday, January 11, 2012 – 8:30 a.m. Pacific Time +
(Upon adjournment of Closed Session if held)

California Department of Education
1430 N Street, Room 1101
Sacramento, California 95814

Call to Order

Salute to the Flag

Closed Session

Communications

Announcements

REPORT OF THE STATE SUPERINTENDENT

SPECIAL PRESENTATIONS

Public notice is hereby given that special presentations for informational purposes may take place during this session.

AGENDA ITEMS

*** PUBLIC HEARINGS ***

Public Hearings on the following agenda items will commence no earlier than 9:15 a.m. on Wednesday, January 11, 2012. The Public Hearings will be held as close to 9:15 a.m. as the business of the State Board permits.

[Item 1](#) (DOC; 515KB; 51pp.)

Subject: Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Hold a Public Hearing to Consider Rocketship Charter School, San Francisco, Which Was Denied by the San Francisco Unified School District Board of Education.

Type of Action: Action, Information, Public Hearing

- [Item 1 Attachment 2](#) (PDF; 6MB; 377pp.)
 - [Item 1 Attachment 3](#) (PDF; 2MB; 31pp.)
-

[Item 2](#) (DOC; 1MB; 136pp.)

Subject: Statewide Benefit Charter Schools: Hold a Public Hearing to Consider the Renewal of the High Tech High Statewide Benefit Charter.

Type of Action: Action, Information, Public Hearing

- [Item 2 Attachment 7](#) (PDF; 1MB; 90pp.)
 - [Item 2 Attachment 8](#) (PDF; 3MB; 66pp.)
-

[Item 3](#) (DOC; 2MB; 145pp.)

Subject: Statewide Benefit Charter Schools: Hold a Public Hearing to Consider the Renewal of the Aspire Public Schools Statewide Benefit Charter.

Type of Action: Action, Information, Public Hearing

- [Item 3 Attachment 7](#) (PDF; 2MB; 172pp.)
 - [Item 3 Attachment 8](#) (PDF; 283KB; 33pp.)
 - [Item 3 Attachment 9](#) (PDF; 343KB; 13pp.)
-

*** END OF PUBLIC HEARINGS ***

[Item 4](#) (DOC; 153KB; 11pp.)

Subject: Elementary and Secondary Education Act: Discussion Regarding the Waiver of Selected Provisions of the No Child Left Behind Act of 2001 to Implement a Specific Statewide Accountability System for All California Local Educational Agencies in Advance of Elementary and Secondary Education Act Reauthorization.

Type of Action: Action, Information

[Item 5](#) (DOC; 75KB; 4pp.)

Subject: Update on Issues Related to California's Implementation of the Elementary and Secondary Education Act and Other Federal Programs Including, but not Limited to, the School Improvement Grant Approval of Funding of Local Educational Agencies and Schools for the 2012–13 School Improvement Grant Sub-Grants Under Section 1003(g) and Authorization to Approve California's FY 2011 Continuation Awards Only School Improvement Grant Application.

Type of Action: Action, Information

[Item 6](#) (DOC; 118KB; 7pp.)

Subject: Elementary and Secondary Education Act: Supplemental Educational Services Providers: Approval of Additional Providers to the 2011–13 State Board of Education-Approved Supplemental Educational Services Provider List Based on Appeal and Removal of Providers From the 2009–11, 2010–12, and 2011–13 Approval Lists for Failure to Submit the 2010–11 Supplemental Educational Services Accountability Report.

Type of Action: Action, Information

[Item 7](#) (DOC; 564KB; 60pp.)

Subject: Approve the Annual State Performance Plan and Performance Report for Part B of the Individuals with Disabilities Education Act Covering Program Year 2010–11.

Type of Action: Action, Information

*** **WAIVERS** ***

NON-CONSENT (ACTION)

The following agenda items include waivers that CDE staff has identified as potentially having opposition, recommended for denial, or presenting new or unusual issues that should be considered by the State Board. On a case-by-case basis, public testimony may be considered regarding the item, subject to the limits set by the Board President or by the President's designee; and action different from that recommended by CDE staff may be taken.

Federal Program Waiver (Carl D. Perkins Voc and Tech Ed Act)

[Item W-1](#) (DOC; 67KB; 2pp.)

Subject: Request by two districts for a waiver of Section 131(c)(1) of the Carl D. Perkins Career and Technical Education Improvement Act of 2006 (Public Law 109-270).

Waiver Numbers:

- Mariposa County Office of Education 11-10-2011
- Plumas County Office of Education 17-10-2011

(Recommended for APPROVAL)

(Meets Waiver Policy: [Carl D. Perkins Career and Technology Education Improvement Act: Consortium Requirement for Minimum Allocation](#) [DOC; 85KB; 2pp.]

- [Item W-1 Attachment 1](#) (XLS; 26KB; 1p.)
 - [Item W-1 Attachment 2](#) (DOC; 62KB; 1p.)
 - [Item W-1 Attachment 3](#) (DOC; 63KB; 1p.)
-

State Testing Apportionment Report (CELDT)

[Item W-2](#) (DOC; 77KB; 3pp.)

Subject: Request by two local educational agencies to waive the State Testing Apportionment Information Report deadline of December 31 in the *California Code of Regulations*, Title 5, Section 11517.5(b)(1)(A) regarding the California English Language Development Test.

Waiver Numbers:

- Soquel Union Elementary 5-8-2011
- Ocean View School District 21-9-2011

(Recommended for APPROVAL)

(Meets Waiver Policy: [State Testing Apportionment Informational Report Deadline](#) [DOC; 77KB; 2pp.]

- [Item W-2 Attachment 1](#) (DOC; 30KB; 1p.)
 - [Item W-2 Attachment 2](#) (DOC; 55KB; 2pp.)
 - [Item W-2 Attachment 3](#) (PDF; 21KB; 1p.)
 - [Item W-2 Attachment 4](#) (DOC; 51KB; 1p.)
 - [Item W-2 Attachment 5](#) (PDF; 21KB; 1p.)
-

Community Day Schools (CDS) (Colocate Facilities)

[Item W-3](#) (DOC; 73KB; 3pp.)

Subject: Request under the authority of California *Education Code* Section 33050 for the Sacramento City Unified School District to waive *Education Code* Section 48661 relating to the co-location of a community day school with other types of schools; and, for the Tehama County Department of Education to waive portions of *Education Code* sections 48660 and 48916.1(d) relating to the allowable grade spans for community day schools.

Waiver Numbers:

- Sacramento City Unified School District 9-10-2011
- Tehama County Department of Education 19-10-2011

(Recommended for APPROVAL)

- [Item W-3 Attachment 1](#) (XLS; 27KB; 1p.)
 - [Item W-3 Attachment 2](#) (DOC; 66KB; 2pp.)
 - [Item W-3 Attachment 3](#) (PDF; 231KB; 1p.)
 - [Item W-3 Attachment 4](#) (DOC; 67KB; 4pp.)
-

School District Reorganization (Elimination of Election Requirement)

[Item W-4](#) (DOC; 81KB; 4pp.)

Subject: Request by 14 districts, under the authority of California *Education Code* Section 5020 and portions of sections 5019, 5021, and 5030, that require a district-wide election to establish new trustee areas.

Waiver Numbers:

- Burton Elementary 13-10-2011
- Clay Joint Elementary 35-10-2011
- Firebaugh-Las Deltas Joint Unified 6-10-2011
- Kings River Elementary 46-10-2011
- Kingsburg Elementary Charter 50-10-2011
- Kingsburg Joint Union High 51-10-2011
- Kit Carson Union Elementary 58-10-2011
- Lakeside Union Elementary 57-10-2011
- Lindsay Unified 31-10-2011
- Porterville Unified 44-10-2011
- Strathmore Union Elementary 30-10-2011
- Tulare City 35-9-2011
- Tulare Joint Union High 7-10-2011
- Vista Unified 49-10-2011

(Recommended for APPROVAL)

- [Item W-4 Attachment 1](#) (XLS; 46KB; 1p.)
- [Item W-4 Attachment 2](#) (DOC; 101KB; 10pp.)
- [Item W-4 Attachment 3](#) (DOC; 90KB; 8pp.)
- [Item W-4 Attachment 4](#) (DOC; 98KB; 11pp.)
- [Item W-4 Attachment 5](#) (DOC; 95KB; 11pp.)
- [Item W-4 Attachment 6](#) (DOC; 94KB; 8pp.)
- [Item W-4 Attachment 7](#) (DOC; 95KB; 8pp.)
- [Item W-4 Attachment 8](#) (DOC; 79KB; 7pp.)
- [Item W-4 Attachment 9](#) (DOC; 82KB; 7pp.)

- [Item W-4 Attachment 10](#) (DOC; 99KB; 11pp.)
 - [Item W-4 Attachment 11](#) (DOC; 90KB; 10pp.)
 - [Item W-4 Attachment 12](#) (DOC; 98KB; 11pp.)
 - [Item W-4 Attachment 13](#) (DOC; 100KB; 10pp.)
 - [Item W-4 Attachment 14](#) (DOC; 101KB; 11pp.)
 - [Item W-4 Attachment 15](#) (DOC; 83KB; 7pp.)
-

Class Size Penalties (Over Limit on Grades 1-3)

[Item W-5](#) (DOC; 74KB; 3pp.)

Subject: Request by two districts, under the authority of California *Education Code* Section 41382, to waive portions of *Education Code* sections 41376 (a), (c), and (d) and/or 41378 (a) through (e), relating to class size penalties for kindergarten through grade three. For kindergarten, the overall class size average is 31 to one with no class larger than 33. For grades one through three, the overall class size average is 30 to one with no class larger than 32.

Waiver Numbers:

- Los Banos Unified 21-10-2011
- Wasco Union Elementary 10-10-2011

(Recommended for APPROVAL WITH CONDITIONS)

- [Item W-5 Attachment 1](#) (XLS; 29KB; 1p.)
 - [Item W-5 Attachment 2](#) (DOC; 74KB; 5pp.)
 - [Item W-5 Attachment 3](#) (DOC; 74KB; 4pp.)
-

Class Size Penalties (Over Limit on Grades 4-8)

[Item W-6](#) (DOC; 74KB; 3pp.)

Subject: Request by two districts to waive portions of California *Education Code* Section 41376 (b) and (e), relating to class size penalties for grades four through eight. A district's current class size maximum is the greater of the 1964 statewide average of 29.9 to one or the district's 1964 average.

Waiver Numbers:

- Los Banos Unified District 20-10-2011
- Tulare City School District 23-10-2011

(Recommended for APPROVAL WITH CONDITIONS)

- [Item W-6 Attachment 1](#) (XLS; 28KB; 1p.)
 - [Item W-6 Attachment 2](#) (DOC; 68KB; 4pp.)
 - [Item W-6 Attachment 3](#) (DOC; 72KB; 4pp.)
-

Instructional Time Requirement Audit Penalty (Instructional Days and Minutes)

[Item W-7](#) (DOC; 100KB; 5pp.)

Subject: Request by Calexico Unified School District under the authority of California *Education Code* Section 46206(a) to waive *Education Code* Section 46200(c) audit penalty for offering fewer instructional days in the 2009-10 fiscal year and *Education Code* Section 46201(d) for offering fewer instructional minutes.

Waiver Number: 20-6-2011

(Recommended for APPROVAL WITH CONDITIONS)

- [Item W-7 Attachment 1](#) (DOC; 86KB; 3pp.)
 - [Item W-7 Attachment 2](#) (PDF; 137KB; 3pp.)
 - [Item W-7 Attachment 3](#) (PDF; 237KB; 1p.)
-

Charter School Program (Attendance Accounting for Multi-Track)

[Item W-8](#) (DOC; 82KB; 4pp.)

Subject: Request by New Jerusalem Elementary School District for Delta Charter School to waive *California Code of Regulations*, Title 5, Section 11960(a), to allow the charter school attendance to be calculated as if it were a regular multi-track school.

Waiver Number: 19-9-2011

(Recommended for APPROVAL WITH CONDITIONS)

(Meets Waiver Policy: [Charter School ADA: Alternative Calculation Method](#) [DOC; 77KB; 3pp.]

- [Item W-8 Attachment 1](#) (DOC; 63KB; 2pp.)
 - [Item W-8 Attachment 2](#) (XLS; 46KB; 1p.)
 - [Item W-8 Attachment 3](#) (XLS; 36KB; 1p.)
 - [Item W-8 Attachment 4](#) (XLS; 42KB; 1p.)
 - [Item W-8 Attachment 5](#) (XLS; 46KB; 1p.)
-

Schoolsite Council Statute (Shared, Composition, or Shared and Composition Members)

[Item W-9](#) (DOC; 78KB; 3pp.)

Subject: Request by nine local educational agencies under the authority of *California Education Code* Section 52863 for waivers of *Education Code* Section 52852, relating to schoolsite councils regarding changes in shared, composition, or shared and composition members.

Waiver Numbers:

- Banning Unified 22-10-2011
- Glendale Unified 3-8-2011
- Golden Valley Unified 22-8-2011
- Gustine Unified 32-6-2011
- Igo-Ono-Platina Union Elementary 1-10-2011
- Kernville Union Elementary 18-10-2011
- Lewiston Elementary 2-10-2011
- River Delta Joint Unified 23-9-2011
- Silver Valley Unified 22-9-2011

(Recommended for APPROVAL WITH CONDITIONS)

- [Item W-9 Attachment 1](#) (DOC; 63KB; 5pp.)
 - [Item W-9 Attachment 2](#) (DOC; 67KB; 3pp.)
 - [Item W-9 Attachment 3](#) (DOC; 67KB; 3pp.)
 - [Item W-9 Attachment 4](#) (DOC; 72KB; 2pp.)
 - [Item W-9 Attachment 5](#) (DOC; 71KB; 2pp.)
 - [Item W-9 Attachment 6](#) (DOC; 72KB; 3pp.)
 - [Item W-9 Attachment 7](#) (DOC; 69KB; 2pp.)
 - [Item W-9 Attachment 8](#) (DOC; 74KB; 3pp.)
 - [Item W-9 Attachment 9](#) (DOC; 68KB; 2pp.)
 - [Item W-9 Attachment 10](#) (DOC; 73KB; 3pp.)
-

Special Education Program (Algebra I Requirement for Graduation)

[Item W-10](#) (DOC; 71KB; 2pp.)

Subject: Request by two local educational agencies to waive *California Education Code* Section 51224.5(b), the requirement that all students graduating in the 2010–11 school year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation, for two special education students based on *Education Code* Section 56101, the special education waiver authority.

Waiver Numbers:

- El Dorado Union High School District 5-10-2011
- Natomas Unified School District 40-10-2011

(Recommended for APPROVAL WITH CONDITIONS)

- [Item W-10 Attachment 1](#) (DOC; 31KB; 1p.)
 - [Item W-10 Attachment 2](#) (DOC; 50KB; 1p.)
 - [Item W-10 Attachment 3](#) (DOC; 49KB; 1p.)
-

Special Education Program (Educational Interpreter for Deaf and Hard of Hearing)

[Item W-11](#) (DOC; 77KB; 3pp.)

Subject: Request by two local educational agencies to waive *California Code of Regulations*, Title 5, Section 3051.16(b)(3), the requirement that educational interpreters for deaf and hard of hearing pupils meet minimum qualifications as of July 1, 2009, to allow two educational interpreters to continue to provide services to students until June 30, 2012, under a remediation plan to complete those minimum qualifications.

Waiver Numbers:

- San Joaquin County Office of Education 4-10-2011
- Imperial County Office of Education 33-10-2011

(Recommended for APPROVAL WITH CONDITIONS)

(Meets Waiver Policy: [Educational Interpreters Not Meeting Regulatory Standards](#) [DOC; 95KB; 3pp.]

- [Item W-11 Attachment 1](#) (DOC; 39KB; 3pp.)
 - [Item W-11 Attachment 2](#) (DOC; 36KB; 2pp.)
 - [Item W-11 Attachment 3](#) (DOC; 40KB; 1p.)
 - [Item W-11 Attachment 4](#) (DOC; 351KB; 4pp.)
 - [Item W-11 Attachment 5](#) (DOC; 73KB; 4pp.)
-

Special Education Program (Extended School Year)

[Item W-12](#) (DOC; 79KB; 2pp.)

Subject: Request by Fairfax Elementary School District to waive *California Code of Regulations*, Title 5, Section 3043(d), which requires a minimum of 20 school days of attendance of four hours each for an extended school year (summer school) for special education students.

Waiver Number: 25-9-2011

(Recommended for APPROVAL WITH CONDITIONS)

- [Item W-12 Attachment 1](#) (DOC; 29KB; 1p.)
 - [Item W-12 Attachment 2](#) (DOC; 64KB; 2pp.)
-

Special Education Program (Child Specific/ NPA or NPS Certification)

[Item W-13](#) (DOC; 76KB; 3pp.)

Subject: Request by two county offices of education (COE) to waive *Education Code (EC)* Section 56366.1(a), the requirement for state certification to allow an uncertified nonpublic school/residential treatment facility to provide services to one or more special education student(s).

Waiver Numbers:

- Napa County Office of Education 1-9-2011 and 2-9-2011
- Solano County Office of Education 27-9-2011, 28-9-2011, 29-9-2011, 30-9-2011, 31-9-2011, 32-9-2011, and 33-9-2011

(Recommended for DENIAL)

- [Item W-13 Attachment 1](#) (DOC; 49KB; 2pp.)

- [Item W-13 Attachment 2](#) (DOC; 55KB; 2pp.)
 - [Item W-13 Attachment 3](#) (DOC; 55KB; 2pp.)
 - [Item W-13 Attachment 4](#) (DOC; 54KB; 2pp.)
 - [Item W-13 Attachment 5](#) (DOC; 54KB; 2pp.)
 - [Item W-13 Attachment 6](#) (DOC; 54KB; 2pp.)
 - [Item W-13 Attachment 7](#) (DOC; 54KB; 2pp.)
 - [Item W-13 Attachment 8](#) (DOC; 54KB; 2pp.)
 - [Item W-13 Attachment 9](#) (DOC; 54KB; 2pp.)
 - [Item W-13 Attachment 10](#) (DOC; 54KB; 2pp.)
-

Special Education Program (Resource Specialist)

[Item W-14](#) (DOC; 71KB; 3pp.)

Subject: Request by two districts, under the authority of California *Education Code* Section 56101 and *California Code of Regulations*, Title 5, Section 3100 to waive *Education Code* Section 56362(c). Approval of this waiver will allow the district's resource specialist to exceed the maximum caseload of 28 students by no more than four students (32 maximum).

Waiver Numbers:

- Salida Union Elementary 16-7-2011
- Pioneer Union Elementary 24-9-2011

(Recommended for APPROVAL WITH CONDITIONS)

- [Item W-14 Attachment 1](#) (DOC; 34KB; 1p.)
 - [Item W-14 Attachment 2](#) (DOC; 111KB; 4pp.)
 - [Item W-14 Attachment 3](#) (DOC; 118KB; 4pp.)
-

OUT OF STATE TRAVEL

[Item W-15](#) (DOC; 75KB; 3pp.)

Subject: Request by Butte Valley Unified School District to waive a portion of California *Education Code* Section 35330(b)(3) to authorize expenditures of school district funds for students to travel to Oregon to attend curricular and extra curricular trips/events and competitions.

Waiver Number: 3-10-2011

(Recommended for APPROVAL WITH CONDITIONS)

- [Item W-15 Attachment 1](#) (DOC; 63KB; 2pp.)
-

Quality Education Investment Act (Class Size Reduction Requirements)

[Item W-16](#) (DOC; 89KB; 5pp.)

Subject: Request by seven local educational agencies to waive portions of California *Education Code* Section 52055.740(a), regarding class size reduction requirements under the Quality Education Investment Act.

Waiver Numbers:

- Compton Unified 25-10-2011
- Compton Unified 26-10-2011
- El Monte City 32-10-2011
- Lennox 15-9-2011
- Lennox 16-9-2011
- Mountain Empire Unified 4-12-2010
- River Delta Joint Unified 15-10-2011
- Santa Ana Unified 16-11-2011
- Santa Ana Unified 17-11-2011
- Santa Ana Unified 18-11-2011

- Santa Ana Unified 19-11-2011
- Santa Ana Unified 20-11-2011
- Santa Ana Unified 21-11-2011
- Santa Ana Unified 22-11-2011
- Santa Ana Unified 23-11-2011
- Santa Ana Unified 24-11-2011
- Santa Paula Elementary 24-10-2011

(Recommended for APPROVAL WITH CONDITIONS)

- [Item W-16 Attachment 1](#) (DOC; 27KB; 1p.)
- [Item W-16 Attachment 2](#) (DOC; 63KB; 2pp.)
- [Item W-16 Attachment 3](#) (DOC; 28KB; 1p.)
- [Item W-16 Attachment 4](#) (DOC; 67KB; 2pp.)
- [Item W-16 Attachment 5](#) (DOC; 30KB; 1p.)
- [Item W-16 Attachment 6](#) (DOC; 94KB; 4pp.)
- [Item W-16 Attachment 7](#) (DOC; 29KB; 1p.)
- [Item W-16 Attachment 8](#) (DOC; 73KB; 5pp.)
- [Item W-16 Attachment 9](#) (DOC; 30KB; 1p.)
- [Item W-16 Attachment 10](#) (DOC; 71KB; 5pp.)
- [Item W-16 Attachment 11](#) (DOC; 29KB; 1p.)
- [Item W-16 Attachment 12](#) (DOC; 94KB; 4pp.)
- [Item W-16 Attachment 13](#) (DOC; 31KB; 1p.)
- [Item W-16 Attachment 14](#) (DOC; 78KB; 4pp.)
- [Item W-16 Attachment 15](#) (DOC; 30KB; 1p.)
- [Item W-16 Attachment 16](#) (DOC; 71KB; 4pp.)
- [Item W-16 Attachment 17](#) (DOC; 30KB; 1p.)
- [Item W-16 Attachment 18](#) (DOC; 71KB; 4pp.)
- [Item W-16 Attachment 19](#) (DOC; 30KB; 1p.)
- [Item W-16 Attachment 20](#) (DOC; 78KB; 4pp.)
- [Item W-16 Attachment 21](#) (DOC; 30KB; 1p.)
- [Item W-16 Attachment 22](#) (DOC; 78KB; 4pp.)
- [Item W-16 Attachment 23](#) (DOC; 30KB; 1p.)
- [Item W-16 Attachment 24](#) (DOC; 78KB; 4pp.)
- [Item W-16 Attachment 25](#) (DOC; 30KB; 1p.)
- [Item W-16 Attachment 26](#) (DOC; 79KB; 4pp.)
- [Item W-16 Attachment 27](#) (DOC; 30KB; 1p.)
- [Item W-16 Attachment 28](#) (DOC; 78KB; 4pp.)
- [Item W-16 Attachment 29](#) (DOC; 30KB; 1p.)
- [Item W-16 Attachment 30](#) (DOC; 78KB; 4pp.)
- [Item W-16 Attachment 31](#) (DOC; 30KB; 1p.)
- [Item W-16 Attachment 32](#) (DOC; 73KB; 4pp.)
- [Item W-16 Attachment 33](#) (DOC; 31KB; 2pp.)
- [Item W-16 Attachment 34](#) (DOC; 67KB; 2pp.)

Quality Education Investment Act (Teacher Experience Index)

[Item W-17](#) (DOC; 71KB; 2pp.)

Subject: Request by two local educational agencies to waive portions of California *Education Code* Section 52055.740(a), regarding the Teacher Experience Index under the Quality Education Investment Act.

Waiver Numbers:

- South Bay Union Elementary 27-10-2011
- Taft City 27-8-2011

(Recommended for APPROVAL WITH CONDITIONS)

- [Item W-17 Attachment 1](#) (DOC; 44KB; 2pp.)
- [Item W-17 Attachment 2](#) (DOC; 69KB; 3pp.)
- [Item W-17 Attachment 3](#) (DOC; 41KB; 2pp.)

- [Item W-17 Attachment 4](#) (DOC; 61KB; 2pp.)
-

Quality Education Investment Act (Highly Qualified Teachers)

[Item W-18](#) (DOC; 76KB; 4pp.)

Subject: Request by four local educational agencies to waive portions of California *Education Code* Section 52055.740(a), regarding Highly Qualified Teachers and/or the *Williams* case settlement requirements under the Quality Education Investment Act.

Waiver Numbers:

- Dinuba Unified 14-9-2011
- Lodi Unified 8-10-2011
- Long Beach Unified 42-10-2011
- Taft City 45-10-2011

(Recommended for APPROVAL WITH CONDITIONS)

- [Item W-18 Attachment 1](#) (DOC; 32KB; 1p.)
 - [Item W-18 Attachment 2](#) (DOC; 71KB; 3pp.)
 - [Item W-18 Attachment 3](#) (DOC; 30KB; 1p.)
 - [Item W-18 Attachment 4](#) (DOC; 66KB; 3pp.)
 - [Item W-18 Attachment 5](#) (DOC; 31KB; 1p.)
 - [Item W-18 Attachment 6](#) (DOC; 61KB; 2pp.)
 - [Item W-18 Attachment 7](#) (DOC; 32KB; 1p.)
 - [Item W-18 Attachment 8](#) (DOC; 61KB; 3pp.)
-

Quality Education Investment Act (API Growth Target)

[Item W-19](#) (DOC; 77KB; 3pp.)

Subject: Request by five local educational agencies to waive portions of California *Education Code* Section 52055.740(a)(5), regarding the Academic Performance Index under the Quality Education Investment Act.

Waiver Numbers:

- Farmersville Unified 12-10-2011
- Needles Unified 14-10-2011
- Santa Ana Unified 25-11-2011
- Vallejo City Unified 47-10-2011
- Vallejo City Unified 48-10-2011
- Wasco Union Elementary 16-10-2011

(Recommended for DENIAL)

- [Item W-19 Attachment 1](#) (DOC; 41KB; 2pp.)
 - [Item W-19 Attachment 2](#) (DOC; 84KB; 5pp.)
 - [Item W-19 Attachment 3](#) (DOC; 43KB; 2pp.)
 - [Item W-19 Attachment 4](#) (DOC; 74KB; 6pp.)
 - [Item W-19 Attachment 5](#) (DOC; 42KB; 2pp.)
 - [Item W-19 Attachment 6](#) (DOC; 75KB; 3pp.)
 - [Item W-19 Attachment 7](#) (DOC; 42KB; 2pp.)
 - [Item W-19 Attachment 8](#) (DOC; 72KB; 3pp.)
 - [Item W-19 Attachment 9](#) (DOC; 42KB; 2pp.)
 - [Item W-19 Attachment 10](#) (DOC; 168KB; 5pp.)
 - [Item W-19 Attachment 11](#) (DOC; 42KB; 2pp.)
 - [Item W-19 Attachment 12](#) (DOC; 79KB; 2pp.)
-

Quality Education Investment Act (Class Size Reduction Requirements)

[Item W-20](#) (DOC; 71KB; 3pp.)

Subject: Request by Santa Ana Unified School District to waive portions of California *Education Code* Section 52055.740(a), regarding class size reduction requirements under the Quality Education Investment Act.

Waiver Numbers:

- Santa Ana Unified 26-11-2011
- Santa Ana Unified 27-11-2011
- Santa Ana Unified 28-11-2011
- Santa Ana Unified 29-11-2011
- Santa Ana Unified 30-11-2011

(Recommended for DENIAL)

- [Item W-20 Attachment 1](#) (DOC; 33KB; 1p.)
- [Item W-20 Attachment 2](#) (DOC; 67KB; 3pp.)
- [Item W-20 Attachment 3](#) (DOC; 33KB; 1p.)
- [Item W-20 Attachment 4](#) (DOC; 65KB; 3pp.)
- [Item W-20 Attachment 5](#) (DOC; 34KB; 1p.)
- [Item W-20 Attachment 6](#) (DOC; 66KB; 3pp.)
- [Item W-20 Attachment 7](#) (DOC; 34KB; 1p.)
- [Item W-20 Attachment 8](#) (DOC; 65KB; 3pp.)
- [Item W-20 Attachment 9](#) (DOC; 29KB; 1p.)
- [Item W-20 Attachment 10](#) (DOC; 65KB; 3pp.)

Quality Education Investment Act (Teacher Experience Index)

[Item W-21](#) (DOC; 67KB; 2pp.)

Subject: Request by Chula Vista Elementary School District local educational agency to waive portions of California *Education Code* Section 52055.740(a), regarding Teacher Experience Index under the Quality Education Investment Act.

Waiver Number: Chula Vista Elementary 22-4-2011

(Recommended for APPROVAL WITH CONDITIONS)

- [Item W-21 Attachment 1](#) (DOC; 41KB; 2pp.)
- [Item W-21 Attachment 2](#) (DOC; 56KB; 2pp.)

*** END OF WAIVERS ***

*** ADJOURNMENT OF DAY'S SESSION ***

Public Session

January 12, 2012

**Thursday, January 12, 2012 – 8:30 a.m. Pacific Time +
(Upon adjournment of Closed Session if held)**

California Department of Education
1430 N Street, Room 1101
Sacramento, California 95814

Call to Order

Salute to the Flag

Closed Session

Communications

Announcements

REPORT OF THE STATE SUPERINTENDENT

SPECIAL PRESENTATIONS

Public notice is hereby given that special presentations for informational purposes may take place during this session.

AGENDA ITEMS

[Item 8](#) (DOC; 70KB; 2pp.)

Subject: STATE BOARD PROJECTS AND PRIORITIES.

Including, but not limited to, future meeting plans; agenda items; and officer nominations and/or elections; State Board office budget, staffing, appointments, and direction to staff; declaratory and commendatory resolutions; bylaw review and revision; Board policy; approval of minutes; Board liaison reports; training of Board members; and other matters of interest.

Type of Action: Action, Information

- [Item 8 Attachment 1](#) (DOC; 91KB; 3pp.)
 - [Item 8 Attachment 3](#) (DOC; 212KB; 25pp.)
-

[Item 9](#) (DOC; 66KB; 4pp.)

Subject: Update on the Activities of the California Department of Education and State Board of Education Regarding Implementation of Common Core State Standards Systems.

Type of Action: Action, Information

- [Item 9 Attachment 1](#) (DOC; 9MB; 38pp.)
-

[Item 10](#) (DOC; 105KB; 7pp.)

Subject: Supplemental Instructional Materials Review Aligned to the Common Core State Standards: Evaluation Criteria.

Type of Action: Action, Information

[Item 11](#) (DOC; 322KB; 16pp.)

Subject: *Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve*, 2013 Revision: Approval of the Timeline and Curriculum Framework and Evaluation Criteria Committee Application Form. The future activities of Instructional Quality Commission will also be discussed.

Type of Action: Action, Information

[Item 12](#) (DOC; 167KB; 13pp.)

Subject: Reauthorization of the Statewide Pupil Assessment System: Development of the State Superintendent of Public Instruction Recommendations.

Type of Action: Action, Information

[Item 13](#) (DOC; 73KB; 5pp.)

Subject: Elementary and Secondary Education Act: Proposed Amendments to the Accountability Workbook for 2012.

Type of Action: Action, Information

[Item 14](#) (DOC; 84KB; 8pp.)

Subject: Inclusion of Alternative Education Program Accountability Results in the Academic Performance Index – Approve Commencement of a 15-day Public Comment Period for Proposed Amendments to the *California Code of Regulations*, Title 5, Sections 1039.2 and 1039.3.

Type of Action: Action, Information

- [Item 14 Attachment 3](#) (PDF; 131KB; 1p.)
-

[Item 15](#) (DOC; 69KB; 6pp.)

Subject: 2012 United States Senate Youth Program Presentation.

Type of Action: Action, Information

[Item 16](#) (DOC; 90KB; 4pp.)

Subject: Elementary and Secondary Education Act: Approval of Local Educational Agency Plans, Title I, Section 1112.

Type of Action: Action, Information

[Item 17](#) (DOC; 89KB; 3pp.)

Subject: Approval of 2011–12 Consolidated Applications.

Type of Action: Action, Information

[Item 18](#) (DOC; 100KB; 5pp.)

Subject: Assignment of Numbers for Charter School Petitions.

Type of Action: Action, Information

[Item 19](#) (DOC; 57KB; 1p.)

Subject: PUBLIC COMMENT.

Public Comment is invited on any matter **not** included on the printed agenda. Depending on the number of individuals wishing to address the State Board, the presiding officer may establish specific time limits on presentations.

Type of Action: Information

***** ADJOURNMENT OF MEETING *****

For more information concerning this agenda, please contact the State Board of Education at 1430 N Street, Room 5111, Sacramento, CA, 95814; telephone 916-319-0827; fax 916-319-0175. To be added to the speaker's list, please fax or mail your written request to the above-referenced address/fax number. **This agenda is posted on the [State Board of Education's Web site](http://www.cde.ca.gov/be/ag/) [<http://www.cde.ca.gov/be/ag/>].**

Questions: State Board of Education | 916-319-0827

Last Reviewed: Friday, December 23, 2011

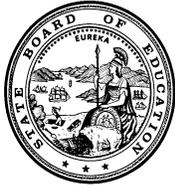
California Department of Education
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California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM 1



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

SUBJECT	
Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Hold a Public Hearing to Consider Rocketship Charter School, San Francisco, Which Was Denied by the San Francisco Unified School District Board of Education.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input checked="" type="checkbox"/> Public Hearing

SUMMARY OF THE ISSUES

On August 9, 2011, the San Francisco Unified School District Board of Education (SFUSD) voted to deny the Rocketship San Francisco (RSSF) charter petition by a vote of 6 to 0. A county appeal was not necessary, as SFUSD is also the county office.

Pursuant to *Education Code (EC) Section 47605(j)*, petitioners for a charter school that has been denied at the local level may petition the State Board of Education (SBE) for approval of the charter, subject to certain conditions.

RECOMMENDATION

California Department of Education Recommendation

The California Department of Education (CDE) recommends that the SBE hold a public hearing to deny the petition to establish the RSSF charter school under the oversight of the SBE based on the CDE's finding pursuant to *EC Section 47605(b)(2)* that the petitioners are unlikely to successfully implement the program set forth in the petition.

Advisory Commission on Charter Schools Recommendation

The Advisory Commission on Charter Schools (ACCS) considered the RSSF petition at its November 30, 2011, meeting. By a vote of six to one, the ACCS voted to recommend that the SBE approve the RSSF petition.

BRIEF HISTORY OF KEY ISSUES

The RSSF charter petition proposes to serve pupils in the Bay View area of San Francisco. The targeted population reflects the ethnic, cultural, and economic diversity of the area where the school proposes to locate.

BRIEF HISTORY OF KEY ISSUES (Cont.)

The CDE staff reviewed the RSSF petition, and the RSSF budget and cash flow reports. The RSSF charter petition describes an educational program that provides many levels of support, resources, and interventions for students that are not performing at grade-level. However, the CDE finds the following areas of deficiency within the petition:

- The relationship between Rocketship Education and the charter school and whether the charter management organization (CMO) would cover debts or liabilities in the event of school closure is not sufficiently described in the petition. Specifically, the RSSF petition states on page 99 that “On closure, the Charter School shall remain responsible for satisfaction of all liabilities arising from the operation of the Charter School.”
- Regarding local revenue in each year, grant award letters addressed to the Rocketship Education CMO from the Silicon Valley Community Foundation (Hastings/Quillen Fund) and the Charter School Growth Fund were provided as evidence of local grant funding; however, no details regarding the use of these funds for individual school sites were included.
- Debt service payments for two loans (i.e., financing cash flow) are not included. The first is identified in the budget narrative as a \$250,000 start up loan in Year 1 from Rocketship Education; no information was provided for the second financing source of \$100,000 in Year 2.
- Regarding the management fee totaling 15 percent of the school’s revenues, the petition does not sufficiently describe what services will be provided for this fee. Specifically, the petition states on page 365 that these fees will pay “for central office personnel to provide necessary operational and academic services to the school.” There is no further description of these services. It cannot be determined from the petition whether additional funds need to be budgeted for other purposes such as back office or administrative services.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Currently, 32 charter schools operate under SBE authorization as follows:

- Three statewide benefit charters, operating a total of 13 schools
- One countywide benefit charter
- Eighteen charter schools, authorized on appeal after local or county denial

The SBE delegates oversight duties of these schools to the CDE.

FISCAL ANALYSIS (AS APPROPRIATE)

If approved, this school would receive apportionment funding under the charter school block grant funding model. Funding is based on the statewide average funding levels for each grade span (kindergarten through grade three, grades four through six, grades seven through eight, and grades nine through twelve). Calculations use revenue limits for unified, elementary, and high school districts.

ATTACHMENTS

- Attachment 1: California Department of Education Charter School Petition Review Form Rocketship Education Rocketship San Francisco (45 Pages)
- Attachment 2: Rocketship Education Rocketship San Francisco Charter Petition (377 Pages)
- Attachment 3 : San Francisco Unified School District Findings for Denial and Petitioner's Response (31 Pages)
- Attachment 4: State Board of Education Standard Conditions on Opening and Operation (2 Pages)
- Attachment 5: Advisory Commission on Charter Schools Summary of Action (1 Page)

**California Department of Education
 Charter School Petition Review Form
 Rocketship Education Rocketship San Francisco**

Table 1: Key Information Regarding Rocketship Education Rocketship San Francisco

<p>Proposed Grade Span and Build-out Plan</p>	<p>In the 2013–14 school year, Rocketship San Francisco Charter School (RSSF) proposes to serve students in kindergarten through grade five (K–5) and possibly grade six, should there be parent demand for this grade level. In year one, RSSF will serve students in kindergarten through grade three (K–3). Each subsequent year it will add one grade level. The proposed enrollment and build out plan projections are displayed in Table 1.</p> <table border="1" data-bbox="435 852 1390 1331"> <thead> <tr> <th colspan="9">Table 1: RSSF Grade Level and Enrollment Build Out Plan</th> </tr> <tr> <th></th> <th>K</th> <th>1</th> <th>2</th> <th>3</th> <th>4</th> <th>5</th> <th>6</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Year 1</td> <td>120</td> <td>112</td> <td>92</td> <td>92</td> <td>0</td> <td>0</td> <td>0</td> <td>416</td> </tr> <tr> <td>Year 2</td> <td>120</td> <td>112</td> <td>104</td> <td>94</td> <td>83</td> <td>0</td> <td>0</td> <td>513</td> </tr> <tr> <td>Year 3</td> <td>120</td> <td>112</td> <td>104</td> <td>94</td> <td>83</td> <td>42</td> <td>0</td> <td>555</td> </tr> <tr> <td>Year 3 and Beyond</td> <td>120</td> <td>112</td> <td>104</td> <td>94</td> <td>83</td> <td>42</td> <td>80</td> <td>635</td> </tr> </tbody> </table>	Table 1: RSSF Grade Level and Enrollment Build Out Plan										K	1	2	3	4	5	6	Total	Year 1	120	112	92	92	0	0	0	416	Year 2	120	112	104	94	83	0	0	513	Year 3	120	112	104	94	83	42	0	555	Year 3 and Beyond	120	112	104	94	83	42	80	635
Table 1: RSSF Grade Level and Enrollment Build Out Plan																																																							
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Year 3 and Beyond	120	112	104	94	83	42	80	635																																															
<p>Proposed Location</p>	<p>Southeast corridor of San Francisco (Bay View neighborhood)</p>																																																						
<p>Brief History</p>	<p>On August 9, 2011, the San Francisco Unified School District Board of Education (SFUSD) voted to deny the RSSF Charter petition by a vote of 6 to 0. A county appeal was not necessary, as SFUSD is the county office.</p>																																																						
<p>Lead Petitioner</p>	<p>John Danner, Co-Founder and Chief Executive Officer of Rocketship Education</p>																																																						

Table 2: Summary of Required Charter Elements Pursuant to California Education Code Section 47605(b)		
	Charter Elements Required Pursuant to California Education Code (EC) Section 47605(b)	Meets Requirements
	Sound Educational Practice	Yes
	Ability to Successfully Implement the Intended Program	No
	Required Number of Signatures	Yes
	Affirmation of Specified Conditions	Yes
1	Description of Educational Program	Yes
2	Measureable Pupil Outcomes	Yes
3	Method for Measuring Pupil Progress	Yes
4	Governance Structure	Yes
5	Employee Qualifications	Yes
6	Health and Safety Procedures	Yes
7	Racial and Ethnic Balance	Yes
8	Admission Requirements	Yes
9	Annual Independent Financial Audits	Yes
10	Suspension and Expulsion Procedures	Yes
11	Retirement Coverage	Yes
12	Public School Attendance Alternatives	Yes
13	Post-employment Rights of Employees	Yes
14	Dispute Resolution Procedures	Yes
15	Exclusive Public School Employer	Yes
16	Closure Procedures	Yes
	Standards, Assessments, and Parent Consultation	Yes
	Employment is Voluntary	Yes
	Pupil Attendance is Voluntary	Yes
	Effect on Authorizer and Financial Projections	No
	Academically Low Achieving Pupils	Yes
	Teacher Credentialing	Yes
	Transmission of Audit Report	Yes

Summary of California Department of Education Evaluation

The RSSF charter petition describes an educational program that provides many levels of support, resources, and interventions for students that are not performing at grade-level.

In considering the RSSF charter petition, the CDE reviewed the following:

- The RSSF petition
- RSSF budget information
- RSSF educational and demographic data of the schools where pupils would otherwise be required to attend
- Board agendas, minutes, and findings from SFUSD regarding the denial of the RSSF petition, along with the petitioners' responses

Details regarding the CDE analysis are provided in this report. In addition, the CDE reviewed the statutory requirements for charter petitions.

Requirements for State Board of Education-Authorized Charter Schools

Sound Educational Practice	California EC Section 47605(b) 5 CCR Section 11967.5.1(a) and (b)
<p>Evaluation Criteria</p> <p>For purposes of EC Section 47605(b), a charter petition shall be “consistent with sound educational practice” if, in the SBE’s judgment, it is likely to be of educational benefit to pupils who attend. A charter school need not be designed or intended to meet the educational needs of every student who might possibly seek to enroll in order for the charter to be granted by the SBE.</p> <p>For purposes of EC Section 47605(b)(1), a charter petition shall be “an unsound educational program” if it is either of the following:</p> <ul style="list-style-type: none"> (1) A program that involves activities that the SBE determines would present the likelihood of physical, educational, or psychological harm to the affected pupils. (2) A program that the SBE determines not likely to be of educational benefit to the pupils who attend. 	
<p>Is the charter petition “consistent with sound educational practice?”</p>	<p>Yes</p>

Comments:

The RSSF charter petition proposes to serve pupils in the Bay View area of San Francisco. The targeted population reflects the ethnic, cultural, and economic diversity of the area where the school is located, as shown in Table 4.

The RSSF charter petition proposes an educational program that provides many levels of support, resources, and interventions for students that are not performing at grade-level. For example, the focus of the educational program for RSSF is based on a schoolwide implementation of the Response to Intervention framework (Rtl). In this framework, key components require that students be regularly assessed and instruction be immediately modified based on assessment results. The RSSF petition will contract with Rocketship Education, a non-profit organization that will provide many of the services that a traditional district provides to its public schools.

Academic Performance Index (API) and Adequately Yearly Progress (AYP) data for the surrounding schools where pupils would otherwise be required to attend are contained in Tables 3–9.

Table 3: 2011 Demographic Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

School Name	Bret Harte Elementary	El Dorado Elementary	George Washington Carver Elementary
CDS Code	38684786040760	38684786040950	38684786093496
Student Enrollment	240	296	280
% Black or African American	40.8	33.1	70.7
% American Indian or Alaska Native	1.7	0.7	1.8
% Asian	0	11.5	0.7
% Filipino	2.1	6.8	1.1
% Hispanic or Latino	32.9	30.1	5.7
% Native Hawaiian or Pacific Islander	15.8	5.7	13.6
% White	0.8	4.4	0.4
% Two or More Races	2.9	4.4	2.9
% Socioeconomically Disadvantaged	93.3	75.7	88.2
% English Learners	34.6	30.7	8.6
% Students with Disabilities	15	9.5	7.5
Data source used "DMDSQL1.EDdemo2.vwSSIDenroll"			

Table 4: 2011 Truancy, Suspension, and Expulsion Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend			
School Name	Bret Harte Elementary	El Dorado Elementary	George Washington Carver Elementary
CDS Code	38684786040760	38684786040950	38684786093496
Enrollment	240	296	280
Truancy Number (Rate)	116(48.3)	204(68.9)	174(62.1)
Suspension Number (Rate)	0(0)	26(8.8)	1(0.4)
Expulsion Number (Rate)	0(0)	0(0)	0(0)
Data source was a provided spreadsheet "umirs1011.xls"			

Table 5. Academic Performance Index (API) Growth for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend			
School Name	Bret Harte Elementary	El Dorado Elementary	George Washington Carver Elementary
CDS Code	38684786040760	38684786040950	38684786093496
API Growth for 2010–11	23	-16	0
API Growth for 2009–10	14	24	34
API Growth for 2008–09	-10	-30	-11
API Growth for 2007–08	-128	-19	23
Data source used "API08gdb.dbf, API09gdb.dbf, API10gdb.dbf, API11gdb.dbf"			

Table 6: 2011 Growth Academic Performance Index (API) Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend			
School Name	Bret Harte Elementary	El Dorado Elementary	George Washington Carver Elementary
CDS Code	38684786040760	38684786040950	38684786093496
Valid Scores Schoolwide	137	177	165
Schoolwide	650(23)	699(-16)	701(0)
Black or African American	640(55)	638(-3)	711(17)
American Indian or Alaska Native	-	-	-
Asian	-	821(-)	-
Filipino	-	820(-)	-
Hispanic or Latino	595(-)	695(-)	-
Native Hawaiian or Pacific Islander	695(-)	-	650(-)
White	-	709(-)	-
Two or More Races	-	-	-
Socioeconomically Disadvantaged	645(30)	689(-27)	698(-4)
English Learners	578(-)	737(-)	744(-)
Students with Disabilities	508(-)	566(-)	496(-)
Statewide/Similar Schools Rank	1/1	2/2	1/5
Data source used, "API11gdb.dbf, API10bdb.dbf" - The Growth API is not displayed when there are less than 11 valid scores (-) The student group is not numerically significant, therefore no growth determination was made			

Table 7: 2011 Adequate Yearly Progress (AYP) Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

School Name	Bret Harte Elementary	El Dorado Elementary	George Washington Carver Elementary
CDS Code	38684786040760	38684786040950	38684786093496
Met AYP Criteria	Yes	No	No
# Criteria Met/# Criteria Applicable	13/13	11/21	4/13
2011-12 Program Improvement (PI) Status	In PI	In PI	Not in PI (SO)
2011-12 Program Improvement (PI) Year	Year 2	Year 3	
Data source used, "APR11adb.dbf, schlpi11.dbf"			
SO=School received School Improvement Grant funding and is covered by Start Over waiver due to implementing turnaround model. The turnaround model includes, among other actions, replacing the principal and at least 50 percent of the school's staff, adopting a new governance structure, and implementing a new or revised instructional program. Data retrieved from the CDE Web site at: http://www.cde.ca.gov/sp/sw/t1/documents/sig09appsrecd.xls			

Table 8: 2011 Adequate Yearly Progress (AYP) Data: Percent Proficient in English-Language Arts (ELA) for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend			
ELA % Proficiency Target: 67.6			
School Name	Bret Harte Elementary	El Dorado Elementary	George Washington Carver Elementary
CDS Code	38684786040760	38684786040950	38684786093496
Number of Valid Scores Schoolwide	135	177	153
Schoolwide (Met Target)	28.1(Yes)	29.4(No)	41.2(No)
Black or African American (Met Target)	27.0(Yes)	19.7(No)	42.2(No)
American Indian or Alaska Native (Met Target)	--(--)	--(--)	--(--)
Asian (Met Target)	--(--)	45.8(--)	--(--)
Filipino (Met Target)	--(--)	53.8(--)	--(--)
Hispanic or Latino (Met Target)	16.7(--)	30.2(No)	--(--)
Native Hawaiian or Pacific Islander (Met Target)	33.3(--)	--(--)	36.0(--)
White (Met Target)	--(--)	33.3(--)	--(--)
Two or More Races (Met Target)	--(--)	--(--)	--(--)
Socioeconomically Disadvantaged (Met Target)	27.1(Yes)	27.7(No)	40.1(No)
English Learners (Met Target)	12.5(--)	32.7(No)	27.3(--)
Students with Disabilities (Met Target)	23.5(--)	17.4(--)	27.3(--)
Data source used, "APR11adb.dbf, schlpi11.dbf"			
-- Percent proficient is not displayed when there are less than 11 valid scores			
(--) The student group is not numerically significant, therefore no AYP determination was made			

Table 9: 2011 Adequate Yearly Progress (AYP) Data: Percent Proficient in Mathematics for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend			
Math % Proficiency Target: 68.5			
School Name	Bret Harte Elementary	El Dorado Elementary	George Washington Carver Elementary
CDS Code	38684786040760	38684786040950	38684786093496
Number of Valid Scores Schoolwide	136	177	165
Schoolwide (Met Target)	31.6(Yes)	43.5(No)	48.5(No)
Black or African American (Met Target)	25.0(Yes)	30.3(No)	48.7(Yes)
American Indian or Alaska Native (Met Target)	--(--)	--(--)	--(--)
Asian (Met Target)	--(--)	79.2(--)	--(--)
Filipino (Met Target)	--(--)	69.2(--)	--(--)
Hispanic or Latino (Met Target)	25.0(--)	41.5(Yes)	--(--)
Native Hawaiian or Pacific Islander (Met Target)	44.4(--)	--(--)	46.2(--)
White (Met Target)	--(--)	33.3(--)	--(--)
Two or More Races (Met Target)	--(--)	--(--)	--(--)
Socioeconomically Disadvantaged (Met Target)	31.5(Yes)	41.8(No)	48.0(No)
English Learners (Met Target)	20.0(--)	54.5(No)	54.5(--)
Students with Disabilities (Met Target)	15.8(--)	17.4(--)	21.7(--)
Data source used, "APR11adb.dbf, schlpi11.dbf"			
-- Percent proficient is not displayed when there are less than 11 valid scores			
(--) The student group is not numerically significant, therefore no AYP determination was made			

Ability to Successfully Implement the Intended Program	EC Section 47605(b)(2) 5 CCR Section 11967.5.1(c)
<p>Evaluation Criteria For purposes of <i>EC</i> Section 47605(b)(2), the SBE shall take the following factors into consideration in determining whether charter petitioners a “e” "demonstrably unlikely to successfully implement the program:"</p> <ol style="list-style-type: none"> 1. If the petitioners have a past history of involvement in charter schools or other education agencies (public or private), the history is one that the SBE regards as unsuccessful, e.g., the petitioners have been associated with a charter school of which the charter has been revoked or a private school that has ceased operation for reasons within the petitioners' control. 2. The petitioners are unfamiliar in the SBE's judgment with the content of the petition or the requirements of law that would apply to the proposed charter school. 3. The petitioners have presented an unrealistic financial and operational plan for the proposed charter school (as specified). 4. The petitioners personally lack the necessary background in the following areas critical to the charter school's success, and the petitioners do not have plan to secure the services of individuals who have the necessary background in curriculum, instruction, assessment, and finance and business management. 	
Are the petitioners able to successfully implement the intended program?	No

Comments:

The RSSF charter renewal petition does not demonstrate that the petitioners are likely to implement the program as set forth in the charter petition. The petitioners do have a reasonable comprehension of the requirements of law and a solid background in the educational, financial, organizational, and legal aspects of operating a charter school. The petitioners have demonstrated willingness to work with the CDE and have been responsive and compliant to requests for information, submission of reports and necessary documents.

The petitioners have demonstrated willingness to work with the CDE and have been responsive and compliant to requests for information, submission of reports and necessary documents.

As evidence, Rocketship Education currently operates three charter schools in San Jose. The RSSF petition states that Rocketship Mateo Sheedy Elementary (opened in 2007) earned an API score of 925 in 2010 and Rocketship Si Se Puede (opened in 2009) earned an API score of 866 in its first year.¹

However, the CDE finds the following areas of deficiency within the petition:

- The relationship between Rocketship Education and the charter school and whether the charter management organization (CMO) would cover debts or liabilities in the event of school closure is not sufficiently described in the petition. Specifically, the RSSF petition states on page 99 that “On closure, the Charter School shall remain responsible for satisfaction of all liabilities arising from the operation of the Charter School.”
- Regarding local revenue in each year, grant award letters addressed to the Rocketship Education CMO from the Silicon Valley Community Foundation (Hastings/Quillen Fund) and the Charter School Growth Fund were provided as evidence of local grant funding; however, no details regarding the use of these funds for individual school sites were included.
- Debt service payments for two loans (i.e., financing cash flow) are not included. The first is identified in the budget narrative as a \$250,000 start up loan in Year 1 from Rocketship Education; no information was provided for the second financing source of \$100,000 in Year 2.
- Regarding the management fee totaling 15 percent of the school’s revenues, the petition does not sufficiently describe what services will be provided for this fee. Specifically, the petition states on page 365 that these fees will pay “for central office personnel to provide necessary operational and academic services to the school.” There is no further description of these services. It cannot be determined from the petition whether additional funds need to be budgeted for other purposes such as back office or administrative services.

¹ The CDE reviewed this data and found that it is correct.

Required Number of Signatures	<i>EC Section 47605(b)(3)</i> 5 <i>CCR Section 11967.5.1(d)</i>	
Evaluation Criteria For purposes of <i>EC Section 47605(b)(3)</i> , a charter petition that “does not contain the number of signatures required by [law]”...shall be a petition that did not contain the requisite number of signatures at the time of its submission...		
Does the petition contain the required number of signatures at the time of its submission?	Yes	

Comments:

The requisite number of signatures from meaningfully interested parents is included with the petition.

Affirmation of Specified Conditions	<i>EC Section 47605(b)(4)</i> <i>EC Section 47605(d)</i> 5 <i>CCR Section 11967.5.1(e)</i>	
Evaluation Criteria For purposes of <i>EC Section 47605(b)(4)</i> , a charter petition that "does not contain an affirmation of each of the conditions described in [<i>EC Section 47605(“</i>)”]"...shall be a petition that fails to include a clear, unequivocal affirmation of each such condition. Neither the charter nor any of the supporting documents shall include any evidence that the charter will fail to comply with the conditions described in <i>EC Section 47605(d)</i> .		
(1) [A] charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the California <i>Penal Code</i> . Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or guardian, within this state, except that any existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school.	Yes	
(2) (A) A charter school shall admit all pupils who wish to attend the school.	Yes	

Affirmation of Specified Conditions	EC Section 47605(b)(4) EC Section 47605(d) 5 CCR Section 11967.5.1(e)
<p>(B) However, if the number of pupils who wish to attend the charter school exceeds the school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the district except as provided for in <i>EC</i> Section 47614.5. Other preferences may be permitted by the chartering authority on an individual school basis and only if consistent with the law.</p> <p>(C) In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and, in no event, shall take any action to impede the charter school from expanding enrollment to meet pupil demand.</p>	
<p>(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information. This paragraph applies only to pupils subject to compulsory full-time education pursuant to [<i>EC</i>] Section 48200.</p>	Yes
<p>Does the charter petition contain the required affirmations?</p>	<p>Yes</p>

Comments:

The RSSF charter renewal petition does contain all of the required affirmations.

The 16 Charter Elements

1. Description of Educational Program	<i>EC Section 47605(b)(5)(A)</i> <i>5 CCR Section 11967.5.1(f)(1)</i>
<p>Evaluation Criteria The description of the educational program..., as required by <i>EC Section 47605(b)(5)(A)</i>, at a minimum:</p>	
(A) Indicates the proposed charter school's target student population, including, at a minimum, grade levels, approximate numbers of pupils, and specific educational interests, backgrounds, or challenges.	Yes
(B) Specifies a clear, concise school mission statement with which all elements and programs of the school are in alignment and which conveys the petitioners' definition of "an educated person" in the 21 st century, belief of how learning best occurs, and goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners.	Yes
(C) Includes a framework for instructional design that is aligned with the needs of the pupils that the charter school has identified as its target student population.	Yes
(D) Indicates the basic learning environment or environments (e.g., site-based matriculation, independent study, community-based education, technology-based education).	Yes
(E) Indicates the instructional approach or approaches the charter school will utilize, including, but not limited to, the curriculum and teaching methods (or a process for developing the curriculum and teaching methods) that will enable the school's pupils to master the content standards for the four core curriculum areas adopted by the SBE pursuant to <i>EC Section 60605</i> and to achieve the objectives specified in the charter.	Yes
(F) Indicates how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.	Yes
(G) Indicates how the charter school will meet the needs of students with disabilities, EL, students achieving substantially above or below grade level expectations, and other special student populations.	Yes

1. Description of Educational Program	EC Section 47605(b)(5)(A) 5 CCR Section 11967.5.1(f)(1)
(H) Specifies the charter school's special education plan, including, but not limited to, the means by which the charter school will comply with the provisions of <i>EC</i> Section 47641, the process to be used to identify students who qualify for special education programs and services, how the school will provide or access special education programs and services, the school's understanding of its responsibilities under law for special education pupils, and how the school intends to meet those responsibilities.	Yes
<p>If serving high school students, describes how district/charter school informs parents about:</p> <ul style="list-style-type: none"> • transferability of courses to other public high schools; and • eligibility of courses to meet college entrance requirements <p>Courses that are accredited by the Western Association of Schools and Colleges may be considered transferable, and courses meeting the University of California/California State University "a-g" admissions criteria may be considered to meet college entrance requirements.</p>	NA
Does the petition overall present a reasonably comprehensive description of the educational program?	Yes

Comments:

The RSSF charter petition presents a reasonably comprehensive description of the educational program. It provides substantial detail regarding its curriculum and plan to address the varying academic needs of students at the school including those students classified as English Learner (EL), socioeconomically disadvantaged, and students with disabilities.

Educational Program

RSSF will be a site-based elementary school serving grades K–5 (possibly grade six if there is sufficient demand) that will locate in the Bay View area of San Francisco. It intends to serve students at-risk of achieving below basic proficiency on state exams, and to enroll students from schools that are undergoing program improvement (PI). The target population will be 26 percent English learner and 69 percent socioeconomically disadvantaged.²

² Demographic data presented in Table 4, from three elementary schools located in the Bay View area of San Francisco, finds that the EL percentage will likely be closer to 25 and the socioeconomically disadvantaged percentage will likely be closer to 86 percent.

The school's mission is to eliminate the achievement gap by graduating students that perform above grade level in literacy and math. Its vision is to create a future where children from southeast San Francisco return to their community as four-year college graduates to eradicate the achievement gap. These two organizational goals are consistent with the RSSF educational program, which is designed specifically to address, on a wide scale, the academic needs of the proposed target population in the Bay View area of San Francisco. That is, the entire school program is based on the expectation that entering students will be 1.5 years behind in grade level proficiency and that the school, RSSF, must provide focused and frequent interventions to most children in order to increase achievement and maintain those gains schoolwide.

The major elements of the educational program include the following:

- An extended school day
- High expectations
- Teacher teaming
- Deep community involvement
- Individualization for each student

RSSF will provide an extended school day by beginning school at 8 a.m. and ending at 4 p.m. For those students enrolled in the Rtl program the school day may extend to 4:45 p.m.

The RSSF petition states that it will instill a schoolwide expectation for high achievement by making achievement a fundamental component of teacher evaluation and compensation.

Teacher teaming will be implemented by having a teacher for homeroom instruction that will monitor student achievement and progress with interventions. However, students will also have two other teachers; one will provide literacy instruction that is integrated with social studies, and the other will provide instruction in math that is integrated with science. RSSF believes that content matter specialization will allow teachers to focus and specialize on subject matter competency.

RSSF will develop community involvement by having teachers conduct home visits with every family during the first half of the year, conducting monthly community meetings and special events, and by choosing principals and office managers who are bi-lingual in neighborhoods where Spanish is the dominant language.

The RSSF charter petition indicates that RSSF will individualize curriculum through the implementation of the Rtl framework (for description see Plan for Low-Achieving Students, below) which will inform classroom instruction, tutoring

interventions and the Learning Lab time. During the Learning Lab, a student's interim assessments results are used to create a specific online intervention program for each student by the Academic Dean and teacher.

Learning Lab will include 110 minutes daily. Forty minutes will be dedicated to work on computers that provide individualized, leveled programs that automatically adjusts online work to meet student ability. Forty minutes will be dedicated to a reading center staffed by tutors that provide individualized instruction, and 30 minutes will include enrichment physical education activities. RSSF indicates that 80–90 minutes of the computer and reading time will include one-to-one pullout time with tutors in small groups. Some low-performing students may regularly receive the 80–90 minutes of tutoring.³

Curriculum

RSSF will provide a curriculum based on the California frameworks and academic content standards, the latter of which RSSF also reviewed against the Common Core standards. RSSF identified the key standards by examining the Standardized Testing and Reporting (STAR) focus and level of cognition required (per Bloom's Taxonomy) for each standard. Based on this evaluation, RSSF determined which standards were most important in the eyes of the state and will focus instruction and build units around these key standards that RSSF calls power standards.

For English-language arts, RSSF intends to utilize programs such as Open Court, Scholastic leveled readers, Six Traits of Writing (Northwest Regional Educational Laboratory), the Developmental Reading Assessment (DRA), Lucy Calkins Units of Study, and Step Up to Writing.

For Math, RSSF intends to use Harcourt Math, Math Their Way, Math A way of Thinking, and work from John Van de Walle (author of developmental mathematics textbooks and student-centered resources).

For social science and science, RSSF will implement units developed according to Understanding by Design, UbD (Association for Supervision and Curriculum Development), a framework to develop curriculum, assessments, and instruction by backward mapping standards to develop units. RSSF petitioners indicate that each teacher will have access to the Guided Language Acquisition Design (GLAD) online portal, and will be provided with \$1000 budget to supplement these units through various means such as products from Lakeshore, field trips, online science/social studies websites and resources, etc. In addition, the science course objectives do make note that resources from the Full Option Science System (FOSS) will be purchased to assist ELD students.

³ Rocketship provided this description to the CDE through e-mail correspondence. This information is not found in the petition because Rocketship indicated it had recently changed the way it implemented Learning Lab.

District Concerns: The SFUSD staff report indicated that SFUSD did not agree with the philosophy of the RSSF math program. However, charter schools are free to implement and select a math program of their preference so long as the petitioner can demonstrate that the program is likely to benefit the student. The RSSF petition meets this standard. The RSSF petition clearly articulates the philosophy behind the RSSF program, provides examples of resources to support implementation of the program, outlines the standards to be taught, and describes course objectives. In addition, in RSSF's response to the district findings, RSSF claims that the Rocketship math model is a proven success given that in the year 2010–11, over 80 percent of Rocketship students were proficient or advanced in math. (The CDE has verified that these AYP figures are correct.)

Plan for Low-Achieving Students

The RSSF charter petition states that the entire school program is focused on assisting students that are at risk of achieving below basic proficiency on state exams. To this end, RSSF will implement the components of the Rtl framework which will provide three tiers of intervention for students in need of additional assistance.

At RSSF, all students will be assessed upon entry, using various local assessments targeted to the relevant grade level. If a student performs significantly below grade level, he/she will enter Tier 1, where the classroom teacher will develop an Individualized Learning Plan (ILP) to be implemented in the classroom. After eight weeks of instruction, students will be given the first round of assessments. Those students that continue to perform significantly below grade level will enter Tier 2 and will be given a revised ILP that will redirect their work in an additional period each day during small group tutoring/intervention time. The intervention tutor will provide a very specific eight-week plan combining suggestions from the classroom teacher and Academic Dean. After another eight weeks, students are assessed again to measure progress. For those students still not making adequate progress a Student Study Team Process may be conducted to revise the ILP once more. After two eight-week cycles of Tier 2 where students still do not make adequate progress, a student will enter Tier 3 and begin the Special Education assessment process.

Plan for High-Achieving Students

RSSF will provide individualized learning opportunities through small group work in classrooms, group activities planned by teachers, and focused lessons based on their current academic needs in the Learning Lab.

Plan for English Learners

The RSSF charter petition includes a detailed description of the English language resources and support for pupils at various stages of English language development. The level of detail and research reviewed indicates capacity and understanding of best practices for EL pupils in a predominantly English speaking setting.

The RSSF program will provide an English immersion program (that will be staffed with teachers that possess a Cross-cultural Language and Academic Development (CLAD) certificate or equivalent, and have received training in GLAD, an instructional model for teaching English language development and literacy.

RSSF will assess language proficiency at entry using two assessments. One assessment, the California English Language Development Test (CELDT), is state mandated and will measure English language proficiency. The other assessment, the Language Assessment Survey (LAS), no longer used by the state but available for private purchase, will assess Spanish language proficiency. For those students designated as EL, based on initial assessments upon enrollment, RSSF will focus primarily on developing oral language comprehension. The decision to focus on oral language comprehension is based on research cited in the petition stating that oral language comprehension is critical to facilitating large gains in reading and writing.

RSSF will provide leveled ELD instruction during specifically scheduled ELD time within the English language arts block. The large number of EL students in kindergarten and first grade will allow for this type of grouping. However, at no other time during the school day will students be grouped by language ability. RSSF will purchase ELD curriculum, such as Hampton Brown's "Into English," and vocabulary building resources such as "English in a Flash" from Renaissance Learning.

Language development will be evaluated every six months via parent conferences and twice a year using A Developmental English Proficiency Test (ADEPT), an oral language assessment. RSSF will also provide an EL Center during ELA instruction that will provide language acquisition activities that target individual student needs based on progress on the ADEPT assessment.

The reclassification procedures described in the petition are consistent with on *EC* Section 313, the standard process that traditional schools must follow for re-designation of EL students.

District Concerns: SFUSD indicated that the proposed program for EL students (English immersion) presented by RSSF would not be effective for EL students beyond second grade. However, RSSF is lawfully able to select the English immersion instructional model for EL pupils. *EC* Section 330(f), indicates that all

children in California shall be taught English as rapidly and effectively as possible. In addition, in their response to the district findings, Rocketship indicated that it is committed to serving the needs of all students, as evidenced by EL students' API scores of 839, 887, and 854 in 2010–11. (The CDE has verified that these API figures are correct. In addition, the CDE reviewed enrollment data for the three Rocketship schools and found that the Rocketship schools serve a large percentage of EL students that ranges between 76 and 92 percent. In addition, the Rocketship schools serve a similar percentage of socioeconomically disadvantaged students.)

Plan for Special Education Students

The RSSF charter petition comprehensively describes services for students with disabilities. RSSF states that it will comply with all state and federal special education laws and SELPA policies and procedures. RSSF indicates that it will operate as a local educational agency (LEA) under the El Dorado County Charter Special Education Local Plan Area (SELPA) Charter Consortium, which was approved by the SBE in 2010. SELPA's facilitate high quality educational programs for special needs students, training for parents and educators, and work with their members to ensure the provision of appropriate special education services.

The RSSF charter petition states that as an LEA for special education purposes, RSSF will be solely responsible, the same as a district, for providing special education services. RSSF will be accountable for compliance monitoring and reporting through the charter SELPA, and will comply with any internal requirements of its authorizer related to the Individual with Disabilities Education Act.

The RSSF charter petition provide detail regarding the following aspects of special education services: integrated service delivery, enrollment regardless of disability, enrollment of students with Individualized Education Programs (IEP's), child find activities, Rtl, student study team, general education accommodations or modifications, assessment of students, 504 plans, considerations for EL pupils, development of an appropriate IEP, and functional analysis assessments and behavior intervention plans.

As member of the El Dorado County SELPA, RSSF will make assurances in accordance with the SELPA plan that will include but are not limited to the following: free and appropriate education, full educational opportunity, child find, IEP, least restrictive environment, procedural safeguards, annual/triannual assessment, confidentiality, personnel standards, and participation in assessments.

Regarding the continuum of services, RSSF provides information regarding how it will address the following: specialized academic instruction, mild to moderate;

designed instructional services (speech and language, occupational and vision and hearing therapy); specialized academic instruction, moderate to severe; severe special day class; referral to non public school agency; compliance with AB 3632 (EC Section 56331); transportation to access special education services; and extra-curricular activities.

Rocketship Education special education staff includes the following:

- Program Director (full time)
- Psychologist (full time)
- Special education teachers for mild to moderate (full time) and moderate to severe (contracted)
- Instructional assistants/paraprofessionals
- Speech therapists (contracted)
- Speech and language pathologist assistants (contracted)
- Occupational therapist (contracted)
- Vision specialist (contracted)
- And other staff as required by an IEP

RSSF commits to providing ongoing staff training and ensuring all staff are appropriately credentialed and/or licensed to meet ESEA highly qualified requirements. RSSF will also encourage teaching staff to utilize the El Dorado County Charter SELPA Beginning Teacher Support and Assessment program.

In addition, the RSSF charter petition also describes the following:

- Parental involvement activities and resources
- Progress updates
- Translation
- Alternate dispute resolution
- Due process rights
- Facility construction that is fully compliant with the Americans with Disabilities Act
- Compliance monitoring through state information system

2. Measureable Pupil Outcomes	EC Section 47605(b)(5)(B) 5 CCR Section 11967.5.1(f)(2)	
Evaluation Criteria Measurable pupil outcomes, as required by <i>EC</i> Section 47605(b)(5)(B), at a minimum:		
(A) Specify skills, knowledge, and attitudes that reflect the school's educational objectives and can be assessed, at a minimum, by objective means that are frequent and sufficiently detailed enough to determine whether pupils are making satisfactory progress. It is intended that the frequency of objective means of measuring pupil outcomes vary according to such factors as grade level, subject matter, the outcome of previous objective measurements, and information that may be collected from anecdotal sources. To be sufficiently detailed, objective means of measuring pupil outcomes must be capable of being used readily to evaluate the effectiveness of and to modify instruction for individual students and for groups of students.	Yes	
(B) Include the school's API growth target, if applicable.	Yes	
Does the petition present a reasonably comprehensive description of measurable pupil outcomes?		Yes

Comments:

The RSSF petition presents a reasonable comprehensive description of measurable pupil outcomes. Specifically, it provides two levels of outcomes, one for the school as a whole and a second set of outcomes at the student level. They are as follows:

School Outcome Goals

- 96 percent student attendance
- Meet or exceed AYP targets
- One level of advancement in language proficiency as measured by ADEPT and the CELDT
- Meet or exceed statewide API growth target
- Meet or exceed the average achievement for the schools in the same area (through analysis of API data)

- Gain of one grade per year or more as measured by the Northwest Evaluation Association assessment (NWEA)

Student Outcome Goals

- Students will demonstrate at least one and a half years of growth towards grade-level proficiency in reading and language arts
- Students will demonstrate grade-level proficiency on standards in the areas of math, science, and social studies
- Students will develop a love of reading and will read daily both for information and pleasure

3. Method for Measuring Pupil Progress	EC Section 47605(b)(5)(C) 5 CCR Section 11967.5.1(f)(3)
<p>Evaluation Criteria The method for measuring pupil progress, as required by <i>EC</i> Section 47605(b)(5)(C), at a minimum:</p>	
<p>(A) Utilizes a variety of assessment tools that are appropriate to the skills, knowledge, or attitudes being assessed, including, at minimum, tools that employ objective means of assessment consistent with the measurable pupil outcomes.</p>	<p>Yes</p>
<p>(B) Includes the annual assessment results from the Standardized Testing and Reporting (STAR) program.</p>	<p>Yes</p>
<p>(C) Outlines a plan for collecting, analyzing, and reporting data on pupil achievement to school staff and to pupils' parents and guardians, and for utilizing the data continuously to monitor and improve the charter school's educational program.</p>	<p>Yes</p>
<p>Does the petition present a reasonably comprehensive description of the method for measuring pupil progress?</p>	<p>Yes</p>

Comments:

The RSSF charter petition presents a reasonably comprehensive description of the methods to be used for measuring student progress.

RSSF will administer interim assessments every eight weeks, which will be followed by a full day of professional development to review and analyze the data. Teachers will be able to view the data in three forms: the teacher dashboard, assessment walls, and via the data analysis form (DAF).

The teacher dashboard is an electronic resource that facilitates the tracking of student progress. Through this instrument, teachers can identify specific learning challenges by assessing a student's mastery relative to predefined goals, review and coordinate basic skill mastery produced in Learning Lab, and facilitate communication among teachers.

Teachers will also create an assessment wall that will provide a tangible resource by which to track student progress for all students at the school by grade level. To complete this activity, teachers will create student information cards (that include academic data) to be placed on a wall according to proficiency. The student information cards will be adjusted throughout the year pursuant to increases or decreases in achievement.

Finally, the teaching staff will also complete the DAF after submitting student performance data into the teacher dashboard. The DAF will require a teacher to track student data from interim assessments. The teacher will then identify positive trends and challenges for the entire class. After this exercise, a teacher will be able to identify specific focus students that are within the challenge groups. The teacher will use this information to differentiate instruction within the classroom for the following eight weeks.

Key methods of measuring student progress include the following assessments or programs:

- STAR, API, and AYP
- CELDT, LAS, ADEPT
- NWEA
- DRA
- Curriculum embedded benchmark assessments
- Accelerated Reader (Online reading software that provides leveled reading practice and monitors student achievement)
- Student Reading Survey

- Interim assessments
- Daily attendance
- Student reading survey
- Bi-monthly assessments

Results of these assessments will be shared regularly with parents through the following means:

- Report cards distributed three times a year
- Parent-teacher conferences
- School Accountability Report Card

4. Governance Structure	<i>EC Section 47605(b)(5)(D)</i> <i>5 CCR Section 11967.5.1(f)(4)</i>	
<p>Evaluation Criteria The governance structure of the school, including, but not limited to, the process...to ensure parental involvement..., as required by <i>EC Section 47605(b)(5)(D)</i>, at a minimum:</p>		
(A) Includes evidence of the charter school's incorporation as a non-profit public benefit corporation, if applicable.		Yes
<p>(B) Includes evidence that the organizational and technical designs of the governance structure reflect a seriousness of purpose necessary to ensure that:</p> <ol style="list-style-type: none"> 1. The charter school will become and remain a viable enterprise. 2. There will be active and effective representation of interested parties, including, but not limited to parents (guardians). 3. The educational program will be successful. 		Yes
Does the petition present a reasonably comprehensive description of the school's governance structure?		Yes

Comments:

The RSSF charter petition presents a reasonably comprehensive description of the RSSF governance structure. The petition meets the statutory and regulatory

requirements of describing the charter school's proposed governance structure and ensures parental involvement.

RSSF will be operated as a California non-profit public benefit corporation and will apply for 501(c)(3) status. It will be governed by its own Board of Directors (Board) which will consist of at least three and up to five members. The RSSF Board composition will include at least one parent and at least one member of the community.

The Board will also encourage active and effective representation of parents through the formation of an English Learner Advisory Committee (if over 51 students are EL pupils), and a Parent/Teacher Council.

The Board will meet quarterly (or as necessary). The RSSF petition states that Board members should live, work, or participate in a community within two miles of RSSF.

In a sample of the bylaws developed for another currently operating Rocketship school it states that Rocketship Education, the non-profit corporation, shall operate at the sole statutory member. This sole statutory member will have the power to appoint and remove all board members for the RSSF. Per the Rocketship Education bylaws, the Board of Directors for Rocketship Education shall be no less than three and no more than nine. For a current list of directors and advisors to the Rocketship Board of Directors, visit the "Board and Advisors" Web page of the Rocketship Education Web site at: <http://rsed.org/index.php?page=board-advisors>.

The RSSF Board will contract with Rocketship Education for the provision of certain management services. Appendix AE of the RSSF charter petition is a sample contract between Rocketship Education and RSSF. Through this contract, Rocketship Education agrees to, among other duties, create the school, develop the charter, find and prepare a facility, provide professional development, provide office services, supervise the annual budget, write grants, secure financial capital, provide financial support, and manage special education services. This contract states that Rocketship Education will operate as an independent contractor and that there is no relationship of joint venture or partnership of any form created by the agreement.

5. Employee Qualifications	EC Section 47605(b)(5)(E) 5 CCR Section 11967.5.1(f)(5)
Evaluation Criteria The qualifications (of the school's employees), as required by EC Section 47605(b)(5)(E), at a minimum:	

5. Employee Qualifications	EC Section 47605(b)(5)(E) 5 CCR Section 11967.5.1(f)(5)	
(A) Identify general qualifications for the various categories of employees the school anticipates (e.g., administrative, instructional, instructional support, non-instructional support). The qualifications shall be sufficient to ensure the health, and safety of the school's faculty, staff, and pupils.		Yes
(B) Identify those positions that the charter school regards as key in each category and specify the additional qualifications expected of individuals assigned to those positions.		Yes
(C) Specify that all requirements for employment set forth in applicable provisions of law will be met, including, but not limited to credentials as necessary.		Yes
Does the petition present a reasonably comprehensive description of employee qualifications?		Yes

Comments:

The RSSF charter petition does present a reasonably comprehensive description of employee qualifications. All of RSSF teachers will be deemed highly qualified as required by the Elementary and Secondary Education Act (ESEA).

6. Health and Safety Procedures	EC Section 47605(b)(5)(F) 5 CCR Section 11967.5.1(f)(6)	
Evaluation Criteria The procedures...to ensure the health and safety of pupils and staff, as required by <i>EC Section 47605(b)(5)(F)</i> , at a minimum:		
(A) Require that each employee of the school furnish the school with a criminal record summary as described in <i>EC Section 44237</i> .		Yes
(B) Include the examination of faculty and staff for tuberculosis as described in <i>EC Section 49406</i> .		Yes
(C) Require immunization of pupils as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school.		Yes
(D) Provide for the screening of pupils' vision and hearing and the screening of pupils for scoliosis to the same extent as would be required if the pupils attended a non-charter public school.		Yes
Does the petition present a reasonably comprehensive description of health and safety procedures?		Yes

Comments:

The RSSF charter petition does present a reasonably comprehensive description of health and safety procedures to be used at the school. RSSF commits to a comprehensive set of policies and procedures to ensure the health and safety of staff and students including the following requirements:

- RSSF employees, contractors, and volunteers will be required to submit to fingerprinting and background clearance prior to employment, contract of service, volunteering, or any unsupervised contact with pupils of RSSF
- RSSF will require tuberculosis testing of all employees
- RSSF will adhere to all laws requiring immunizations for entering pupils to the same extent required for enrollment in non-charter public schools
- RSSF will adhere to vision, hearing, and scoliosis screening as required by *EC* Section 49450

7. Racial and Ethnic Balance	<i>EC</i> Section 47605(b)(5)(G) 5 CCR Section 11967.5.1(f)(7)
<p>Evaluation Criteria Recognizing the limitations on admissions to charter schools imposed by <i>EC</i> Section 47605(d), the means by which the school(s) 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..., as required by <i>EC</i> Section 47605(b)(5)(G), shall be presumed to have been met, absent specific information to the contrary.</p>	
<p>Does the petition present a reasonably comprehensive description of means for achieving racial and ethnic balance?</p>	<p>Yes</p>

Comments:

The RSSF charter petition does present a reasonably comprehensive description of the means for achieving a racial and ethnic balance at the school. RSSF will employ outreach activities to achieve racial and ethnic balance and to be reflective of the schools in the vicinity.

RSSF commits to the following related to achieving racial and ethnic balance:

- Printing and distributing materials in English, Spanish, and other languages reflecting the needs of the community

- An enrollment process that includes a timeline that allows for a broad-based application process
- Promotional and information material that reaches to various racial and ethnic groups represented in the territorial jurisdiction of SFUSD
- Information in Spanish on the Rocketship Education Web site
- Spanish interpreter at all general meetings

8. Admission Requirements, If Applicable	EC Section 47605(b)(5)(H) 5 CCR Section 11967.5.1(f)(8)
Evaluation Criteria To the extent admission requirements are included in keeping with <i>EC</i> Section 47605(b)(5)(H), the requirements shall be in compliance with the requirements of <i>EC</i> Section 47605(d) and any other applicable provision of law.	
Does the petition present a reasonably comprehensive description of admission requirements?	Yes; Technical Amendment Would be Necessary to Reflect SBE Authorization

Comments:

The requirement of a public random drawing is met, however, the order of preferences stated in Rocketship’s petition is potentially inconsistent with *EC* Section 47605(d)(2). Rocketship proposes to exempt siblings of existing Rocketship students (beginning in year 2) and children of Rocketship staff from the lottery process. This means that enrollment for siblings and children of Rocketship faculty will automatically be granted in the order in which their applications were received provided the SBE approves of such practice. The SBE maintains that such an exemption is inconsistent with the requirements of *EC* Section 47605(d)(2) which requires preference be given to returning students and pupils of the district. While language in the Public Charter Schools Grant Program permits such exemptions, California law does not.

In order for a charter school to balance the requirement of their need to refine the preferences state in Education Code with a weighted system that meets the needs of their charter, preferences may be extended to subgroups of students within the district. For example, sibling of current students who are also students of the district may be given preference, but preference may not be given to siblings who live outside of the district.

A technical amendment would be necessary to revise public random drawing procedures to reflect SBE authorization in compliance with 5 CCR Section 11967.5.1(f)(8).

9. Annual Independent Financial Audits	EC Section 47605(b)(5)(I) 5 CCR Section 11967.5.1(f)(9)
Evaluation Criteria The manner in which annual independent financial audits shall be conducted using generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the SBE's satisfaction, as required by <i>EC Section 47605(b)(5)(I)</i> , at a minimum:	
(A) Specify who is responsible for contracting and overseeing the independent audit.	Yes
(B) Specify that the auditor will have experience in education finance.	Yes
(C) Outline the process of providing audit reports to the SBE, CDE, or other agency as the SBE may direct, and specifying the timeline in which audit exceptions will typically be addressed.	Yes
(D) Indicate the process that the charter school(s) will follow to address any audit findings and/or resolve any audit exceptions.	Yes
Does the petition present a reasonably comprehensive description of annual independent financial audits?	Yes

Comments:

The RSSF charter petition does present a reasonably comprehensive description of the manner in which annual independent financial audits will be conducted.

10. Suspension and Expulsion Procedures	EC Section 47605(b)(5)(J) 5 CCR Section 11967.5.1(f)(10)
Evaluation Criteria The procedures by which pupils can be suspended or expelled, as required by <i>EC Section 47605(b)(5)(J)</i> , at a minimum:	
(A) Identify a preliminary list, subject to later revision pursuant to subparagraph (E), of the offenses for which students in the charter school must (where non-discretionary) and may (where discretionary) be suspended and, separately, the offenses for which students in the charter school must (where non-discretionary) or may (where discretionary) be expelled,	Yes; Technical Amendment Would be

10. Suspension and Expulsion Procedures	EC Section 47605(b)(5)(J) 5 CCR Section 11967.5.1(f)(10)
providing evidence that the petitioners' reviewed the offenses for which students must or may be suspended or expelled in non-charter public schools.	Necessary to Reflect SBE Authorization
(B) Identify the procedures by which pupils can be suspended or expelled.	Yes
(C) Identify the procedures by which parents, guardians, and pupils will be informed about reasons for suspension or expulsion and of their due process rights in regard to suspension or expulsion.	Yes
(D) Provide evidence that in preparing the lists of offenses specified in subparagraph (A) and the procedures specified in subparagraphs (B) and (C), the petitioners reviewed the lists of offenses and procedures that apply to students attending non-charter public schools, and provide evidence that the charter petitioners believe their proposed lists of offenses and procedures provide adequate safety for students, staff, and visitors to the school and serve the best interests the school's pupils and their parents (guardians).	Yes
(E) If not otherwise covered under subparagraphs (A), (B), (C), and (D): 1. Provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in...regard to suspension and expulsion. 2. Outline how detailed policies and procedures regarding suspension and expulsion will be developed and periodically reviewed, including, but not limited to, periodic review and (as necessary) modification of the lists of offenses for which students are subject to suspension or expulsion.	Yes; Technical Amendment Would be Necessary to Reflect SBE Authorization
Does the petition present a reasonably comprehensive description of suspension and expulsion procedures?	Yes; Technical Amendment Would be Necessary to Reflect SBE Authorization

Comments:

The RSSF charter petition does present a reasonably comprehensive description of suspension and expulsion procedures to be used by the school.

However, the requirement of 5 CCR Section 11967.5.1(f)(10)(A) is not met. While Appendix R of the petition enumerates offenses for which student may be suspended or expelled, this preliminary list of offenses for which students must or may be suspended is to be separate from the list of offenses for which students must or may be expelled. Further, a distinction between discretionary and non-discretionary offenses must be identified. In addition, the RSSF charter petition does not state that suspension and expulsion procedures will be periodically reviewed, and as necessary, modified.

A technical amendment to reflect SBE authorization would be necessary to specify a list of offenses for which students must or may be suspended that is separate from the list of offenses for which students must or may be expelled. In addition, the RSSF petition must be amended to identify the distinction between discretionary and non-discretionary offenses and to provide an assurance that suspension and expulsion procedures will be periodically reviewed.

<p>11. California State Teacher Retirement System, California Public Employees Retirement System, and Social Security Coverage</p>	<p>EC Section 47605(b)(5)(K) 5 CCR Section 11967.5.1(f)(11)</p>
<p>Evaluation Criteria The manner by which staff members of the charter schools will be covered by California State Teacher Retirement System (CALSTRS), California Public Employees Retirement System (CALPERS), or federal social security, as required by EC Section 47605(b)(5)(K), at a minimum, specifies the positions to be covered under each system and the staff who will be responsible for ensuring that appropriate arrangements for that coverage have been made.</p>	
<p>Does the petition present a reasonably comprehensive description of CalSTRS, CalPERS, and social security coverage?</p>	<p>Yes; Technical Amendment Would be Necessary to Reflect SBE Authorization</p>

Comments:

The RSSF charter petition does include a reasonably comprehensive description of the retirement programs offered by the school and the designated staff responsible for the arrangements of coverage.

However, the RSSF petition does not specify the staff that will be responsible for ensuring that appropriate arrangements for coverage have been made.

A technical amendment would be necessary to reflect compliance with SBE authorization pursuant to 5 CCR Section 11967.5.1(f)(11) that requires specification of the staff that will be responsible for ensuring appropriate arrangements for that coverage be made.

12. Public School Attendance Alternatives	EC Section 47605(b)(5)(L) 5 CCR Section 11967.5.1(f)(12)
<p>Evaluation Criteria The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools, as required by <i>EC</i> Section 47605(b)(5)(L), at a minimum, specify that the parent or guardian of each pupil enrolled in the charter school shall be informed that the pupil has no right to admission in a particular school of any local educational agency (LEA) (or program of any LEA) as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the LEA.</p>	
Does the petition present a reasonably comprehensive description of public school attendance alternatives?	Yes

Comments:

The RSSF charter petition does present a reasonably comprehensive description of the public school alternatives available to RSSF students.

13. Post-employment Rights of Employees	EC Section 47605(b)(5)(M) 5 CCR Section 11967.5.1(f)(13)
<p>Evaluation Criteria The description of the rights of any employees 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, as required by <i>EC</i> Section 47605(b)(5)(M), at a minimum, specifies that an employee of the charter school shall have the following rights:</p>	
(A) Any rights upon leaving the employment of an LEA to work in the charter school that the LEA may specify.	Yes
(B) Any rights of return to employment in an LEA after employment in the charter school as the LEA may specify.	Yes

13. Post-employment Rights of Employees	EC Section 47605(b)(5)(M) 5 CCR Section 11967.5.1(f)(13)
(C) Any other rights upon leaving employment to work in the charter school and any rights to return to a previous employer after working in the charter school that the SBE determines to be reasonable and not in conflict with any provisions of law that apply to the charter school or to the employer from which the employee comes to the charter school or to which the employee returns from the charter school.	Yes
Does the petition present a reasonably comprehensive description of post-employment rights of employees?	Yes

Comments:

The RSSF charter petition does present a reasonably comprehensive description of the post-employment rights of RSSF employees.

14. Dispute Resolution Procedures	EC Section 47605(b)(5)(N) 5 CCR Section 11967.5.1(f)(14)
Evaluation Criteria The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to the provisions of the charter, as required by EC Section 47605(b)(5)(N), at a minimum:	
(A) Include any specific provisions relating to dispute resolution that the SBE determines necessary and appropriate in recognition of the fact that the SBE is not a LEA.	Yes; Technical Amendment
(B) Describe how the costs of the dispute resolution process, if needed, would be funded.	Yes
(C) Recognize that, because it is not a LEA, the SBE may choose to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, provided that if the SBE intends to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, it must first hold a public hearing to consider arguments for and against the direct resolution of the dispute instead of pursuing the dispute resolution process specified in the charter.	Yes
(D) Recognize that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with EC Section 47604.5, the matter will be addressed at the SBE's discretion in accordance with that provision of law and any regulations pertaining thereto.	Yes

14. Dispute Resolution Procedures	EC Section 47605(b)(5)(N) 5 CCR Section 11967.5.1(f)(14)
Does the petition present a reasonably comprehensive description of dispute resolution procedures?	Yes

Comments:

The RSSF charter petition does present a comprehensive description of the school's dispute resolution procedures.

15. Exclusive Public School Employer	EC Section 47605(b)(5)(O) 5 CCR Section 11967.5.1(f)(15)
<p>Evaluation Criteria The declaration of whether or not the district shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 [commencing with Section 3540] of Division 4 of Title 1 of the <i>Government Code</i>), as required by <i>EC Section 47605(b)(5)(O)</i>, recognizes that the SBE is not an exclusive public school employer and that, therefore, the charter school must be the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (EERA).</p>	
Does the petition include the necessary declaration?	Yes

Comments:

The RSSF charter petition does make clear that RSSF shall be deemed the exclusive public school employer of charter school employees for the purposes of the EERA.

16. Closure Procedures	EC Section 47605(b)(5)(P) 5 CCR sections 11962 and 11962.1
<p>Evaluation Criteria A description of the procedures to be used if the charter school closes, in keeping with <i>EC Section 47605(b)(5)(P)</i>. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.</p>	
Does the petition include a reasonably comprehensive description of closure procedures?	Yes

Comments:

The RSSF charter petition does include a reasonably comprehensive description of closure procedures pursuant to *EC* Section 47605(b)(5)(P) and 5 *CCR* sections 11962 and 11962.1.

ADDITIONAL REQUIREMENTS UNDER EC SECTION 47605

Standards, Assessments, and Parent Consultation	<i>EC Section 47605(c)</i> 5 CCR Section 11967.5.1(f)(3)	
Evaluation Criteria Evidence is provided that:		
(1) The school shall meet all statewide standards and conduct the pupil assessments required pursuant to <i>EC</i> sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools.		Yes
(2) The school shall, on a regular basis, consult with their parents and teachers regarding the school's educational programs.		Yes
Does the petition provide evidence addressing the requirements regarding standards, assessments, and parent consultation?		Yes

Comments:

The RSSF charter petition does state that RSSF will meet all statewide standards and conduct all required state-mandated pupil assessments. The petition also includes a commitment by RSSF to consult regularly with parents and teachers regarding the school's educational programs.

Employment is Voluntary	<i>EC Section 47605(e)</i> 5 CCR Section 11967.5.1(f)(13)	
Evaluation Criteria The governing board...shall not require any employee...to be employed in a charter school.		
Does the petition meet this criterion?		Yes

Comments:

The RSSF charter petition does state that no public school district employee shall be required to work at the charter school.

Pupil Attendance is Voluntary	<i>EC Section 47605(f)</i> 5 CCR Section 11967.5.1(f)(12)	
Evaluation Criteria The governing board...shall not require any pupil...to attend a charter school.		

Pupil Attendance is Voluntary	EC Section 47605(f) 5 CCR Section 11967.5.1(f)(12)
Does the petition meet this criterion?	Yes

Comments:

The RSSF charter petition does state that enrollment at RSSF is entirely voluntary on the part of the pupils.

Effect on Authorizer and Financial Projections	EC Section 47605(g) 5 CCR Section 11967.5.1(c)(3)(A-C)
Evaluation Criteria	
...[T]he petitioners [shall] provide information regarding the proposed operation and potential effects of the school, including, but not limited to:.	
<ul style="list-style-type: none"> The facilities to be utilized by the school. The description of the facilities to be used by the charter school shall specify where the school intends to locate. 	Yes
<ul style="list-style-type: none"> The manner in which administrative services of the school are to be provided. 	No
<ul style="list-style-type: none"> Potential civil liability effects, if any upon the school and the SBE. 	Yes
The petitioners shall also provide financial statements that include a proposed first-year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation.	Yes
Does the petition provide the required information and financial projections?	No

Comments:

The RSSF charter petition does provide the required information and financial projections. However, the CDE is concerned that there is a lack of clarity with respect to financial liabilities if the school were to close. As each school is set up as its own non-profit corporation, the relationship between Rocketship Education and the charter school and whether the CMO would cover debts or liabilities in the event of school closure is not sufficiently described in the petition.

RSSF provided a 5-year budget and cash flow statements. In general budget assumptions are thorough and rates used for revenue calculations are conservative.

The CDE finds that insufficient detail is provided regarding the following issues, which prevents the CDE from determining whether the budget is fiscally sound:

- Details are unclear regarding local revenue in each year. Grant award letters addressed to Rocketship Education from the Silicon Valley Community Foundation (Hastings/Quillen Fund) and the Charter School Growth Fund were provided as evidence of local grant funding, however, no details regarding the use of funds for individual school sites was included.
- Debt service payments for two loans (i.e., financing cash flow) do not appear to be included. The first is identified in the budget narrative as a \$250,000 start up loan in Year 1 from Rocketship Education; details are not provided for the second financing source of \$100,000 in Year 2.
- No detail is provided regarding the management fee totaling 15 percent of the school's revenues. It is unclear what services are provided for this fee, therefore, it cannot be determined whether additional funds need to be budgeted for other purposes such as back office or administrative services.

Academically Low Achieving Pupils	EC Section 47605(h) 5 CCR Section 11967.5.1(f)(1)(F-G)
<p>Evaluation Criteria In reviewing petitions, the charter authorizer shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioners as academically low achieving pursuant to the standards established by the State Department of Education under Section 54032 as it read prior to July 19, 2006.</p>	
Does the petition merit preference by the SBE under this criterion?	Yes

Comments:

The RSSF charter petition does demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioners as academically low achieving as follows:

- RSSF petitioners intend to locate in Bay View area of San Francisco and serve students that attend schools in this area which are undergoing PI. Two of the elementary schools in the target area are in PI and one has exited PI because it implemented the turnaround model (Dataquest, URL: <http://dq.cde.ca.gov/dataquest/page2.asp?level=School&subject=PI&submit1=Submit> , retrieved 11/3/2011).

- The RSSF target population is 26 percent English Learner; 69 percent socioeconomically disadvantaged⁴
- The educational program proposed by RSSF is specifically designed to address students at-risk of not achieving grade level proficiency. The RSSF charter petition anticipates that entering kindergarteners will be 1.5 years behind the average students. To address this academic need, the RSSF charter proposes the following schoolwide strategies:
 - Immediate identification of academic proficiency through multiple assessments at beginning of school year
 - Swift, broad, and intense implementation of Rtl components. The three-tiered approach includes an eight-week period to implement interventions at each tier
 - Personalized learning plans for students achieving below grade level
 - Longer school day and longer school year (180 days)

Teacher Credentialing	EC Section 47605(l) 5 CCR Section 11967.5.1(f)(5)
Evaluation Criteria Teachers in charter schools shall be required to hold a California 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 noncore, non-college preparatory courses.	
Does the petition meet this requirement?	Yes

Comments:

The RSSF charter petition does make clear that teachers at RSSF will be credentialed as required by law.

Transmission of Audit Report	EC Section 47605(m) 5 CCR Section 11967.5.1(f)(9)
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⁴ The CDE finds that the EL percentage will likely be closer to 25 and the socioeconomically disadvantaged percentage will likely be closer to 86.

Transmission of Audit Report	EC Section 47605(m) 5 CCR Section 11967.5.1(f)(9)
Evaluation Criteria A charter school shall transmit a copy of its annual independent financial audit report for the preceding fiscal year...to the chartering entity, the Controller, the county superintendent of schools of the county in which the charter is sited..., and the CDE by December 15 of each year.	
Does the petition address this requirement?	Yes

Comments:

The RSSF charter petition does provide a reasonable description of the transmission of the annual audit report.

Findings To Deny the Rocketship Education San Francisco Charter Petition from the Board of Education of the San Francisco Unified School District, City and County of San Francisco

District Board Findings

On August 9, 2011, the SFUSD voted to deny the RSSF petition by a vote of six to zero.

SFUSD denied the charter on the ground that it presents an unsound educational program as it pertains to:

- Curriculum for the core subjects, Response to Intervention (RtI) program, English learners, special education
- Measurable student outcomes

SFUSD also denied the petition on the ground that petitioners are demonstrably unlikely to successfully implement the program set forth in the petition for the following reasons:

- Description of the facility
- Certain aspects of the budget
- Administrative services
- Governance structure

In addition, the RSSF petition was denied on the ground that it did not present a reasonably comprehensive description of specific aspects of its program and operations relating to:

- Health and safety procedures
- Student discipline
- Dispute resolution process
- School closure procedures

RSSF Response:

Finding #1: Unsound Educational Program

RSSF petitioners indicate that they believe the RSSF petition is consistent with sound educational practice and presents a “reasonably comprehensive” description of a sound educational program, and measurable student outcomes. RSSF petitioners cite outcome data from currently operating Rocketship schools, operating under a similar charter, as evidence to support the effectiveness of the educational program and plan for measurable student outcomes.

Finding #2: Unlikely to Implement the Program Successfully

RSSF petitioners indicate that they believe they are able to successfully implement the program as they provided the required information about facilities, reviewed planning assumptions presented in the charter, clarified the meaning of letters of support from donors, and provided detail regarding their financial model. Concerning administrative services, RSSF provided an example of its management services contract, and states that Government Code 1090 does not apply to charter schools.

Finding #3: Does Not Present a Reasonably Comprehensive Description of Specific Aspects of the Program

RSSF petitioners state that the petition provides a reasonably comprehensive description of information regarding administration of medications in school, child-abuse reporting requirements, and student discipline policies that provide adequate due process.

CDE Response:

Finding #1: Unsound Educational Program

The district expressed concern with the description of the educational program as it pertains to all four core subject areas. The CDE believes the description of the educational program is substantive. In the appendices of the petition, RSSF provides a detailed description of core course objectives along with a description of the targeted standards, and a sample of course rubrics. This information should provide the reader with sufficient information to provide a strong understanding of how this core program will be implemented. With regards to math and science, charter schools do not necessarily have to abide by the district philosophy for teaching each subject.

Although the district questions the choice of an English immersion model for EL students beyond second grade, RSSF is lawfully able to select this instructional model for EL's. *EC* Section 330(f), indicates that all children in California shall be taught English as rapidly and effectively as possible. In addition, in their response to the district findings, Rocketship indicated that it is committed to serving the needs of all students, as evidenced by EL students' API scores of 839, 887, and 854 in 2010–11. (The CDE has verified that these API figures are correct.)

The RSSF petition provides significant detail regarding the Rtl framework and components which includes a sample Individualized Learning Plan and corresponding sample eight-week Rtl plan.

The district indicated that the measurable student outcomes presented were vague. However, the CDE finds that the description of the outcomes presented is reasonably comprehensive. Renewal criteria for charter petitions only requires a review of API data, which the charter includes as a method for measurement. Although, in some cases, it does not list the name of a specific assessment, RSSF does indicate that it will measure, through local assessments or benchmarks, all student outcomes.

With regards to special education, the CDE finds that RSSF did state its intent to operate as a local educational agency and to join an SBE approved SELPA.

Finding #2: Unlikely to Implement the Program Successfully

The CDE finds that RSSF petitioners did sufficiently describe the facility. In addition, petitioners indicated a willingness to disclose specific site locations to both the Advisory Commission on Charter Schools and the SBE in closed session.

However, the CDE finds that there is a lack of clarity with respect to financial liabilities if the school were to close. As each school is set up as its own non-profit corporation, CDE would need assurances and additional detail regarding the relationship between Rocketship Education and the charter school and whether the charter management organization would cover debts or liabilities in the event of school closure.

Finding #3: Does Not Present a Reasonably Comprehensive Description of Specific Aspects of the Program

The CDE finds that RSSF petitioners provided the required assurances and sufficient detail regarding the health and safety procedures, student discipline, dispute resolution process and school closure procedures.

STATE BOARD OF EDUCATION STANDARD CONDITIONS ON OPENING AND OPERATION

- **Insurance Coverage.** Prior to opening, (or such earlier time as school may employ individuals or acquire or lease property or facilities for which insurance would be customary), submit documentation of adequate insurance coverage, including liability insurance, which shall be based on the type and amount of insurance coverage maintained in similar settings.
- **MOU/Oversight Agreement.** Prior to opening, either (a) accept an agreement with the State Board of Education (SBE), administered through the California Department of Education (CDE), to be the direct oversight entity for the school, specifying the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities; or (b) enter into an appropriate agreement between the charter school, the SBE (as represented by the Executive Director of the SBE), and an oversight entity, pursuant to the California *Education Code (EC)* Section 47605(k)(1), regarding the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities.
- **Special Education Local Plan Area Membership.** Prior to opening, submit written verification of having applied to a Special Education Local Plan Area (SELPA) for membership as a local educational agency and submit either written verification that the school is (or will be at the time pupils are being served) participating in the SELPA, or an agreement between a SELPA, a school district that is a member of the SELPA, and the school that describes the roles and responsibilities of each party and that explicitly states that the SELPA and the district consider the school's pupils to be pupils of the school district in which the school is physically located for purposes of special education programs and services (which is the equivalent of participation in the SELPA). Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff following a review of either (1) the school's written plan for membership in the SELPA, including any proposed contracts with service providers; or (2) the agreement between a SELPA, a school district, and the school, including any proposed contracts with service providers.
- **Educational Program.** Prior to opening, submit a description of the curriculum development process the school will use and the scope and sequence for the grades envisioned by the school; and submit the complete educational program for pupils to be served in the first year including, but not limited to, a description of the curriculum and identification of the basic instructional materials to be used; plans for professional development of instructional personnel to deliver the curriculum and use the instructional materials; and identification of specific assessments that will be used in addition to the results of the Standardized Testing and Reporting (STAR) program in evaluating student progress. Satisfaction of this condition should

be determined by the Executive Director of the SBE based primarily on the advice of CDE staff.

- **Student Attendance Accounting.** Prior to opening, submit for approval the specific means to be used for student attendance accounting and reporting that will be satisfactory to support state average daily attendance claims and satisfy any audits related to attendance that may be conducted. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Fiscal Services Division.
- **Facilities Agreements.** Prior to opening, present written agreements (e.g., a lease or similar document) indicating the school's right to use the principal school sites and any ancillary facilities identified by the petitioners for at least the first year of each school's operation and evidence that the facilities will be adequate for the school's needs. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Facilities Planning Division.
- **Zoning and Occupancy.** Not less than 30 days prior to the school's opening, present evidence that each school's facility is located in an area properly zoned for operation of a school and has been cleared for student occupancy by all appropriate local authorities. For good cause, the Executive Director of the SBE may reduce this requirement to fewer than 30 days, but may not reduce the requirement to fewer than 10 days. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Facilities Planning Division.
- **Final Charter.** Prior to opening, present a final charter that includes all provisions and/or modifications of provisions that reflect appropriately the SBE as the chartering authority and otherwise address all concerns identified by CDE and/or SBE staff, and that includes a specification that the school will not operate satellite schools, campuses, sites, resource centers or meeting spaces not identified in the charter without the prior written approval of the Executive Director of the SBE based primarily on the advice of the Charter Schools Division staff. Satisfaction of this condition is determined by the Executive Director of the SBE based primarily on the advice of the Director of the Charter Schools Division.
- **Processing of Employment Contributions.** Prior to the employment of any individuals by the school, present evidence that the school has made appropriate arrangements for the processing of the employees' retirement contributions to the California Public Employees' Retirement System (CalPERS) and the California State Teachers' Retirement System (CalSTRS).
- **Operational Date.** If any deadline specified in these conditions is not met, approval of the charter is terminated, unless the SBE deletes or extends the deadline not met. If the school is not in operation by September 30, 2012, approval of the charter is terminated.

Advisory Commission on Charter Schools Summary of Action

The Advisory Commission on Charter Schools (ACCS) considered the Rocketship Education Rocketship San Francisco (RSSF) petition at its November 30, 2011, meeting.

The following ACCS members were present at the meeting:

- Brian Bauer, Chair
- Vicki Barber, Commissioner
- Gary Davis, Commissioner
- Kelly Kovacic, Commissioner
- Mark Ryan, Commissioner
- Christopher Thomsen, Commissioner
- Deborah V.H. Sigman, Deputy Superintendent, representing the State Superintendent of Public Instruction

The following ACCS members were absent from the meeting:

- John Porter, Commissioner
- Curtis Washington, Commissioner

The following State Board of Education (SBE) Liaisons were present at the meeting:

- Yvonne Chan
- Trish Williams

Commissioner Barber disclosed that Rocketship schools are part of the El Dorado Charter Special Education Local Plan Area, but she has no financial gain from the relationship, and therefore, had no conflict of interest. Commissioner Ryan moved to recommend that the SBE approve the petition to establish the RSSF charter school under the oversight of the SBE. Commissioner Davis seconded the motion.

Yes votes: Bauer, Barber, Davis, Kovacic, Ryan, Thomsen
No votes: Sigman

Rocketship Education

Rocketship San Francisco Charter Petition



Submitted to San Francisco Unified School District:
June 10, 2011

Table of Contents

CHARTER SCHOOL INTENT AND CHARTER REQUIREMENTS.....	6
AFFIRMATIONS AND ASSURANCES.....	7
I. INTRODUCTION/FOUNDING GROUP.....	10
<i>Background.....</i>	<i>10</i>
FOUNDING GROUP	12
ROCKETSHIP EDUCATION BOARD OF DIRECTORS	13
II. EDUCATIONAL PROGRAM.....	19
MISSION STATEMENT	19
VISION STATEMENT.....	19
TARGETED SCHOOL POPULATION – WHOM THE SCHOOL IS ATTEMPTING TO EDUCATE.....	19
ROCKETSHIP SAN FRANCISCO ENROLLMENT.....	20
WHAT IT MEANS TO BE AN EDUCATED PERSON IN THE 21ST CENTURY.....	21
HOW LEARNING BEST OCCURS	22
CALENDAR AND ATTENDANCE	26
BELL SCHEDULE AND INSTRUCTIONAL MINUTES	26
IMPLEMENTATION OF EDUCATIONAL PROGRAM/CURRICULUM.....	26
<i>Reading.....</i>	<i>32</i>
<i>Writing.....</i>	<i>33</i>
<i>Math.....</i>	<i>34</i>
<i>Science and Social Studies.....</i>	<i>35</i>
<i>Social Studies.....</i>	<i>38</i>
<i>Arts (Art and Music).....</i>	<i>38</i>
PROFESSIONAL DEVELOPMENT.....	39
AT RISK STUDENTS – STUDENTS ACHIEVING BELOW GRADE LEVEL.....	49
STUDENTS ACHIEVING ABOVE GRADE LEVEL.....	49
ENGLISH LEARNERS	49
SERVING STUDENTS WITH DISABILITIES	52
III. MEASURABLE STUDENT OUTCOMES AND OTHER USES OF DATA	69
ASSESSMENT ASSUMPTIONS.....	69
SCHOOL OUTCOME GOALS	69
MEASURING STUDENT PROGRESS.....	70
USE AND REPORTING OF DATA.....	71
IV. GOVERNANCE STRUCTURE.....	73
V. HUMAN RESOURCES.....	80
QUALIFICATIONS OF SCHOOL EMPLOYEES	80
PRINCIPAL	80
OFFICE MANAGER	82
TEACHERS	82
RETIREMENT BENEFITS	87
EMPLOYEE REPRESENTATION.....	87
RIGHTS OF SCHOOL DISTRICT EMPLOYEES.....	87
HEALTH AND SAFETY	88
VI. STUDENT ADMISSIONS, ATTENDANCE AND SUSPENSION/EXPULSION POLICIES	92
NON-DISCRIMINATION	93
PUBLIC SCHOOL ATTENDANCE ALTERNATIVES.....	94
SUSPENSION AND EXPULSION PROCEDURES	94

VII. REPORTING AND ACCOUNTABILITY	95
<u>FACILITIES</u>	96
<u>INDEPENDENT FISCAL AUDIT</u>	97
<u>CLOSURE PROTOCOL</u>	98
VIII. IMPACT ON THE DISTRICT	100
APPENDIX A. A DAY IN THE LIFE OF A SECOND GRADE STUDENT AT ROCKETSHIP	102
APPENDIX B. A DAY IN THE LIFE OF A TEACHER AT ROCKETSHIP	105
APPENDIX C. COURSE OBJECTIVES AND EL STRATEGIES.....	109
LITERACY	110
<i>English Language Development through Literacy.....</i>	<i>116</i>
ENGLISH LANGUAGE DEVELOPMENT	122
MATHEMATICS	128
<i>English Language Development through Mathematics</i>	<i>128</i>
SCIENCE.....	134
<i>English Language Development Through Science.....</i>	<i>134</i>
SOCIAL STUDIES	145
<i>English Language Development through Social Studies.....</i>	<i>145</i>
ART	154
APPENDIX D. STRATEGIES AND OUTCOMES FOR AT-RISK STUDENTS.....	159
APPENDIX E: SAMPLE INDIVIDUALIZED LEARNING PLAN AND CORRESPONDING 8-WEEK RTI PLAN	161
APPENDIX F: SAMPLE UBD UNIT	179
APPENDIX G. HIGH-PERFORMING STUDENTS.....	194
APPENDIX H: ROCKETSHIP EDUCATION’S RESPONSE TO INTERVENTION PROGRAM	196
APPENDIX I: SAMPLE KINDERGARTEN LONG-TERM PLAN	203
APPENDIX J. ENGLISH LANGUAGE LEARNERS PROGRAM	209
APPENDIX K: ACADEMIC RUBRICS	218
APPENDIX L: AT-RISK STUDENTS ENTERING KINDERGARTEN	219
APPENDIX M: REFERENCES.....	221
APPENDIX N: ATTENDANCE POLICY	224
APPENDIX O: SECTION 504 BOARD POLICY.....	225
APPENDIX P: 504 ADMINISTRATIVE REGULATION.....	227
APPENDIX Q: HEALTH AND SAFETY POLICIES	233
FINGERPRINTING AND BACKGROUND CHECKS	234
TUBERCULIN EXAMINATIONS	235
SAFE FACILITIES	236
EMERGENCY PLANS.....	237
ACTIVITIES BY PHASES OF EMERGENCY MANAGEMENT.....	244
IMMUNIZATIONS/PHYSICAL EXAMS.....	246
COMMUNICABLE, CONTAGIOUS, OR INFECTIOUS DISEASE PREVENTION POLICY.....	248
ADMINISTRATION OF MEDICATIONS	249
DRUG-FREE WORKPLACE.....	251
SMOKE-FREE ENVIRONMENT.....	252
FIRST AID, CPR, AND HEALTH SCREENING	253
EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS	254

CONDITIONS FOR CLASSROOM AND SCHOOL VISITATION AND REMOVAL POLICY 255

APPENDIX R. SUSPENSION AND EXPULSION PROCEDURES.....257

APPENDIX S: SEXUAL HARASSMENT POLICY271

 INVESTIGATION 274

 APPEAL..... 276

APPENDIX T: ROLE OF STAFF AS MANDATED CHILD ABUSE REPORTERS278

APPENDIX U: SAMPLE ROCKETSHIP PARENT COMMITMENT LETTER279

APPENDIX V: RESUMES OF ROCKETSHIP FOUNDERS282

APPENDIX W: ARTICLES OF INCORPORATION, BYLAWS, AND CONFLICT CODE.....287

APPENDIX X: CLASS SIZE REDUCTION REVIEW LETTERS292

APPENDIX Y: LEARNING LAB COMPONENTS294

APPENDIX Z: SAMPLE BELL SCHEDULE.....298

APPENDIX AA: ROCKETSHIP LEADERSHIP DEVELOPMENT299

APPENDIX AB: SAMPLE PROFESSIONAL DEVELOPMENT CALENDAR.....305

APPENDIX AC: SAMPLE DATA ANALYSIS FORMS314

APPENDIX AD: TEACHER PROFESSIONAL GROWTH PLAN331

**APPENDIX AE: SAMPLE ROCKETSHIP EDUCATION & SCHOOL MANAGEMENT SERVICES
CONTRACT346**

APPENDIX AF: ROCKETSHIP APPROACH TO ACADEMIC INSTRUCTION.....349

APPENDIX AG: OUTREACH INITIATIVES351

APPENDIX AH: LETTER FROM EL DORADO COUNTY SELPA352

APPENDIX AI: FINANCIAL SUPPORT LETTERS353

APPENDIX AJ: BUDGET NARRATIVE & CASH FLOW STATEMENT355

APPENDIX AK: TEACHER DASHBOARD374

APPENDIX AL: PARENT SIGNATURE PAGES.....377

Table of Contents of Legal Requirements:

This charter has been created in the format encouraged by the California State Board of Education in its adopted “Model Application for Charter Schools” and exceeds the legal requirements of Education Code Section 47605. According to the State Board of Education, the Model Application format ensures that charter petitioners cover all of the minimum elements required by law in a systematic way. However, as the Model Application format requires that statutory provisions in the Charter Schools Act be addressed out of the order presented in the Education Code, this “Table of Contents of Legal Requirements” is presented to assist the Reviewer in establishing that all requirements of law have been met.

1.	<i>Affirmations/Assurances</i>	7
2.	<i>The Educational Program</i>	19
3.	<i>Measurable Student Outcomes</i>	69
4.	<i>Methods to Assess Student Progress towards Meeting Outcomes</i>	69
5.	<i>Governance Structure of School</i>	73
6.	<i>Employee Qualifications</i>	80
7.	<i>Health and Safety Procedures</i>	88
8.	<i>Means to Achieve Racial/Ethnic Balance Reflective of District</i>	93
9.	<i>Admission Requirements</i>	92
10.	<i>Financial and Programmatic Audit</i>	96
11.	<i>Student Suspension and Expulsion</i>	94
12.	<i>Retirement System</i>	87
13.	<i>Attendance Alternatives</i>	94
14.	<i>Description of Employee Rights</i>	87
15.	<i>Dispute Resolution</i>	90
16.	<i>Labor Relations</i>	87
17.	<i>School Closure</i>	98
18.	<i>District Impact Statement</i>	99

Charter School Intent and Charter Requirements

The Charter Schools Act (“Act”) of 1992, codified as California Education Code Section 47600 *et seq.*, requires each charter school to have a “charter” that sets forth a reasonably comprehensive description of the sixteen (16) required elements of charter petitions (California Education Code Section 47605).

The California Legislature, in enacting the Charter Schools Act of 1992, sought to provide opportunities for teachers, parents, students, and community members to establish and maintain schools that operate independently from the existing school district structure, as a method to accomplish all of the following:

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

The following sections of this charter explain how Rocketship San Francisco fulfills the requirements of Section 47605.6 of the Act.

Affirmations and Assurances

As the authorized lead petitioner, I, John Danner, hereby certify that the information submitted in this petition for a California public charter school to be named Rocketship San Francisco (the “Charter School”), and to be located within the boundaries of the San Francisco Unified School District (“SFUSD” or the “District”) is true to the best of my knowledge and belief; I also certify that this petition does not constitute the conversion 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:

- The Charter School shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 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)]
- The Charter School shall be deemed the exclusive public school employer of the employees of Rocketship San Francisco for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(b)(5)(O)]
- The Charter School shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- The Charter School shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]
- The Charter School shall admit all students who wish to attend Rocketship San Francisco, and who submit a timely application, unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing process. Except as required by Education Code Section 47605(d)(2), admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(2)(B). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(d)(2)(C). [Ref. Education Code Section 47605(d)(2)(A)-(B)]
- The Charter School shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]

- The Charter School shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities in Education Improvement Act of 2004.
- The Charter School shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
- The Charter School shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to noncore, noncollege preparatory teachers. [Ref. California Education Code Section 47605(l)]
- The Charter School shall at all times maintain all necessary and appropriate insurance coverage.
- The Charter School 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 student is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the student's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the student, including a transcript of grades or report card and health information. [Ref. California Education Code Section 47605(d)(3)]
- The Charter School shall maintain accurate and contemporaneous written records that document all student attendance and make these records available for audit and inspection. [Ref. California Education Code Section 47612.5(a)]
- The Charter School shall, on a regular basis, consult with its parents and teachers regarding the Charter School's education programs. [Ref. California Education Code Section 47605(c)]
- The Charter School shall comply with any jurisdictional limitations to locations of its facilities. [Ref. California Education Code Section 47605-47605.1]
- The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. California Education Code Section 47612(b), 47610]
- The Charter School shall comply with all applicable portions of the No Child Left Behind Act.

- The Charter School shall comply with the Public Records Act.
- The Charter School shall comply with the Family Educational Rights and Privacy Act.
- The Charter School shall comply with the Ralph M. Brown Act.
- The Charter School shall meet or exceed the legally required minimum of school days.
[Ref. Title 5 California Code of Regulations Section 11960]



June 10, 2011

Lead Petitioner

Date

I. INTRODUCTION/FOUNDING GROUP¹

The organizers of Rocketship San Francisco are pleased to submit this charter school petition to replicate the incredibly successful Rocketship Education schools. Rocketship Education currently operates three schools in San Jose, Rocketship Mateo Sheedy Elementary School, Rocketship Sí Se Puede Academy and Rocketship Los Sueños Elementary School. In the process of developing this charter petition, the petitioners held meetings with local families and community leaders in southeast San Francisco, conducted research around the need for a charter school program like Rocketship San Francisco, and collected signatures from parents “meaningfully interested” in enrolling their children in the proposed school.

Background

In 1999, officials from Santa Clara University asked Father Mateo Sheedy, Pastor of Sacred Heart Parish in San Jose, to recommend children from his parish for the Juan Diego Scholarship program. Father Mateo conducted an exhaustive search to find candidates who could attend and succeed at this four-year college, but he was unable to find a single qualified student. He was appalled that, of the hundreds of children in his parish, none had received the education necessary to attend Santa Clara University.

Father Mateo immediately began researching ways to solve this problem. He soon became convinced that the public schools around his parish were failing to educate the students in his church. He decided that the children of the parish needed to have an alternative to their neighborhood district school. Father Mateo’s vision brought a full K-12 alternative path to downtown San Jose through the following schools: Rocketship Mateo Sheedy Elementary School (K-5), Sacred Heart Nativity School (6-8), and Downtown College Preparatory (9-12).

In its first year of operation, Rocketship Education’s first school, Rocketship Mateo Sheedy Elementary School became the highest ranked low-income elementary school in Santa Clara County and the seventh ranked school in California. This caused an enormous demand from parents in other parts of Santa Clara County for Rocketship Education to open additional schools. Based on the success of Rocketship Mateo Sheedy Elementary School, the founders decided to expand its nonprofit public benefit corporation Rocketship Education to serve other schools in the most troubled neighborhoods. Rocketship Education has taken the successful model pioneered at Rocketship Mateo Sheedy Elementary School and translated it into the critical systems necessary for successful replication. Rocketship Education will provide each Rocketship school with systems and support for Curriculum, Finance, Legal, Learning Lab, and Human Resources. By capturing the best practices from Rocketship Mateo Sheedy Elementary School, Rocketship Education will allow each Rocketship Education school to avoid many of the startup hurdles faced by most charters and quickly produce strong academic results and a solid school culture by focusing on the key levers which drive student achievement.

The Rocketship Education model is fundamentally different from other elementary schools in five important ways:

1. an extended school day,
-

2. high expectations,
3. teacher teaming,
4. deep community involvement, and
5. individualization for each student.

An Extended School Day & High Expectations

Our typical students will be financially disadvantaged English Learners who arrive at Kindergarten 1.5 years behind their peers (see Appendix J: Rocketship Rocketship San Francisco EL Program). By operating our school from 8 a.m. to 4 p.m. each day, we give our students the extra time to catch up academically. In order to catch up, we expect students to make Significant Gains—that is 1.5 years of academic progress for each year at Rocketship Education. This rate of progress will allow our students to achieve at grade-level by the end of second grade. At graduation, they will leave Rocketship Education at or above grade level as measured by state STAR testing. Extensive educational research proves that such progress is fully achievable: high-quality teachers are the key (Sanders and Rivers, 1996; Haycock, 1999).

Teacher Teaming

Rocketship Education teachers will all hold a multi-subject credential and use a teaming approach with our instructional staff. This teaming approach means that teachers have their own instructional home-room, however, the students move to different teachers throughout the day. The students have a teacher each day that focuses primarily on literacy instruction that is integrated with social studies instruction and a teacher that is focused primarily on math instruction that is integrated with science instruction. This teaming approach allows them to develop deep subject matter knowledge and an ability to diagnose and intervene with even the most struggling students.

We also believe that, in order for teaching to be a viable career, there has to be a career path that recognizes a teacher's ability to consistently make Significant Gains with significantly increased pay and responsibilities. Each school will have a full-time Academic Dean, a teacher promoted based on their outstanding classroom success and leadership potential. The Academic Dean will focus on developing our teacher's abilities and managing our academic program. Additionally, each school will have an Assistant Principal, who will be responsible for overseeing Learning Lab, developing and maintaining a supportive college preparatory environment, and supporting in teacher coaching. Both of these leadership positions, as well as the principal role, provide added support for students and families, drive robust professional support for teachers, and provide an attractive career path for teachers. With this pathway available, we believe we will be able to attract top college graduates to Rocketship Education who might otherwise pursue careers in law, medicine, engineering, business and other prestigious professions. Because of the critical importance of rewarding talented and dedicated teachers, each school will spend approximately 50% of its operating budget on administrative and instructional staff compensation.

Deep Community Involvement

In order to achieve our extremely high expectations, it is crucial that our families help us to motivate their students to do their homework, come to school alert and prepared, and reinforce the values that students learn as Rocketeers. We accomplish this by reaching out to the community instead of waiting for the community come to us. Our teachers do home visits with

every family during the first half of the year, we expect 90% attendance at our monthly community meetings, and we have many special events during the year to engage families. We choose Principals and Office Managers who are bi-lingual in neighborhoods where Spanish is the dominant language in order to make the school a more welcoming place.

Individualization for Each Student

The final distinctive characteristic of Rocketship Education lies in its focus on each child. We assume that every child in the neighborhoods we serve will have special learning needs to be addressed individually. Rocketship Education's school model is a full Response to Intervention model, providing three tiers of intervention for students in need of additional assistance. Bi-monthly interim assessment results are analyzed to identify students who are failing to make adequate progress in reaching the school's goal for Significant Gains. For each student in this category, an Individualized Learning Plan ("ILP") is generated which specifies areas of strength and weakness and explicit classroom modifications, areas to target in our Computer curriculum, and specific goals and methods for tutors. The first tier of intervention is in the classroom. Guided Reading groups are used to deliver these more individualized objectives during normal classroom instruction. Rocketship Education conducts Learning Lab throughout the day in which each class of students rotates through Literacy and Computer centers. In the Computer center, a student's interim assessment results are used to create a specific online intervention program for that student by the Academic Dean and teacher. The second tier of intervention is comprised of supplemental, small-group tutoring sessions. Tutoring sessions occur in Learning Lab. Students who are failing to make adequate progress towards Significant Gains will receive half an hour to forty minutes of daily small-group intervention with a group of students with similar needs, focused on goals from each student's ILP. If classroom modifications, Learning Lab and After-School interventions fail to help a student make adequate progress, the student enters the Rocketship Education Student Services Team Process and if necessary, the Special Education IEP process. This allows the student to receive individualized attention and the services of specialists. Providing these three levels of intervention will allow Rocketship Education to serve the most struggling readers more effectively than traditional elementary schools.

We imagine a future for the hundreds of children served by each Rocketship Education school in which they can enter middle school ahead of their peers, take advantage of advanced classes in middle and high school for which their older brothers and sisters were unprepared, and go on to attain a four-year college education. We hope to see hundreds of qualified applicants for great four-year universities by 2020 when our first class of Kindergarteners will graduate from high school. We hope that, twenty years after Father Mateo's fruitless search, it will be the number of scholarships—not the number of qualified students—that will be the primary question of concern for neighborhoods in San Jose, San Francisco, and beyond.

Founding Group

John Danner, Co-Founder and CEO, Rocketship Education

Before starting Rocketship Education, John served as a teacher in the Nashville public school system for three years, the last two as a second-grade teacher of students with limited English proficiency. In 2000, John co-founded Sacred Heart Nativity School, a private Catholic middle-school for at-risk Latino boys in San Jose. From 2001-2005, John served as the Chairman of the

Charter School Resource Center of Tennessee, working for the successful passage of Tennessee's charter school law in 2002 and assisting the subsequent establishment of twelve charter schools in Tennessee. John served as a founding director of KIPP Academy Nashville, a charter middle school in Nashville which had achievement comparable to district magnet schools in its first year of operation. Prior to his work in education, John founded and served as CEO of NetGravity, an Internet advertising software company. John took NetGravity public and sold the company to Doubleclick in October of 1999. John holds a Bachelor's and Master's Degree in Electrical Engineering from Stanford University and a Master's Degree in Education Policy from Vanderbilt University. John is an Ashoka Fellow, and a Henry Crown Fellow at the Aspen Institute, where he won the Institute's McNulty Prize in 2010.

Preston Smith, Co-Founder and Chief Achievement Officer, Rocketship Education

Before starting Rocketship Education, Preston was the Principal of L.U.C.H.A. Elementary School, a small school within Alum Rock Unified School District. He founded L.U.C.H.A. in collaboration with neighborhood families in 2004 to provide parents with an excellent school focused on high academic achievement and parental involvement. In 2006, after three years of operation, L.U.C.H.A. received an API score of 881 and was the fourth ranked high-poverty (50% free and reduced meals) elementary school in California. Before founding L.U.C.H.A., Preston taught 1st grade for three years at Clyde Arbuckle Elementary School, the first two as a Teach for America (TFA) corps member. In 2003, Preston was named "Teacher of the Year" at Arbuckle and was also nominated as one of six finalists for TFA's Sue Lehmann Award, given to TFA corps members with the highest classroom academic gains in the nation. Preston graduated Phi Beta Kappa from the University of North Carolina at Chapel Hill.

Rocketship Education Board of Directors

Fred J. Ferrer

Frederick is the CEO of the HealthTrust, which has invested over \$100M in organizations focused on making Silicon Valley the healthiest region in the country. Before joining the HealthTrust, Ferrer was executive director of Estrella Family Services for nineteen years, overseeing their early education and family services to 300 children from infancy through seventh grade as well as Estrella's Kids to Camp program which sent over 700 low-income youth to summer camp. Fred is an adjunct professor at Santa Clara University, a commissioner on the FIRST 5 Commission of Santa Clara County and is involved with many other organizations focused on child development.

Eric Resnick

Eric Resnick is managing partner of KSL Capital Partners, a \$750 million real estate private equity fund. Eric is also Chief Financial Officer of KSL Resorts, which owns and operates high-end resort properties such as the Hotel del Coronado in San Diego. Previously, Eric was the Vice President of Strategic Planning for Vail Resorts and a consultant with McKinsey and Company.

Alex Terman

Alex was a founding employee and Chief Operating Officer of Leadership Public Schools (LPS), a non-profit charter management organization with five schools in the Bay Area. Prior to joining LPS, Mr. Terman worked in business and corporate development roles at America Online and

Bain & Company and served as a John Gardner Fellow in the Office of the U.S. Trade Representative.

Sehba Ali

Sehba is the Chief Academic Officer for KIPP Bay Area Schools. She is founder and former principal of KIPP Heartwood Academy in San Jose, CA. Mrs. Ali is also the co-founder of KIPP San Jose Collegiate, a new charter high school in East San Jose helping students get to and through college. At both schools, approximately 90% of students will be the first in their families to graduate from college. Prior to starting KIPP Heartwood Academy, Mrs. Ali earned a Masters from Stanford University's School of Education and received training from the KIPP School Leadership Program, including study at the Haas School of Business.

Steven Farr

As Chief Knowledge Officer, Steven Farr leads Teach For America's efforts to discern what distinguishes teachers whose students in low-income communities achieve dramatic academic growth. Since 2001, Farr has overseen various elements of Teach For America's teacher training and support efforts, as well as contributing to the development of the Teaching As Leadership framework and rubric. While receiving a JD from Yale Law School, Steven coauthored "The Edgewood Drama: An Epic Quest for Education Equity" for the *Yale Law and Policy Review*, an overview of the policies and politics affecting school finance in Texas in the wake of the U.S. Supreme Court's 1973 decision that education is not a fundamental right.

Jonathan Chadwick

Jonathan (Chief Financial Officer, McAfee) is responsible for leading all worldwide finance functions, manufacturing, procurement, facilities, and information technology at McAfee. Chadwick joined McAfee in 2010 from Cisco Systems Inc., where he spent 13 years in various finance roles. Most recently, Chadwick held the position of senior vice president and CFO, Global Customer Markets. In this capacity he oversaw Cisco's finance teams for the service provider, enterprise, commercial, small business and consumer customer segments. In addition, he headed teams that lead business architecture planning and new business model introduction across Cisco. Previously, Chadwick was Cisco's corporate controller, responsible for a team of more than 1000 employees managing external reporting, compliance, procurement, shared services, and global process, systems and controls. Prior to that he ran the Corporate Finance and Planning group at Cisco. In this companywide role, he designed and implemented the company's strategic planning process and was heavily involved in Cisco's mergers and acquisitions. In addition, he managed Cisco's performance of both long-term and short-term financial goals. Chadwick joined Cisco in 1997 from Coopers & Lybrand (now PricewaterhouseCoopers), where he had been named audit partner. Chadwick is a Chartered Accountant in England and holds an honors degree in electrical and electronic engineering from the University of Bath, England.

Shawn Carolan

Shawn Carolan (Managing Director, Menlo Ventures) joined Menlo Ventures in 2002 and has focused primarily on connected software and services. He represents Menlo Ventures on the boards of IMVU, PlayPhone, Playspan, Roku, TeleNav (NASDAQ: TNAV) and YuMe. His prior investments and board seats include Siri, acquired by Apple (AAPL). Before joining Menlo, Shawn was a management consultant for Booz-Allen & Hamilton, after spending most of

his career in software development and engineering management positions. He was Manager of Software Architecture for Open Port Technology, a start-up that created Internet-based messaging software for data carriers. Prior to that, Shawn worked at Motorola's Cellular Infrastructure Group and Wireless Data Group, Sprint PCS, and the University of Illinois' Center for Computational Electromagnetics. Shawn is a graduate of the Stanford University Graduate School of Business (M.B.A.) and the University of Illinois, Champaign (B.S. and M.S. in Electrical Engineering) and author of a US patent.

Alex Hernandez

Alex is partner and Vice President of the Charter School Growth Fund (CSGF). He leads CSGF's "next generation" CMO investments as well as those for portfolio members located on the west coast. Mr. Hernandez is a former Regional Superintendent at Aspire Public Schools and joined CSGF in July 2010. Previous to managing Aspire's largest region, Mr. Hernandez worked with ICEF, a CMO in Los Angeles, and Portland Public Schools as a Broad Resident. Prior to that, Mr. Hernandez worked for several years with JP Morgan and Disney Ventures. He is a graduate of Claremont McKenna and has an MBA and Masters of Education from Stanford University.

Kim Smith

Kim is a co-founder and CEO of Bellwether Education Partners, a non-profit organization working to improve educational outcomes for low-income students. She is widely recognized as an innovative and entrepreneurial leader in education, and was featured in Newsweek's report on the "Women of the 21st Century" as "the kind of woman who will shape America's new century." After serving as a founding team member at Teach For America, she went on to found and lead an AmeriCorps program for community-based leaders in education as well as a business start-up and worked in marketing for online learning. After completing her M.B.A. at Stanford University, she co-founded and led NewSchools Venture Fund, a venture philanthropy firm focused on transforming public education, where she helped to create a new, bipartisan, cross-sector community of entrepreneurial change agents. Ms. Smith has helped to incubate numerous education and social change organizations and has served on a range of boards, which currently include those of Bellwether, NewSchools, Rocketship Education, ROADS Charter School, and ImpactAssets. She has authored a number of publications about the entrepreneurial education landscape, including "What Is Educational Entrepreneurship?" in *Education Entrepreneurship: Realities, Challenges, Possibilities*, "Social Purpose Capital Markets in K-12" in *The Future of Educational Entrepreneurship: Possibilities for School Reform*, "Creating Responsive Supply in Education" in *More Than Just Schools: Rethinking the Demand for Educational Entrepreneurship* and "Innovation in Education: Problems and Opportunities." She is based in the San Francisco Bay Area, where she lives with her husband and two daughters.

Marcus Cole

Marcus Cole is the Wm. Benjamin Scott and Luna M. Scott Professor of Law at Stanford University. A scholar of the law of bankruptcy, corporate reorganization, and venture capital, Marcus Cole takes an empirical law and economics approach to research questions such as why corporate bankruptcies increasingly are adjudicated in Delaware and what drives the financial structure of companies backed by venture capital. He has been a national fellow at the Hoover Institution and has scholarly interests that range from classical liberal political theory to natural

law and the history of commercial law. In addition to Rocketship Education, Professor Cole serves on the board of directors for the Central Pacific Region of the Anti-Defamation League of B'nai B'rith and on the editorial board of the Cato Supreme Court Review. Before joining the Stanford Law School faculty in 1997, Professor Cole was an associate in commercial litigation with the Chicago law firm of Mayer, Brown & Platt, and he clerked for Judge Morris Sheppard Arnold of the U.S. Court of Appeals for the Eighth Circuit.

Reed Hastings (Co-Chair Rocketship Education National Strategy Board)

Reed Hastings founded Netflix in 1997 and launched the subscription service in 1999. Netflix grew to one million subscribers in less than four years, and reached 9.4 million subscribers by the end of 2008. Reed is an active educational philanthropist and board member of many non-profits. In addition, he was President of the California State Board of Education from 2000 to 2004. He has led successful statewide political campaigns for more charter public schools and easier passage of local school bonds. Reed received a BA from Bowdoin College in 1983 and an MSCS degree from Stanford University in 1988. He holds several patents. Between Bowdoin and Stanford, Reed served in the U.S. Peace Corps as a high school math teacher in Swaziland.

Don Shalvey (Co-Chair Rocketship Education National Strategy Board)

Don is a Deputy Director leading the Deep Dive work on the Effective Teachers team for the Bill & Melinda Gates Foundation. Prior to joining the foundation, Don was the founder and CEO of Aspire Public Schools and has spent the past 40 years in public education where he is widely recognized as a leader in public school reform and the charter school movement.

In 1992, Don served as the Superintendent of San Carlos School District, where he sponsored the first charter school in California. The San Carlos Charter Learning Center became a California Distinguished School and has since served as a model for many other charter schools. In 1998, Don and entrepreneur Reed Hastings, co-founded Californians for Public School Excellence, a grass-roots organization that led to the passage of the Charter Schools Act of 1998, which lifted the cap on the number of charter schools in the state. Dr. Shalvey is a frequent advisor to policy makers, practitioners and authorizers of charter schools across the nation. He currently serves as the Chair of the California Commission for Special Education; he is also a Board member on a number of not-for-profit organizations including: Jobs for the Future (JFF), Ed Source, and the Stanford University School of Education. His work has been recognized in a variety of national publications and television/radio shows including: The Wall Street Journal, Fast Company, Newsweek and the Charlie Rose Show and NPR. In 2002 the prestigious Ashoka Foundation recognized Don as a Fellow for his outstanding work as a social entrepreneur. More recently, Don was given the James Irvine Foundation Leadership Award for advancing the quality of life for Californians and in June 2009, he was elected to the Charter School Hall of Fame by the National Alliance for Public Charter Schools. Don earned a Doctorate of Education in Educational Leadership/Administration from the University of Southern California, a Masters of Education in Counseling and Guidance from Gonzaga University and a B.A. from LaSalle College.

Consultants

Rocketship Education and Rocketship San Francisco receives legal services from Middleton, Young & Minney, LLP (“MYM”). MYM has thirteen attorneys who dedicate their practice exclusively to charter school law. The firm’s attorneys provide legal counsel to over half of

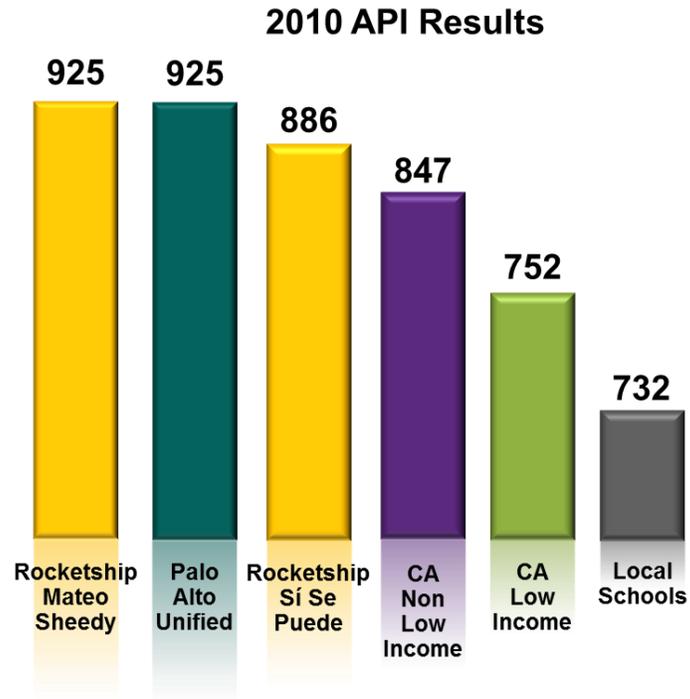
California's charter schools as well as to businesses and organizations providing support services to charter schools within the state. Rocketship Education's lead counsel, Paul Minney, has been involved in the charter school development process since the adoption of the Charter Schools Act in 1992.

Rocketship Education works with Vincenti, Lloyd and Stutzman LLP for audit and financial services. Since 1953, Vincenti, Lloyd & Stutzman has been a respected authority and proven partner with hundreds of California education agencies – K-12 school districts, county offices of education, private and public colleges and universities, and other nonprofit schools. For more than 15 years, since charter schools were first authorized in California, the VLS Charter School Audit Team has maintained successful, long-term relationships with clients in the California charter school industry. Its dedicated team of CPAs and accounting professionals is knowledgeable, capable, and consistently meets and exceeds client expectations.

Current Rocketship Schools

Rocketship's first school, Rocketship Mateo Sheedy Elementary School (RMS), opened in August 2007 in downtown San Jose. Its second school, Rocketship Sí Se Puede Academy opened in the fall of 2009, and a third school, Rocketship Los Sueños Academy, opened in the fall of 2010. Rocketship will open two additional San Jose schools in the fall of 2011. Academic performance at Rocketship schools has been exceptional, especially in comparison to overall school district performance, and to neighboring and regional schools. For the most recently ended school year (2009-2010):

- Rocketship Mateo Sheedy Elementary (RMS) earned an API score of 925 for the second consecutive year, the same score earned by the far more affluent Palo Alto School District.
- Rocketship Sí Se Puede Academy (RSSP) earned an API score of 886 in its first year of operation
- Both Rocketship schools placed in the #5 and #15 positions, respectively, for all California schools with similar low-income populations of students (e.g., >70% qualify for free/reduced meals).
- Sí Se Puede Academy (RSSP) was the top school in this category, for all new elementary schools which opened in the fall of 2009.



II. EDUCATIONAL PROGRAM

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

- California Education Code Section 47605 (b)(5)(A)

Mission Statement

Rocketship San Francisco will eliminate the achievement gap by graduating our students at or above grade level in Literacy and Math.

Goals

- Rocketship San Francisco will enable financially disadvantaged students to achieve grade-level proficiency in the core subjects by second grade and achieve above grade level by the time they leave Rocketship San Francisco.
- Rocketship San Francisco students will become self-motivated, competent and lifelong learners.
- Rocketship San Francisco students will develop a deep love of reading.
- Rocketship San Francisco will provide parents of southeast San Francisco with a path for their children to take in order to have the best chance to attend a four-year college.
- Rocketship San Francisco will encourage our alumni both to become leaders in their community and help others achieve their goals.

Vision Statement

Rocketship San Francisco seeks to create a future in which thousands of children from southeast San Francisco have graduated from four-year colleges and have come back to southeast San Francisco to eradicate the last traces of the achievement gap.

Targeted School Population – Whom the School is Attempting to Educate

Rocketship San Francisco is designed to serve students who are or may be at risk of achieving below basic proficiency on state exams. Rocketship San Francisco will attract children of parents who are seeking an alternative to their current educational system, who desire an innovative educational approach, and who share the vision of Rocketship San Francisco. Rocketship San Francisco anticipates that it will enroll primarily students from schools which are undergoing program improvement (“PI”) in conjunction with the Federal No Child Left Behind regulations. Based on an analysis of the 2009-2010 demographics of the PI elementary schools located in the southeast corridor of San Francisco Unified School District shown in the table

below, our target population is 26% English Learner (“EL”) and 69% Free and Reduced Lunch (“FRL”). Students in greatest need of options attend El Dorado, Bret Harte, Flynn, Starr King, and Webster.

Elementary School in southeast corridor of San Francisco	PI Year	% ELL	% Free-Reduced Meals	% Proficient or Advanced Reading	API 2010
El Dorado	2	21	68	36	715
Bret Harte	2	25	85	20	627
Flynn	5	31	63	32	706
Starr King	1	18	51	40	724
Webster	5	33	76	36	702
Average	3	26	69	33	695

Rocketship San Francisco Enrollment

Students enrolling in Rocketship San Francisco shall meet the state guidelines for minimum age. To enter Kindergarten during the 2013-2014 school year, a child must be 5 years of age by October 1. To enter Kindergarten during the 2014-2015 school year and thereafter, a child must be 5 years of age by September 1 (California Education Code Section 48000).

Rocketship San Francisco will serve students in grades K-3 during its first year of operation, K-4 during its second year of operation, and K-5 during its third year of operation. The decision to add sixth grade in year four of operation depends on whether there is clear demand from parents of fifth graders. We will notify San Francisco Unified School District by May of the year prior if we choose to add sixth grade. At the time of submitting this charter, the petitioners do not intend to exercise this option, but wish to reserve the right. The table below shows anticipated grade level enrollment. Research has shown that the best chance of bringing students to grade level in Literacy happens by third grade. In grades K-3, we will continuously enroll vacated spaces (due to attrition) to maintain the enrollment numbers below. In grades 4 through 6, we will absorb the expected attrition rate of 10% per year without re-enrolling those spaces mid-year (see Expected Year 2+ Students). This decline is primarily driven by families leaving the area and is similar to existing Rocketship Education and other high-performing charters in the area.

Grade Level	Expected Year 1 Students	Expected Year 2 Students	Expected Year 3 Students	Maximum Year 3+ Students
K	120	120	120	120
1	112	112	112	112
2	92	104	104	104
3	92	94	94	94
4	0	83	83	83
5	0	0	42	42
6	0	0	0	80 (possible)
Totals	416	513	555	635

Please see the Bell Schedule in Appendix Z, which lists classes in a typical day. Rocketship San Francisco will provide all classroom instruction in a 20:1 ratio for grades K-3, despite having a school-wide student-teacher ratio higher than 20:1. This is because students have five hours of classroom instruction per day, while teachers typically teach between six and eight hours per day. Learning Lab is provided as an Intervention program and Learning Lab minutes do not factor into annual instructional minutes calculations.

Teacher Level	Number of Teachers
Academic Dean	1
Literacy / History Teachers	11
Math / Science Teachers	5

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

The goal of Rocketship San Francisco is to provide an environment in which children will develop into confident, self-motivated, competent, productive and lifelong learners. Vested with these skills, these children will become responsible young adults. Students will possess the habits, skills, and confidence necessary to succeed in school and beyond, as contributing citizens of the 21st century.

Specifically, Rocketship San Francisco believes that an educated person in the 21st Century should possess the academic and life skills listed below. Each Rocketship Education charter school seeks to impart these skills by the time that a student has completed the Rocketship Education program.

Academic Skills

- Critical Thinking: the set of skills required to succeed at higher levels of Bloom's taxonomy, including the analysis of data, synthesis of information and evaluation of arguments
- Problem Solving: building on a foundation of strong critical thinking, problem solving involves using insight and creativity to solve complex problems such as applying familiar strategies in multiple or unfamiliar contexts
- Meta-Cognition: the ability and disposition to explore the thinking and learning process, explain how and why a particular strategy was chosen, and to explain the rationale behind a particular viewpoint, including supporting one's claims with evidence

Specifically:

- Students will read at grade level.
- Students will develop both calculation abilities and a conceptual understanding of math.
- Students will be inspired to be inquisitive and self-motivated life-long learners.
- Students will communicate effectively through excellent listening, speaking, writing, and multi-lingual skills.
- Students will possess creative, logical, and critical thinking skills enhanced through art, science, and technology.
- Students will comprehend and use technology as a tool for learning and communication.
- Students will have confidence in adapting to new situations and be receptive to learning.

- Students will be eager to synthesize and act upon new information.
- Students will find, select, evaluate, organize and use information from various sources and disciplines of thought. They will be able to make logical connections among them.

Life Skills

- **Sense of Self:** an understanding of one's own strengths, abilities, emotions, and identity that contribute to positive self-esteem and a sense of purpose; this might look like a student self-regulating an emotional response in order to facilitate rather than interfere with a particular task at hand
- **Relationship and Social Skills:** understanding and appreciating the emotions and perspectives of others and developing positive relationships diverse groups including peers and adults; developing the ability to cooperate effectively, resist social pressure, resolve conflicts and seek help appropriately.
- **Commitment to Learning:** pursuing goals and taking responsibility for self-development academically, socially, and emotionally; having a sense of curiosity, interest and involvement in learning and advocating for one's own learning at Rocketship and beyond

Specifically:

- Students accept responsibility for personal decisions and actions.
- Students develop self-confidence and a willingness to take risks in a safe learning environment.
- Students learn concentration, perseverance, and independent working skills by setting personal goals and by self-assessment.
- Students develop an appreciation for the richness of shared knowledge that flows from the culturally diverse environment of California.
- Students are inspired to have empathy and courtesy for others.
- Students work both cooperatively and independently.

How Learning Best Occurs

Every child possesses a wide range of learning skills. Rocketship San Francisco believes that learning best occurs when students are taught a comprehensive curriculum through innovative instructional design that promotes learning in a challenging and exciting way, and most importantly when students are taught to love reading and become proficient readers (Walberg, 1981).

The unique Rocketship San Francisco Culture is fostered from the beginning of each school year as a Rocketship San Francisco staff member makes a home visit to every Rocketship San Francisco family. These home visits are incredibly powerful and ensure that a positive relationship is created between the families and Rocketship San Francisco staff. To express his/her level of commitment to the Rocketship San Francisco mission and support of the Rocketship San Francisco culture, every parent or guardian of a Rocketeer signs a letter committing to these Rocketship San Francisco values with the Principal. Once the relationships between teachers and families are established through home visits and parent commitments, the Rocketship San Francisco staff is able to continue this personal flow of information with each

family throughout the year to ensure even higher academic success may be realized throughout the school year.

- ***Learning Best Occurs When There is a School-wide Expectation of High Achievement***

At Rocketship San Francisco, every teacher will be striving for Significant Gains with each of their students. Significant Gains is defined as 1.5 years of academic progress for every year in school. We believe that many of our at-risk and EL students will come to school 1.5 years behind, because of a lack of English or literacy habits at home (Zill, N. & West, J., 2000; See Appendix M). Our goal is that by making 1.5 years of progress each year as measured by internal measures and state exams, we can bring our students to grade level by second grade and graduate students at or above grade level. Significant Gains will be a fundamental component of the way that teachers at Rocketship San Francisco will be evaluated and compensated. High expectations are an important part of a school culture and lead to higher student achievement (Cotton, 1989).

Learning Best Occurs When Teachers Are Subject Matter Specialists

Rocketship San Francisco will be structured differently from a traditional elementary school. Teachers will hold multi-subject credentials and at Rocketship San Francisco, we use a teaming approach with our instructional staff. This teaming approach means that teachers have their own instructional home-room, however, the students move to different teachers throughout the day. The students have a teacher each day who focuses primarily on literacy instruction who is integrated with social studies instruction and a teacher that is focused primarily on math instruction that is integrated with science instruction. Many researchers have found that an early focus on these core skills have long-term effects on student achievement (Adams, 1990; Schenk et. al, 1980; McGill-Franzen, 1987). Advantages of elementary schools that follow the teacher teaming focus include deeper content knowledge, a team structure allowing better collaborative focus, improved teacher retention, easier transition to middle school, and more flexibility in student grouping (Chan and Jarman, 2004; Bowser, 1984; Findley, 1966; NEA, 1965). We believe that specialization will allow teachers to focus deeply on their subject matter and their students, helping them to intervene with struggling students earlier and more effectively.

- ***Learning Best Occurs When Teachers Are Highly Motivated***

Rocketship San Francisco is constructed to combat the enormous turnover among new teachers that plagues our public schools. It is estimated that 50% of new teachers leave the profession within five years (Ingersoll, 2001). We believe that teachers need a career path which rewards their success both with more responsibility and significantly greater compensation. Rocketship San Francisco has created a career ladder for teachers, which recognizes student performance as a primary factor in advancement. A career ladder like Rocketship San Francisco's has several advantages, including employee retention, succession planning, and better career development (CA State Dept of Employee Development, 2003). The teacher career path consists of both opportunities to advance in compensation and level of responsibility in the classroom and opportunities to move into leadership positions within the network. The Academic Dean is a highly-trained expert in teacher coaching and elementary instructional content, with both

outstanding classroom results and leadership abilities. Additionally, the Assistant Principal is responsible for cultivating a strong college preparatory environment of high expectations and for driving a high-performing academic experience in Learning Lab. In addition to the added level of support and capacity these roles bring to the school as a whole, for the individuals, these positions provide an attractive career path as well as impactful leadership experience. We believe this career ladder will motivate young teachers to make the investment in their teaching and advance to the position of Academic Dean. Please see Appendix B for a description of the day in the life of Rocketship San Francisco teachers at each level of our career ladder.

Learning Best Occurs In a Culture of Caring

We believe that specialization will lead to better teachers who will increase the academic progress of our students. We also believe that our implementation of specialization will allow us to care for our students more effectively than a traditional elementary school. Every class will have a homeroom teacher, typically the first classroom teacher of the day. The advantage of this structure is the ability for grade-level and homeroom teachers to collaborate about their students. This collaboration will allow them to detect both academic and emotional problems earlier and divide the work of home visits and other time-intensive interventions with the students that need their help most. Please refer to J.M. McPartland's *Staffing Patterns and the Social Organization of Schools* (McPartland, 1992) for research on ways to increase both academic and emotional well-being of students through teacher specialization.

Learning Best Occurs When the Curriculum is Individualized

Rocketship San Francisco believes that individualization should be a core component of all twenty-first century schools. The Rocketship San Francisco school model is a full Response to Intervention model, providing three tiers of intervention for students in need of additional assistance. Bi-monthly interim assessment results are analyzed to identify students who are failing to make adequate progress. For each student in this category, an Individualized Learning Plan is generated which specifies areas of strength and weakness and explicit classroom modifications, areas to target in our computer-based curriculum (detailed in Appendix E), and specific goals and methods for tutors. The first tier of intervention is in the classroom. Guided Reading groups will often be used to deliver these more individualized objectives during normal classroom instruction. Students not making significant gains will also receive individualized instruction during the Computer Center of Learning Lab. At current Rocketship Education schools, the second tier of intervention is conducted in Learning Lab, where a tutor will work daily in a small-group intervention with a group of students with similar needs, focused on goals from each student's ILP. If classroom modifications and Learning Lab interventions fail to help a student make adequate progress, the student enters the Rocketship San Francisco Student Services Team Process and if necessary, the Special Education IEP process. Providing these three levels of intervention will allow Rocketship San Francisco to serve the most struggling students more effectively than traditional elementary schools. Detailed information on these three levels of individualization may be found in Appendix H.

- ***Learning Best Occurs When Students Have Extra Time to Practice***

Rocketship San Francisco will offer all students the opportunity to participate in our Learning Laboratory for two hours each day. The purpose of the Learning Lab is to provide students with additional practice in Literacy and Math at exactly their current level of instruction.

The Learning Lab is a combination of a computer lab and tutoring center. The Learning Lab has a full-set of leveled books where students can read independently at their “just right” level (the top of their independent reading level) as well as at computers running online programs that allows students to access instruction at exactly their current level of understanding. Please see Appendix H for a longer explanation of the value of strictly leveled independent reading.

- ***Learning Best Occurs in a Well-Run School***

Rocketship Education provides the Critical Systems (“CS”) and support for Rocketship San Francisco. Rocketship Education trains school staff on how to effectively use the CS that allows for the continued successful practices at Rocketship San Francisco. CS licensed to the school includes:

- Operations Toolkit for streamlining state reporting and compliance
- Teacher Recruiting
- Teacher Development Framework
- Leadership Development Program (See Principal & Dean in Training Rubric Appendix AA)
- Budgeting and Financial Management Systems
- Centralized Operations Management including Attendance, Facilities and Maintenance
- Rocketship Education-negotiated vendor contracts for food service, software, computers, curriculum, special education service providers
- Rocketship Education Response to Intervention model including curriculum and staffing
- Full Scope and Sequence for core subject areas
- Rocketship Education UbD Units for Science and Social Studies (explained below)
- Systems for many operational issues including attendance, food service management, assessments and assessment data management
- Learning Lab model including management of centers and staffing methods

In addition to CS, Rocketship Education takes the financial risk of developing new schools and provides the following services during the school development process:

- Removing the challenge and risk of securing adequate and affordable facilities by negotiating with real estate development organizations to acquire leased facilities
- Creation of each school’s charter document and collaborating with charter school authorizers to receive approval and develop operating contracts
- Bringing government and philanthropic support to school start-up totaling over \$1M

Once a school is operational, Rocketship Education provides on-going support in the following areas:

- On-going training and mentoring for Principal and Academic Dean
- Operational training for school Office Manager
- Support for real estate, finance, IT, Special Education, and legal issues

Calendar and Attendance

Rocketship San Francisco’s academic calendar will generally follow the academic calendar for SFUSD. The school year will contain at least 180 instructional days.

Rocketship San Francisco parents/guardians will be responsible for sending their children to school and providing an explanation for absences. Rocketship San Francisco will have attendance policies to encourage regular attendance and to report trancies to appropriate local authorities. Appendix N details the planned attendance policy.

Bell Schedule and Instructional Minutes

Rocketship San Francisco school days will run from 8 a.m. to 4 p.m. For students enrolled in the Response to Intervention Program, Rocketship San Francisco may offer a school day from 8 a.m. to 4:45 p.m. The number of instructional minutes offered for all grades will meet or exceed the State’s requirements in Education Code Section 47612.5(a)(1). A sample bell schedule is attached in Appendix Z. This table delineates subject areas and minutes by grade level.

	Literacy (Includes Social Studies)	Math (Includes Science)	Total Daily Minutes
K	200	100	300
1	200	100	300
2	200	100	300
3	200	100	300
4	240	100	340
5	240	100	340
6	240	100	340

For purposes of California Class Size Reduction (“CSR”) standards, Rocketship San Francisco plans to designate the first academic teacher each day as the homeroom teacher for a class. Please see Appendix X for opinions validating the Rocketship San Francisco approach with respect to CSR from our auditor, Thom Gilbert, and Lynn Piccoli of the California Department of Education. The Charter School recognizes that CSR funds are not currently available for new charter schools, but will keep this option open, as the Rocketship San Francisco educational program meets CSR requirements.

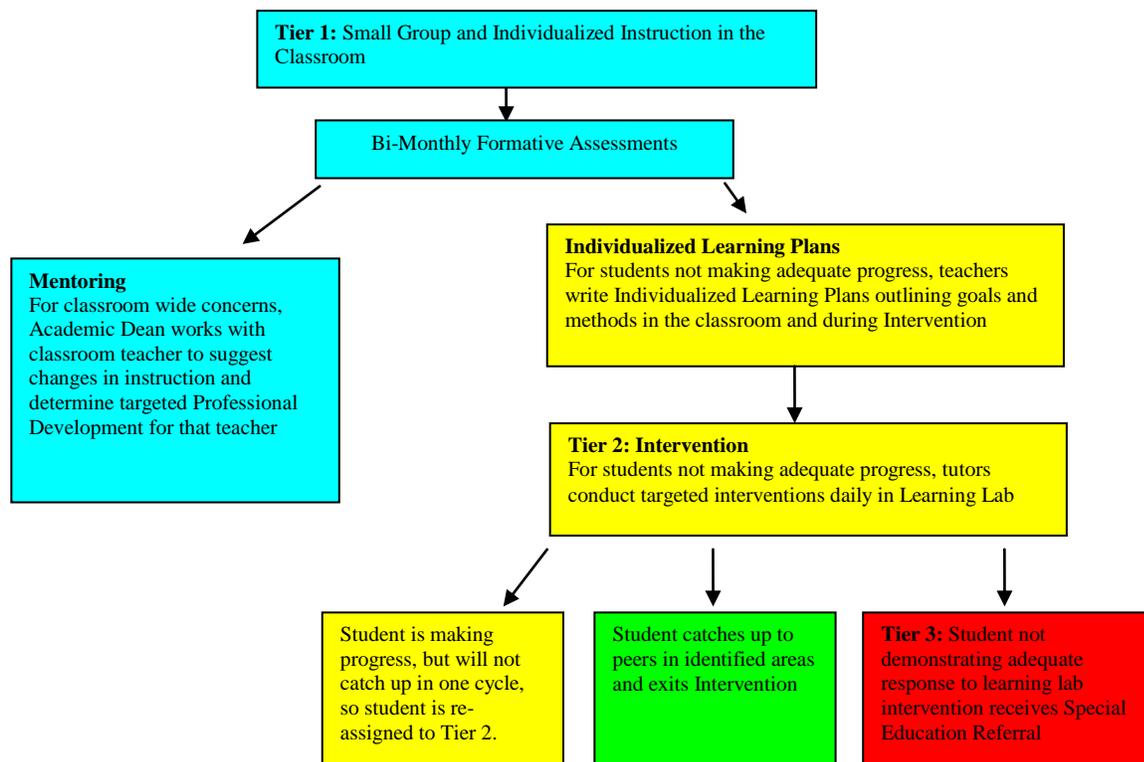
Implementation of Educational Program/Curriculum

The Rocketship San Francisco curriculum follows state standards for the subject areas of: English Language Development (“ELD”), English/Language Arts (includes Writing), Mathematics, Science, Social Studies, Art and Music. We place most of our emphasis on the subjects of Literacy and Mathematics for our students. Our primary educational goal is to ensure grade-level proficiency in Literacy and Math by second grade and achievement above grade level by the time students leave Rocketship San Francisco in fifth grade. Students will also take Science, Social Studies, and Arts at all grade levels to broaden their understanding of the world and to create avenues to exercise different facets of their intelligence. The curriculum at Rocketship San Francisco is aligned with State content standards, such that students will not only achieve the objectives specified in the charter but will also master the academic content standards in core curriculum areas as adopted by the State Board of Education pursuant to

Education Code Section 60605. Teachers will be encouraged to assist their students in exceeding minimum standards. Please see Appendix A for a description of a typical day in school for a Second grade student.

The remainder of this section provides an overview of our Response to Intervention (RtI) approach and academic philosophy for each area of study. RtI describes both a service delivery model and eligibility criteria for specific learning disability (IDEA 2004). In a report prepared by the National Joint Committee on Learning Disabilities (2005), the Committee identified three core components of RtI: “(1) Application of scientific, research-based interventions; (2) measurement of student’s response to these interventions; and (3) use of RtI data to inform instruction” (pg. 2). The term RtI also describes an eligibility criterion for special education. This criterion is found in IDEA 2004 Sec 614(b)(6)(B). The law states; “In determining whether a child has a specific learning disability, a local education agency may use a process that determines if the child responds to scientific, research-based intervention as a part of the evaluation procedures...” Please see detailed ELD objectives in Appendix C and course objectives for each area in sample long-term plans associated with each subject in Appendix I and a sample Bell Schedule in Appendix Z.

Rocketship San Francisco’s Three-Tier Response to Intervention Approach



Universal Screening

All students are assessed upon entry to determine performance relative to grade level standards. We do this using a number of different measures. In literacy classes, teachers administer the Developmental Reading Assessment (“DRA”), the NWEA MAP assessment for Reading, the

CORE Phonics Inventory, and other assessments that are relevant to their grade level (i.e. Sight word recognition for 1st grade. Math teachers give grade level math assessments created to measure student progress towards end-of-the-year objectives as well as the NWEA MAP assessment for Math. All of this data is used to identify our students who fall into the Below Basic or Far Below Basic quintiles.

The Teacher Dashboard (see Appendix AK) will facilitate communications between teachers and tutors, by providing more timely status updates of a student's progress, and by enabling teachers to easily specify remediating content and activities during RTI that are targeted to meet the student's specific learning needs. As the diagram below indicates, the Teacher Dashboard enables teachers to further individualize instruction during a student's Response to Intervention (RTI) sessions with tutors. Figure 5 illustrates the status of each RTI student, by grade and by DRA. At the end of RTI sessions, tutors can leave notes regarding a student's progress, in order to provide teachers with more timely updates. Both tutors and teachers are then able to make better use of RTI sessions, to assist each child with his / her specific learning needs. More timely, targeted interventions help to accelerate each student's progress and increase the likelihood of successful remediation. Content from the RTI tab is automatically linked and integrated with the student's Individualized Learning Plan.

Progress Monitoring

Every 8 weeks our teachers reassess to show student progress. This is translated visually by the staff into Assessment Walls for each class, showing which students fall into each quintile from Far Below Basic to Advanced. This data is then used to adjust classroom instruction and to identify students in need of more focused support to make adequate progress.

Teachers will also collect data from the Teacher Dashboard (see below and Appendix AK). The Teacher Dashboard will enable educators to sort and place students into different small groups, by using different criteria. At present, small group assignments are done manually, which is time-consuming and requires duplication of content (and potential errors in the placements). A benefit of the Teacher Dashboard will be to assign student groupings based on real-time achievement data.

Rocketship Education
Dashboard | Assessments | Tracker Report | **RII Program**

RII Program - Small Group Selection
Select School: Rocketship Los Suenos | Select RII Cycle: Cycle 1 | Year: 2010

Total Number of Students in RII: 102
Total % of Students in RII: 20%

Groups	Last Name	First Name	Available: 4/98	5/98	Grade	DRA	Core%
1	Alvarez-Guzman	Natalie	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5	6	20
	Amaya	Evelyn	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	5	4	23
	Amparan	Zeth	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	5	4	16
	Arteaga Garcia	Dennis	<input type="checkbox"/>	<input checked="" type="checkbox"/>	4	6	5
2	Bui	Katie	<input type="checkbox"/>	<input type="checkbox"/>	4	1	14
	Amparan	Anissa	<input type="checkbox"/>	<input type="checkbox"/>	4	4	6
	Acosta	Ricardo	<input type="checkbox"/>	<input type="checkbox"/>	4	4	8
	Aguilar	Nayeli	<input type="checkbox"/>	<input type="checkbox"/>	5	6	1
3	Alcaraz	Ashley	<input type="checkbox"/>	<input type="checkbox"/>	2	2	1
	Avalos	Olivares	<input type="checkbox"/>	<input type="checkbox"/>	2	2	18
	Almazan	David	<input type="checkbox"/>	<input type="checkbox"/>	2	1	3
	Alvarado	Bryan	<input type="checkbox"/>	<input type="checkbox"/>	3	4	4
4	Alcala	Leonardo	<input type="checkbox"/>	<input type="checkbox"/>	4	4	10
	Flores	Maximiliano	<input type="checkbox"/>	<input type="checkbox"/>	3	6	4
	Aguirre	Nestor	<input type="checkbox"/>	<input type="checkbox"/>	1	8	7

Notification message example

Rocketship Education | RII | Help | Mail
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Rocketship Education
Dashboard | Assessments | Tracker Report | **RII Program**

Select School: Rocketship Los Suenos | Select RII Cycle: Cycle 1 | Year: 2010 | Page view: [grid]

Total Number of Students in RII: 102
Total % of Students in RII: 20%

Grade	Last Name	First Name	DRA	Count	%
Grade 0	Alvarez-Guzman	Natalie	0	0	6%
	Amaya	Evelyn	0	0	
	Amparan	Zeth	2	2	
	Arteaga Garcia	Dennis	2	2	
	Bui	Katie	2	2	
	Amparan	Anissa	2	2	
	Acosta	Ricardo	2	2	
	Aguilar	Nayeli	4	4	
	Alcaraz	Ashley	4	4	
	Avalos	Olivares	4	4	
Grade 1	Amaya	Evelyn	0	0	2.5%
	Amparan	Zeth	2	2	
	Arteaga Garcia	Dennis	2	2	
	Bui	Katie	2	2	
	Amparan	Anissa	2	2	
	Avalos	Olivares	4	4	
Grade 2	Amaya	Evelyn	0	0	2.5%
	Amparan	Zeth	2	2	
	Arteaga Garcia	Dennis	2	2	
	Bui	Katie	2	2	
	Amparan	Anissa	2	2	
	Avalos	Olivares	4	4	
Grade 3	Amaya	Evelyn	0	0	3%
	Amparan	Zeth	2	2	
	Arteaga Garcia	Dennis	2	2	
	Bui	Katie	2	2	
	Amparan	Anissa	2	2	
	Avalos	Olivares	4	4	
Grade 4	Amaya	Evelyn	0	0	6%
	Amparan	Zeth	2	2	
	Arteaga Garcia	Dennis	2	2	
	Bui	Katie	2	2	
	Amparan	Anissa	2	2	
	Avalos	Olivares	4	4	
Grade 5	Amaya	Evelyn	0	0	4%
	Amparan	Zeth	2	2	
	Arteaga Garcia	Dennis	2	2	
	Bui	Katie	2	2	
	Amparan	Anissa	2	2	
	Avalos	Olivares	4	4	

Individualized Learning Plan

Teachers write an Individualized Learning Plan for all students whose achievement falls below Basic. ILP's include assessment information, measurable goals that are realistic yet ambitious

for an 8 week period, classroom modifications, computer curriculum focus, and explicit goals and their corresponding practices for tutors to accomplish with each student in Learning Lab or after school interventions.

Assessment data, RTI content and the integration of results from online learning programs are important inputs into the student’s Individualized Learning Plan (see below). Automating the Individual Learning Plan and incorporating it into the Teacher Dashboard will enable teachers to use the ILP as an interactive, ‘living’ tool which reflects the student’s progress throughout the school period. Using an online ILP, teachers, tutors and Learning Lab staff can adjust in real-time to alter and refine the student’s learning objectives with the most useful, targeted content and activities. As the figure below illustrates, the ILP is organized by Common Core Standards, and is automatically populated with relevant learning content associated with each of these standards. Teachers can then add and subtract learning objectives, as appropriate, based on assessments of the student’s achievement in each of these areas.

The screenshot displays the Rocketship Education RTI Program interface. At the top, there is a navigation bar with tabs for Dashboard, Assessments, Tracker Report, and RTI Program. The RTI Program tab is active, showing student information: Student ID: 123456, Name: Cecelia Jose, School: Rocketship Mateo Sheedy. It also shows Baseline DR: 2 and Goal DR: 6. Below this is a table for 'Current Academic Record: 2009-2010' with columns for September, October, January, March, and May. The table shows DRA scores of 4, 8, and 12, and Math percentages of 6%, 34%, and 60%. Below the table is a section for 'Standards Objectives Goals' with columns for Code, Description, and Activities. It lists two standards: 1.N.S.1.0 (Drilling sound-spelling) and 1.N.S.1.1 (Decoding contractions), each with a list of activities and an 'Add activity' button. At the bottom, there is an 'Add Standart' button and a 'Submit' button.

Tier 1-Individualized Learning Plan

Teachers implement the ILP in the general education classroom. Teachers assess student progress after 8 weeks of instruction. Students who do not respond adequately to the initial instruction receive additional modifications and support in the general education classroom. These modifications may include adjustments in intensity, duration, and frequency of instruction. Teachers may meet with smaller groups more often for longer periods of time. Teachers may adjust instructional strategies and materials as well.

Tier 2

Students not responding adequately to the goals laid out in the ILP in the general education classroom OR identified as significantly below grade level in the first round of assessments are given a revised ILP directing their work in an additional period each day during small group tutoring (intervention) time. During this time, they work directly with a tutor on the specific skills they are lacking. For example, if a student in first grade is stuck at a DRA level 6, they will need practice with sight words, blending long vowel words, chunking multisyllabic words into syllables, describing main characters using adjectives, and making strong connections between the text and their own life. Intervention tutors are provided with a very specific 8-week plan combining suggestions from the classroom teacher and Assistant Principal in teams of strategies and approaches to use to get a student to meet their target at the end of 8 weeks. (For our example student that would be a DRA 10). In eight weeks, when we assess again, we measure to see if meaningful progress has been made by the Intervention students. If the student still is not making adequate progress, we may conduct a Student Study Team Process and revise the Individualized Learning Plan.

Tier 3

If the student fails to make progress in both Tier 1 and Tier 2 interventions after 2 cycles (16 weeks), they enter into the Special Education assessment process. Because Rocketship San Francisco will be an LEA for Special Education purposes, a majority of our special education professionals work directly for Rocketship Education, including paraprofessionals and resource specialists, giving us more control to ensure that Special Education students' Individualized Education Plans are aligned with the academic goals of the school. Rocketship Education also hires consultants for students with specialized needs. Please see Appendix H for a complete description of Rocketship Education's RTI approach.

Professional Development

The process of looking at interim assessment data and formulating a proper ILP takes practice for teachers and is an area we spend time both in formal professional development and in mentorship between the Academic Dean/Assistant Principal and each teacher. Our teachers will spend a significant amount of time with the Academic Dean analyzing overall class performance to know in which areas they need to develop their skills. Equally important is the deep knowledge that a teacher builds over time of the specific types of problems that students may have and the best ways to overcome these problems. Teachers will focus on more effective diagnosis of students' problems and development of effective scaffolding for these students while building the Individualized Learning Plans.

Helping our EL students make rapid gains

Our goal is to help our EL students make rapid progress out of levels 1 and 2 and into levels 3 and higher. Our experience shows that once a child reaches the intermediate stages of fluency, he or she begins to accelerate his or her progress on all of his or her academic work. In order to help our EL students to master listening, speaking, reading and writing in English by second grade, Rocketship San Francisco students will be immersed in English. We believe that the most effective instructional approach for a school with a high EL population is to embed ELD principles in all aspects of the curriculum and to teach explicit ELD during a portion of the day.

Pedagogically, our program is modeled off of the Teachers of English to Speakers of Other Languages (“TESOL”) standards for English Language Development. To embed ELD principles across all subjects, we work with Project GLAD (Guided Language Acquisition Design) to teach our teachers methods to provide additional instructional support to EL students. Studies of Project GLAD have shown statistically significant gains in students relative to control groups of ELL students taught by non-GLAD teachers. Our explicit ELD will focus on developing oral language, grammatical constructs and academic vocabulary in English. This period will take place during the Literacy block in Guided Reading, when EL students will be leveled by English fluency and provided with explicit ELD instruction. In the RtI tutoring program, ELs who are not making Significant Gains receive Literacy instruction as well as ELD as appropriate to accomplish goals in their ILP. Rocketship San Francisco uses Open Court’s ELD program in the Literacy classroom. All Rocketship San Francisco teachers will hold a CLAD certificate or equivalent California Commission on Teacher Credentialing EL certification.

Reading

By individualizing instruction through the Response to Intervention model we help our students make rapid gains in fluency. Reading is central to all parts of the Rocketship San Francisco curriculum, especially in grades K-2. We will also actively prioritize Reading above other subject areas in the early grades and for students who are still struggling in later grades. This can mean a student is pulled out of a content area class for individualized reading instruction or an ILP for a student which allocates them a double block of reading if necessary.

We are firm believers in the findings of the National Reading Panel (“NRP”).² The NRP reviewed all of the available high quality research with measurable results and a study size and student composition indicating that they could be generalized to the entire population of American students. They found five general areas of reading instruction which were crucial for developing excellent readers: phonemic awareness, phonics, fluency, vocabulary, and text comprehension. We expect that even our Academic Deans will spend a significant amount of time building their skills in each of the five areas of Reading. The founders of Rocketship Education have been teachers and students of these areas for several years of their own teaching. The California Language Arts standards are likewise organized around these areas for the early grades.

Rocketship San Francisco uses Open Court for the whole-class portion of our Literacy block. Rocketship San Francisco uses Pearson’s Developmental Reading Assessment (“DRA 2”) assessments Unit Assessments to diagnose current reading ability with students. DRA 2 contains running record assessments measuring a student’s fluency and comprehension which establishes a baseline reading ability. These assessments drive decisions about whether students need additional classroom support or tutoring during Learning Lab.

Instructional Strategies

During our Literacy block, time will be split between whole-class Reading instruction using the Open Court curriculum, Writing as described in the next section, small-group Guided Reading instruction, and in the upper grades an additional focus on chapter books and reading

² This study is available online at <http://www.nationalreadingpanel.org/Publications/summary.htm>

comprehension. During whole-class Reading instruction, textbook-based activities will include Read Alouds, Choral Reading, and Explicit Phonics instruction. During Guided Reading time, the teachers will usually be with four or five students, and the other students will be working on several different literacy centers, practicing skills relevant to their stage of development. From experience, we expect that a significant amount of small group time in K-2 will be spent on oral language acquisition and fluency for our EL students, and on phonemic awareness and phonics skills leading to grade-level reading fluency. In grades 3-5, students who are performing at grade-level will have mastered most aspects of oral language, phonics, and phonemic awareness, and we will be focused more on deep vocabulary investigation and comprehension of fiction and non-fiction texts. Across all grade levels, teachers will work vigorously to develop students' reading fluency, which is a key to their ability to develop more of their concentration to analysis of the text.

In addition, in fifth grade, all Rocketship San Francisco students will be expected to complete an Extended Analysis Project. The Extended Analysis Project is similar to an honor's thesis, which will require the student to utilize their academic skills of math, reading, writing, and possibly other areas as well. The students will present their projects at the conclusion of the year, which will be their opportunity to demonstrate their overall learning, knowledge, and capacity as independent, life-long learners as well.

Writing

Children will begin writing their first day at Rocketship San Francisco. Writing is often a difficult task for EL students, because it requires a demonstration of understanding of language rather than the more simple recognition of words and sentence patterns, which are required in Reading. Rocketship San Francisco has adopted the Northwest Regional Educational Laboratories ("NWREL") 6 Trait Writing Model. This model identifies 6 qualities seen in outstanding written works. These traits include:

1. Ideas: The content, or main theme. Can be looked at as the heart of the message.
2. Organization: The internal structure of the writing.
3. Voice: The personal voice of author comes through. This gives a sense of a real person speaking.
4. Word Choice: The use of precise, colorful and rich words to communicate.
5. Sentence Fluency: The writing flows together often with a rhythm or cadence.
6. Conventions: Mechanical correctness, including spelling and grammar.

We have adapted a six-trait rubric developed by NWREL to focus student learning and give them specific feedback on their writing. The rubric emphasizes the development of ideas, organization and voice, as opposed to students' and teachers' natural tendency to emphasize word choice, sentence fluency, and grammatical conventions.

The NWREL 6 Traits Writing model will give the Rocketship San Francisco staff a solid foundation of key traits to focus on in their application of writing and also provides the staff with a specific model of instruction. However, teachers often require further support depending upon their experience levels. Consequently, Rocketship San Francisco will utilize other writing strategies like Step Up to Writing and Lucy Calkins Units of Study. For example, Step Up to

Writing provides rather simplistic models and strategies to help students to organize their ideas prior to generating writing. Thus, this model will be especially helpful to use for new teachers on staff at Rocketship San Francisco who are beginning their writing instruction. Additionally, the color-coded organization system for expository writing has proven quite effective in helping ELs to better prepare for the task of producing organized and effective writing.

More experienced staff at Rocketship San Francisco will be able to supplement the NWREL 6 Traits writing instruction through the use of Lucy Calkins Units of Study. These units of study focus on very specific strategies and elements of strong writing. They give students a chance to take ownership over idea generation and ultimately lead to writing that is more interesting, unique, reflective of a student's voice, and higher student engagement in the process of writing. The Lucy Calkins Units of Study will allow the students at Rocketship San Francisco to further develop their writing skills while also giving our staff at Rocketship San Francisco the opportunity to grow and develop more as writing instructors.

Instructional Strategies

Writing will be taught as part of the Literacy block and instructional strategies will vary by grade level. For beginning writers in Kindergarten, shared writing linked to a read-aloud book will be more common. By second grade, we expect to conduct a structured writer's workshop with students in all stages of development including brainstorming, organizing, drafting, editing, revising, and creating an illustrated final draft. In all grade levels, students will develop the ability to distinguish between expository and narrative writing and the different strategies and purposes behind each style of writing. Each grade level will introduce or extend students' understanding of various genres of writing including response to literature, summary, personal narrative, informational writing, and letter writing.

Math

Students will master the basic skills and computational fluency required in California's state standards through lessons aligned with Harcourt Education's state-adopted mathematics curriculum, John Van de Valle's Elementary and Middle School Mathematics, Math Their Way, Math a Way of Thinking, and the work of Marilyn Burns and Cathy Fosnot. Within the context of the State standards, students will constantly be challenged to reason and communicate mathematically, in addition to demonstrating proficiency in all required math standards. Specifically, teachers will focus on developing students' *number sense* and *algebraic reasoning* abilities. This approach is supported by the recently released "Final Report of the National Mathematics Advisory Panel" (USDE, 2008, p. 17). Even young students can begin to understand numbers conceptually, and can recognize relationships among mathematical concepts (*Building a Foundation for Learning in the Elementary Grades*, NCISLA VOL. 1, NO. 2, Fall 2000). According to research conducted at the University of Texas, Austin, "Number sense not only leads to automatic use of math information, but also is a key ingredient in the ability to solve basic arithmetic computations." (Gersten, 1999) As a result, they are more prepared for the rigors of higher math. Important elements of number sense among young children include linking symbols to quantities, understanding part-to-whole relationships, and being able to make calculations with the same fluency that we stress in reading, so that they can devote more of their thinking to visualizing and tackling difficult word problems.

As students progress, this will be constantly monitored and evaluated by the central organizing theme of preparing them for Algebra, which will drive much of our Math instruction. Some of the main concepts that we will help our students internalize to be ready to perform Algebra include understanding multiple representations of data, functions, working with missing information through the use of variables, and inductive reasoning used to prove equations. We believe that because we are hiring teachers who want to team with a focus in Math, we will be able to find teachers who are generally more fluent and more passionate about the teaching of Math than most elementary school teachers. Additionally, our Academic Deans will find relevant professional development experiences for our math teachers to improve their practices including observations of highly skilled teachers, conferences and workshops, and exploring professional literature as well.

Instructional Strategies

In order to focus on deeper comprehension of mathematical concepts, we will strike a balance between building computational fluency and using discussion to help students explain why they reached an answer. Students will focus not only on finding the correct answers, but will be expected to articulate *how* the answers were derived. Our methods will include hands-on activities, classroom discussion about mathematical reasoning, and sufficient calculation practice to make arithmetic operations automatic. This conceptual instruction is further made possible through the supplementation of the Harcourt Math curriculum with Math Their Way, Math A Way of Thinking and Van de Walle instructional strategies. These supplementary resources aim to provide our students with a strong conceptual understanding as well as the rote mathematical practice provided within Harcourt.

In addition, math instructors will be focused on developing mathematical units that are backwards planned and focused on the Top 10 standards that are selected as the “power” or primary math standards for a grade level. This will allow Rocketship San Francisco to focus on creating units that are focused on depth of instruction and conceptual instruction as well.

Science and Social Studies

Science and Social Studies provides an opportunity for students to learn by doing. Using Project GLAD’s method of providing ELD instruction during Science and Social Studies, we intend to accelerate students Cognitive Academic Language Proficiency (“CALP”) development by supporting acquisition of academic vocabulary. Rocketship San Francisco has a strong Science and Social Studies curriculum which blends hands-on inquiry with leveled readers targeted at a student’s reading level. We use the McTighe and Wiggins Understanding by Design (“UbD”) approach. This approach is a framework for creating a curriculum based on state standards. UbD has been shown to develop students’ reasoning and interest in Science and Social Studies. To develop our curriculum based on the UbD framework, we start by backwards mapping of the state standards to identify the main objectives in Science and Social Studies. We then developed units and lesson plans within each unit to focus on these major objectives. We have been refining these units for two years as more teachers contribute to the richness and learning techniques of each unit and lesson. Every new teacher at Rocketship has a set of UbD units they

can use which cover the Top 10 standards, or they can create new ones to add to our library. Examples of these UbD units are included in Appendix F.

Science and Social Studies teach several very important skills on their own. One of the most important skills a student can learn from these classes in the primary grades is how to effectively read non-fiction text in the content areas (Pressley, 2002). Students will be faced with a multitude of classes throughout the rest of their lives where this skill will be central to their understanding of the content and ultimately their enjoyment and performance in the subject. The critical skills of determining the organization of a non-fiction text, identifying and understanding key vocabulary terms, and actively summarizing are skills that are not easily learned when reading fiction. At Rocketship San Francisco, we balance our reading in early grades to include both fiction and non-fiction and focus directly on the skills necessary to master non-fiction as they are presented in Science and Social Studies.

Science

Science instruction will be embedded in Math instruction through the use of thematically integrated, standards-based UbD units. Integrating Math and Science gives students the context through which to understand how mathematics relates to the physical world. Moreover, science naturally integrates into various aspects of math. Consequently, this integration of subject matter ensures that students will have greater exposure to skill areas like expository texts, scientific notebooks, graphing, organizing data, and many other math and literacy skills that correlate with science.

The science curriculum at Rocketship San Francisco has been primarily organized through the implementation of UbD units. At Rocketship Education, we have done extensive work to group science standards into robust UbD Units that cover science topics in depth (included in Appendix F). We believe in focusing on depth instead of breadth in the teaching of science. Consequently, our units cover standards from various grade levels, grouped together into a manner that allows our students to understand at a very high level the concepts behind the standards and how this information relates to their own lives. By taking this approach our teachers create 8-12 week long units that are relevant and engaging to students as opposed to rushing through many small units on varying topics. This allows students to learn material in a much deeper way, and consequently, they are more able to apply these lessons in future grade levels and later in life. Moreover, each unit reviews science standards from previous units. Thus, as students mature, they are better able to master various concepts through this spiral approach.

For example, our Animal Adaptations & Habitats unit taught in 3rd grade includes standards from kindergarten, first, second, third and fourth grades. Students review concepts taught in the first grade Food Webs unit and are given a solid foundation that allows for an even greater understanding of the fifth grade Plant and Animal Systems unit. By grouping similar standards together we are giving students a chance to explore a concept in more depth. However, all of our units build upon each other. So, a first grader will receive a strong introduction to states of matter that will be reviewed and added to in the 5th grade unit on Chemistry.

We believe that Science offers a broad array of concepts crucial to student understanding. Students will discover and learn about the natural world by using the methods of science as

extensions of their own curiosity and wonder. Students will acquire knowledge of the life, earth and physical sciences from a balanced curriculum, which includes building on their understanding of science concepts to learn about the logic of the scientific method and applications of science to the world around them. Students will develop critical thinking skills of science: observing, comparing, organizing, inferring, relating, and applying.

All students will be exposed to life, earth, and physical sciences in a curriculum that is based on the State Framework and State Standards. Our desired outcomes from science are an understanding of the process of scientific inquiry, curiosity about the world around them, skills to comprehend informational text, and increased self-esteem from producing a tangible work-product as a result of their understanding. Moreover, we expect our students to demonstrate a strong understanding of scientific concepts in the fifth grade state assessment as well.

Instructional Strategies

Rocketship San Francisco teachers teach three UbD units a year. Depending on the grade level, there may be two science units and one social studies unit, or vice versa. Science is taught 4-5 times a week for roughly 45 minutes a day during science units. During this block of time students are engaged in investigations, reading non-fiction leveled texts related to their topics, writing both narrative and expository pieces relevant to the unit, and learning using a variety of GLAD strategies including pictorial input charts, expert groups, cognitive content dictionaries etc. The culmination of two UbD units a year is an Exhibition Night, where students present their leanings to their parents and community members.

Students primarily work in cooperative groups, and often use hands-on materials to reinforce their understanding of scientific concepts. In order to facilitate a research and inquiry-based instructional model, teachers implement and reinforce clear rules and procedures for laboratory work. These procedures ensure the safety of students, while allowing them to learn and investigate in a dynamic and collaborative environment.

Teachers incorporate fictional and expository text into their science instruction. In addition to the use of leveled readers, students will regularly be required to write both fiction and non-fiction text in relation to their experiments. For example, third grade students studying extinction and evolution (see related course objectives, below) might write fictional stories about an extinct species, and will write lab reports on their investigations with rock layers and fossils. Math will also be integrated into Science through the use of graphs, charts, or drawings to show findings. Students will regularly be required to orally articulate their findings.

In addition, at Rocketship San Francisco we believe that students need to be exposed to their natural world. There are a plethora of things that can be learned from students spending time in nature, which is often difficult for many of our students as they grow-up in an urban environment. Consequently, a unique and important component of Rocketship San Francisco science curriculum is exposing our students to overnight camps. These camps occur in 4th and 5th grades and some occur in 3rd grade as well. Through partnerships with several nature organizations, we are able to expose our students to several important scientific standards and help them gain a deeper understanding of these concepts.

Additionally, as the vast majority of students we currently serve at Rocketship San Francisco are English Language Learners, our teachers employ a wide variety of GLAD strategies to make high level content knowledge both accessible and engaging to all students. Part of the students' homework during these units is to discuss with their families what they have learned in class that day. By drawing a picture, labeling it, and re-teaching the information to someone at home students are getting a chance to practice their academic language outside the boundaries of the normal school day.

Social Studies

Social Studies instruction will be embedded in Literacy instruction through the use of thematically integrated, standards-based UbD units. Social Studies are an opportunity to integrate aspects of our curriculum like Reading and Writing in a context that naturally requires them. Our use of the UbD framework to design Social Studies curriculum makes the concepts and academic vocabulary accessible to our students regardless of current reading level.

Key content outcomes for Social Studies include knowledge and cultural understanding, democratic principles and civic values, and academic and social skills necessary for effective participation in diverse societies. Key skills we hope students to learn include the integration of multiple skills to solve a project-based problem, the ability to use informational text, mastery of academic vocabulary, and increased reading and writing skills. This curriculum will be aligned with the State Framework.

Instructional Strategies

Teachers will build upon students' curiosity about themselves and their world by presenting history as an exciting and dramatic series of events and issues. Students will engage in problem solving as they acquire, evaluate, and use information in a variety of ways. Frequent opportunities will exist for all students including English Learners to share their language, cultural ideas, customs, and heritage, thereby providing multicultural dimensions to the curriculum. The teachers will provide equal access to the core curriculum for all students through a variety of appropriate strategies. The teachers will facilitate the exploration of values critical to understanding the democratic process.

Arts (Art and Music)

The curriculum will be aligned with the Visual and Performing Arts Framework for California Public Schools and will include dance, drama/theater, music and visual arts. Arts will be integrated into the Literacy block (see Appendix Z: Bell schedule), often as part of Social Studies content.

All students, including EL, Gifted, and Special Education will have equal access to the visual and performing arts core curriculum, with modifications to meet their individual needs. Integrated instruction will be delivered by the regular classroom teacher, as well as by the enrichment staff. The State has effectively identified key standards for the visual and performing arts. Those standards, listed in Appendix C, will guide the integration of arts into the curriculum. Through a process of unpacking and prioritizing content standards for the four core content

areas, teachers will identify opportunities to integrate the arts into those curricular areas, and will build unit clusters that maximize student exposure to and engagement in the arts.

Please see Appendix C for a detailed discussion of learning objectives for ELD, Literacy, Math, Science, and Social Studies and Appendix I for sample long-term plans associated with each subject. Below please find a summary chart setting forth the curriculum choices by content area, and the rationale for same.

Content Area	Curriculum Resource	Rationale
English Language Arts	Open Court	Rocketship San Francisco’s Literacy begins with standards-based instruction from Open Court’s state-adopted Literacy textbook.
	Scholastic	Rocketship San Francisco has a complete library of Scholastic leveled readers used during the Guided Reading portion of our Literacy block.
	Writing: <i>Six Traits of Writing</i> Publisher: NWREL	As discussed previously, this outcomes-based program gives teachers a rubric to examine student work and suggests instructional practice to drive student progress.
	Writing: <i>Lucy Calkins Units of Study and Step Up to Writing</i>	Lucy Calkins Units of Study and Step Up to Writing are both writing curriculums and strategies that are used to supplement the writing instruction at Rocketship San Francisco. They are specifically used to differentiate between teacher’s needs and their proficiency level in delivering writing instruction.
	Assessment: <i>DRA</i> Publisher: McGraw Hill	DRA is a running record assessment measuring a student’s basic fluency and comprehension in leveled texts. This assessment provides us with baseline data of a student’s reading proficiency.
Math	Harcourt Math	Rocketship San Francisco’s math program begins with the state-adopted, standards-based Math curriculum.
	Math Their Way, Math A Way of Thinking and work by John Van de Valle	Math Their Way, Math A Way of Thinking and work by John Van De Walle are resources that are used to supplement that Harcourt Math curriculum. These curricula provide a more hands-on approach and further address the conceptual aspect of various mathematical lessons.
Science and Social Studies	<i>Understanding By Design</i> Association for Supervision and Curriculum Development	UbD defines an approach for backwards-mapping state standards in Science and Social Studies in order to develop units which each cover multiple key standards. Based on UbD, Rocketship San Francisco has developed a set of thematic units in Science and Social Studies based on state standards. See sample UbD plan in Appendix F for more detail.

Professional Development

At Rocketship San Francisco, we believe that professional development is a critical component to the success of our teachers and staff, but more importantly, it is a critical element to student achievement. Rocketship Education’s professional development model involves multiple resources, which are detailed below.

Teachers at Rocketship San Francisco will be focused on developing a deep understanding behind the Charter School's approach to their subject area. Typically, the learning objectives will include:

- a focus on the pedagogy which shapes the curriculum in their instructional focus area (literacy/social studies and/or math/science)
- a focus on the organizational culture and values and leadership skills necessary to lead students and families to significant gains (Rocketeer Core Values)
- an understanding of the instructional techniques used and how to use them, especially through the Professional Growth Plan ("PGP")
- building an understanding of how to use student data to identify learning challenges, especially during Data Analysis Days
- developing techniques for individualizing their planning and instruction (PGP)
- observing excellent schools or instructors and learning their techniques/strategies
- investing students and families in the attainment of ambitious academic growth goals (PGP)

To develop the necessary subject expertise for our teachers as well as provide ongoing support for Academic Deans, Rocketship Education partners with several outside professional development organizations and higher education institutions to conduct in-depth professional development in Literacy and Math. Currently, these organizations include Project GLAD, Guided Reading, Santa Clara County Office of Education, Doug Lemov with Uncommon Schools, Formative Teaching, Real Time Coaching with Lee Canter, Lucy Calkins, Project Cornerstone, and various other organizations as well. Rocketship Education is constantly reflecting on student achievement data and teacher instructional needs in order to further develop the professional development program and coordination of resources in order to ensure that all student, teacher, and school needs are addressed in order to realize significant gains in student achievement.

Summer Professional Development

Professional development at Rocketship Education begins four weeks prior to the start of school, typically in August. During this time, the schools focus on various items, including school culture, classroom management, planning (daily lesson plans, unit planning, and year-long planning), building culture within the school team, home visits and parent investment/empowerment, instructional techniques, and data. These first few weeks in the summer create a critical foundation for the staff at a school to build a collaborative culture of trust, but to also focus in-depth on creating a strong school culture and aligning on school and grade level goals for the year. A sample professional development calendar for August 2010 is attached in Appendix AB. Moreover, this additional time in the summer grants the Academic Dean and Principal the opportunity to better on-board new Rocketship Education staff or new teachers in general. Thus, better equipping them with an understanding of the cultural expectations of the school, classroom management techniques, how to properly assess their student achievement and progress, and granting them additional time to familiarize themselves with the curricula and scope and sequence of instructional objectives for the year. This additional month of time solely reserved for professional development ensures that Rocketship

Education schools are able to commence with a cohesive, collaborative team of educators that have already begun to invest parents and families in this work, while also being much more thoroughly prepared instructionally to ensure that the academic year is successful from day one.

Yearly Professional Development

In addition, Rocketship Education's commitment to teacher professional development is further evidenced in the amount of time that is set aside throughout the year for teacher development. There are several days set aside during the calendar year that are solely focused on professional development, which also include an annual staff retreat, and moreover, each Friday from 2 to 5pm is reserved for professional development as well. This means that more than 150 hours of time is set aside throughout the calendar year for staff professional development as an entire team or school or almost three weeks. The professional development that occurs on Friday's is facilitated and organized primarily by the Academic Dean at each school site. The Academic Dean has access to a professional development scope and sequence (see Appendix AB) that provides each school with a suggested timeline for introducing, learning, and practicing key components of the PGP and the Rocketship Education professional development program. This scope and sequence is also differentiated by teacher experience level. However, the Academic Dean and school site retain the ability to deviate from the scope and sequence map in order to address more immediate or local needs of the school site. These may include items like preparing for a WASC (Western Association of School Accreditation) visit, addressing a school culture item, reviewing local school data and addressing any local instructional needs, and various other items that may arise.

The summer month of August and various professional development days throughout the annual calendar set the stage for new areas of focus for teachers (Literacy/Social Studies or Math/Science). For example, before the beginning of the school year and for the first few weeks of school, the Literacy focus is on setting up the classroom, classroom management, creating Literacy Centers, and managing Guided Reading groups effectively to get a fast start on building students' literacy. This is a wider range of topics as a more junior teacher may be focused on classroom management initially and in late October will be ready to begin the transition of focus to guided reading. However, a more experienced teacher may already be prepared to manage guided reading as they are already prepared with classroom management and setting up their classroom. In subsequent professional development days, new topics are introduced focusing on issues like using time at the Guided Reading table effectively to achieve goals like reading a new book each day with students. These focus areas differ throughout each year based upon the experience level of teachers and their immediate needs.

Professional Growth Plan

The core of Rocketship Education's professional development is the Professional Growth Plan (also see Appendix AD). The PGP is a tool that includes various components of instruction that are critical to student achievement. The first component of the PGP is the school goals, grade level goals, and data from interim assessments. Data is the driver of the PGP in that it ensures that the teacher, Principal, and Academic Dean are able to remain focused on the annual goal and current progress towards these academic goals, thus, making professional development decisions that will have the greatest positive impact on ensuring that students realize these annual academic goals. The next component of the PGP is the Rocketeer Core Values. These are the

nine core values (Mission Driven, High Achiever, Adaptable, Collaborative, Planner, Innovative, Mature, Internal Locus of Control, and Eternally Positive) that are at the foundation of the culture of Rocketship San Francisco. These core values are an important part of the PGP as Rocketship San Francisco is focused on developing great teachers, which requires not only instructional knowledge and development, but also further development and alignment with the core values of what makes a teacher successful at Rocketship San Francisco. The core values are then followed by specific instructional components that are critical to student achievement. These major components are Planning (lesson planning, long-term planning, etc.), Execution (classroom management, collaborating with families, etc.), Differentiation (Guided Reading, teaching English Learners, etc.), and Leadership (time management, giving and receiving feedback, etc.). Each of these components has been strategically decided upon and created based upon other teacher development rubrics, including the California Teaching Professional Standards, Teaching as Leadership rubric developed by Teach for America, Charlotte Danielson Framework for Teaching, and others as well. In addition, the sub-components of each section have been decided upon and based upon successful professional development resources like Lemov Taxonomy, Project GLAD, Guided Reading, Lee Canter, and various other resources. The PGP includes all of these items and attempts to introduce them in a manner that is scaffolded. Consequently, Planning is the first section of the PGP as setting goals, creating a long term plan, and creating a daily lesson plan are typically the first items that are challenging for a new teacher. Similarly, after a teacher has mastered planning, classroom management, and differentiation, they are then more able to focus on the leadership skills that will be required of them to emerge as a lead teacher or other position like an Academic Dean or Principal. Thus, Leadership is the final section of the PGP.

Every teacher at Rocketship San Francisco has a Professional Growth Plan (PGP) that is focused on their professional growth and development as a teacher and is individualized to their needs. The creation of the PGP begins by a Principal and Academic Dean observing a teacher multiple times in the beginning of the year and gathering their student data, which then begins to indicate the focus areas for this teacher. The Principal then meets with the teacher in a one to one (1:1) meeting, which occurs every other week. During this meeting, the Principal collaboratively selects up to three sub-components of the PGP with the teacher to focus on for the next 8 weeks. The sub components are specific rows within the larger components of Planning, Execution, Differentiation, or Leadership and are not the entire section. Thus, the teacher, Principal, and Academic Dean have a much more discrete skill to focus on in developing, observing for, and coaching. Following the subsequent interim assessments (occur every 8 weeks) the sub-components focus may change based upon student data and Principal/Academic Dean observations of the teacher's instruction.

Academic Dean

In order to fully be able to implement the Professional Growth Plan and professional development of teachers, Rocketship Education has an Academic Dean at each school. The Academic Dean is a former teacher who serves as a mentor for all Rocketship San Francisco teachers and their focuses are professional development of staff members and the Response to Intervention program. Thus, a majority of the Academic Dean's time is spent on professional development and focuses on the coaching of teachers and teacher development methods. While Academic Deans are by definition masters of their academic area, successfully coaching other

teachers is a completely different skill than successfully teaching children. While we believe that our Academic Deans will have already shown a predisposition to coaching based on the positive evaluations they had to receive from peers in order to be promoted, we will provide extensive professional development for new Academic Deans to help them learn our academic systems and the best techniques for mentoring their associated teachers (please see Appendix AA for Leadership Training). It is also crucial that Academic Deans stay current in their field both through internal professional development, external professional development opportunities, and by being involved in professional organizations like the International Reading Association and National Council of Teachers of Math.

The Academic Dean invests in the professional development of teachers through the execution of their PGP through multiple methods. These methods include pre-conferences prior to a lesson, observing lessons, videotaping lessons, post-conferences after a lesson, regular one to ones with teachers to reflect on their practice, modeling lessons, co-teaching, and various other techniques as well. Another method of professional development that Academic Deans have access to is called Real Time Coaching. This method of coaching involves a teacher placing an ‘ear-bud’ or microphone in their ear. An Academic Dean (or Principal) then coaches the teacher during instruction by giving directions to the teacher through a walkie-talkie while sitting in the back of the classroom and observing the class. This form of professional development has been a great resource to both Academic Deans and teachers in that it provides real time information and instructions to teachers that allows them to instantly modify their instruction and learn beneficial instructional techniques, rather than having to wait for a post conference or follow-up meeting. Lastly, for teachers who have been assigned to an Academic Dean, they are expected to meet with the Academic Dean at least once every two weeks for at least an hour after-school. However, these meetings often occur more regularly and they allow the Academic Dean to invest additional time in the teacher’s mentorship

The Academic Dean is also responsible for planning on-going professional development on a weekly basis. Every Friday shall be a minimum day, allowing the staff to come together for 3 hours of professional development and/or collaboration time each week. Deans plan for and facilitate these meetings, including such topics as data reflection, investing families and students in growth targets, improving management strategies, or simply sharing resources and planning for the next Social Studies or Science unit.

Although the Academic Dean plays a significant role in the development of staff, he or she does not act as the evaluator of any staff members. At Rocketship Education, we have divided the roles of mentor and evaluator. The Academic Dean is responsible for daily mentoring of teachers. In order to create a stronger relationship of trust and teamwork, Deans follow the objectives the PGP for guiding teachers, but evaluation of each teacher at mid-year and end of year for promotion purposes will be the responsibility of the Principal with significant input from the Academic Dean.

Data Analysis Professional Development

Another key component of professional development at Rocketship Education involves Data Analysis. At Rocketship Education, interim assessments are given every eight weeks. Following these assessments, the teachers, Academic Dean, and Principal at Rocketship

Education have a full day of professional development that is focused on the analysis of the interim assessment data. The teachers are able to review their assessment data in multiple manners, which include the Teacher Dashboard, Assessment Walls, and the Data Analysis Form.

Data Analysis Professional Development: Teacher Dashboard

The Teacher Dashboard provides a unified “view” into each student’s academic performance, and consists of a dashboard of student progress for each student. The dashboard tracks progress based on Common Core State Standards, and allows educators to:

- Identify a student’s specific learning challenge early, by assessing the student’s mastery relative to predefined goals
- Quickly drill down to identify the underlying skills deficits which are preventing mastery
- Review and coordinate the student’s progress in mastering basic skills in Learning Lab
- Facilitate communications and updates between teachers, Learning Lab staff and tutors, on the student’s progress – in the classroom, in Learning Lab and in tutorials.
- Provide more data-rich ways to evaluate and improve teacher effectiveness

By using the Teacher Dashboard, teachers can augment their important classroom work – instruction, guided practice, and critical thinking skills enhancement – with targeted and individualized independent practice, assessment and remediation that occurs in Learning Lab, with homework and with tutors (as needed).

Both educators and students benefit in multiple ways from the Teacher Dashboard. First, since all educators are using the same consistent interface to assess, prioritize, monitor and manage student learning, teachers can make collaborative, more fully informed decisions about each student’s individual learning needs. In addition, use of the Teacher Dashboard as the repository for a student’s Individual Learning Plan ensures that each student’s out-of-class time is maximized to address his / her own individual learning needs. Finally, the students benefit from having the perspective and collaboration from multiple educators to boost their academic progress.

Key benefits of the Dashboard include:

- Real-time feedback on student progress. Real-time assessments – from tutors, Learning Lab, from online curricula and external online assessments – are available for teachers to track and prioritize each student’s progress.
- More effective lesson planning. Dashboard information gives teachers useful content and context for planning lessons based on students’ current levels, enabling teachers to re-allocate instruction time for key topics, and regroup students based on mastery, as appropriate.
- More targeted, individualized instruction. Teachers have a larger, deeper “basket” of resources to deploy for individualized instruction and student achievement. Having more

resources at hand (without adding complexity) gives teachers more options to help students succeed.

- Data-driven assessments of teacher effectiveness. Teachers and administrators have access to more assessment data. With more ways to assess students, teachers gain more insights into the effectiveness of their teaching methods and practices.

Using the Teacher Dashboard on Data Analysis professional development days, teachers at Rocketship Education are able to fully analyze their student achievement data and progress. Moreover, following this analysis, they are quickly able to find solutions and next steps involving the multiple resources (tutors, online curricula, in-class objectives/interventions, focusing on a particular instructional objective with the Academic Dean, etc.).

Data Analysis Professional Development: Assessment Wall

Teachers at Rocketship Education also complete assessment walls on Data Analysis professional development days. The Assessment Wall is a school based process that highlights the review of each student's academic growth while charting grade level strengths and weaknesses as well as schoolwide learning trends. It is a quick method for generating visual information that triggers grade level and schoolwide conversations of curriculum and instruction.

The primary purpose of creating grade level Assessment Walls is to use data to track the success of each student in the school and track group grade level performance. A second purpose is to create collaborative grade level teams which identify curriculum and instruction challenges and propose interventions to increase student success. A third purpose is to provide the opportunity for teachers to examine the performance levels of their students in order to modify the curriculum and instruction. And lastly, the Assessment Wall process provides a vehicle for yearlong and/or year to year grade level monitoring of student progress.

The critical component of the assessment wall is the act of actually moving the student post-it notes. The assessment wall makes the student achievement data within the Teacher Dashboard much more tangible and 'real' for the teacher as they are physically moving students through the quintiles and thus visually and physically becoming more aware of any academic disparities within the classroom. In addition, the additional information on the post-it notes (CELDT level, ethnicity, gender, etc.) more clearly indicates any other disparities that are occurring within the classroom, which may not have been as visible in analyzing the information within the Teacher Dashboard.

The development of the Assessment Wall begins in September/October of each year. A colored paper post-it (or other material) represents each student for each grade level. Each post-it will be placed by grade level proficiency levels on white butcher paper, on project display boards, pocket charts or white boards. Current grade level teachers compile student information and academic data from identified formal and informal assessments from the previous year and from September assessments for kindergarteners.

Prior to data compilation teachers and administrators must agree on the student ethnic post-it color key, the supporting information colored dot key, and the data information needed for each student. The complexity/amount of the information will vary depending on the experience of the

staff with the concepts and applications for student performance analysis. It is better to start with less student information the first year using the Assessment Wall than more information.

Instructions for the Assessment Wall:

“Make sure placement of student information has a designated position on each paper post-it or information label. If you have a large wall area such as a classroom dedicated to teacher use only use a 70"x 36" sheet of white butcher paper with 3"x 3" post-its. If your assessment walls need to be more portable (no place to leave them on display) make a smaller display using white butcher paper (56" x 34") and attach it to the card board used to package easel pads (27"x 34") or science project display boards. Use 3"x 3" or smaller post-its for the student information. Some schools use magnetic white boards with magnetic post-its (magnetic post-its are cut from magnetic sheets).”

Suggestions for the student information are as follows:

- Student name (First name and beginning initial of last name can be used.)
- California Standards Test (CST) vocabulary, comprehension, literacy response or total English Language Arts scale score for grades 2-5
- RESULTS, DRA 2, Core Phonics, Summative Math Assessments
- First enrolled in school date (very powerful information)
- CELDT scale and/or level score recorded on English Language Learner (ELL) colored dot
- Date of entrance into the United States (for ELLs only)
- Retained (use R plus the year)

This information is in the student data base and can be generated and put on stickers so teachers do not have to comb through cumulative records and other data.

Juan Garcia	(If EL, blue dot			
Date Enrolled	here)			
Other important school info: Teacher, grade level goal, etc.				
Place corresponding dots here with other assessments. Have them go across with each date and include percentage and place on appropriate color.				
Red=Far Below Basic (0-50%) Orange=Below Basic (51-70%) Yellow=Basic (71-80%) Green=Proficient (81-90%) Purple=Advanced (91-100%)				
				

Color Dot Key: Colored dot stickers are added to the post-its.

Schools with a high percentage of ELLs may want to use the colored dots only for ELs. On this EL dot, it is wise to include the CELDT score as well.

An example of a key:

CELDT Level 1 (Beginning), CELDT Level 2 (Early Intermediate), CELDT Level 3 (Intermediate), CELDT Level 4 (Early Advanced), CELDT Level 5(Advanced)

A colored dot should be placed at the bottom following each assessment. It is wise to put the corresponding score on the front of this dot. Complete this same process after each assessment so that the dots correspond horizontally across. This will allow you to track student progress and growth.

After teachers create these post-its for each student (you can help separate classes and grade levels by assigning different colored post-its), then the teacher places the students on the assessment wall according to their quintile. Thus, a red (far below basic) student would be placed in this area of the assessment wall. Following each formative assessment in the year (recommended dates of assessments: September, November, February, April, June), then the teacher moves students to their appropriate quintile. This physical movement helps teachers create a stronger connection to their student’s academic progress and also helps to make trends, successes, and problems across the class, grade levels, and school much clearer.

When placing the post-it notes, it is easiest to have the assessment walls created on the tri-fold science boards. This allows the boards to be highly mobile, while also being more confidential. Have the board labeled according to the different quintiles and then you can place the post-it notes. Following each assessment, move the post-its according to the level of the students.

ASSESSMENT WALL

Far Below Basic 0-50% (or any appropriate level according to assessment)	Below Basic 50-70% (or any appropriate level according to assessment)	Basic 71-80% (or any appropriate level according to assessment)	Proficient 81-89% (or any appropriate level according to assessment)	Advanced 91-100% (or any appropriate level according to assessment)
Post-It Notes according to students that were in this level following the assessment.	Post-It Notes according to students that were in this level following the assessment.	Post-It Notes according to students that were in this level following the assessment.	Post-It Notes according to students that were in this level following the assessment.	Post-It Notes according to students that were in this level following the assessment.

For literacy/social studies teachers the focus of the assessment wall is the DRA2 results and for Kindergarten focus initially on the results of the Core Phonics assessment. For math/science teachers the focus of the assessment wall is the Math End-of-Year assessment.

During the Data Analysis professional development day, following the teacher's presentations of their assessment walls, the Academic Dean and Principal begin to develop a consensus with the teachers regarding what they see as the trends, strengths and concerns. The assessment walls also are able to begin to generate conversations amongst the teachers so that they can better share their challenges, successes, and collaborate in their planning of next steps in regards to modifying instructional techniques and strategies for individual students and classes.

Data Analysis Professional Development: Data Analysis Form (“DAF”)

The Data Analysis Form is the final and possibly most critical component of the Data Analysis Professional Development days. Following a teacher entering their data into the Teacher Dashboard and completing their Assessment Wall and initial analysis, the staff then individually begins to work on their DAF.

The Data Analysis Form requires a teacher to track the student data from their interim assessments initially. Following this, the teacher then identifies overall positive trends of the entire class and challenges as well. This exercise then leads the teacher to begin to identify specific ‘focus’ students that are within these challenge groups. After identifying three to five students, the teacher begins to dig deeper and identify specific instructional areas that have been challenging for these students. The teacher then sets academic goals for these students that they are intended to accomplish within the next four weeks and eight weeks (these goals are also entered into the PGP). The teacher then begins to develop an instructional plan for these specific students, which is intended to be applicable to all students that are facing similar challenges. However, this specific plan is intended to ensure that the student will realize the goals that have been set for them in the next four weeks and eight weeks. Thus, by focusing in-depth on one student within the challenge group, the modified instruction should be able to positively impact the student achievement of all students within this group. A sample DAF form has been included, which provides further details and information (Appendix AC).

Other Professional Development Activities

Rocketship Education offers additional professional development activities for staff as well. These activities include providing teachers with a substitute and thus, the opportunity to observe other teachers within the Rocketship Education network or even at another school. In addition, outside professional development providers are brought to schools depending on the needs and resources of a school. In addition, teachers are given the opportunity to apply to the Leadership Development program, which provides additional professional development in the area of leadership, but also allows teachers to grow in other areas as well. Moreover, through the leadership development program, teachers are assigned Embedded Leadership Opportunities that are focused on a multitude of tasks like coaching a teacher, helping to facilitate professional development days, organizing parent involvement, and many, many more activities. The Leadership Development program is further outlined in Appendix AA.

At Risk Students – Students Achieving Below Grade Level

As stated above, Rocketship San Francisco is designed to serve students who are at risk of achieving below basic proficiency on state exams. Thus, the entire school is focused on serving at risk students. The student population in SFUSD is 91% Free and Reduced Meals and 68% English Learner Learner. Rocketship San Francisco intends to enroll a reflective student body. As discussed in Appendix L, we will identify at-risk students based on standardized tests and those who are operating at least one year below grade level in Reading, Writing, Math and Oral Language as measured through our interim assessments. Please see Section III on Measurable Student Outcomes, “*Measuring Student Progress*” for details on the bi-monthly assessments currently planned. We believe that our students will progress from low-achieving to high-achieving during their time at Rocketship San Francisco. Through ILPs, we intend to isolate specific challenges for each at-risk student and individualize instruction for each of these students to become, not just proficient, but advanced proficient achievers on state tests. (See Appendix L for a more detailed description of working with at-risk students.)

Students Achieving Above Grade Level

Ultimately, we expect that all students at Rocketship San Francisco will achieve above grade level. In the earlier grades, this may be more exceptional than the later grades. High-achieving students are those who score at least one grade level above on standardized tests or internal metrics for Reading, Writing, Math, and Oral Language. Please see the section in Student Outcomes on *Measuring Student Progress* for details on the means of monthly assessment currently planned. Advanced students will receive individualization in many of the same ways as at-risk students including small group work done in classrooms with teachers, the group activities planned by teachers, and focused lessons based on their current academic needs in the Learning Lab.

English Learners

Overview

Rocketship San Francisco will follow all applicable laws in serving its EL students as they pertain to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. The Charter School will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents. EL students at each Rocketship Education school will be served by full inclusion in the classroom with small group and individual customization in the classroom and the Learning Lab.

Home Language Survey

Rocketship San Francisco will administer the home language survey upon a student’s initial enrollment into Rocketship San Francisco (on enrollment forms).

CELDT Testing

All students who indicate that their home language is other than English will be CELDT tested within thirty days of initial enrollment³ and at least annually thereafter between July 1 and October 31st until re-designated as fluent English proficient.

Rocketship San Francisco will notify all parents of its responsibility for CELDT testing and of CELDT results within thirty days of receiving results from publisher. The CELDT shall be used to fulfill the requirements under the No Child Left Behind Act for annual English proficiency testing.

Formative Testing

In addition, Rocketship San Francisco will implement an interim, formative assessment, ADEPT, which will be used to further assess a student's growth in regards to his or her language proficiency. This assessment will be delivered to students in January and at the end of the school year. Through the use of this assessment, teachers will gain input on the language development of their students and the assessment will also provide the staff with information regarding specific language skills that they need to address and practice.

Strategies for English Learner Instruction and Intervention

The most important aspect of these standards from the CELDT and ADEPT in our opinion is to help the teacher level his or her instruction appropriately for a child at different stages of language acquisition. Although it is difficult to categorize a student into a single English Language Development stage, they are helpful for thinking about the different scaffolding necessary to provide for students who are at Beginning, Early Intermediate, Intermediate, Early Advanced and Advanced stages during lesson planning. These categories require distinct skills and strategies as well. In the Language Arts, we believe that oral language comprehension and production is the critical link allowing EL students to make large gains in Reading and Writing. Thus, much of our Literacy blocks in the early grades will be focused on oral language development and comprehension activities. This is made possible through the individualized or small group instruction that occurs during guided reading. Through this small group, a student is able to receive specific language instruction and they are able to further develop their language proficiency through re-tells, explicit vocabulary lessons, and a small group focus on letters, word patterns, spelling, blends, sounds, etc. In addition, during this guided reading time, the staff at Rocketship San Francisco will provide an EL center, which will be focused on specific language activities (picture cards, writing, vocabulary development, etc.) that are targeted to specific categories of students based on their progress on ADEPT.

Similarly, in RtI, students that are struggling due to language proficiency will be participating in intervention activities that are specifically focused on decoding and comprehension. These activities may include comprehensive activities that explicitly and systematically build English language skills during reading instruction. There are interventions that focus explicitly on English letter/sound correspondences, word patterns, spelling rules, and other skills. By introducing these skills in isolation and practicing them in context, students are better able to move through the language proficiency categories. In addition, during RtI there is vocabulary

³ The thirty-day requirement applies to students who are entering a public school in California for the first time or who have not yet been CELDT tested. All other students who have indicated a home language other than English will continue with annual CELDT testing based upon the date last tested at the prior school of enrollment.

instruction for these students through the usage of graphic organizers, drawings, motions, pictures, and other means. Finally, in class and during RtI, all tutors are instructed to emphasize the relationships between and among words to build oral language skills that includes story retells that target both comprehension and language development.

In Science and Social Studies, we intend to focus on hands-on and project-based curriculum in order to build our students curiosity about these subjects. We then provide leveled readers so that they can build academic vocabulary at their current reading level. Academic vocabulary is much more difficult for EL students to acquire than spoken vocabulary. We believe that curious students who are able to access texts at their instructional level will allow our students to make significant gains in their Science and Social Studies knowledge. Thus, the purposeful focus on the use of guided reading as an instructional strategy and ensuring that all students have access and use leveled texts in learning lab is critical to their success and further acquisition of language.

Structurally, Rocketship San Francisco runs a full-inclusion program for our EL students. EL students will not be in sheltered or bilingual instruction classes at Rocketship San Francisco. From the first day of school, EL students will be immersed in English, with the support they need to learn the language and develop the grammatical framework and vocabulary needed to begin developing as readers and writers. In our experience, the most crucial aspect of teaching EL students is the professional development that teachers have had in order to understand the steps that their students are going through in order to acquire English. Thus, this is a critical focus at Rocketship San Francisco through the provision of explicit professional development focused on EL students. In addition, all Rocketship San Francisco staff will be fully trained in GLAD strategies.

EL students will be monitored by homeroom teachers using the same ILP process as other students. Much of the data we will be gathering among our younger students will be focused on speech production and listening comprehension. Because Rocketship San Francisco focuses on the individual student, we are able to accommodate a much wider range of levels in literacy. For example, our Reading classes are broken into multiple groups. ELs will probably be the majority in all groups in Kindergarten and First Grade and are likely to constitute at least one group in subsequent years. That will allow teachers to focus instruction on the language acquisition issues at the current level of the student. In addition, because online curriculum in the Learning Lab can be tailored for each student, ELs will have more time to practice their English in a one on one setting. While we do not normally endorse rote learning exercises, these exercises are effective in areas like initial vocabulary acquisition for ELs and we plan to use programs like *Rosetta Stone* for these purposes. (See Appendix J for a complete description of the Rocketship Education EL Program.)

Reclassification Procedures

When an EL student demonstrates adequate oral and academic English skills, a recommendation for reclassification can be made. Each former LEP student who has been reclassified to FEP has demonstrated English-language proficiency comparable to that of the average native speakers and can participate equally with average native speakers in the school's regular instructional

program. (Education Code Section 52164.6.) The participation of the classroom teacher, parent(s) and site administrator/designee is required in the reclassification process.

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

- Assessment of language proficiency using an objective assessment instrument including, but not limited to, the California English Language Development Test or CELDT.
- Participation of the pupil's classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil's curriculum mastery.
- Parental 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.
- Comparison of the pupil's performance in basic skills against an empirically established range of performance and 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.
- The Student Oral Language Observation Matrix will be used by teachers to measure progress regarding comprehension, fluency, vocabulary, pronunciation, and grammar usage.

Serving Students with Disabilities

SPECIAL EDUCATION (INTEGRATED SERVICES DELIVERY)

OVERVIEW:

Each Rocketship school intends to operate as a Local Educational Agency (LEA) under the El Dorado County Charter Special Education Local Plan Area (SELPA) pursuant to Education code Section 47641 (a). In unique cases, where participation is not practical or is geographically unfeasible, a Rocketship school may operate as a Local Educational Agency (LEA) under another local SELPA upon approval of membership. Each consideration will be reviewed and in all cases will be in conformity with Education Code. Rocketship schools will operate in

complete compliance with IDEA and SELPA policies and procedures. As LEAs, each will be solely responsible and liable, the same as a district, for providing Special Education.

As an LEA, each school shall receive its AB 602 and Federal revenue allocation through the Charter SELPA and shall utilize those special education funds to provide instruction and related service to eligible pupils in accordance with IDEA, State law, and Rocketship's mission. Funding to the school will be first based on ALL students in attendance, including those students with disabilities, then additional resources will be provided as needed to offset the cost of students with disabilities. In this way, the perception that students with disabilities deny the school additional dollars becomes moot and all students receive the services and the support they need. Each Rocketship LEA shall be solely responsible for all special education costs which exceed State and Federal special education revenue.

Rocketship schools will be accountable for compliance monitoring and reporting through the Charter SELPA, and will comply with any internal requirements of its authorizer related to IDEA.

INTEGRATED SERVICES DELIVERY:

Rocketship schools will organize special education program and services to provide an *integrated service delivery* in each school. An integrated service delivery approach requires schools to align educational services for students with special education needs within existing structures (grade levels, groupings, looping, Learning Lab, etc.) rather than through special and segregated programs. Specialized staff is organized by the needs of each learner rather than by clustering learners according to label. In this model, staff is not assigned to a "program" and placed in a separate classroom. Instead, special and general education teachers work in collaborative arrangements designed to bring appropriate instructional supports to each child in the general school environment. Support is built on culturally relevant differentiation and instruction through universal access of content-driven curriculum.

Rocketship students are placed in the classrooms they would attend if without disabilities and then provided flexible instructional opportunities that include large group, small group, and one-to-one instructions for those students with more significant needs in the Learning Lab. In Rocketship schools, a variety of curricular and pedagogical options are employed to maximize student learning in an array of teaching arrangements in environments that can be accessed by all learners, not just those with specific disabilities. In the Rocketship model, all teachers are responsible for all learners. On-going support develops the capacity of all teachers to teach to a diverse range of students' learning needs. A system of general and special education teachers proactively supporting students are better able to put into place effective interventions prior to student failure.

With integrated services, all student learning takes place in heterogeneous environments. This means that students are, for the most part, not grouped by similar characteristics in the same way all the time. There are ‘seats’ in every classroom for every potential learner ensuring FAPE-Free Appropriate Public Education, for all eligible students.

In a Rocketship school, Response to Intervention (RTI) supports an Integrated service Model, aligns with NCLB and IDEA 2004, and meets the spirit and the regulations of IDEA. All students have a system of supports readily available at the beginning of a student’s difficulties to provide preventive academic and behavioral instruction within the general education environment. In this way, students-many of who are typically misrepresented and over-identified, receive appropriate integrated services, and it becomes unnecessary for Rocketship schools to refer and excessively determine eligible students who are often those students of color and poverty.

ENROLLMENT OF ALL STUDENTS REGARDLESS OF DISABILITY:

Our schools strive to achieve a student population from the community in which we are serving. Whether a child is eligible under IDEA, or is provided a plan under Section 504, he or she is considered with all others for enrollment at every Rocketship charter school. Disability or non-disability status is not a factor for enrollment or acceptance. Admission is based solely on availability of student enrollment space in a “general education” classroom. Following the public random drawing, students who were not awarded one of the open enrollment spaces are placed on a wait list, in the order in which they are picked at the drawing, for midterm acceptance during the school year

Rocketship recognizes the need to provide all students, with or without a disability, with a free, appropriate public education and recognizes its legal responsibility to ensure that “no qualified person with a disability shall, solely by reason of her and his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” We provide access to education for all Rocketship students and provide appropriate supports and services to eligible students to ensure access to learning within general education.

ENROLLMENT OF STUDENTS WITH IEPS

When a special education student transfers from one SELPA to another, and there is evidence of an existing disability, an Interim Program Placement determination is made. The student’s existing IEP , to the extent possible, will be immediately implemented. An Interim Placement form will be completed immediately upon enrollment and parent signature will be obtained.

Assessment Information as well as records and reports from the prior district may be utilized to make program recommendations. Upon receipt of the signed IAP, the team will conduct any additional assessment needed to determine educational needs and make program recommendations. Within 30 days, of the student's enrollment, the IEP team will meet to review the placement, review any new completed assessments, and develop new goals and objectives as needed.

CHILD FIND ACTIVITIES:

Rocketship conducts a continuous and proactive effort to identify students with special needs and meet all requirements under IDEA. Each school receives training special education referral process during the summer professional development sessions. Referrals may be received from teachers, parents, service agencies and other qualified professionals are responded to in writing to ensure timely access to our Special Education services. An information sheet describing ways to access services is available for parents in each school office.

A referral for special education and related services initiates the assessment process and shall be documented. When a verbal referral is made, the charter representative shall assist the individual in making a written request for assessment for special education. We will respond in writing and with follow-up meetings to referrals or requests for assessments from teachers, parents, service agencies and other qualified professionals to ensure timely access to our Special Education programs.

Upon receipt of the referral, the administrator will either contact the referral source and request additional information in order to process the referral in a timely manner, or, will notify parents of the developed Individual Assessment Plan (IAP). The delivery of the completed plan to the parents will occur within 15 calendar days of the referral. Parents will be provided a copy of the Parent Procedural Rights with the signed assessment plan.

If the referral was determined to be inappropriate, a meeting will be scheduled with the parents and the referring party to address their educational concerns and review the purpose and scope of Special Education. Even if the parents do not wish to meet, we will respond with a Prior Written Notice explaining why the request for assessment is not being accepted and processed.

OTHER PRE-REFERRAL INFORMATION

Current law requires that all options in the general program be tried before referral to special education. These options may include, but are not limited to the following:

- *Accommodations within the general education program, including instruction, environment or curricular supports
- *Research-based instructional strategies and intervention, including universal screening,
- *“Tiered” interventions and progress monitoring,
- *Problem -solving teams within the general education program (RTI model), and consultation with appropriate staff.

All pre-referral options are considered the responsibility of general education staff .

REFERRAL OF PRE-SCHOOL STUDENTS

Because Rocketship is a K-8 charter program, when a student who is referred is not of school age, the child will be referred to his/ her district of residence.

RESPONSE TO INTERVENTION (RTI)

Rocketship’s RTI system identifies those students who are struggling, regardless of the causation, and provides identified students dedicated targeted, supplemental instruction in their areas of need following their school day. The goal of these specific early interventions is to reduce eventual referrals for special education services by providing the academic support services students need before they fail.

Additionally, the Rocketship RTI program provides supplemental instructional support to students eligible under IDEA when that would complement their specialized services.

Rocketship’s model for RTI intervention starts with

In-class Daily Intervention - consisting of Small Group, Guided Reading, Centers, and Writer’s Workshop. Monthly Formative Assessments and progress monitoring may lead to:

- *Teacher analysis with specialist consultation and support
- *Changes in classroom practice
- *Small group and individual intervention
- *Learning Lab Intervention strategies, which may include changes in methodology, design or delivery of learning activities, and smaller student groupings.

STUDENT STUDY TEAM

When classroom and RTI interventions have been implemented and documented and a student is still not successful, the next step is a referral to the academic dean for a Student Study Team Meeting. The family and school team then meet to develop a more comprehensive intervention plan, or consider other factors that may interfere with learning. To ensure school site

understanding of the SST process, training is provided to teachers and school staff as part of the summer training.

GENERAL EDUCATION ACCOMMODATION OR MODIFICATION:

Rocketship's mission is to ensure students reach grade-level proficiency in Literacy and Math. We employ a variety of General Education Modification strategies to make this goal reachable for all of our students, including: low student-teacher ratio (23:1 in K-3), extended day (8a-5p), small teacher-led instructional groups for Literacy, instruction driven by formative assessment results, and two hours of daily individualization/intervention in our Learning Laboratory. To ensure teacher effectiveness, four hours per month set aside for the senior teacher in each instructional area to actively mentor newer or more inexperienced teachers in their classrooms

All Rocketship students receive a variety of services in a number of settings, with the goal being access and success in the general education curriculum with designated support from special education (integrated service delivery) staff. We believe in organizing our professional staff by the needs of each learner instead of clustering learners by label. Rocketship staff is not assigned to a "program" and students are not "placed" in separate classrooms. Our school and community environment is one in which general education and special education work collaboratively to meet the diverse learning needs of our students, encompassing a continuum of services.

Integrated services ensures the integration of resources as well. Our ISD (special education) team works with everyone - an integrated services approach involves parents, general educators, and school administrators. We believe that our approach ensures the quality and effectiveness of services for students with disabilities under IDEA, ADA, as well as Section 504. Rocketship's successful Response to Intervention approach, which is tightly coordinated between General and Special Education, ensures thinking about addressing each student's unique learning needs across a system of supports and services. Rocketship has successfully implemented the RTI program in collaboration with Special Education and continues to improve on this model. Additionally, we continue to integrate the benefits of on-line learning opportunities for our students with disabilities- the materials and delivery platforms, through full access to the hybrid instructional model of RSED, which we believe will improve the educational outcomes for ALL of our students.

General education modifications may involve:

- *homework reductions
- *positive behavior support
- *in classroom physical environment adaptations
- *instructional or testing accommodation

*other integrated resources or technology tools available for all students.

The special education staff is available for monthly consultation with school site administrative teams and we are therefore able to identify students who may be struggling to make expected progress or be at risk for a referral to special education.

SPECIAL EDUCATION ELIGIBILITY DETERMINATION

Eligibility determination begins with the Assessment Plan and receipt of the signed assessment plan begins the special education timeline. An assessment plan will be developed and the family contacted within ten (10) days. The parent/guardian has fifteen (15) calendar days from the date of receiving the Assessment Plan to consent to the plan and return it to the school staff.

A copy of the Notice of Parent Rights is provided to parent with the assessment plan. An Individual Assessment Plan will also be developed for students currently eligible for IEP services whenever a reassessment is required, such as for the Annual Review or Triennial Re-Evaluation and Notice of Parents Rights will be provided.

Written parent consent is required before the assessment may be conducted. . Parents have at least 15 days from receipt of the assessment plan to make a decision. Assessment may begin immediately upon receipt of consent.

Within 60 calendar days of receipt of the signed IAP, the assessment must be completed and a team meeting is to be held to determine a student's eligibility, as well as to develop the individualized education plan. Parents are to be provided no less than ten day's prior written notice of meetings regarding the educational program for their child.

Program placement is an IEP team decision and written parent consent must be obtained prior to placement. The recommended program placement and services should begin as soon as possible from the date of the parent's written approval of the IEP.

A review of each student's IEP must be reviewed conducted at least once annually, including a summary of progress. Re-evaluation must occur every three years to determine a student's continued eligibility or need. Prior to the three year review, the IEP team shall review existing progress towards goals and determine what additional data is needed.

ASSESSMENT:

The special education evaluation has three major purposes:

- *To assess needs and gather information about the student.
- *To determine eligibility for special education programs and services.
- *To recommend the appropriate special education programs and/or related services for the student.

Prior to the assessment, a member of the ISD will contact the parent to review the reason for assessment and to describe the materials and procedures that will be used to obtain information about the child. The rights of the parent/guardian and school district related to assessment are explained to ensure parent is fully informed.

A parent's written consent for release of confidential information may also be part of the assessment meeting, as well as making arrangements to have the child's needs evaluated through testing and conferences held among others who have worked with the child's, such as counselors, therapists, psychologists, or social services. Written consent for participation in assessment will be needed, and evaluation results will be shared with parents.

Assessments are conducted in primary language and materials when determined necessary to ensure that they measure the extent of disability rather than English language skills. Ecological assessments are conducted for students with moderate-severe disabilities. Assessments are student centered and will meet all federal timelines. All children who transfer into a Rocketship school are placed on a 30-day interim IEP and are assessed as needed within the 30-day period.

Assessment must address all areas related to the suspected disability and be conducted by a multidisciplinary team, including the parent. The assessment plan considers each of the following when appropriate: vision, motor abilities, general ability - self-help, career and vocational abilities and interests, developmental history, hearing, language function, academic performance, orientation and mobility, social and emotional status, health and development. For pupils with suspected disabilities or a behavior disorder, at least one member of the assessment team, other than the child's general education teacher, shall observe the child's performance in the general classroom setting and document the observation.

For initial evaluations and re-evaluations, students will be assessed in hearing and vision, unless parent consent is not provided. All pupils not meeting threshold hearing test requirements will be appropriately referred for trained personal for hearing tests. A student's health provider may also provide information if a student has been medically diagnosed with a chronic illness or relevant medical issue that may interfere with learning. In short, no single procedure will be used as the sole criterion for determining an appropriate educational program for an individual with exceptional needs. Under certain conditions, parents have the right to obtain an independent assessment at public expense.

The Individual Assessment Plan will be individualized and will reflect the unique concerns and strengths of each student. It will be provided in the primary language of the parent or another mode of communication used by the parent, unless to do so, is clearly not feasible. It will provide an explanation of each type of assessment. It will state that no educational placement will result from the assessment without the consent of the parent. We will have a copy of the Parental Rights and Procedures will be attached to IAP. The assessment will be completed and an IEP meeting will be held within 60 calendar days from the date of receipt of the parent's written consent for assessment.

All assessment reports will then possibly include the following, though not limited to the following: the student's present level of educational performance, the relevant behavior noted during the observation of the student in an appropriate setting, the relationship of that behavior to the student's academic and social functioning, the educationally relevant medical findings if any, whether there is a discrepancy between achievement and ability that cannot be corrected with special education and services, a determination concerning the effect of environmental, cultural, or economic disadvantage, where appropriate, how the student's disability affect involvement and progress in the general curriculum, what is the student's historical and current functioning in the general education curriculum regardless of the setting, what deficits in the student's cognitive functioning, communicative functioning, social and emotional functioning and physical functioning might serve as a barrier to their successful involvement in the general education curriculum, and what has been the impact of the student's attendance on his/her achievement. Assessment reports will be provided to parents in their primary language whenever indicated.

The IEP team will then meet with the parent, who are also designated specifically as members of the team, to reach an eligibility determination in consideration of all of the data, observations, and assessment results.

504 PLANS:

As not all children will qualify for SPED services, Rocketship follows Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act (ADA), where discrimination is prohibited based on a disability. Under Section 504 and Title II of the ADA, it is illegal for schools to deny a student to participate in services, provide a service that is not as effective as provided by others, and provide lower quality services. Also, students with disabilities, like other children in the general education setting, must be provided with courses and instruction that teach the curriculum. Any student, who has an objectively identified disability which substantially limits a major life activity including, but not limited to learning, is eligible for accommodation by the school.

A 504 team will be assembled by the Academic Dean and shall include the parent/guardian, the student (where appropriate) and other qualified persons knowledgeable about the student, the meaning of the evaluation data, placement option, and accommodations, The 540 team will review the student's existing records; including academic, social, and behavioral records, and is responsible for making a determination as to whether a recommendation for 504 services is appropriate. If the student has already been evaluated under the IDEIA but found ineligible for special education instruction or related services under IDEIA, those evaluations can be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team who will evaluate the nature of the student's disability and the impact upon the student's education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities.

CONSIDERATIONS FOR ENGLISH LANGUAGE LEARNERS (ELLs):

Because the majority of current Rocketship students are considered ELL (83%), Rocketship carefully considers the cultural and instructional needs of students with English as a second language. Verbal and written translation of all materials, notices, documents, reports and communications is offered to parents when indicated or provided at parent's request. Assessments may be conducted in a student's native language, or with translation as appropriate, whenever a student's English language development level may require such assessment in order to better understand a student's learning needs. Rocketship follows all applicable laws in providing general education instruction and special education services to eligible ELL students, as well as ensuring parent procedural safeguards. Teachers providing core content instruction, as well as special education services, have appropriate training and CLAD certification. Training is provided to specialists to ensure that IEP goals are written to support the unique learning needs of ELL students with disabilities. Progress monitoring and program evaluation will ensure appropriate practices for re-classification to fluent English proficient status. ELL students at each Rocketship school will be served fully in the general education classroom with appropriate small group instruction and individualization in the classroom or the Learning Lab to support learning and developing English proficiency.

The results of the Home Language Survey, CELDT results and ADEPT, ADEPT are considered when developing a student's IEP. Testing accommodations described on the child's IEP, are considered for CELDT testing.

DEVELOPMENT OF AN APPROPRIATE IEP:

Our IEP's are created for the benefit of the student receiving special education services. All Rocketship schools are currently in compliance with all of the guidelines around the development of an appropriate IEP. RSED follows all applicable federal and state laws

governing the IEP process and procedural safeguards. Parents, general education, special education services staff, other professionals and other service providers or professionals as appropriate will be involved throughout the IEP process. As a member of the El Dorado consortium for all of the current, Rocketship schools use the SEIS electronic IEP form for documenting this process. The IEP will include a child's present level of academic performance, annual progress goals and the way that they will be measured, dates, frequency and duration of services to be provided, and the degree of inclusion for this student in the general education classroom. Our current forms are all on SEIS.

FUNCTIONAL ANALYSIS ASSESSMENTS AND BEHAVIOR INTERVENTION PLANS:

Rocketship has a trained Behavior Intervention Case Manager (BICM) and conducts a functional analysis assessment (FAA) if an IEP team determines that a student with a disability exhibits serious behavioral problems. Assessment includes parent interviews, file review, direct observation and review of health and medical records.

THE CONTINUUM OF SERVICES:

SPECIALIZED ACADEMIC INSTRUCTION, MILD TO MODERATE:

We provide mild/moderate services to qualified ISD students. These pull out and push in services range in amount of time and intensity based on the needs of the students. All services are described in the IEP with agreed to, and fully executed by the ISD staff with the assistance of the general education staff and administration. Students receiving mild/moderate services typically require less than 40% of the day in direct services.

Based on our model, a qualified Education Specialist and a qualified paraprofessional work together to provide services. The Paraprofessional works under the direction of the Education Specialist to provide additional instructional support and services to identified students. The Education Specialist will provide monitoring of students' progress; information, materials and assistance to individuals with exceptional needs and their parents; consultation with general education staff on methods for accommodating students with special needs, coordination of special education services, and direct instruction to students with IEPs.

Rocketship's general education approach is built on a system for differentiating instruction according to student need and implementing and monitoring interventions for all students who are not meeting standards. This design supports the goals of a collaborative model with the Education Specialist, who will be responsible for extending these services to students with special needs to meet IEP goals. We believe this close collaboration between general and special education professionals to serve any student who is experiencing learning challenges will help

Rocketship meet its goal of helping every student to reach 1.5 years of achievement in each grade. The Education Specialist will be responsible for implementing an IEP such that the student is able to make adequate progress towards grade level standards. Rocketship monitors progress on a regular basis and the Education Specialist will collect IEP specific data for to determine if adequate progress is being made.

DESIGNED INSTRUCTIONAL SERVICES – SPEECH AND LANGUAGE THERAPY, OCCUPATIONAL THERAPY, COUNSELING, VISION AND HEARING THERAPY, ETC:

We provide speech and language services, occupational therapy services, vision services, as needed to meet eligible students' IEP needs. The services are provided by certified or licensed professional staff. Service delivery ranges in time and intensity based on the needs of the students identified in the IEP. All services are written up in the IEP, agreed to, and fully executed by the ISD staff with the assistance of the general education staff and administration with only qualified, trained and knowledgeable personnel all based on the needs of the student population.

SPECIALIZED ACADEMIC INSTRUCTION, MODERATE TO SEVERE:

We provide more intensive and specialized services for students inclusively that would normally require this type of setting. Our flexible and supportive Integrated Services Delivery model is able to provide all children both the assistance and independence that they need. We do not anticipate the need for a non-severe SDC "placement setting". To the maximum extent possible, students with disabilities will be educated with non-disabled students. Every enrolled student who receives RTI instruction has an Individual Learning Plan ("ILP") that includes areas for growth. Because of Rocketship's structure, particularly small class sizes, small reading groups, individualized instruction in the Learning Lab and time for daily teacher interventions, we believe that Rocketship can serve students with disabilities within the general education program, in the Least Restrictive environment by providing the supports each student needs. To ensure access to appropriate learning in very specialized cases, if needed, Rocketship will establish a relationship with another area LEA to ensure an appropriate placement for a student.

SEVERE SPECIAL DAY CLASS:

Because of Rocketship's structure, particularly small class sizes, small reading groups, individualized instruction in the learning lab, and time for daily teacher interventions, we believe that Rocketship can serve students with severe disabilities within the general education program and provide intensive specialized instruction or structure as needed. It is Rocketship's goal to serve all students in the Least Restrictive Environment, with their age-group peers.

To ensure access to appropriate learning, RSED employs individuals with the Specialist, Moderate/Severe Credential. Removal of students from the general education environment would only be considered if the student is not meeting goals and objectives with the provision of supplemental aids and services in that setting. This determination would be reached only through the IEP process with appropriate designated personnel, parent in attendance and written agreement of all members of the IEP team.

INCLUSIVE SERVICES:

To the maximum extent appropriate, students with disabilities will be educated with general education students including non-academic and extracurricular services. Currently all students at all Rocketship schools are served in general education with pull out or push in services to meet intensive need.

PLACEMENT IN A NONPUBLIC SCHOOL/AGENCY:

In some exceptional cases, when a student may require a placement in a more restrictive setting, Rocketship will consider a referral to NPS or NPA. Rocketship will not make referrals for placement at non-public schools, private schools, or agencies without consultation with the SELPA. If a parent places students at a non-public school, private school or residential facility, Rocketship will immediately inform the SELPA. We currently do not have any students enrolled in NPS or residential facility at any of the Rocketship schools.

AB3632 SERVICES

Whenever necessary, as evidenced by student need, assessment, or recommendation of emergency mental health provider, a referral to AB3632 (County Mental Health) Services will be made to address a student's mental health needs and potentially access other supports or services for a student and his/her family

TRANSPORTATION FOR STUDENTS WITH SPECIAL NEEDS IN ORDER TO ACCESS SPECIAL EDUCATION SERVICES:

Rocketship will provide transport to any student if required by a written statement in the student's IEP, and only with the written consensus of the IEP team as needed, for any eligible child to and from school and all school related activities. Rocketship will locate a local LEA or a contract service provider to fulfill these portions of the IEP. A transportation assessment will guide the determination.

EXTRA-CURRICULAR ACTIVITIES:

Although Rocketship's primary goal is to help our students achieve academic success in Literacy and Mathematics, we do believe in educating the whole child. We offer day field trips for all ages, visits to National Parks, Family Picnics and Movie Nights, and other school community-based activities. All students are encouraged to participate in activities outside of the academic setting and there are no restrictions on attendance. All accommodations are provided so that there is equal access to these non-academic-based activities.

STAFFING:

Our ISD team is comprised of a Program Director, a Business/Compliance Manager, School Psychologist, Special Education Teachers – mild to moderate and moderate to severe, Instructional Assistants/Paraprofessionals, Speech Therapists, Speech and Language Pathologist Assistants, Occupational Therapist, Vision Specialist, and other specialists as might be required by a student's Individualized Education Plan.

All roles are crucial to provide the appropriate amount of services individualized for the student. All service providers will have the appropriate credentialing and/or licensing to meet all of the NCLB requirements. In order for use to build teacher capacity, Rocketship will utilize the Charter SELPA BTSA Induction Program to help education specialist teachers to expand and deepen their teaching knowledge and skills and complete the requirements for a California Clear Credential.

ISD/Special Education Paraprofessional will be responsible for providing individual and small group instruction for students with special needs, students with typical learning needs, students with behavioral needs, and students with emotional needs in the general education environment including, but not limited to: the classroom, recess, the lunch area, and learning lab during Response to Intervention or in the classroom setting. This role will be responsible for implementation and recording of data for individualized instructional programs and positive behavior support plans. The Paraprofessional will work under the supervision of Education Specialists and the School Psychologist who will provide weekly oversight, training and direction.

The ISD Educational Specialist will be responsible for managing the IEP caseload for Rocketship students who need ISD/SPED services as outlined in their IEPs. This role will improve students' success in the basic academics (reading, language and/or math, etc.) through implementing Rocketship approved curriculum; documenting teaching and student progress/activities/outcomes; modeling the necessary skills to perform assignments; providing a safe and optimal learning environment and providing feedback to students, classroom teachers, parents and administration regarding student- progress, expectations, goals, etc.

STAFF TRAINING:

Rocketship staff participates in ongoing staff training prior to school commencement and throughout the school year. Our department provides constant Professional Development opportunities internally as well as through our SELPA, and we also cross-train school staff in many areas. Areas of cross training include: Crisis Prevention Intervention (CPI) training, sensory integration and service delivery training, speech services and screening process, SAT-SST-SPED referral process, etc.

ISD Professional Development is provided to all members of the IEP Team. Training for Paraprofessionals includes, but is not limited to, Behavior and Positive Behavior Support systems, Foundations of SPED, Special Health Care Issues, Cultural Awareness/ELL, Intro to Low Incidence Disabilities, etc. Training for Education Specialists includes, but is not limited to, Technology in SPED, Advanced Behavior Analysis, Language Development for all Students, Data collection and decision making, Compliance with SPED law, Autism Spectrum Disorders, Independence building, writing IEP goals to address literacy, interpretation of assessments, Handwriting without Tears, ALERT program implementation in general education classrooms, Writing IEP goals aligned with standards, SEIS data entry and special education compliance, etc.

PARENT INVOLVEMENT:

Parent Participation and Training:

All Rocketship parents participate in the school community through volunteer hours and monthly community meetings. Parents of students with IEP's are full members of the parent/school community. Rocketship employs a full time Compliance Officer/Parent Coordinator to ensure IEP compliance and full participation of Parents in the IEP process. Parents are invited to participate in Community Advisory Committee (CAC) meetings through EDCOE via online connection to learn more about topics related to special education needs. All meetings requiring translation are translated. These meetings provide additional training to parents in collaboration with our Charter SELPA. Parents are also encouraged to join Parents Helping Parents who meet on campus. Lastly, we combine additional parental trainings on numerous subjects for all parents – those with IEPs and those without, with our monthly school community meetings.

Progress Updates:

ISD Teachers in collaboration with General Education Teachers begin their school year with a home visit to all students on their caseload. Education Specialists are available and in contact

with parents by e-mail, phone and home/school communication notebooks on a regular basis throughout the year.

In addition, all students' progress is updated in writing on a quarterly basis. In addition to a progress report on the IEP goals, the ISD Teacher will participate in these quarterly parent teacher conferences. This allows for total involvement of the entire IEP team throughout the year rather than just on an annual basis.

Translation:

Rocketship is committed to having all documents provided in the primary language of the parents/guardians in a timely manner. All meeting notices, IEPs, assessment reports, progress updates, are translated if requested by the parents. This includes verbal and written translations.

Alternative Dispute Resolution:

Our Charter SELPA offers mediation as an Alternative Dispute Resolution method. In the event that the issue cannot be resolved through the standard IEP process, we attempt all means of mediation as a way to meaningful settlement of issues.

DUE PROCESS:

RSED understands and complies with all due process cases. We completely ensure that all parents are informed of their procedural rights and provide all information required. We are fully experienced and able to participate in any legal actions necessary. A charter attorney with special education expertise is available as needed.

FACILITY COMPLIANCE WITH ADA:

All of RSED facilities were built completely ADA compliant - all buildings, rooms, and auxiliary areas were constructed 100% up to ADA codes. All areas are fully accessible by individuals with any disability.

COMPLIANCE MONITORING:

The California Special Education Management Information System (CASEMIS) information will be reviewed by Rocketship's Special Education Business Manager biweekly to ensure compliance with state and federal statutes, reporting requirements, and timelines. In addition, Rocketship will be accountable for all compliance monitoring and reporting required through the SELPA.

TESTS AND OTHER EVALUATION MATERIALS:

Tests and other evaluation materials are validated for the specific purpose for which they are used and are administered by training 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 to ensure that when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level, or whatever factor the test purports to measure, rather than reflecting the student's impaired sensory, manual or speaking skills.

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

If the student is found by the 504 team to have disability under the Section 5094, the 504 team shall be responsible for determining what , if any, accommodations or services are needed to ensure that the student receives the free and appropriate education (FAPE). In developing the 504 plan, the 504 team shall consider all relevant information utilized during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the School's professional staff. The 504 plan shall describe the Section 504 disability and any program accommodations, modifications, or services that may be necessary.

III. MEASURABLE STUDENT OUTCOMES AND OTHER USES OF DATA

“The measurable student outcomes identified for use by the charter school. “Student outcomes,” for purposes of this part, means the extent to which all students of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program.”

- California Education Code Section 47605(b)(5)(B)

“The method by which student progress in meeting those student outcomes is to be measured.”

- California Education Code Section 47605(b)(5)(C)

Assessment Assumptions

Our assessment methods are based on the following beliefs:

- In order to have a complete picture of a student’s growth, differentiated assessment methods must be used. Assessments for individual students should focus on individual mastery of specific content standards and learning objectives.
- There should be an appropriate relationship between a desired student outcome and the means used to assess it. Assessments should be aligned to the prioritized standards and student objectives.
- Knowledge Targets (Stiggins, 2004) should be studied and aligned to student assessment. All assessment methods should be based on what we expect students to know and to be able to do with specific information.
- Assessment should promote and support reflection and self-evaluation on the part of students, staff, and parents.

School Outcome Goals

Rocketship San Francisco is dedicated to documenting student achievement of the state content standards each year through state-mandated student assessments. As is required by the California Department of Education Code Section 60605, students will participate in the STAR (CST, CAT6, SABE) and all other mandated accountability programs (CELDT, etc.). Through these assessments, Rocketship San Francisco shall demonstrate student mastery of state standards. Standardized assessments allow us to compare our students' performance with the rest of the state. In the absence of a State mandated test in any year, Rocketship San Francisco may administer another nationally standardized test. In addition, the Charter School may provide internal learning performance accountability documentation. This internal documentation may include, but is not limited to: DRA, Individual Education Plan (“IEP”) goals, Accelerated Reader/STAR Reading, Individual Learning Plan (“ILP”) goals, and other methods by which student progress may be assessed.

Measurable School Outcomes	Local Benchmark Instruments	State-level Year-End Assessments
At least 96% student attendance	Daily attendance reporting via Student Management System (“SMS”)	Calculated ADA rate, comparison of attendance rate to other district schools
Meet or exceed AYP targets	Bi-monthly interim assessments	AYP Report
Make at least one level of	ADEPT English Language semi-	CELDT Individual Student Score

advancement in language proficiency (Beginning, Early Intermediate, etc.) annually for ELs	annual assessments	Reports
Meet or exceed State-wide academic performance index (“API”) growth target		API Report
Meet or exceed the average achievement for the schools in the same geographic area		API results of surrounding schools
Demonstrate student gains of one grade per year or more at Rocketship San Francisco	Northwest Evaluation Association (“NWEA”) assessment administered three times per year	State assessments are not currently as precise in calculating student gains as NWEA, but can be used to show quintile growth. With full implementation of California’s statewide student identifiers, it may be possible to eliminate one administration of the NWEA assessment.

Student Outcome Goal	Proposed Assessment Tools/ Methods
Students will demonstrate at least one and a half years of growth towards grade-level proficiency in reading and language arts.	<ul style="list-style-type: none"> • Pre-post reading/language Arts diagnostics (e.g. DRA) • Interim assessments including CORE Phonics Survey and site words assessments • STAR test data • Informal classroom-based assessments
Students will demonstrate grade-level proficiency on standards in the areas of Math, Science, and Social Studies.	<ul style="list-style-type: none"> • Pre-post diagnostic assessments • Curriculum embedded benchmark assessments, aligned to standards (see “Assessment Design”, below, for a description of how assessments will be aligned to standards) • STAR test data • Informal classroom-based assessments
Students will develop a love of reading and will read daily both for information and pleasure.	<ul style="list-style-type: none"> • Accelerated Reader test results showing reading activity. • Student Reading Survey evaluating the importance of reading to students.

Measuring Student Progress

Because of the importance of data to our RtI model, Rocketship San Francisco will be a data-driven school. Rocketship San Francisco uses the Teacher Dashboard, Assessment Walls, and the Data Analysis Form as outlined in the Professional Development section.

STAR data and data from the NWEA MAP assessment will be used at the beginning of the year to help teachers understand the baseline achievement of their students along with specific areas of strength and weakness. To correctly assess whether students are on track to make Significant Gains during the year, we will administer the NWEA assessment in September, January, and June of each year, as well as conducting bi-monthly assessments of each student in Reading,

Writing, and Math. Following are the current methods we plan to use to assess students. Our Reading assessment is based on DRA. Our Writing assessment is a rubric at each grade-level based on Six Traits. Our Math assessment is designed internally with a bank of questions derived from our focus on the Top 10 Standards at each grade level. We have correlated the NWEA assessment and these internal assessments with performance on end of year STAR and CELDT testing to correctly measure progress and give teachers detailed data about areas in which each student needs improvement.

The staff will be trained on how to interpret test data, and will be engaged in critical analysis of the data in order to determine how the school can address any performance deficiencies or negative data trends. The data analysis will be tied to professional development on instruction, so that teachers can enhance their understanding of student performance in light of normative data, and modify their instructional designs accordingly. In this way, staff will continuously be challenged to rethink current pedagogical practices to meet the changing needs of students.

Use and Reporting of Data

As discussed further in the professional development section, teachers will spend much of their time developing the expertise to use data to understand student challenges and then to develop the skills they need to individualize instruction and overcome these challenges. As discussed earlier in the sections on At-Risk and High-Performing students, this monthly student data will be used for early identification of students in those two categories.

Student progress towards skill mastery will be documented three times annually in standards-based report cards. In addition to the standards-based report card items, we add summary metrics in Literacy and Math based on our bi-monthly assessments to aid parents in understanding where their children are on the path to reaching or exceeding grade level proficiency. Parent-teacher conferences will be held at least once per school year and more often on an as-needed basis. Teachers will share students' academic, social, emotional, and physical progress with parents. Upper grade students will be given the opportunity to participate in conferences to reinforce their participation in the learning process. Additionally, the school will publish student results annually through the SARC, in compliance with the California Constitution, California Education Code and NCLB.

Student assessments are designed to align to the mission, exit outcomes, and the curriculum described in the charter. Rocketship San Francisco collects annual data from the assessments listed above and will utilize the data to identify areas of necessary improvements in the educational program.

In addition to the annual SARC, Rocketship San Francisco will develop an annual performance report based upon the data compiled. The report will also include:

- Summary data showing student progress toward the goals and outcomes from assessment instruments and techniques as described in this section. This data will be displayed on both a school-wide basis and disaggregated by major racial and ethnic categories to the extent feasible without compromising student confidentiality.

- A summary of major decisions and policies established by the Board during the year.
- Data on the level of parent involvement in Rocketship San Francisco governance (and other aspects of the school, if applicable) and summary data from an annual parent and student satisfaction survey.
- Data regarding the number of staff working at the Charter School and their qualifications.
- A copy of the Charter School's health and safety policies and/or a summary of any major changes to those policies during the year.
- Information demonstrating whether Rocketship San Francisco implemented the means listed in the charter to achieve a racially and ethnically balanced student population.
- An overview of Rocketship San Francisco admissions practices during the year and data regarding the numbers of students enrolled, the number on waiting lists, and the numbers of students expelled and/or suspended.
- Analyses of the effectiveness of Rocketship San Francisco internal and external dispute mechanisms and data on the number and resolution of disputes and complaints.
- Other information regarding the educational program and the administrative, legal and governance operations of Rocketship San Francisco relative to compliance with the charter generally.

Rocketship San Francisco shall comply with Education Code Section 47604.3 and the Public Records Act.

IV. GOVERNANCE STRUCTURE

“The governance structure of the 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)(E)

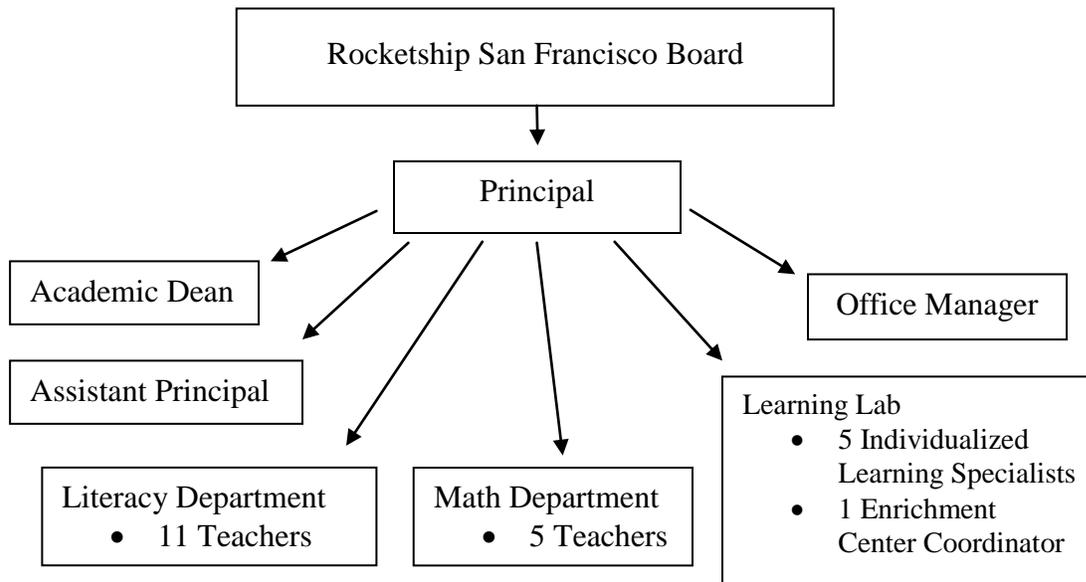
Legal Status

In accordance with Education Code section 47604, Rocketship San Francisco shall be operated as a California non-profit public benefit corporation pursuant to California law and will apply for 501(c)(3) status. Rocketship San Francisco will be governed by a Board of Directors pursuant to its corporate bylaws as adopted, and as subsequently amended from time to time, which shall be consistent with this charter.

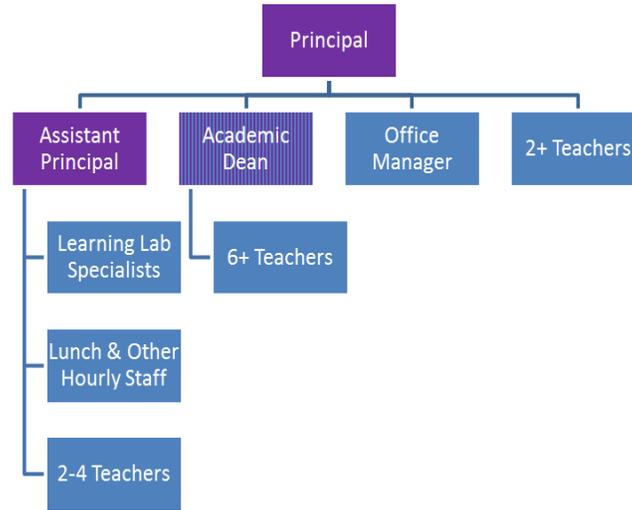
Please see draft Articles of Incorporation, Bylaws and Conflicts Code in Appendix W.

Rocketship San Francisco will operate autonomously from SFUSD, with the exception of the supervisory oversight as required by statute and other contracted services. Pursuant to California Education Code Section 47604(c), SFUSD shall not be liable for the debts and obligations of Rocketship San Francisco, operated as a California non-profit 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. All staff will be employees of Rocketship San Francisco.

Organizational Structure



The chart below highlights the coaching relationships between the Principal, Assistant Principal, Academic Dean and teachers.



Rocketship San Francisco will be governed by its own Board of Directors (“Board”). The Board is ultimately responsible for the operation and activities of Rocketship San Francisco. Board Members have a responsibility to solicit input from, and opinions of, the parents of students, and the faculty and staff, regarding issues of significance and to weigh the input and opinions carefully before taking action. The primary method for executing their responsibilities is the adoption of policies that offer guidance and interpretation of the charter and procedures to assist the staff in facilitating the implementation of such policies. The Board consists of at least three and up to five members who will govern Rocketship San Francisco. Initially, two board members will serve three-year terms and the remaining board members will serve two-year terms. Each term thereafter will be two years. This staggering of terms will create a natural flow for future elections and ensure that the Rocketship San Francisco Board does not experience full turnover at once. The Rocketship San Francisco Board composition will include at least one parent and at least one member of the community.

The Board will meet on a regular basis (e.g., quarterly and more often as needed). Rocketship San Francisco’s Board of Directors may initiate and carry out any program or activity that is not in conflict with or inconsistent with any law and which is not in conflict with the purposes for which charter schools are established.

New directors will be elected as defined in the Bylaws. Board members should live, work, or participate in a community within two miles of the Charter School. Qualifications of current and future board members should include:

- Operation of charter schools
- Real estate expertise
- Legal expertise

- Financial expertise
- Fundraising ability
- Significant involvement in the communities served by Rocketship San Francisco
- Subject and professional development knowledge in Literacy and Math
- Parents with the capacity to take a leadership role in governance of Rocketship San Francisco
- The District may appoint a representative to sit on the Rocketship San Francisco Board pursuant to Education Code Section 47604(b)

The Board will adopt policies and procedures regarding self-dealing and conflicts of interest (See Conflicts of Interest Code, Appendix W). The Rocketship San Francisco Board of Directors may initiate and carry out any program or activity that is not in conflict with or inconsistent with any law and which is not in conflict with the purposes for which charter schools are established.

Rocketship San Francisco Board Duties

The Rocketship San Francisco Board of Directors will be responsible for the operation and fiscal affairs of the Charter School including but not limited to:

- Setting the enrollment and grade-level configuration for the Charter School including increasing enrollment to maximum levels or extending the Charter School to sixth grade, subject to authorization from SFUSD;
- Approval of annual school budget, calendar, salary schedules, major fundraising events, and grant writing;
- Negotiation and approval of a Memorandum of Understanding (“MOU”) or other contracts with SFUSD;
- Approval of all financial policies that set the processes and controls for contracts, expenditures, and internal controls
- Oversight of personnel actions (e.g. hiring, discipline, dismissal) (subject to the disclosure and recusal of the employee Board member) All personnel actions other than those relating to the Principal shall be preceded by recommendation by the Principal;
- Approval of bylaws, resolutions, and policies and procedures of school operation;
- Approval of all changes to the school charter to be submitted as necessary in accordance with applicable law;
- Participation as necessary in dispute resolution;
- Monitoring overall student performance;

- Evaluation of Rocketship San Francisco Principal(s) (subject to the disclosure and recusal of an employee Board member);
- Monitoring the performance of the Charter School and taking necessary action to ensure that the school remains true to its mission and charter;
- Monitoring the fiscal solvency of the Charter School;
- Participation in Rocketship San Francisco annual independent fiscal audit;
- Participation as necessary in student expulsion matters pursuant to Rocketship San Francisco policy;
- Increasing public awareness of the Charter School

Rocketship San Francisco will update the RSED Board of Directors and SFUSD on any changes to the Rocketship San Francisco Board of Directors.

Board Meetings

The Board of Directors will meet regularly to review and act on its responsibilities. All meetings shall be held in accordance with the Brown Act.

Rocketship San Francisco will adopt a conflicts code which complies with the Political Reform Act, Government Code Section 87100, and applicable conflict restrictions required by the Corporations Code. (Please see the Conflicts of Interest Code for Rocketship San Francisco in Appendix W.)⁴

The Board of Directors meetings will be headed by a Board Chairman.

As long as quorum exists as defined by the corporate bylaws, measures voted on by the Board of Directors may be passed with a simple majority of present members.

Board Training

The Rocketship San Francisco Board of Directors shall participate annually in professional training regarding board governance, Brown Act, strategic planning and conflicts of interest rules.

Board Delegation of Duties

The Rocketship San Francisco Board may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an employee of Rocketship San

⁴ To be updated as necessary to meet updates to applicable conflicts of interest laws.

Francisco any of those duties with the exception of approval of the budget, independent fiscal audit, and Board policy, hiring or termination of employees, expulsion of students, and the evaluation of the Principal. The Board, however, retains ultimate responsibility over the performance of those powers or duties so delegated. Such delegation will:

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

The Board may utilize an Executive Committee as needed to perform various governance functions. If utilized, the Executive Committee will be composed of no fewer than 2 members. The Executive Committee shall comply with the Brown Act and the Conflicts Code of the Charter School.

Rocketship Education

Rocketship Education shall provide the following services to Rocketship San Francisco:

- (a) creating the School, including, but not limited to, any and all required legal and financial filings;
- (b) creating, preparing and submitting the School's charter;
- (c) researching, locating and preparing a suitable facility (the "Facility") for the operation of the School;
- (d) researching, providing or preparing for any future expansion of the Facility to accommodate growth of the School;
- (e) providing professional development training for certain employees of the Company prior to the commencement of the school year and continuing throughout the school year as necessary;
- (f) providing office services, such as accounting, payroll, human resources and billing;
- (g) supervising the annual budget;
- (h) developing and executing fundraising opportunities;
- (i) working with the Charter Authorizer, CDE and other agencies as necessary, including complying with reporting requirements and any other general inquiries received from these agencies;
- (j) supervising the parent coordinator and parent involvement generally;
- (k) marketing for student enrollment;
- (l) assisting with public relations;
- (m) writing grants for state and other funding;
- (n) providing guidance relating to the curriculum;
- (o) providing support for information technology;
- (p) securing working capital financing for the school
- (q) providing financial support as needed; provided, however, that such support be agreed to by the parties in a separate writing; and

- (r) providing any other operational or educational needs relating to the School that the Company may reasonably request of Manager.
- (s) collecting Special Education funds and managing the Special Education program budget on behalf of all Rocketship Education schools that are part of the El Dorado County SELPA and therefore having the authority to determine the allocation of Special Education dollars based on Special Education needs at each site

For more detail, please see Appendix AE: Sample Rocketship Education & School Management Services Contract.

Parent Participation

As Rocketship San Francisco is being established to serve the needs of the students and their families, there are a number of ways that parents may participate in the leadership of the school. Because Rocketship San Francisco will be its own LEA and projects to have over 51 English Learners enrolled, the parents of Rocketship San Francisco may form a ELAC committee that complies with all of the California Department of Education English Language Learner Categorical Program requirements. Rocketship San Francisco will encourage parents to create a Parent/Teacher Council ("PTC") to facilitate communication among parents, teachers and the Board as well as to promote cultural and social activities within the school community. The PTC will:

- Serve as a forum for the discussion of matters of interest and concern to the parents of Rocketship San Francisco students;
- Act as a communication channel between the parents and other interested individuals and groups, both within and outside the school community;
- Coordinate and sponsor committees, clubs and other activities that enhance the intrinsic value of Rocketship San Francisco and contribute to the fulfillment of its mission. These committees will work with various bodies within Rocketship San Francisco , providing support activities as appropriate;
- Coordinate PTC fundraising activities and oversee the allocation and disbursement of funds raised by the PTC;
- Report as needed to the Rocketship San Francisco Board of Directors at its regular meetings and provide ongoing advice to the Board as requested by the Board or deemed necessary by the PTC.

Additional Opportunities for Parent Involvement

- Parents, students and teachers meet regularly to plan and assess the student's learning progress and determine goals;
- School and staff evaluations - parents fill out a survey each year evaluating the strengths and weaknesses they identify with the program to be reviewed by staff and faculty for consideration of ongoing improvement of Rocketship San Francisco;

- Volunteer opportunities – the Principal(s) will maintain a list of various opportunities for parents to volunteer at Rocketship San Francisco. For example, parents have the opportunity to help in classrooms, lead extracurricular activities, assist in event planning, attend field trips and serve on parent committees;
- Fundraising - parents and community members work with Rocketship San Francisco to raise additional resources to support students and the school program;
- Advocacy - parents and community members communicate the school design and outcomes to the public, educators and policy makers and advocate for necessary policies and resources.

V. HUMAN RESOURCES

Qualifications of School Employees

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

Rocketship San Francisco shall recruit professional, effective and qualified personnel for all administrative, instructional, instructional support, and non-instructional support capacities who believe in the instructional philosophy outlined in its vision statement. In accordance with Education Code 47605.6(e)(1), Rocketship San Francisco shall be nonsectarian in its employment practices and all other operations. Rocketship San Francisco shall not discriminate against any individual (employee or student) on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).

All employees should possess the personal characteristics, knowledge base and/or relevant experiences in the responsibilities and qualifications identified in the posted job description as determined by Rocketship San Francisco.

Principal

The Rocketship San Francisco Board of Directors intends to hire a Rocketship Education-trained Principal who will be responsible for creating a school capable of achieving the Rocketship San Francisco mission and goals. This will include leading the Charter School in all aspects of its day to day operations, working with the Rocketship San Francisco Board of Directors, the PTC, SFUSD, students, parents, and community members and the other governing bodies specified by local and state law.

The principal is the instructional, cultural, managerial, and community leader of the school. The principal sets the vision for the school and ensures that the school is a high-achieving college preparatory environment where all students finish the fifth grade at or above grade level. Additionally, the principal directly manages, supports, and develops the Assistant Principal, the Academic Dean, and the Office Manager. The Principal serves as the manager of all teachers, and also coaches a few classroom teachers directly, which includes conducting observation cycles, modeling lessons, and providing support and resources aimed at increasing teacher effectiveness and leadership. The principal is also responsible for engaging and empowering parents to become lifelong advocates for their children's education.

Key Responsibilities:

- Foster a rigorous and college preparatory environment that ensures high levels of student achievement annually through the relentless use of data to drive and refine instruction
- Manage, support, and develop other members of the school leadership team including the Assistant Principal, Academic Dean, and Office Manager

- Manage self and others in a manner that creates a healthy, high-achieving environment where staff feel challenged, supported, and valued and there is open communication about professional growth and future career opportunities
- Foster a school culture and environment of constant reflection and professional growth so that all staff continues to emerge as leaders within Rocketship and quickly assume leadership positions within the organization
- Foster Rocketship school culture where students, educators, and members of the school community demonstrate Rocketship's beliefs, values, and behaviors
- Create a school community that fully involves parents in student achievement through multiple outlets including home visits, regular community meetings, and parent/family meetings and also empowers them to become active advocates for their Rocketeer's education and achievement
- Promote collaborative problem solving and open communication between teachers, learning lab staff, students, and families
- Develop classroom teacher practice and leadership through direct observation, coaching, and training (4+ teachers)
- Design and lead staff meetings
- Oversee and/or contribute to the design and implementation of staff professional development and collaborative planning time
- Lead the execution of community meetings and events
- Lead and/or support other school site and network-wide initiatives as needed to foster strong school culture, academic excellence, and network growth
- Provide leadership toward, creative and positive data driven behavioral innovations and instruction for high risk students, their teachers and their families

Required Skills and Experience:

- 2+ years of experience teaching in an urban city classroom and realizing significant gains
- Strong leadership skills and personal drive
- Relentless pursuit of high expectations
- Organized
- Passion for urban children and their families
- Ability to build partnerships with community organizations
- Strategic planning experience
- Ability to engage and empower parents and families
- Strong communication skills
- An entrepreneurial spirit and a proven track record
- Experience in building and maintaining outstanding school culture
- Results-oriented and data-driven
- Ability to develop others
- Adaptable and able to thrive in a dynamic, fast-paced environment

Education Requirements:

- BA from accredited university
- Valid Teaching Credential

Office Manager

The Office Manager will be responsible for daily operations at Rocketship San Francisco. The Office Manager will report to the Principal. Qualifications include the following.

Required knowledge, skills, and abilities

- Strong organizational skills;
- Strong time management skills;
- Ability to work both independently and with a team;
- Fluency in Spanish is highly desirable.

Required educational level

- A.A. degree or equivalent work experience

Required experience

- 3 plus years in administrative support position preferable;
- Experience in school front office preferable;
- Proficient with Microsoft Office.

Responsibilities of the Office Manager include:

- Recording attendance;
- Primary responsibility for input of Free and Reduced Lunch information into the student database;
- Managing the office;
- Overseeing purchases of materials;
- Doing day to day bookkeeping;
- Managing the schedules of the Learning Lab Staff and Principal;
- Serving as first point of contact for Parents contacting Rocketship San Francisco.

Teachers

Rocketship San Francisco core teachers at all levels shall meet or exceed all “highly qualified requirements” under the No Child Left Behind Act (“NCLB”).

Accordingly, a teacher of core academic subjects must meet the following qualifications:

- (1) a bachelor’s degree;
- (2) a State credential
- (3) demonstrated core academic subject matter competence. Demonstrated core academic subject competence for elementary grades is done through CCTC’s approved subject matter examination or by completing the California High Objective Uniform State Standard of Education (“HOUSSE”).

Rocketship San Francisco shall comply with Education Code Section 47605(1), which states:

Teachers in charter schools shall be required to 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. These documents shall be maintained on file at the charter school and shall be subject to periodic inspection by chartering authority. It is the intent of the Legislature that charter schools be given flexibility with regard to non-core, non-college preparatory courses.

All teachers will be CLAD certified or a CCTC recognized equivalent.

Each year, Teachers will be evaluated based on their ability to make Significant Gains. It is expected that some teachers will be able to make Significant Gains in a single year, others may take two or three, and still others may not be capable. In addition to Significant Gains, Teachers must show a strong ability to work with and mentor their peers in order to be prepared to take on the role of Academic Dean. Job requirements for a Teacher:

- Demonstrated mastery of classroom skills including classroom management, planning, assessment and instructional practice either as a Teacher or while teaching outside of Rocketship San Francisco;
- Hold a multiple-subject teaching credential;
- Demonstrate the potential to make Significant Gains in the subject they will teach as a Teacher.

Job responsibilities of Teachers include:

- A full day of teaching, primarily within the academic area in which they focus their teaming;
- Mentoring and instructional advice for their peers, especially Teachers, to help them develop the skills needed to progress as teachers.

Upon initial hire, teachers will receive 90% to 110% base salary commensurate with that of teachers in the chartering district, plus up to an additional 10% merit bonus. A component of Teacher pay and the criteria for considering their advancement to Academic Dean will include the following:

- Personal achievement of Significant Gains for students which they have directly instructed;
- Parent and Academic Dean satisfaction with their teaching;
- Peer and Academic Dean satisfaction with their mentoring and instructional leadership.

We believe it will be possible for Teachers to be promoted to Academic Dean positions within two to three years of becoming Teachers.

Rocketship San Francisco personnel progress up a career ladder. Advancement up the ladder is based on the quality of that teacher's instruction: student academic outcomes, his or her ability to work in a team of teachers, and satisfaction of the families served by this teacher. We believe that teachers need a career path which rewards their success both with more responsibility and significantly greater compensation. Rocketship San Francisco has a two-tiered career ladder for teachers, which recognizes student performance as a primary factor in advancement. Creating a career ladder like Rocketship San Francisco's has several advantages, including employee

retention, succession planning, and better career development (CA State Dept. of Employee Development, 2003).

Assistant Principal

Reporting directly to the principal, the Assistant Principal plays a critical role in fostering a college-preparatory school culture focused on high levels of academic achievement. In the realm of ensuring academic excellence, the Assistant Principal manages Learning Lab staff towards student outcomes achieved through a highly individualized set of instructional methods including online curriculum, reading center, and Response to Intervention. The Assistant Principal also directly coaches a few classroom teachers directly, which includes conducting observation cycles, modeling lessons, and providing support and resources aimed at increasing teacher effectiveness and leadership. Additionally, the Assistant Principal will manage key components of school culture including arrival and/or dismissal, some transitions, lunch and/or recess, and will be ready to lead Rocketship Launch (a school-wide morning meeting) when the principal is not available. The Assistant Principal role is designed to provide an experiential preparatory experience for becoming a principal; as such the Assistant Principal will engage in leadership training and should be prepared to step seamlessly into the principal role when the principal is not on campus or as a part of the leadership development program.

Key Responsibilities:

- Foster a rigorous and college preparatory environment that ensures high levels of student achievement annually through the relentless use of data to drive and refine instruction
- Manage Learning Lab student outcomes through direct management of hourly learning lab staff
- Develop classroom teacher practice and leadership through direct observation, coaching, and training (2-4 teachers)
- Promote collaborative problem solving and open communication between teachers, learning lab staff, students, and families.
- Foster Rocketship school culture where students, educators, and members of the school community demonstrate Rocketship's beliefs, values, and behaviors
- Create a school community that fully involves parents in student achievement through multiple outlets including home visits, regular community meetings, and parent/family meetings
- Lead and/or support the execution of community meetings and events
- Manage self and others in a manner that creates a healthy, high-achieving environment where staff feel challenged, and also fully supported/valued
- Lead and/or support other school site and network-wide initiatives as needed to foster strong school culture, academic excellence, and network growth
- Provide leadership toward, creative and positive data driven behavioral innovations in Learning Lab individualization and instruction for high risk students, their teachers and their families
- Develop and maintain outstanding school culture through the direct management of all hourly staff members (in addition to Learning Lab staff, this includes staff associated with lunch, arrival, or dismissal)

Required Skills and Experience:

- 2+ years of experience teaching in an urban city classroom and realizing significant gains
- Strong leadership skills and personal drive
- Relentless pursuit of high expectations
- Organized
- Passion for urban children and their families
- Ability to build partnerships with community organizations
- Strategic planning experience
- Ability to engage and empower parents and families
- Strong communication skills
- An entrepreneurial spirit and a proven track record
- Experience in building and maintaining outstanding school culture
- Results-oriented and data-driven
- Ability to develop others
- Adaptable and able to thrive in a dynamic, fast-paced environment

Education Requirements:

- BA from accredited university
- Valid Teaching Credential

Academic Dean

Rocketship San Francisco has one Academic Dean, focused full-time on the implementation of Rocketship San Francisco's academic systems and mentoring teachers to improve their effectiveness. Job qualifications for the Academic Dean include:

- Academic Deans have made Significant Gains with their students for at least the past year or years;
- Academic Deans care deeply about children. Academic Deans, as the senior members of the faculty, must espouse Rocketship San Francisco's culture of caring, showing concern not just for the academic, but for the emotional welfare of their students;
- Academic Deans must show the desire and ability to mentor young teachers. Teaching adults is different from teaching children. Mentoring requires a commitment on the part of an Academic Dean to their Teachers and an ability to demonstrate and explain verbally their own practices;
- Academic Deans must be strong team players, helping to make the faculty cohesive in our goals of creating both a safe and supportive environment, and one in which students will make significant academic progress.

Reporting directly to the principal, the Academic Dean plays a critical role in driving academic achievement for students. The Dean ensures academic excellence by working closely with the principal to lead and implement the instructional vision for the school. The Academic Dean leads two primary streams of work: teacher coaching and professional development (PD). The Academic Dean directly coaches a number of classroom teachers, which includes conducting observation cycles, modeling lessons, co-planning lessons, real-time coaching, and providing support and resources aimed at increasing teacher effectiveness and leadership. The Academic Dean also leads the design and implementation of group teacher professional development and

collaborative planning time. This individual provides staff with the appropriate resources and support to ensure that each Rocketship school's Rocketeers realize 1.5 years of progress annually.

Key Responsibilities:

- Foster a rigorous and college preparatory environment that ensures high levels of student achievement annually through the relentless use of data to drive and refine instruction
- Ensure at least 1.5 years of progress for all Rocketeers annually through rigorous teacher coaching and PD
- Drive student achievement results through regular 1:1 coaching sessions with select staff members (6+ teachers)
- Oversee the implementation of a rigorous and highly individualized curriculum in classrooms of coached teachers
- Promote collaborative problem solving and open communication among teaching staff members
- Ensure Rocketship school culture where students, educators, and members of the school community demonstrate Rocketship's beliefs, values, and behaviors
- Manage self and others in a manner that creates a healthy, high-achieving environment where staff feel challenged, and also fully supported/valued
- Lead and/or contribute to the design and implementation of weekly staff professional development and collaborative planning time
- Identify, celebrate, codify, and share instructional best practices across the school and network
- Implement and share teacher coaching and development best practices with other members of the school leadership team
- Assist in the management of school-based Integrated Service Delivery (ISD) program through coordination of SST and SAT processes
- Collaborate with the ISD Specialist at each site to ensure that teachers are receiving the necessary support and professional development to maximize the delivery of instruction in a full-inclusion model
- Manage the BTSA process for eligible staff and support other teachers through the credentialing process, which includes the successful completion of Teacher Performance Assessments
- Have a lasting impact on the design of network professional development resources

Required Skills and Experience:

- 2+ years experience teaching in an urban city classroom and realizing significant gains
- Strong time management and organizational skills
- Result-oriented and data-driven
- Relentless pursuit of high expectations
- Ability to inspire and motivate others
- Adaptable and able to thrive in a dynamic, fast-paced environment
- Ability to develop others
- Passion for urban children and their families

- Strategic planning and project management experience
- Strong verbal and written communication skills
- Deep knowledge of elementary literacy and/or math instruction
- Experience with or interest in the use of technology in promoting teacher development a plus

Education Requirements:

- BA from accredited university
- Valid Teaching Credential

Retirement Benefits

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)*

All full-time employees of the Charter School will participate in a qualified retirement plan. Full-time Certified teachers will participate in the State Teachers' Retirement System ("STRS"), and full-time Classified staff will be offered a 403B program. All part-time staff and full-time Classified staff will participate in the federal social security system. Staff at the Charter School may have access to additional Rocketship San Francisco-sponsored retirement plans according to policies developed by the board of directors and adopted as the Charter School's employee policies.

Employee Representation

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

The Charter School shall be deemed the exclusive public school employer of the employees of the Charter School for the purposes of Educational Employment Relations Act ("EERA"). The Charter School will comply with the EERA.

Rights of School District Employees

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

No public school district employee shall be required to work at the Charter School. Employees of the District who choose to leave the employment of the District to work at the Charter School will have no automatic rights of return to the District after employment by the Charter School unless specifically granted by the District through a leave of absence or other agreement. Charter School employees shall have any right upon leaving the District to work in the Charter School that the District may specify, any rights of return to employment in

a school district after employment in the school that the District may specify, and any other rights upon leaving employment to work in the school that the District determines to be reasonable and not in conflict with any law.

All employees of the Charter School will be considered the exclusive employees of the Charter School and not of the District, unless otherwise mutually agreed in writing. Sick or vacation leave or years of service credit at the District or any 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.

Health and Safety

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

Please see Appendix Q for a detailed description of health and safety policies on Fingerprinting and Background Checks; Tuberculin Examinations; Safe Facilities; Emergency Plans; Immunizations/Physical Exams; Communicable, Contagious, or Infectious Disease Prevention; Administration of Medications; Drug-Free Workplace; Smoke-Free Environment; First Aid CPR, and Health Screening (vision/hearing/scoliosis); and Exposure Control Plan for Blood Borne Pathogens. See Appendix S for policies on Sexual Harassment and Complaint Procedures and Appendix T for policies on Role of Staff as Mandated Child Abuse Reporters. Rocketship San Francisco may create additional policies and procedures as the need occurs and to stay in compliance with changes to local, state and federal laws and regulations. The following provides a brief summary of Rocketship San Francisco policies:

Fingerprinting/Background Check

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

Role of Staff as Mandated Child Abuse Reporters

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

TB Testing

Rocketship San Francisco will follow the requirement of Education Code Section 49406 in requiring tuberculosis testing of all employees.

Immunizations

All students enrolled and staff 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.

Medication in School

Rocketship San Francisco will adhere to Education Code Section 49423 regarding administration of medication in school.

Vision/Hearing/Scoliosis

Rocketship San Francisco shall adhere to Education Code Section 49450 *et seq.* as applicable to the grade levels served by Rocketship San Francisco.

Emergency Preparedness

Rocketship San Francisco shall adhere to an Emergency Preparedness Handbook drafted specifically to the needs of the school site. This handbook shall include but not be limited to the following responses: OSHA policy compliance, fire, flood, earthquake, terrorist threats, and hostage situations and shall be submitted for District receipt and review. This handbook shall include an evacuation plan, and general school safety, injury and illness prevention.

Bloodborne Pathogens

Rocketship San Francisco shall meet state and federal standards for dealing with bloodborne pathogens and other potentially infectious materials in the workplace. The Board shall establish a written "Exposure Control Plan" designed to protect employees from possible infection due to contact with bloodborne viruses, including human immunodeficiency virus ("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.

Drug-Free/Smoke-Free Environment

Rocketship San Francisco shall maintain a drug-, alcohol-, and smoke-free environment.

Facility

The facility to be utilized by Rocketship San Francisco must be in compliance with applicable State and local Building Codes in accordance with Education Code 47610.

Rocketship San Francisco shall comply with Education Code Section 47610 by utilizing facilities that are compliant with the California Building Standards Code. The School agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. The School shall conduct fire drills as required under Education Code Section 32001 and in conjunction with the District (if at District facilities).

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)

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 SFUSD, and (3) ensure a fair and timely resolution to disputes.

The following process is proposed by Rocketship San Francisco to meet the requirements of Education Code Section 47605(b)(5)(N) with the understanding that SFUSD may present revisions for Rocketship San Francisco consideration and approval either as part of the MOU with the District or as an amendment to this charter.

Public Comments

The staff and governing board members of the Charter School and SFUSD agree to attempt to resolve all disputes regarding this charter pursuant to the terms of this section. All parties shall refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process unless otherwise required by law.

Disputes Between the Charter School and the Chartering Authority

In the event of a dispute between the Charter School and SFUSD, the staff and Board members of Rocketship San Francisco and SFUSD agree to first frame the issue in written format ("dispute statement") and refer the issue to the Superintendent of the SFUSD and the Principal of Rocketship San Francisco or designees. In the event that SFUSD believes that the dispute relates to an issue that could lead to revocation of the charter under Education Code Section 47607, Rocketship San Francisco requests that this be specifically noted in the written dispute statement, but is aware that SFUSD is not legally bound to do so. Nothing in this section is intended to impair the authority or ability of SFUSD to revoke the charter in accordance with the procedures detailed in Education Code Section 47607, nor to imply that Rocketship San Francisco has any legal authority to do so.

The Principal and Superintendent shall informally meet and confer in a timely fashion (no later than 10 school days from receipt of the dispute statement) to attempt to resolve the dispute. In the event that this informal meeting fails to resolve the dispute, both parties shall identify two members from their respective Boards who shall jointly meet with the Superintendent of SFUSD and the Principal(s) of Rocketship San Francisco or designees and attempt to resolve the dispute. The joint meeting shall be held within 15 school days from the informal meeting.

If this joint meeting fails to resolve the dispute, the Superintendent and Principal(s) or designees shall jointly identify a neutral, third party mediator. The format of the mediation session shall be developed jointly by the Superintendent and the Principal(s) or designees. Mediation shall be held within 30 school days of the joint meeting. All dates or procedures within this section can be amended by written mutual agreement or necessity due to mediator scheduling. Each party shall bear its own costs of dispute resolution with the cost of the mediator being split equally

amongst the Parties. If mediation fails, either Party will have been deemed to have exhausted the administrative remedies within this charter and may pursue any alternative legal options for resolution.

VI. STUDENT ADMISSIONS, ATTENDANCE AND SUSPENSION/EXPULSION POLICIES

“Admission requirements, if applicable.”

- California Education Code Section 47605(b)(5)(H)

STUDENT ADMISSIONS POLICIES AND PROCEDURES

Rocketship San Francisco shall strive to achieve a student population from southeast San Francisco which understands and values Rocketship San Francisco’s mission and vision statements and is committed to Rocketship San Francisco instructional and operational philosophy.

No test or assessment shall be administered to students prior to acceptance and enrollment into the Charter School.

The school shall be nonsectarian in its programs, admission policies, employment practices, and all operations, shall not charge tuition, and shall not discriminate against any student on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). Admission to the Charter School shall not be determined by the place of residence of the student, or of his or her parent or guardian, within the State, except as provided in Education Code Section 47605 (d)(2).

The application process is comprised of the following:

- Completion of a student interest form, which includes basic student and family identification information for the purposes of entry into public random drawing

Upon selection for admission pursuant to public random drawing, the registration process will include the following:

- Student enrollment form which contains student name, address, and other identifying and demographic information
- Proof of Immunization
- Home Language Survey
- Completion of Emergency Medical Information Form
- Proof of minimum age requirements, e.g. birth certificate

Rocketship San Francisco feels strongly that success for students requires a commitment from both students and parents to the mission and vision of Rocketship San Francisco as set forth in the Charter. During the registration process, all parents or guardians shall be asked to sign a Commitment Letter indicating they understand Rocketship San Francisco philosophy, program, and volunteer policy. Students will not be denied admission or dis-enrolled for failing to sign the Commitment Letter (see Appendix U for the Rocketship San Francisco Commitment Letter).

Rocketship San Francisco shall admit all students who wish to attend the Charter School subject only to capacity. Applications will be accepted during a publicly advertised open application period each year for enrollment in the following school year. Following the open application period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In the event that this occurs, Rocketship San Francisco will hold a public random drawing to determine enrollment for the impacted grade level, with the exception of existing students (2nd year forward) who are guaranteed enrollment in the following school year.⁵

Enrollment preferences in the case of a public random drawing shall be allowed in the following order of preference:

- 1) Siblings of currently enrolled students⁶
- 2) Children of the paid staff of Rocketship San Francisco⁷
- 3) Residents of SFUSD
- 4) Other California residents

Students qualifying for more than one preference group will be considered part of the highest preference for which they qualify. At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be given the option to put their name on a wait list in the order of their draw in the public random drawing. This wait list will allow students the option of enrollment in the case of an opening during the school year.

Non-Discrimination

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

Rocketship San Francisco shall strive, through recruitment and admissions practices, to achieve a racial and ethnic balance among its students that is reflective of the general population residing within the territorial jurisdiction of the SFUSD.

Rocketship San Francisco will implement a strategy that includes, but is not necessarily limited to, the following elements or strategies which focus on achieving and maintaining a racial and ethnic balance among students that is reflective of the general population residing within the territorial jurisdiction of SFUSD. The strategy includes printing and distributing materials in English, Spanish and other languages reflecting the needs of the community, and:

- An enrollment process that is scheduled and adopted to include a timeline that allows for a broad-based application process.

⁵ During any period of Public Charter School's Grant Program ("PCSGP") funding, the public random drawing shall be handled as a single weighted drawing.

⁶ During any PCSGP funding, siblings will be considered an "exception" to the single weighted drawing.

⁷ During any period of PCSGP funding, this preference will be limited to children of faculty and shall not exceed 10% of total enrollment.

- The development and distribution of promotional and informational material that reaches out to all of the various racial and ethnic groups represented in the territorial jurisdiction of the SFUSD.
- Outreach activities.

As part of outreach to Spanish speakers, Rocketship San Francisco provides:

- a. Flyers in both English and Spanish about upcoming Rocketship San Francisco meetings
- b. General information sheets, and other key documents, including the school vision and mission statement in Spanish
- c. Information in Spanish on the Rocketship Education website
- d. Spanish translators at all general meetings

Rocketship San Francisco shall, as part of its programmatic audit, analyze the success and/or weakness of its outreach initiatives. Rocketship San Francisco shall utilize the data from the programmatic audit to make any necessary revisions to the Outreach initiatives.

Public School Attendance Alternatives

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

No student may be required to attend the Charter School. Students who reside within the District, and who opt not to attend Rocketship San Francisco, may attend school within SFUSD according to SFUSD policy or at another school district or school within SFUSD through SFUSD's intra- and inter-district policies.

Parents and guardians of each student enrolled in the Charter School will be informed on admissions forms that the students have no right to admission in a particular school of any local education agency as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the local education agency.

Suspension and Expulsion Procedures

Governing Law: *The procedures by which students can be suspended or expelled. -- California Education Code Section 47605(b)(5)(J)*

Rocketship San Francisco acknowledges the responsibility of each student, parent, volunteer, faculty, staff and administrator to contribute to the wellbeing of the community by demonstrating responsibility and accountability for individual and group actions. It is the Charter School's goal to enhance the quality of relationships, the quality of learning, and the quality of the community through shared responsibility. Attached as Appendix R, please find the procedures by which students can be suspended or expelled.

VII. REPORTING AND ACCOUNTABILITY

BUDGETS AND CASH FLOW

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

Attached, as Appendix AG please find the following documents:

- A projected multi-year budget
- Cash flow and financial projections
- A narrative describing the above.

These documents are based upon the best data available to the Petitioners at this time.

FINANCIAL REPORTING

Rocketship San Francisco shall provide reports as required by Education Code Section 47604.33 as follows, and shall provide additional fiscal reports as requested by the District:

1. By July 1, a preliminary budget for the current fiscal year.
2. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of the Charter School's annual, independent financial audit report for the preceding fiscal year shall be delivered to the District, State Controller, and State Department of Education.
3. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
4. 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.
5. All attendance reports: 20 day, P-1, P-2 and annual.

INSURANCE

Rocketship San Francisco 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. The SFUSD shall be named as an additional insured on all policies of the Charter School.

ADMINISTRATIVE SERVICES

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

Administrative services will be managed in-house and contracted with appropriately qualified and/or credentialed (as necessary) outside providers to address all administrative services. Please see above under Governance for the role of Rocketship Education as the predominate provider of administrative services. We do not anticipate purchasing any services from the SFUSD, but we will fairly evaluate any offer of services from the SFUSD against any other offers for similar services from third party providers. Administrative services which we have experienced to be required for Rocketship San Francisco include but are not limited to the following:

- Accounting and payroll management
- Cash flow management
- Contracts with charter authorizers
- Real estate financial management
- Securing and managing loans
- Federal grant writing and reporting
- Creation of the student management system used to keep student's daily, periodic, and annual academic results
- Human Resources
- Provide support on academic data analysis as necessary
- Develop best practices for school safety and other school procedures
- Provide ongoing consulting for the management of the Learning Lab
- Teacher recruiting

FACILITIES

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

The Rocketship school facility includes the following:

- 16 full-size classrooms
- A 2,300 to 2,700 sq. ft. multi-purpose
- A servery, including a warming oven, refrigerator, and milk cooler for food service
- A foyer
- 3 to 4 staff offices and administrative spaces
- A flexi-space that will likely serve as a parent volunteer room, with the possibility of converting into an ISD (integrated services delivery) room, another staff office, or other such use
- A staff room
- Parking to accommodate all staff and a few visitors, usually 24 to 27 spaces
- A play area with recycled rubber surfacing and a play structure
- An outdoor area for community Launch, structured physical education, and recess

- An outdoor lunch shelter

The total building footprint will be a 2-story building of approximately 11,000 sq. ft., with approximately 21,500 sq. ft. of built usable space. This is a building model that Rocketship Education has successfully used for multiple locations in San Jose with different land configurations. The campus footprint will be between 1 and 1.7 acres, depending on available sites that can be developed on time and within the project budget amount. Current site location possibilities are still under negotiation and review, but will ultimately accommodate the aforementioned facilities.

INDEPENDENT FISCAL AUDIT

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)

The Board of Rocketship San Francisco will appoint an Audit Committee, which will select an independent financial auditor and oversee audit requirements.

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

The annual audit will be completed and forwarded to the District, the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. The Rocketship San Francisco Principal, along with the audit committee, will review any audit exceptions or deficiencies and report to the Board of the Charter School with recommendations on how to resolve them. The Board of the Charter School will submit a report to SFUSD describing how the exceptions and deficiencies have been or will be resolved along with an anticipated timeline for the same. The Board and Principal of the Charter School will work with the SFUSD to ensure all audit exceptions and deficiencies are resolved to the satisfaction of the SFUSD along with an anticipated timeline for the same. Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel ("EAAP") in accordance with applicable law.

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

CLOSURE PROTOCOL

Governing Law: A description of the procedures to be used if the charter school closes. -- Education Code Section 47605(b)(5)(P)

The following procedures shall apply in the event the Charter School closes. The following procedures apply regardless of the reason for closure.

Closure of the Charter School shall be documented by official action of the Rocketship San Francisco Board. The action shall identify the reason for closure. The official action will also identify an entity and person or persons responsible for closure-related activities.

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

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

The Rocketship San Francisco Board will also develop a list of students in each grade level and the classes they have completed, together with information on the students' districts of residence, which they will provide to the entity responsible for closure-related activities. As allowable by SFUSD, the Charter School shall transfer all appropriate student records to the SFUSD and shall otherwise assist students in transferring to their next school. If SFUSD will not store student records, the Charter School will discuss an alternative arrangement with SFUSD and shall provide a copy for parents/guardians of the student record of their child prior to closure. All transfers of student records shall be made in compliance with the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. § 1232g.

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 is reasonably practical, the school shall prepare final financial records. The Charter School shall also have an independent audit completed within six months after closure. The Charter School shall pay for the final audit. The audit shall be prepared by a qualified Certified Public Accountant selected by the Charter School and shall be provided to SFUSD promptly upon 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 net assets of the Charter School, including but not limited to all leaseholds, tangible and intangible personal 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 dissolution of the corporation, shall be distributed in accordance with the Articles of Incorporation and applicable law upon dissolution. Any assets acquired from a school 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 responsible for satisfaction of all liabilities arising from the operation of the Charter School.

As the Charter School is organized as a nonprofit public benefit corporation under California law, the Rocketship San Francisco Board shall follow the provisions set forth in the California Corporations Code for the dissolution of a nonprofit public benefit corporation, and shall file all necessary filings with the appropriate state and federal agencies.

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

VIII. IMPACT ON THE DISTRICT

*Governing Law: Potential civil liability effects, if any, upon the school and upon the District
-- Education Code Section 47605(g).*

Civil Liability

Rocketship San Francisco is operated as a California non-profit 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 23701d. The specific purposes for which the corporation is organized are for the operation of a California public charter school for educational services in accordance with the Education Code Section 47600, *et seq.*

Pursuant to Education Code Section 47604(c), an entity 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 Rocketship Education Articles of Incorporation and bylaws are attached as Appendix W. Rocketship San Francisco and Rocketship Education shall work diligently to assist the SFUSD in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other requested protocol to ensure the SFUSD shall not be liable for the operation of Rocketship San Francisco.

Further, Rocketship San Francisco and the SFUSD shall enter into a memorandum of understanding or contract which shall provide for indemnification of SFUSD by Rocketship San Francisco. Insurance amounts will be determined by recommendation of the insurance company for schools of similar size, location, and type of program. The SFUSD shall be named an additional insured on the general liability insurance of Rocketship San Francisco.

The corporate bylaws of Rocketship Education and each of its schools shall provide for indemnification of the Rocketship Education and Rocketship Education Board of Directors, officers, agents, and employees, and Rocketship Education and Rocketship Board will purchase general liability insurance, Directors and Officers insurance, and fidelity bonding to secure against financial risks.

Rocketship Education and the Rocketship Education Board of Directors will institute appropriate risk management practices, including screening of employees, establishing codes of conduct for students, staff, and participating families, and procedures governing financial transactions and dispute resolution.

XI. CONCLUSION

By approving this charter, the San Francisco Unified School District will be fulfilling the intent of the Charter Schools Act of 1992 to improve student learning; increase learning opportunities for all students with special emphasis on expanded learning opportunities for all students who are identified as academically low-achieving; create new professional opportunities for teachers; provide parents and students with expanded choices in education; and be following the directive of law to encourage the creation of Charter Schools. The Petitioners are eager to work independently, yet cooperatively with the SFUSD to set the gold standard for charter schools. To this end, the Petitioners pledge to work cooperatively with the SFUSD to answer any concerns over this document and to present the SFUSD with the strongest possible proposal for approval of a charter for a five-year term to begin in 2013.

Appendix A. A Day in the Life of a Second Grade Student at Rocketship

The student we are shadowing, Jose, has a typical schedule for a Rocketship second grader. He arrives at school at 7:30 a.m. for breakfast. Today, two Rocketship staff, Ms. Harbor and Mr. Fuentes are watching Breakfast and Arrivals. If Jose finishes breakfast in time, he can spend a few minutes on the playground.

At 8 a.m., Jose begins his day in Literacy Class with Ms. Winters. Literacy lasts 3 hours and 20 minutes and includes Science and Social Studies. Ms. Winters organizes her Literacy lessons around Science and Social Studies themes. Right now, they are studying the rock cycle. Jose researches various forms of rock and further investigates the rock cycle using books that Ms. Winters provides. Another member of his group is working on writing up the research in a paper. A third is putting together a presentation for the class. Jose loves learning about volcanoes and how they are part of the rock cycle.

After about an hour of research, Ms. Winters gets the whole class together on the carpet to read a book about various types of rocks. She has chosen a book that is a little bit difficult for Jose to understand, but he likes these books because she spends a lot of time making sure that everyone knows what is going on in the book before they start reading and they talk about several big words that they are going to see and what they mean. Each child reads the text to themselves out loud as Ms. Winters walks around the room helping people who get stuck. Ms. Winters writes a few more words on the board that Jose was having a tough time reading. One of the words has an “ou” and Ms. Winters has everyone work on the “ou” sound pronounced “ow.” Then, everyone gets back together on the carpet and Ms. Winters asks a lot of questions about what the story meant.

Even though it was pretty difficult for Jose, the way Ms. Winters helps him makes him feel better. In the final hour of class, Ms. Winters breaks the class of 20 students into three groups. Two groups work on centers and one sits with Ms. Winters in a small group. Jose starts at a center working on reading lots of “ou” words and a concentration game matching “ou” words. Then he moves to a writing center where he works on taking his notes from the mission study into paragraphs and correcting his spelling and grammar. Finally, Jose spends about 20 minutes with Ms. Winters. This is his favorite time, because they read books together that are exactly at his level. There are always a few words in each book that he doesn’t understand, but he can read them almost like he is speaking and when Ms. Winters asks questions about the book, he can answer most of them. Ms. Winters says that his reading is really improving. His reading better be improving, because reading a new book like this with her every day is a lot of reading!

At 11:20 a.m., Jose eats lunch and goes to Recess.

At 12:00 p.m., Jose goes to Mr. Carman’s math class. Dr. Carman is really funny. Jose always loves when they do Speed Math to practice their addition and subtraction, but his favorite part is when Dr. Carman writes a word problem on the board and everyone works in groups to try to solve it. Jose is good at Math and his group often gets the right answer.

At 1:40 p.m., Jose goes to the Learning Lab. He focuses on two subjects in Learning Lab: Literacy and Math. This is Jose's favorite part of the day. He starts with a Math block and when he logs on to the computer, the system puts him into a program called Reasoning Mind. Reasoning Mind is an online program that provides instructional activities and lessons in math. Jose's teachers have helped him by selecting target standards and skills that they would like Jose to practice during this time using the Reasoning Mind curriculum. Today, Reasoning Mind is focused on measurement and the curriculum helps him compare centimeters to inches. Jose is able to click on the words and they are read to him as he listens to the passage through his headphones. This usually helps him to read the passage faster and better as long as the text isn't too hard. Some days, Jose wishes he could stay on the computer all day.

When he finishes his work in Math, it's time for Jose to go with his Literacy tutor, Ms. Gonzalez. Most of Jose's classmates stay on the computer doing Literacy programs during this time. Ms. Gonzalez is one of the school's Individualized Learning Specialists, which means that she spends part of her time coaching students who are working on computer programs as well as spending part of her time tutoring small RtI groups. When Jose works with her, he also gets to work with three other classmates: together, they practice sound-spellings that the group is having trouble with and then read a story and retell the important events. This is a skill that Jose needs to master in order to move up on the DRA and he knows that his teacher wants him to be practicing it -- getting the extra time with Ms. Gonzalez makes it a little bit easier every day. When Jose came to Rocketship he had a very hard time reading, but now after half a year at Rocketship with all of the extra attention in class and in tutoring; his teachers say he is almost done with tutoring.

At 3:20 p.m., Jose goes to Enrichment Center. Jose has forty minutes to play outside with his friends. Jose also goes to see Coach Jessica, who teaches P.E. Coach Jessica is leading a game of basketball today, and she is also coaching on how to dribble the ball. Jose loves recess and also learning how to play so many games.

At 4:00 p.m., it's time for the after school program. As a second grader who qualifies for the RtI tutoring program and is still learning English, Jose needs some extra practice after school. When he went for his tutoring session with Ms. Gonzalez, his classmates were focused on Literacy programs -- after school is Jose's chance to make up that work. He knows he has to read at least one book a day. Jose goes to the leveled books and selects a book that is at his reading level according to the DRA 2 assessments. Jose selects a book about lizards and after reading it several times and making sure that he really understands the information in the book; Jose goes to take a test on Accelerated Reader. Jose is good at logging in to the system and selecting the test he needs to take. Jose answers a few questions about the book and at the conclusion of the test he receives a score of 100%! Jose is excited that he did so well on the assessment and he is helping himself and his Rocketship team to get closer to their school goal of passing 30,000 Accelerated Reader tests during the year. Jose's book was a chapter book, so he was only able to take one test today, but this is typical for the upper grade students. On days when he finishes his book early, he is able to log in to an online program called Headsprout. Headsprout also focuses on reading, but when he's playing it feels more like a game.

At 4:45 p.m., Jose gets picked up by his mom. These days at Rocketship are long but he loves the teachers and the kids, and there are so many more things going on than his last school.

Appendix B. A Day in the Life of a Teacher at Rocketship

All schedules are based on year two, when school reaches full enrollment and full teacher staff. Bell schedules are shown in Appendix Z.

Teacher

Sally Green is excited to be starting her second month at Rocketship. She still remembers the day when she came to Rocketship to interview after teaching for three years at a local school. She couldn't believe that there was a way to teach and earn a salary that would let her live in the Bay Area. So far, it has been intense, but Sally loves the school's mission. She is also excited to be in the Literacy department, teaching two Literacy classes to Kindergarteners. The Academic Dean, Ms. Springer is a great teacher and really cares about helping her learn the profession.

7 a.m. Sally arrives at school to get ready for the day.

8 a.m. Sally teaches her first Literacy class. It has taken her a while to master Guided Reading, Literacy Centers, and Writer's Workshop, but her students are really starting to make progress. She loves the way she can get data on their. It helps her make data-driven decisions about how to group and instruct her students to maximize their achievement. She conducts her whole-class reading lesson based on the current theme of plants. Sally finishes her Literacy class with Writer's Workshop and Guided Reading. In Writer's Workshop, Sally does group writing of a paper on plants, specifically the sunflower, and then has the students work independently to create their own illustrations and a couple of sentences about what they have learned in their journals. In the last hour, Sally breaks the class up in the last hour for Guided Reading, using centers and lessons she has created with the other Kindergarten Literacy teacher.

11:20 a.m. Sally eats lunch with all of the teachers.

12:00 p.m. Sally teaches her second Literacy class. She repeats the whole-class lesson from the first class based on the current theme of plants, and the sunflower specifically. Sally conducts the same Writer's Workshop as her first class and then conducts Guided Reading based on the levels of the students in this class. Ms. Springer, the Academic Dean comes to her class during Guided Reading to observe. Sally has gotten her Centers working well and is focused on making the most out of the 20 minutes she has with each group of students. She is trying to be efficient enough to read one book for fluency and a new book for comprehension each day with each group, but it is tough, and Ms. Springer is helping her get there. Being able to plan one lesson each day is really nice because it lets her spend more time working on individual plans for struggling students. Turning the light bulb on for those students is why Sally loves to teach.

3:40 p.m. Sally is done teaching for the day. It is up to Sally to decide how she uses her time for planning and collaboration. Since she and her Kindergarten Literacy partner are finished planning for next week, she goes home for the day. She loves that the Principal holds her accountable for her planning and collaboration based on deliverables rather than making sure she is at school during certain hours. Sally likes to work at night and often plans with her partner in the evening after her kids are in bed. Every week, the school has one early release day at 2:00

p.m. which gives the staff three hours to analyze student data and work on professional development in the areas that the staff has agreed they want to focus on.

Academic Dean

Mary Springer is the Academic Dean at Rocketship. Although she has only been teaching five years, she was previously the highest-ranked classroom teacher in her school district for student achievement in Literacy. She is a very active member of the International Reading Association and is beginning to work on her postgraduate studies in Early Childhood Literacy. When she found out that she could mentor within her specialty all day long, she was sold on Rocketship. Her math scores were among the highest in her district as well. Mary has a passion for teaching EL students and was highly trained in implementing ELD strategies into all curricular areas. She started teaching at a Rocketship school focusing on literacy. Her dramatic results with students continued, and through her informal mentoring of her partner teacher, she was able to influence an additional forty Rocketship students. This caught the eye of her principal who recommended she begin training for a Dean position. Now Mary loves that so much of her time is spent in all the classrooms at Rocketship helping both literacy and math teachers to improve their student achievement. The fact that she can finally afford to live in Santa Clara County and save a little money each month besides has finally made her feel that her move to Rocketship was the right professional choice.

7 a.m. Ms. Springer arrives at school and works on some scheduling issues for the RtI (Response to Intervention) program. She is coaching an Individualized Learning Specialist to focus specifically on conversational English with some of her Kinder and First grade students and needs to adjust their schedules to give them time with the new tutor.

8 a.m. Ms. Springer has 8 teachers at Rocketship to develop into outstanding practitioners. She uses Rocketship's Professional Growth Plan (PGP), which they've adopted from the work of Teach for America, an expert on developing classroom practice in teachers. The second month of school, after she had time to see them in action, she sat down with each teacher and made a Professional Growth Plan for each one. She tends to spend a lot of her time in the Fall with the new teachers working on classroom management and planning. That helps get them over the hump and creates real learning in each classroom. Then she starts to focus on instructional techniques and pedagogy as appropriate for each teacher. Because Rocketship does detailed assessments aligned with end of year tests every eight weeks, it gives Ms. Springer a great chance to figure out where each teacher needs to focus. Based on the Rocketship mentoring approach, Ms. Springer does not spend a significant amount of time observing, since teachers rarely change their behavior solely based on observation feedback. Rather, she videotapes, co-teaches, assists teacher in planning, and models ways to improve their instruction. The job is very rewarding, seeing teachers really "get it" and start to teach as well or better than her makes all of the work in this job worthwhile.

Today, she is focusing on two of her brand new teachers. They have gotten over the hump of effective classroom management and planning, have their Literacy classes running with Literacy Centers and Guided Reading, and are starting to work on making their Guided Reading time as effective as possible. Ms. Springer goes to the first teacher's class. They have planned the day's

lessons together for the three groups and agreed that Ms. Springer will teach the first group while the teacher observes and then they will switch roles. One of the challenges for this teacher is figuring out how to manage her time in the twenty minute lesson. They have organized the lesson around the book to be read that day. Ms. Springer starts with a mini-lesson on the vocabulary and phonics related to the book, and has the students do some word sorts using words with the specific pattern. She continues through the background building, reading and comprehension section of the lesson, stressing a few of the issues they have agreed on in the plan. Then they switch roles with the next group and she can tell that doing it in this way has made it easier to complete. Departmentalization accelerates teacher development in this scenario, since Ms. Springer can check back on what a teacher learned with his/her first group of students by observing that teacher's lesson with the second group of students later in the day, speeding up the teach-feedback-improve cycle. She will give this teacher a week or so getting this right, and then they will start working on some of the techniques within the lesson that help EL students retain the vocabulary better.

Ms. Springer does the same with another teacher and then spends the rest of the day working on whole-class differentiation with the third grade math teacher. She likes to switch back and forth between Literacy and Math because so many of the effective teaching practices are the same, but switching subjects is a nice change.

3:40 p.m. As teachers finish their teaching day, Ms. Springer has meetings scheduled with them as necessary when they need help or if they are working on a specific goal together. Ms. Springer regards her role as support to help teachers reach their potential. Each teacher has different needs. Some like to work with her before school starts in the morning or right after teaching, both of which are fine with her.

4:30 p.m. Ms. Springer walks around to observe students at work in the computer lab, and make notes on some opportunities to jointly plan and teach with an Individualized Learning Specialist whose students are having a hard time with academic vocabulary.

This job has long hours, but seeing the amazing progress in the students and the teachers who really appreciate her help every day makes this her dream job.

Assistant Principal

1. Helps with arrival – greets students, ensures strong culture, dressed for success, etc.
2. Observes Learning Lab
3. Assigns RtI groups (data analysis) for LL small group tutoring
4. Coaching meeting with ILS (LL staff member)
5. In charge of recess staff – monitors (Principals oversees lunch in this example) – teaches hourly learning staff to run healthy, safe, joyful recess
6. Teacher observation and coaching cycle (coaching, model lesson) – includes 1 afternoon meeting

7. Oversees hallway transitions – reminds students of college going culture
8. Meets with principal to discuss professional pathway and day-to-day school work
9. Oversees dismissal staff – maintains high culture
10. Meets with teacher afterschool

Appendix C. Course Objectives and EL Strategies

All curricula will be based on the California State Frameworks and Academic Content Standards of California Public Schools. Within the context of those standards, the key objectives students are expected to master by the end of their grade levels are listed below. In order to identify the key objectives (also referred to as ‘power standards,’ or ‘big ideas,’) we examined the standards in terms of how heavily they are assessed on State standardized tests (STAR), and we examined the level of Bloom’s Taxonomy required by each standard. We compared California’s Academic Content Standards with the Common Core standards for each grade level, and made a comprehensive list of all standards for each grade level: from this list, we selected the most rigorous standards as those which are the most important markers of student success. This process allows us to determine which standards are most important in the eyes of the State, and which standards are at a high level of cognition, and will therefore require significant time and focus for students to achieve mastery. The intent of the process is not to eliminate standards; rather, all grade-level standards will be addressed in every course. Instead, the intent is to prioritize the focus of instruction, and build units around power standards or the Top 10 Standards as they are referred to at Rocketship, thus incorporating the other standards into this more meaningful, cognitively complex context.

These Top 10 standards are at the core of the academic curriculum and program at Rocketship. These standards have gone through a rigorous review process: the staff at Rocketship refined them over the course of several years using a backwards planning method. The team began by examining the standards from fifth grade and adjusted them as needed based upon Bloom’s Taxonomy, STAR results, and an evaluation of which standards would best prepare our Rocketeers for sixth grade and beyond. The Rocketship staff then backwards mapped these fifth grade Top 10 standards through to kindergarten. This established the foundation of the long-term plans for each grade level throughout the year. Rocketship Education now provides all its schools with a rigorous, standards-based long-term plan to aid with planning for instruction in each grade level.

The development of the long-term plans leads to the teachers establishing eight to twelve week units that are focused on the instruction of the Top 10 standards in a meaningful and scaffolded manner. The result of this planning process is illustrated in Appendix I, by the sample long-term plans and lesson plans provided in that section. As described in the body of the petition, under “Professional Development”, Teachers are trained to unpack and prioritize the standards for their courses, and develop standards-based units and lesson plans using that process. Most importantly, these units and long-term plans are developed prior to the start of the summer professional development, which allows the staff to focus completely on refining them based upon the data they have for their incoming students and allows the Academic Dean and principal to review and further refine the units prior to the beginning of instruction.

The acquisition and eventual mastery of the English language is demonstrated for each English language domain (listening, speaking, reading, and writing) as well as in the application of these skills in accessing grade level content. Language proficiency levels are identified as *beginning*, *intermediate*, and *advanced*, grouping the five TESOL levels into three for the purpose of

displaying basic differentiation of teaching methods for EL students. The curricular expectations of English learners depend more on language proficiency rather than on age or grade.

Literacy

Phonemic Awareness Phonemic awareness is the ability of a student to recognize individual sounds in words. An example of a phoneme in the word “hat” is /h/ (the sound h makes, rather than the letter). Phonemic awareness can start orally well before a student is able to decode words to read. Thus, phonemic awareness is not the same as phonics. Phonemic awareness focuses on sounds, while phonics focuses on the relationship between sounds and their written symbols. Phonemic awareness is a pre-cursor to phonics. Areas we plan on focusing within phonemic awareness include:

- Phoneme isolation – “What is the first sound in hat?”
- Phoneme identification – “What sound is the same in hat, hand, and hair?”
- Phoneme categorization – “Which word doesn’t belong: hat, had, bad?”
- Phoneme blending – “What word is /h/ /a/ /t/ ?”
- Phoneme segmentation – “Break up hat for me into its sounds.”
- Phoneme deletion – “What is hat without the /h/?”
- Phoneme addition – “What word do you get if you add an /s/ to the end of hat?”
- Phoneme substitution – “What word do you get if you start with hat and change the /a/ to an /i/?”

Phonics Phonics is the process of building up pattern-recognition within students to associate sounds with written letters. In the past two decades, phonics developed a poor reputation as it was overused and over-scripted. However, methodologies like the word sorts from Words Their Way or Make-a-Word exercises are engaging, flexible, and have an immediate impact on the types of words that students can decode. For example, most of our EL students will not likely know that the letters “sh” make the sound /sh/ instead of /s/ /h/. If a student simply reads texts over and over again, they will eventually figure out that “sh” makes /sh/. For a group of students who have catching up to do, the direct instruction of this relationship can help them identify this sooner and move on to other unknown sound/symbol relationships or eventually to being able to focus more of their mental energy on comprehension.

We plan on utilizing the curriculum Open Court Reading, and especially the phonics section of this curriculum, in order to reinforce and teach the concepts of phonemic awareness and phonics. Open Court includes various strategies that explicitly focus on this type of “word work,” which provides students a strong phonemic foundation, and, thus, they are more prepared to read. For example, students are usually able to identify initial consonants before any other part of a word. Word work activities like sorts, matching games, and making words exercises, therefore, will be focused on this area before short vowel sounds. In addition to occurring in the middle of the word, short vowels are often confusing to EL students when the sound does not occur in their language. We can expect to spend days helping our students differentiate the short vowel sounds of /a/, /e/, and /i/ which sound almost identical to many ELs. In addition to using Open Court,

Rocketship provides direct instruction in spelling. Student spelling is highly correlated with their current stage of development in recognition, so our spelling lists will be leveled based on a child's word work as well. Words Their Way categorizes spelling stages as:

1. Emergent Stage – primarily phonemic awareness focus.
2. Letter-Name Stage – primarily focused on correlating letters, blends and digraphs with the sounds they make.
3. Within Word Pattern Stage – usually focused within a single syllable on patterns which form long vowels, r-controlled vowels, three letter blends, and diphthongs.
4. Syllable-Affix Stage – Examines patterns around syllabication. For example, rules for doubling of the consonant before adding ed or ing. Also begins to study prefixes and suffixes.
5. Derivational Relations Stage – focused primarily on word roots, prefixes and suffixes that can help students build meaning and comprehension.

Fluency Fluency is the ability to read text accurately and quickly. It reflects the readers' ability to automatically recognize words instead of decoding them. Combined with vocabulary development (not just recognizing but understanding the meaning of many words), fluency is a crucial stepping stone to comprehension. If a student is spending most of their mental energy using their phonics skills to decode words, they don't have as much time to comprehend what they are reading and their overall comprehension will suffer. Rocketship plans to organize a portion of our reading block around a combination of small teacher-led reading groups with other students in the classroom working in reading centers. A teacher-led reading group is similar to a Guided Reading group, but also incorporates instruction beyond simply reading of texts. For example, we will level our phonics instruction by reading group and students in each group will receive phonics instruction in their group at their current level. This is one way of individualizing reading instruction. Fluency instruction in our groups will be conducted by selecting a text which is on the independent level for the students in that group. This is a text in which the student can recognize 90% or more of words in a text (not necessarily automatically) and have good comprehension (generally 80% on factual answers and some analysis and inference). Students will repeatedly read the text orally, working on both their speed and their phrasing. The teacher will prompt students to improve phrasing our automaticity with certain words. Four repeated readings are generally sufficient to improve student fluency. Note that this exercise is very different from a guided reading lesson on an instructional-level text where it is expected that most of the student and teacher's energy will go in to decoding unknown words. A fluency lesson is with a different text and focuses on speed and phrasing.

In addition, Rocketship will utilize the DRA2 assessment in order to assess a student's progress with their fluency skills. The DRA2 is a reading comprehension assessment which also assesses fluency, scoring students on reading rate (number of words read accurately per minute) in addition to expression. Using this assessment will give Rocketship staff insight to a student's individual needs and growth as well.

We also believe that memorizing the Dolch word list of 220 sight words is an effective way to jump-start a new reader's fluency. Though we are not strong proponents of rote memorization in general, we have found that the time it takes to commit these words to memory pays off many

times over by allowing students to focus less energy on decoding and more on comprehension in their early reading lessons. Not only does this speed progress, but it decreases their frustration. We want students to love reading, and being able to read something easily (even a word initially) is motivating.

Research has not proven that independent silent reading alone aids in fluency. This is a somewhat counterintuitive finding; given the enormous focus schools have given independent reading. However, we believe there is a crucial aspect to independent reading, which if managed correctly, does contribute greatly to fluency. The most important part of independent reading is book selection. If a student is reading an instructional or frustrational text, they will not improve their fluency by reading it. Likewise, if a student is reading a text that is not at the top of their independent level, it will be too easy, and they won't increase their fluency. Most of the books in today's classrooms and school libraries are not precisely leveled. For beginning readers, this corresponds to a student's current stage of word decoding development. Many books combine decodable words with ones that will lead to student frustration. Luckily, special books are propagating now due to the popularity of Guided Reading. These books are precisely leveled, so that one can choose a book that each student will be able to read fluently within Guided Reading. This same method can be used for independent reading. By using a library of precisely-leveled texts and specifying a narrow range of levels which a student can choose, we can help our students develop fluency through their independent reading. One of the Founders of Rocketship Education practiced this method in his classroom for the last two years and believes that independent practice with independent-level texts were an important component in his student's dramatic reading progress. Rocketship Learning Lab will have a library of leveled texts to aid our students in their independent reading. We also believe that reading great children's books builds a student's love of reading, so our library will also include these books for students general enjoyment and they will have time each day to read not only leveled books but fine children's literature.

Vocabulary Vocabulary is the lexicon of words that a student understands. The level of understanding (precision) can vary from word to word. There are two kinds of vocabulary instruction that we plan on conducting at Rocketship. First, direct instruction of key vocabulary words. The most important aspect of this type of instruction is repeated exposure and manipulation of these words. For example, if a teacher has five vocabulary words in a week, these words should occur in one or two of the read-alouds that week, in a teacher-led reading group selection, and students should be given the ability to practice those words through various exercises in reading centers. Rocketship teachers have had success with Vocabulary instruction using a method called word webs. Students were required to write the vocabulary word in one circle and then connect that circle to other circles which had words or short phrases like that word. The point of this exercise was to help students develop a general meaning of the word in relationship to other words they knew, even if they could not precisely define the word. This is very useful in reading a new text because the combination of a general understanding of the word along with context and visual clues can help build a complete understanding. The second method of building vocabulary is giving students the tools they need to accelerate the building of their vocabulary. Our word work will progress past phonics to focus on word parts like prefixes, suffixes, and roots which can give clues about the meaning of a word. One exciting thing about this for EL students is that if the language they speak is a Latin derivative, they are likely to

know roots that English-only students will not, because these words are common in their language, but not in English. Another way that we believe we can build our EL students vocabulary is through the use of cognates. There are 15,000 words that share similar meanings between English and Spanish, though they usually have different pronunciations. Explicitly relating a new English word to its cognate can make the development of vocabulary much easier. In addition, Rocketship staff will all be trained in various GLAD strategies that are especially focused in the area of vocabulary development. One of these strategies is called the CCD (cognitive content dictionary), which is a tool and graphic organizer that the staff will be able to use in order to build their students' knowledge, use, and identification of vocabulary words. One of the Founders of Rocketship practiced this method in his classroom and has also seen it applied throughout various classrooms and grade levels. In each of these cases, the students, especially EL students, have been able to rapidly progress in their vocabulary development due to the effective use of the CCD strategy.

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Comprehension Comprehension is a student's understanding of the text they have read. Ultimately, all of the other areas in reading are about improving a student's comprehension. Comprehension is also the most difficult area for all students, and in particular can be difficult for EL students who lack the background knowledge to understand some of the concepts. While developing the other areas of literacy will give students the ability to focus on comprehension, they are not as powerful in building comprehension as Direct Instruction in reading strategies and skills. . Direct Instruction in comprehension helps students name and practice the strategies that proficient adult readers are able to use unconsciously (for example, visualizing and creating mental images while reading, or using the headings of a nonfiction text to gather clues about the topic). Initially, one of the most important parts of comprehension is for the student to identify what they don't understand. Once this realization has happened, the teacher can work with the student on strategies to develop an understanding – reading back in the text for clues, skipping the section and coming back, rephrase what they have read, formulate clarifying questions, etc. In general, comprehension progresses from factual (does the reader understand what was written) to analytical (can they compare and contrast this with another story they've read for example) to inferential (what was the author's purpose in writing this text). Comprehension for fictional works relies on very different skills than non-fiction text and Rocketship plans on teaching techniques for both explicitly.

Rocketship teachers provide Direct Instruction in reading strategies during small-group Guided Reading lessons in which students are grouped according to reading level. Teachers model appropriate strategies for each group and give students an opportunity to practice independently with texts that are at their level (ones which they are able to decode fluently). This type of leveled practice is powerful because it requires that students constantly work within their zone of proximal development: with the teacher's assistance, students are led to comprehend increasingly advanced texts. When done by a skilled teacher, Guided Reading can be a powerful tool for accelerating student learning. Groups are formed flexibly at

Rocketship, and students are re-grouped every eight weeks (and often more frequently) based upon assessment results.

Rocketship will also explicitly focus on the skill of comprehension, especially for EL students, through the use of Direct Instruction with chapter books. This instruction will primarily occur in second grade and up. The utilization of chapter books at an appropriate level will allow the students to further engage with the text and hopefully find the joy in reading a continuous text. In addition, the staff at Rocketship will create and/or utilize packets that include questions for each chapter of a book. These questions will require the students to not only write their answers, but also cite where they found the answer and what reading strategy they used. Through the use of these reading packets and strategies, students in second grade and up will be able to focus on their further development of the skill of reading comprehension.

English Language Development through Literacy

EL Level	K-2	3-5
Beginning (CELDT 1)	Teachers use chants and songs to introduce basic phonemes. Students receive instruction on survival communication. Teachers use controlled speech rate and variation. Cognates (words with common roots and look or sound similar in related languages) that exist between primary and English language are used to explain simple concepts. The teacher uses those drawings to help students develop new vocabulary. The teacher utilizes various GLAD strategies like input charts, graphic organizers, Teacher “big books,” picture file cards, observation charts, inquiry charts, T graphs, and various other strategies.	Teachers present the English alphabet using visuals and songs. Rhythm and repetition are key strategies for getting students accustomed to the sounds of spoken English. Daily rituals (morning meeting, bathroom pass requests, etc.) require students to use simple greetings and other phrases. Students have opportunities to tell and re-tell stories using drawing, mime, and basic words. In writer’s workshop, students develop complex stories through pictures, and work with the teacher to put those stories into words. The teacher utilizes various GLAD strategies like input charts, graphic organizers, Teacher “big books,” picture file cards, observation charts, inquiry charts, T graphs, and various other strategies.
Intermediate (CELDT 2-3)	Students are engaged in real-world activities that require them to communicate basic needs, and describe common objects orally and with basic written language. In writer’s workshop, the teacher introduces story boards with pictures and words to help students comprehend stories and to help them develop their own writing. Students practice reading aloud with rhyming poetry and stories, and have opportunities to dramatize fiction to enhance understanding. The teacher utilizes various GLAD strategies like input charts, graphic organizers, Teacher “big	Teachers present students with oral and written comprehension activities. In centers, students use audio books and then respond to texts in writing, using simple sentences. Significant time is spent on pre-reading vocabulary development activities. During writer’s workshop, students focus on getting their first draft in writing, using invented spelling as needed. The revision process is an opportunity for the teacher to reinforce conventions, and teach new spelling concepts. The teacher utilizes various GLAD strategies like input charts, graphic organizers, Teacher “big books,” picture file cards, observation charts, inquiry charts, T

EL Level	K-2	3-5
	<p>books,” picture file cards, observation charts, inquiry charts, T graphs, sentence patterns, “Farmer in the Dell,” and various other strategies. Students at this level have acquired basic conversational skills, so the focus is on helping them acquire the academic language and syntax which they need in order to become more proficient speakers, readers, and writers of English.</p>	<p>graphs, sentence patterns, “Farmer in the Dell,” ELD retell, and various other strategies. Students at this level have acquired basic conversational skills, so the focus is on helping them acquire the academic language and syntax which they need in order to become more proficient speakers, readers, and writers of English.</p>
<p>Advanced (CELDT 4-5)</p>	<p>Teachers challenge students to find spelling patterns when reading. Students are given literature that is accessible but requires them to decode around 5-10% of the words they encounter. Centers allow students to explore vocabulary through antonyms and synonyms, and to explore how word meanings change in different contexts. Students read and respond to grade-level literature orally and in grade-appropriate writing. Students analyze and compare literary devices used in different forms of prose. Students have multiple opportunities to read aloud for authentic purposes. Teachers use recording and feedback to help students reflect on their read-aloud skills. The teacher utilizes various GLAD strategies like input charts, graphic organizers, Teacher “big books,” picture file cards, observation charts, inquiry charts, T graphs, sentence patterns, “Farmer in the Dell,” ELD retell, and various other strategies.</p>	<p>Students respond to texts using specific and appropriate language. The teacher uses many graphic organizers for both reading comprehension and pre-writing activities. Students have opportunities (dramatizations, speeches, circle time) to read aloud with accuracy and expression, from a variety of kinds of texts. Students read and write independently (and are able to self-correct) in literature circles and writer’s workshop. The teacher helps students identify topics that are high-interest, and assigns leveled literature that allows students to work in their zone of proximal development (not too easy, not too hard). The teacher utilizes various GLAD strategies like input charts, graphic organizers, Teacher “big books,” picture file cards, observation charts, inquiry charts, T graphs, sentence patterns, “Farmer in the Dell,” ELD retell, and various other strategies.</p>

Rocketship Top 10 Content Standards for Language Arts

	Grade Level K	Grade Level 1	Grade Level 2	Grade Level 3	Grade Level 4	Highest Grade Level 5
Word Reasoning	Reading 1.6 Recognize and name all uppercase and lowercase letters of the alphabet	Reading 1.10 Generate the sounds from all the letters and letter patterns, including consonant blends and long-and short-vowel patterns (i.e. phonograms) and blend those sounds into recognizable words	Reading 1.9 Know the meaning of simple prefixes and suffixes (e.g., over-, un-, -ing, -ly)	Reading 1.8 Use knowledge of prefixes (e.g., un-, re-) and suffixes (e.g., -er, -est, -ful) to determine the meaning of words	Reading 1.2 Apply knowledge of word origins, derivations, synonyms, antonyms, and idioms to determine the meaning of words and phrases	Reading 1.4 Know abstract, derived roots and affixes from Greek and Latin and use this knowledge to analyze the meaning of complex words
<i>What's the Point of the Book??</i>	Reading 3.2 Identify types of everyday print materials	Reading 1.16 Read aloud with fluency in a manner that sounds like natural speech	Reading 1.6 Read aloud fluently and accurately and with appropriate intonation and expression	Reading 2.4 Recall major points in the text and make and modify predictions about forthcoming information	Reading 2.2 Use appropriate strategies when reading for different purposes (e.g. full comprehension, location of information, personal enjoyment)	Reading 3.4 Understand that theme refers to the meaning or moral of a selections and recognize themes (whether implied or stated directly) in sample works
<i>Good Readers Dig Deeper!!</i>	Reading 2.4 Retell familiar stories	Reading 2.4 Use context to resolve ambiguities about word and sentence meanings	Reading 2.6 Recognize cause-and-effect relationships in a text	Reading 2.2 Ask questions and support answers by connecting prior knowledge with literal information found in, and inferred from, the text	Reading 3.2 Identify the main events of the plot, their causes, and the influence of each event on future actions	Reading 2.4 Draw inferences, conclusions, or generalizations about text and support them with textual evidence and prior knowledge
<i>Understanding the Role of the Author</i>	Reading 1.8 Track (move sequentially from sound to sound) and represent changes in simple syllables and words with two and three sounds as one sound is added, substituted, omitted, shifted, or repeated	Reading 3.2 Describe the roles of authors and illustrators and their contributions to print materials	Reading 2.4 Ask clarifying questions about essential textual elements of exposition (e.g., why, what if, how)	Reading 3.4 Determine the underlying theme or author's message in fiction and nonfiction text	Reading 2.1 Identify structural patterns found in informational text (e.g., compare and contrast, cause and effect, sequential or chronological order, proposition and support) to strengthen comprehension	Reading 3.7 Evaluate the author's use of various techniques (e.g., appeal of characters in a picture book, logic and credibility of plots and settings, use of figurative language) to influence readers' perspectives

Writing CREATIVE Stories	Writing 1.3 (First) Print legibly and space letters, words, and sentences appropriately	Writing 2.1 <i>Write brief narratives</i> describing an experience	Writing 2.1 <i>Write brief narratives</i> based on their experiences that a. Move through a logical sequence of events and b. Describe the characters, setting, objects, and events in detail	Writing 2.1 <i>Write narratives that:</i> a. Provide a context within which an action takes place b. Include well-chosen detail to develop the plot and c. Provide insight into why the incident is memorable	Writing 2.1 <i>Write narratives:</i> a. Relate ideas, observations, or recollections of an event or experience b. Provide a context to enable the reader to imagine the world of the event or experience c. Use concrete sensory details d. Provide insight into why the selected event or experience is memorable	Writing 2.1 <i>Write narratives that establish</i> a. Plot, point of view, setting, and/or conflict b. Show rather than tell the events of the story
Responding to Literature	Reading 3.3 Identify characters, settings, and important events	Reading 2.2 Respond to who, what, when, where, and how questions	Reading 3.3 Compare and contrast different versions of the same stories that reflect different cultures	Reading 3.3 Determine what characters are like by what they say or do and by how the author or illustrator portrays them	Writing 2.2 <i>Write responses to literature:</i> a. Demonstrate an understanding of the literary work b. Support judgments through references to both the text and prior knowledge	Writing 2.2 <i>Write responses to literature that</i> a. Demonstrate an understanding of a literary work b. Support judgments through references both to texts and to prior knowledge c. Develop interpretations that exhibit careful reading and understanding

Rocketship Top 10 Content Standards for Language Arts

	Grade Level K	Grade Level 1	Grade Level 2	Grade Level 3	Grade Level 4	Highest Grade Level 5
Detailed and Factual Writing	Writing 1.1 Use letters and phonetically spelled words to write about experiences, stories, people, objects, or events	Writing 2.2 Write brief expository descriptions of a real object, person, place, or event, using sensory details	Writing 1.4 Revise original draft to improve sequence and provide more descriptive detail	Writing 2.2 Write descriptions that use concrete sensory details to present and support unified impressions of people, places, things, or experiences	Writing 2.3 Write information reports: a. Frame a central question about an issue or situation b. Include facts and details for focus c. Draw from more than one source of information (e.g., speakers, books, newspapers, other media sources)	Writing 2.3 Write research reports about key ideas, issues, or events that a. Frame questions that direct the investigation b. Establish a controlling idea/topic c. Develop the topic with simple facts, details, examples, and explanations
<i>Writing to Influence and Communicate</i>	Written & Oral Language 1.2 Spell independently by using pre-phonetic knowledge sounds of the alphabet and knowledge of letter names	Written & Oral Language 1.6 Use knowledge of the basic rules of punctuation and capitalization when writing	Writing 2.2 Write a friendly letter complete with the date, salutation, body, closing, and signature	Writing 2.3 Write personal and formal letters, thank-you notes, and invitations: a. Show awareness of the knowledge and interests of the audience and establish a purpose and context b. Include the date, proper salutation, body, closing, and signature	Writing 2.4 Write summaries that contain the main ideas of the reading selection and the most significant details	Writing 2.4 Write persuasive letters or compositions that a. State clear positions in support of proposal b. Support position with relevant evidence c. Follow simple organization pattern d. Address reader concerns
<i>Speaking Like a Rocketship Rocketeer</i>	Written & Oral Language 1.1 Recognize and use complete, coherent sentences when speaking	Written & Oral Language 1.1 Write and speak in complete, coherent sentences	Written & Oral Language 1.3 Identify and correctly use various parts of speech including nouns and verbs in writing and speaking	Written & Oral Language 1.2 Identify subjects and verbs that are in agreement and identify and use pronouns, adjectives, compound words, and articles correctly in writing and speaking	Written & Oral Language 1.3 Identify and use regular and irregular verbs, adverbs, prepositions, and coordinating conjunctions in writing and speaking	Written & Oral Language 1.1 Identify and correctly use prepositional phrases, appositives, and independent and dependent clauses; use transitions and conjunctions to connect ideas

<p style="text-align: center;"><i>Presenting Like a Rocketship Rocketeer</i></p>	<p>Listening & Speaking 2.1 Describe people, places, things (e.g., size, color, shape), locations, and actions</p>	<p>Listening & Speaking 2.2 Retell simple narrative or expository passages by using basic story grammar and relating the sequence of story events by answering who, what, when, where, why, and how questions</p>	<p>Listening & Speaking 2.2 Report on a topic with facts and details drawing from several sources of information</p>	<p>Listening & Speaking 2.1 <i>Make brief narrative presentations:</i> a. Provide a context for an incident that is the subject of the presentations b. Provide insight into why the selected incident is memorable c. Include well-chosen details to develop character, setting, and plot</p>	<p>Listening & Speaking 2.2 <i>Make informational presentations:</i> a. Frame a key question b. Include facts and details that help listeners to focus c. Incorporate more than one source of information (e.g., speakers, books, newspapers, televisions or radio reports)</p>	<p>Listening & Speaking 2.2 <i>Deliver informative presentations</i> about an important idea, issue, or event by the following means a. Frame questions to direct the investigation b. Establish a controlling idea or topic c. Develop the topic with simple facts, details, examples, and explanations</p>
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English Language Development

The following objectives are aligned to the California English-language development (ELD) standards which demonstrate what English learners should know and be able to do as they move toward full fluency in English. Rocketship's philosophy is to incorporate ELD principles directly into its literacy curriculum and instructional practices, so many of the objectives below have already been discussed in the preceding section.

Rocketship Top 10 Content Standards for English Language Development

Beginning ELD Level

Intermediate ELD Level

Advanced ELD Level

Listening and Speaking	Strategies and Applications Begin to speak with a few words or sentences by using a few standard English grammatical foRocketship and sounds (e.g., single words or phrases)	Strategies and Applications Participate in social conversations with peers and adults on familiar topics by asking and answering questions and soliciting information	Strategies and Applications Demonstrate understanding of most idiomatic expressions (e.g., “Give me a hand”) by responding to such expressions and using them appropriately
Listening and Speaking	Strategies and Applications Begin to be understood when speaking, but usage of standard English grammatical forms and sounds (e.g., plurals, simple past tense, pronouns [he or she] may be inconsistent	Strategies and Applications Make oneself understood when speaking by using consistent standard English grammatical forms and sounds; however, some rules are not followed (e.g., third-person singular, male and female pronouns)	Strategies and Applications Read aloud fluently and accurately and with appropriate intonation and expression
Reading	Word Analysis, Fluency, and Systematic Vocabulary Development Recognize and produce English phonemes that are unlike the phonemes students hear and produce in their primary language	Word Analysis, Fluency, and Systematic Vocabulary Development Apply knowledge of English phonemes in oral and silent reading to derive meaning from literature and texts in content areas	Word Analysis, Fluency, and Systematic Vocabulary Development Apply knowledge of sound/symbol relationships and basic word formation rules to derive meanings from written text (e.g., basic syllabication rules, regular and irregular plurals, and basic phonics)
Reading	Word Analysis, Fluency, and Systematic Vocabulary Development Produce most English phonemes while beginning to read aloud	Word Analysis, Fluency, and Systematic Vocabulary Development Read narrative and expository texts aloud with the correct pacing, intonation, and expression	Word Analysis, Fluency, and Systematic Vocabulary Development Apply knowledge of academic and social vocabulary while reading independently
Reading	Word Analysis, Fluency, and Systematic Vocabulary Development Retell stories by using simple words, phrases, and sentences	Word Analysis, Fluency, and Systematic Vocabulary Development Recognize and understand simple idioms, analogies, and figures of speech in written text	Word Analysis, Fluency, and Systematic Vocabulary Development Understand idioms, analogies, and metaphors in conversation and written text
Reading	Reading Comprehension Respond orally to stories read aloud, giving one-to two-word responses in answer to factual comprehension questions (who, what, when, where, and how)	Reading Comprehension Read text and orally identify the main ideas and draw inferences about the text by using detailed sentences	Reading Comprehension Read and orally respond to familiar stories and other texts by answering factual comprehension questions about cause-and-effect relationships

Rocketship Top 10 Content Standards for English Language Development

Reading	Reading Comprehension Identify the basic sequence of events in stories read aloud, using important words or visual representations, such as pictures and story frames	Reading Comprehension Identify, using key words or phrases, the basic sequence of events in stories read	Reading Comprehension Write a brief summary (two or three paragraphs) of a story
<i>Writing</i>	Strategies and Applications Copy the alphabet legibly	Strategies and Applications Follow a model given by the teacher to independently write a short paragraph of at least four sentences	Strategies and Applications Develop a clear thesis and support it by using analogies, quotations, and facts appropriately
<i>Writing</i>	Strategies and Applications Write simple sentences by using key words commonly used in the classroom (e.g., labels, number names, days of the week, and months)	Strategies and Applications Write legible, simple sentences that respond to topics in language arts and other content areas (e.g., math, science, history-social science)	Strategies and Applications Write a multi-paragraph essay with consistent use of standard grammatical forms
<i>Writing</i>	Strategies and Applications Write phrases and simple sentences that follow English syntactical order	Strategies and Applications Create cohesive paragraphs that develop a central idea and consistently use standard English grammatical forms even though some rules may not be followed	Strategies and Applications Produce independent writing with consistent use of capitalization, punctuation, and correct spelling
	Beginning ELD Level	Intermediate ELD Level	Advanced ELD Level

In addition, we have broken down these Top 10 ELD standards into key skills. These key skills are outlined below and the grade levels in which we expect them to be achieved.

Grades K-2

Listening and Speaking

- Follow directions
- Listen Attentively
- Speak to be understood
- Vary ways of speaking
- Participate in social conversations
- Retell stories and summarize main idea
- Recite rhymes and stories
- Ask and answer questions

Reading: Word Analysis

- Understand concepts about print
- Recognize and produce phonemes
- Understand sound-symbol relationships
- Segment sounds in words
- Track sounds in words
- Read sight words and apply knowledge of word parts
- Read abbreviations
- Read aloud

Reading: Fluency and Systematic Vocabulary Development

- Use vocabulary for communication
- Use social and academic vocabulary
- Correct errors
- Read words
- Read sounds and word families
- Apply knowledge of word parts
- Understand synonyms and antonyms
- Understand prefixes and suffixes
- Recognize abbreviations
- Categorize words
- Read aloud

Reading: Comprehension

- Follow directions
- Interpret text features
- Identify sequence of events
- Draw and label pictures
- Respond to comprehension questions

- Draw inferences

Literary Response and Analysis

- Describe elements of poetry
- Identify setting and characters
- Respond to comprehension questions

Writing Strategies and Applications

- Write sentences
- Write narratives
- Write in content areas
- Write a letter
- Use the writing process

Writing Conventions

- Use correct mechanics, spelling, and grammar
- Use correct grammar
- Edit writing

Grades 3-5

Listening and Speaking

- Follow directions
- Listen Attentively
- Speak to be understood
- Vary ways of speaking
- Participate in social conversations
- Retell stories and summarize main idea
- Recite rhymes and stories
- Ask and answer questions

Reading Word Analysis

- Understand concepts about print
- Recognize and produce phonemes
- Understand sound-symbol relationships
- Segment sounds in words
- Track sounds in words
- Read sight words and apply knowledge of word parts
- Read abbreviations
- Read aloud

Reading Fluency and Systematic Vocabulary Development

- Use vocabulary for communication
- Use social and academic vocabulary
- Correct errors

- Read words
- Read sounds and word families
- Apply knowledge of word parts
- Understand synonyms and antonyms
- Understand prefixes and suffixes
- Recognize abbreviations
- Categorize words
- Read aloud

Reading Comprehension

- Follow directions
- Interpret text features
- Identify sequence of events
- Draw and label pictures
- Respond to comprehension questions
- Draw inferences

Literary Response and Analysis

- Describe elements of poetry
- Identify setting and characters
- Respond to comprehension questions

Writing Strategies and Applications

- Write sentences
- Write narratives
- Write in content areas
- Write a letter
- Use the writing process

Writing Conventions

- Use correct mechanics, spelling, and grammar
- Use correct grammar
- Edit writing

Mathematics

English Language Development through Mathematics

EL Level	K-2	3-5
Beginning (CELDT 1)	Beginning students can be placed in small groups to interact with either the teacher or assistant. The silent period need not be a passive time; math and language can be integrated to maximize language acquisition. Songs and chants are excellent ways of supporting concept learning. The teacher uses clear and slower speech rate and limits use of idioms in modeling vocabulary and basic math concepts. Manipulatives, big books, and colorful visual aids are used to introduce and practice number concepts. Calendar activities are oral as well as in writing that is modeled to show writing conventions such as capitalization of the names of the week and month. Word walls reflect academic as well as personal (survival) vocabulary. Students are asked to demonstrate learning in non-verbal ways (drawings and pictures) and through the use of invented spelling.	Students may have an understanding of basic operations from their previous schooling. Teachers need to teach vocabulary explicitly to facilitate students' transition into English. Students need to acquire calendar related words, quantity, comparison, geometrical terms, and ways of telling time. Students can be expected to answer in short phrases and can follow simple directions stated clearly and supported by visuals. At this stage students can benefit from referring to a bilingual dictionary.
Intermediate (CELDT 2-3)	Teacher introduces more abstract concepts with the use of realia and manipulatives. Students can recite and sing rhymes and songs used in class. A greater of variety of vocabulary is used to describe objects and their attributes in geometry and measurement. Teacher models the use of ordinal numbers using realia and hand-on activities. Students label simple drawings to show math concepts. Shared writing activities may serve as good scaffolds for students' emergent literacy. Students may also dictate their thinking.	Students can keep math journals to begin and continue using and writing complex vocabulary and sentences. Students can explain math algorithms and discuss their solutions orally. Teachers can support students' use of the text by providing a key vocabulary list with definitions as these appear per chapter. Students can use word maps to make distinctions among vocabulary words. Compare and contrast matrices can be used to support students' learning of more complex concepts.
Advanced (CELDT 4-5)	Teachers understand that students may sound like native speakers of English in most aspect of language yet they continue to need academic vocabulary support. The use of math journals allows students to record their learning at their own pace and abilities. Allow time for students to write and record more independently.	Students will be expected to perform at higher levels in their use of language. While students use complex vocabulary and sentences and write short narratives appropriate to math, teachers can monitor accuracy of vocabulary and expressions.

As discussed in the *Implementation of Curriculum* section in the body of our petition, our focus with students will be primarily to develop number sense and algebraic thinking with our students. Below we describe the objectives within these key areas.

Number Sense: The instructional emphasis on *number sense* will ensure student mastery of the following mathematical concepts:

- Counting by rote
- One-to-one correspondence
- Conservation of number
- Numeral recognition/ linking symbols to quantities
- Numeral writing
- Thinking in groups
- Part-to-whole
- More/less
- Relationships to 5's and 10's
- Beginning addition and subtraction

These ten foundational components of number sense have been demonstrated to greatly enhance students' ability to succeed with higher level math concepts. Teachers will be provided with diagnostic tools to identify student strengths and weaknesses in these 10 areas. They will then be given an arsenal of instructional resources (within the core text, and supplemental materials) to reinforce student mastery in each area.

Algebraic Thinking: K-5 algebra encompasses six 'big ideas.' Students who develop proficiency in the following 6 conceptual areas will be ready to engage in higher-level algebra work by the time they complete fifth grade:

- Multiple representations (graphs, charts, equivalence)
- Proportional reasoning (numerical relationships)
- Functions (input/output, if given function, then...)
- Variables (missing information)
- Balance (equivalence)
- Proofs (inductive and deductive reasoning)

Within the context of these six big ideas, students at each grade level will work towards mastery of the following specific learning outcomes:

- Solving simple equations
- Manipulating integers
- Manipulating exponents and scientific notation
- Understanding prime and composite numbers
- Factoring
- Understand order of operations
- Understand properties of real numbers

Teachers will be trained to know these big ideas, and to use their existing curriculum and supplemental materials to diagnose and reinforce mastery in those areas. Teachers will collaborate to identify relevant standards and skills at each grade level in relation to the above skills, and to incorporate those skills into their curriculum.

Rocketship Top 10 Content Standards for Math

	Grade Level K	Grade Level 1	Grade Level 2	Grade Level 3	Grade Level 4	Highest Grade Level 5
<i>Understanding Numbers</i>	Number Sense 1.2 Count, recognize, represent, name, and order numbers (to 30) using objects (manipulatives)	Number Sense 1.2 Compare and order whole numbers to 100 by using the symbols $>$, $<$, and $=$	Number Sense 1.2 Use words, models, and expanded forms (example $45=4 \text{ tens} +5$) to represent numbers to 1,000	Number Sense 1.3 Identify the place value for each digit in numbers to 10,000	Number Sense 1.3 Round whole numbers through the millions to the nearest ten, hundred, thousand, ten thousand, or hundred thousand	Number Sense 1.2 Interpret percents as part of a hundred; find decimal and percent equivalents for common fractions and explain why they represent the same value; compute a given percent of a whole number
<i>Math is Patterns</i>	Statistics, Data Analysis, and Probability 1.2 Identify, describe, and extend simple patterns involving shape, size, or color such as circle, triangle, or red, blue	Number Sense 1.3 Represent equivalent forms of the same number through the use of physical models, diagrams, and number expressions	Number Sense 3.1 and 3.2 Use repeated addition, arrays, and counting by multiples to do multiplication Use repeated subtraction, equal sharing, and forming equal groups with remainders to do division	Number Sense 2.3 Use the inverse relationship between multiplication and division to compute and check results	Number Sense 3.2 Demonstrate an understanding of, and the ability to use, standard algorithms for multiplying a multi-digit number by a two-digit number and for dividing a multi-digit number by a one-digit number; use relationships between them to simplify computations and to check results	Algebra and Functions 1.3 Know and use the distributive property in equations and expressions with variables.
<i>Parts of a Whole</i>	Measurement and Geometry 1.4 Identify the time (to the nearest hour or half hour) of everyday events (e.g. lunch time is 12 o'clock)	Measurement and Geometry 1.2 Tell time to the nearest hour, half hour, and quarter hour and relate time to events (e.g., before/after, shorter/longer)	Number Sense 4.2 and 4.3 Recognize fractions of a whole and parts of a group (e.g. one-fourth of a pie, two-thirds of 15 balls) and know that when all fractional parts are included, such as four-fourths, the result is equal to the whole and to one	Number Sense 3.1 Compare fractions represented by drawings or concrete materials to show equivalency and to add and subtract simple fractions in context	Number Sense 1.7 Write the fraction represented by a drawing of parts of a figure; represent a given fraction by using drawings; and relate a fraction to a simple decimal on a number line	Number Sense 2.3 Solve simple problems, including ones arising in concrete situations, involving the addition and subtraction of fractions and mixed numbers (like and unlike denominators of 20 and less), and express answers in the simplest form

<i>Making Numbers Work Together</i>	<p>Number Sense 2.1 Use concrete objects to determine the answers to addition and subtraction problems</p>	<p>Number Sense 2.5 Show the meaning of addition (putting together, increasing) and subtraction (taking away, comparing, finding the difference)</p>	<p>Number Sense 2.2 Find the sum or difference of two whole numbers up to three digits long</p>	<p>Number Sense 2.4 and 2.5 Solve simple problems involving multiplication of multi-digit numbers by one-digit numbers ($3,671 \times 3 =$) Solve division problems in which a multidigit number is evenly divided by one digit number ($135/5 =$)</p>	<p>Number Sense 4.1 Understand that many whole numbers break down in different ways (e.g. $12 = 4 \times 3 = 2 \times 6 = 2 \times 2 \times 3$)</p>	<p>Number Sense 2.1 Add, subtract, multiply, and divide all decimal and negative numbers; and verify the reasonableness of the results</p>
<i>Understanding Mathematical Relationships</i>	<p>Measurement and Geometry 1.2 Demonstrate an understanding of concepts of time (e.g., morning, afternoon, today, yesterday, tomorrow, week, year) and tools that measure time (clock, calendar)</p>	<p>Algebra and Functions 1.1 Write and solve number sentences from problem situations that express relationships involving addition and subtraction</p>	<p>Number Sense 2.1 Understand and use the inverse relationship between addition and subtraction (e.g., an opposite number sentence for $8 + 6 = 14$ is $14 - 6 = 8$) to solve problems and check solutions</p>	<p>Algebra and Functions 1.1 Represent relationships of quantities in the form of mathematical expressions, equations, or inequalities</p>	<p>Number Sense 1.9 Identify on a number line the relative position of negative numbers, positive fractions, positive mixed numbers, and positive decimals to two decimal places</p>	<p>Algebra and Functions 1.2 Use a letter to represent an unknown; write and evaluate simple algebraic expressions; and verify the reasonableness of the results</p>

Rocketship Top 10 Content Standards for Math

	Grade Level K	Grade Level 1	Grade Level 2	Grade Level 3	Grade Level 4	Highest Grade Level 5
<i>How Numbers Relate to Each Other</i>	Number Sense 1.1 Compare two or more sets (up to 10 objects in each group), and identify which set is equal to, more than, or less than the other	Number Sense 2.2 Use the inverse relationship between addition and subtraction to solve problems	Algebra and Functions 1.1 Use the commutative and associative rules to simplify mental calculations and to check results	Algebra and Functions 2.1 Solve simple problems involving a functional relationship between two quantities (e.g. find the total cost of multiple items given the cost per unit)	Algebra and Functions 1.5 Understand that an equation such as $y = 3x + 5$ is a prescription for determining a second number when a first number is given	Algebra and Functions 1.5 Solve problems involving linear functions with integer values; write the equation; and graph the resulting ordered pairs of integers on a grid
<i>Math in Your Daily Life</i>	Measurement and Geometry 1.1 Compare the length, weight, and capacity of objects by making direct comparisons or using reference objects	Number Sense 1.5 Identify and know the value of coins and show different combinations of coins that equal the same value	Number Sense 5.1 Solve problems using combinations of coins and bills	Measurement and Geometry 1.4 (Fourth) Understand and use formulas to solve problems involving perimeter and area of rectangles and squares. Use those formulas to find the areas of more complex figures by dividing the figure into basic shapes.	Measurement and Geometry 2.1 Draw the points corresponding to linear relationships on a graph paper and understand that the length of a horizontal or vertical line segment equals the difference of the x or y coordinates	Measurement and Geometry 1.4 Differentiate between, and use appropriate units of measures for, two-and three-dimensional objects (i.e., find the perimeter, area, volume).
<i>Shapes and Lines</i>	Algebra and Functions 1.1 Identify, sort, and classify objects by attribute and identify objects that do not belong to a particular group	Measurement and Geometry 2.4 Arrange and describe objects in space by proximity, position, and direction (e.g., near, far, below, above, up, down, behind, in front of, next to, left or right of)	Measurement and Geometry 2.1 Describe and classify plane and solid geometric shapes (e.g., circle, rectangle, sphere, pyramid rectangular prism) according to the number and shape of faces, edges, and vertices	Measurement and Geometry 2.2 & 2.3 Identify attributes of triangles and quadrilaterals (two equal sides for isosceles triangle, three equal sides for the equilateral triangle, parallel sides for a parallelogram, etc)	Measurement and Geometry 3.5 Know the definition of a right angle, an acute angle, and an obtuse angle. Understand that 90 degrees, 180 degrees, 270 degrees, and 360 degrees are associated respectively with $\frac{1}{4}$, $\frac{1}{2}$, $\frac{3}{4}$, and full turns	Measurement and Geometry 2.2 Know that the sum of the angles of any triangle is 180 degrees and the sum of the angles of any quadrilateral is 360 degrees and use this information to solve problems

<p><i>Collecting and Analyzing Data</i></p>	<p>Statistics, Data Analysis, and Probability 1.1 Pose information questions, collect data, and record the results using objects, pictures, and picture graphs</p>	<p>Statistics, Data Analysis, and Probability 1.2 Represent and compare data using pictures, bar graphs, tally charts, and picture graphs</p>	<p>Statistics, Data Analysis, and Probability 1.3 Identify features of data sets (range and mode)</p>	<p>Statistics, Data Analysis, and Probability 1.3 Summarize and display the results of probability experiments in a clear and organized way (bar graph, line plot, etc)</p>	<p>Algebra and Functions 1.2 Interpret and evaluate mathematical expressions that now use parentheses</p>	<p>Statistics, Data Analysis, and Probability 1.1 Know the concepts of mean, median, and mode; compute and compare simple examples to show that they may differ</p>
<p><i>How Did You Get There??</i></p>	<p>Mathematical Reasoning 2.1 Explain the reasoning used with concrete objects and/or pictorial representations</p>	<p>Mathematical Reasoning 1.2 and 2.1 Use tools, such as manipulatives or sketches, to model problems and explain the reasoning used and justify the procedure selected</p>	<p>Mathematical Reasoning 2.1 Defend the reasoning used and justify the procedures selected</p>	<p>Mathematical Reasoning 2.4 Express the solution clearly and logically by using the appropriate mathematical notation and terms and clear language; support solutions with evidence in both verbal and symbolic work</p>	<p>Mathematical Reasoning 2.4 Express the solution clearly and logically by using the appropriate mathematical notation and terms and clear language; support solutions with evidence in both verbal and symbolic work</p>	<p>Mathematical Reasoning 2.4 Express the solution clearly and logically by using the appropriate mathematical notation and terms and clear language; support solutions with evidence in both verbal and symbolic work</p>

Science

English Language Development Through Science

EL Level	K-2	3-5
Beginning (CELDT 1)	Using an inquiry-based approach, students will discover scientific concepts via interactive investigations. Students are able to use drawings to depict their experiments. As students generate ideas to describe science experiments the teacher will formalize the terms and concepts in a clear and concise manner. Vocabulary can be listed on specific word walls for science. Teachers can record dictated accounts of students' discoveries. The teacher also utilizes various GLAD strategies like input charts, graphic organizers, Teacher "big books," picture file cards, observation charts, inquiry charts, ELD retell, Silent Video, and various other strategies.	Using an inquiry-based approach, students will discover scientific concepts via interactive investigations. Students can keep science journals where they can draw their investigations and label key concepts. They can refer to bilingual dictionaries to support their writing. The teacher also utilizes various GLAD strategies like input charts, graphic organizers, Teacher "big books," picture file cards, observation charts, inquiry charts, ELD retell, Silent Video, and various other strategies.
Intermediate (CELDT 2-3)	Using an inquiry-based approach, students will discover scientific concepts via investigations (FOSS kits and other hands-on resources). The scientific method can be described and students can begin to formulate hypotheses before experiments and investigations. Students begin to ask and answer scientific questions using appropriate academic language. The teacher also utilizes various GLAD strategies like input charts, graphic organizers, Teacher "big books," picture file cards, observation charts, inquiry charts, ELD retell, Silent Video, and various other strategies.	Using an inquiry-based approach, students will discover scientific concepts via investigations (FOSS kits and other hands-on resources). Students begin and continue using and writing complex vocabulary and sentences appropriate to science. Students are able to ask and answer scientific questions (make predictions and formulate conclusions) using appropriate academic language. The teacher also utilizes various GLAD strategies like input charts, graphic organizers, Teacher "big books," picture file cards, observation charts, inquiry charts, ELD retell, Silent Video, and various other strategies.
Advanced (CELDT 4-5)	Using an inquiry-based approach, students will discover scientific concepts via investigations (FOSS kits and other hands-on resources). Students will also use simple (grade-level appropriate) expository text to read for information and learn new concepts. Teachers can expect students to label their journals supported by short sentences that may have grammar and spelling errors. Teachers can monitor students' accurate use of high	Using an inquiry-based approach, students will discover scientific concepts via investigations (FOSS kits and other hands-on resources). Students will also use expository text to read for information and learn new concepts. Students use complex vocabulary and sentences and write detailed and accurate scientific reports and describe investigations. Teacher explicitly teaches and holds students accountable for the use of Tier 3 (content related) academic language in their scientific

EL Level	K-2	3-5
	frequency words, and their integration of concept-specific language into both oral and written products. The teacher also utilizes various GLAD strategies like input charts, graphic organizers, Teacher “big books,” picture file cards, observation charts, inquiry charts, ELD retell, Silent Video, and various other strategies.	reports. The teacher also utilizes various GLAD strategies like input charts, graphic organizers, Teacher “big books,” picture file cards, observation charts, inquiry charts, ELD retell, Silent Video, and various other strategies.

Science

Investigation and Experimentation Standards should be taught in every grade level. Rocketship schools teach Science content within Literacy and Math classes. We believe that focusing on a smaller number of topics each year allows students to learn material in greater depth, so several topics are chosen as a focus in each grade level. Students are expected to master standards related to that topic from a variety of grade levels: for example, a third grade student who is studying Animal Adaptations may review material that is part of the first grade Science standards as well as beginning to learn information that would typically be covered in a fifth grade classroom.

Kindergarten Science Units

*Standards to Cover in the **Plants** Unit*

Kindergarten standards: 2. Different types of plants and animals inhabit the earth. As a basis for understanding this concept:

- a. Students know how to observe and describe similarities and differences in the appearance and behavior of plants and animals (e.g., seed-bearing plants, birds, fish, and insects).
- b. Students know how to identify major structures of common plants and animals (e.g., stems, leaves, roots, arms, wings, legs).

1st grade standards: 2. Plants and animals meet their needs in different ways. As a basis for understanding this concept:

- a. Students know different plants and animals inhabit different kinds of environments and have external features that help them thrive in different kinds of places.
- b. Students know both plants and animals need water, animals need food, and plants need light.
- c. Students know animals eat plants or other animals for food and may also use plants or even other animals for shelter and nesting.
- d. Students know roots are associated with the intake of water and soil nutrients and green leaves are associated with making food from sunlight.

2nd grade standards: 2. Plants and animals have predictable life cycles. As a basis for understanding this concept:

- a. Students know light, gravity, touch, or environmental stress can affect the germination, growth, and development of plants.
- b. Students know flowers and fruits are associated with reproduction in plants.

4th grade standards: 3. Living organisms depend on one another and on their environment for survival. As a basis for understanding this concept:

- a. Students know many plants depend on animals for pollination and seed dispersal, and animals depend on plants for food and shelter.

*Standards to Cover in the **Light** Unit:*

3rd grade standards: 2. Light has a source and travels in a direction. As a basis for understanding this concept:

- a. Students know sunlight can be blocked to create shadows.
- b. Students know light is reflected from mirrors and other surfaces.
- c. Students know the color of light striking an object affects the way the object is seen.
- d. Students know an object is seen when light traveling from the object enters the eye.

First Grade Science Units

*Standards to Cover in the **Food Webs** Unit:*

1st grade standards: 2. Plants and animals meet their needs in different ways. As a basis for understanding this concept:

- a. Students know animals eat plants or other animals for food and may also use plants or even other animals for shelter and nesting.

4th grade standards: 2. All organisms need energy and matter to live and grow. As a basis for understanding this concept:

- a. Students know plants are the primary source of matter and energy entering most food chains.
- b. Students know producers and consumers (herbivores, carnivores, omnivores, and decomposers) are related in food chains and food webs and may compete with each other for resources in an ecosystem.
- c. Students know decomposers, including many fungi, insects, and microorganisms, recycle matter from dead plants and animals.

*Standards to Cover in the **Weather** Unit:*

Kindergarten standards: 3. Earth is composed of land, air, and water. As a basis for understanding this concept:

- a. Students know changes in weather occur from day to day and across seasons, affecting Earth and its inhabitants.

1st grade standards: 3. Weather can be observed, measured, and described. As a basis for understanding this concept:

- a. Students know how to use simple tools (e.g., thermometer, wind vane) to measure weather conditions and record changes from day to day and across the seasons.
- b. Students know that the weather changes from day to day but that trends in temperature or of rain (or snow) tend to be predictable during a season.
- c. Students know the sun warms the land, air, and water.

3rd grade standards: 1. Energy and matter have multiple forms and can be changed from one form to another. As a basis for understanding this concept:

- a. Students know energy comes from the Sun to Earth in the form of light.

*Standards to Cover in the **States of Matter** Unit:*

Kindergarten standards: 1. Properties of materials can be observed, measured, and predicted. As a basis for understanding this concept:

- a. Students know objects can be described in terms of the materials they are made of (e.g., clay, cloth, paper) and their physical properties (e.g., color, size, shape, weight, texture, flexibility, attraction to magnets, floating, sinking).
- b. Students know water can be a liquid or a solid and can be made to change back and forth from one form to the other.
- c. Students know water left in an open container evaporates (goes into the air) but water in a closed container does not.

1st grade standards: 1. Materials come in different forms (states), including solids, liquids, and gases. As a basis for understanding this concept:

- a. Students know solids, liquids, and gases have different properties.
- b. Students know the properties of substances can change when the substances are mixed, cooled, or heated.

3rd grade standards: 1. Energy and matter have multiple forms and can be changed from one form to another. As a basis for understanding this concept:

- a. Students know matter has three forms: solid, liquid, and gas.
- b. Students know evaporation and melting are changes that occur when the objects are heated.
- c. Students know that when two or more substances are combined, a new substance may be formed with properties that are different from those of the original materials.

5th grade standards: 3. Water on Earth moves between the oceans and land through the processes of evaporation and condensation. As a basis for understanding this concept:

- a. Students know when liquid water evaporates, it turns into water vapor in the air and can reappear as a liquid when cooled or as a solid if cooled below the freezing point of water.

Second Grade Science Units:

*Standards to Cover in the **Rock Cycle Unit:***

2nd grade standards: 3. Earth is made of materials that have distinct properties and provide resources for human activities. As a basis for understanding this concept:

- a. Students know how to compare the physical properties of different kinds of rocks and know that rock is composed of different combinations of minerals.
- b. Students know smaller rocks come from the breakage and weathering of larger rocks.
- c. Students know that soil is made partly from weathered rock and partly from organic materials and that soils differ in their color, texture, capacity to retain water, and ability to support the growth of many kinds of plants.
- d. Students know that fossils provide evidence about the plants and animals that lived long ago and that scientists learn about the past history of Earth by studying fossils.

- e. Students know rock, water, plants, and soil provide many resources, including food, fuel, and building materials, that humans use.

4th grade standards: 4. The properties of rocks and minerals reflect the processes that formed them. As a basis for understanding this concept:

- a. Students know how to differentiate among igneous, sedimentary, and metamorphic rocks by referring to their properties and methods of formation (the rock cycle).
- b. Students know how to identify common rock-forming minerals (including quartz, calcite, feldspar, mica, and hornblende) and ore minerals by using a table of diagnostic properties.

4th grade standards: 5. Waves, wind, water, and ice shape and reshape Earth's land surface. As a basis for understanding this concept:

- a. Students know some changes in the earth are due to slow processes, such as erosion, and some changes are due to rapid processes, such as landslides, volcanic eruptions, and earthquakes.
- b. Students know natural processes, including freezing and thawing and the growth of roots, cause rocks to break down into smaller pieces.
- c. Students know moving water erodes landforms, reshaping the land by taking it away from some places and depositing it as pebbles, sand, silt, and mud in other places (weathering, transport, and deposition).

*Standards to Cover in the **Motion** Unit:*

2nd grade standards: 1. The motion of objects can be observed and measured. As a basis for understanding this concept:

- a. Students know the position of an object can be described by locating it in relation to another object or to the background.
- b. Students know an object's motion can be described by recording the change in position of the object over time.
- c. Students know the way to change how something is moving is by giving it a push or a pull. The size of the change is related to the strength, or the amount of force, of the push or pull.
- d. Students know tools and machines are used to apply pushes and pulls (forces) to make things move.
- e. Students know objects fall to the ground unless something holds them up.
- f. Students know sound is made by vibrating objects and can be described by its pitch and volume.

3rd grade standards: 1. Energy and matter have multiple forms and can be changed from one form to another. As a basis for understanding this concept:

- a. Students know machines and living things convert stored energy to motion and heat.

Third Grade Science Units:

*Standards to be covered in the **Animal Adaptations & Habitats Unit**:*

Kindergarten standards: 2. Different types of plants and animals inhabit the earth. As a basis for understanding this concept:

- a. Students know stories sometimes give plants and animals attributes they do not really have.

Kindergarten standards: 3. Earth is composed of land, air, and water. As a basis for understanding this concept:

- a. Students know characteristics of mountains, rivers, oceans, valleys, deserts, and local landforms.

1st grade standards: 2. Plants and animals meet their needs in different ways. As a basis for understanding this concept:

- a. Students know different plants and animals inhabit different kinds of environments and have external features that help them thrive in different kinds of places.
- b. Students know both plants and animals need water, animals need food, and plants need light.
- c. Students know how to infer what animals eat from the shapes of their teeth (e.g., sharp teeth: eats meat; flat teeth: eats plants).

2nd grade standards: 2. Plants and animals have predictable life cycles. As a basis for understanding this concept:

- a. Students know that organisms reproduce offspring of their own kind and that the offspring resemble their parents and one another.
- b. Students know the sequential stages of life cycles are different for different animals, such as butterflies, frogs, and mice.
- c. Students know many characteristics of an organism are inherited from the parents. Some characteristics are caused or influenced by the environment.
- d. Students know there is variation among individuals of one kind within a population.

3rd grade standards: 3. Adaptations in physical structure or behavior may improve an organism's chance for survival. As a basis for understanding this concept:

- a. Students know examples of diverse life forms in different environments, such as oceans, deserts, tundra, forests, grasslands, and wetlands.
- b. Students know when the environment changes, some plants and animals survive and reproduce; others die or move to new locations.
- c. Students know that some kinds of organisms that once lived on Earth have completely disappeared and that some of those resembled others that are alive today.

4th grade standards: 3. Living organisms depend on one another and on their environment for survival. As a basis for understanding this concept:

- a. Students know ecosystems can be characterized by their living and nonliving components.
- b. Students know that in any particular environment, some kinds of plants and animals survive well, some survive less well, and some cannot survive at all.
- c. Students know that most microorganisms do not cause disease and that many are beneficial.

Standards to Cover in the Astronomy Unit:

3rd grade standards: 4. Objects in the sky move in regular and predictable patterns. As a basis for understanding this concept:

- a. Students know the patterns of stars stay the same, although they appear to move across the sky nightly, and different stars can be seen in different seasons.
- b. Students know the way in which the Moon's appearance changes during the four-week lunar cycle.
- c. Students know telescopes magnify the appearance of some distant objects in the sky, including the Moon and the planets. The number of stars that can be seen through telescopes is dramatically greater than the number that can be seen by the unaided eye.
- d. Students know that Earth is one of several planets that orbit the Sun and that the Moon orbits Earth.
- e. Students know the position of the Sun in the sky changes during the course of the day and from season to season.

5th grade standards: 5. The solar system consists of planets and other bodies that orbit the Sun in predictable paths. As a basis for understanding this concept:

- a. Students know the Sun, an average star, is the central and largest body in the solar system and is composed primarily of hydrogen and helium.
- b. Students know the solar system includes the planet Earth, the Moon, the Sun, eight other planets and their satellites, and smaller objects, such as asteroids and comets.
- c. Students know the path of a planet around the Sun is due to the gravitational attraction between the Sun and the planet.

Fourth Grade Science Units:

Standards to cover in the Electricity & Magnetism Unit:

2nd grade standards: 1. The motion of objects can be observed and measured. As a basis for understanding this concept:

- a. Students know magnets can be used to make some objects move without being touched.

3rd grade standards: 1. Energy and matter have multiple forms and can be changed from one form to another. As a basis for understanding this concept:

- a. Students know sources of stored energy take many forms, such as food, fuel, and batteries.

- b. Students know energy can be carried from one place to another by waves, such as water waves and sound waves, by electric current, and by moving objects.

4th grade standards: 1. Electricity and magnetism are related effects that have many useful applications in everyday life. As a basis for understanding this concept:

- a. Students know how to design and build simple series and parallel circuits by using components such as wires, batteries, and bulbs.
- b. Students know how to build a simple compass and use it to detect magnetic effects, including Earth's magnetic field.
- c. Students know electric currents produce magnetic fields and know how to build a simple electromagnet.
- d. Students know the role of electromagnets in the construction of electric motors, electric generators, and simple devices, such as doorbells and earphones.
- e. Students know electrically charged objects attract or repel each other.
- f. Students know that magnets have two poles (north and south) and that like poles repel each other while unlike poles attract each other.
- g. Students know electrical energy can be converted to heat, light, and motion.

Fifth Grade Science Units:

*Standards to be covered in the **Plant & Animal Systems** Unit:*

(Review Plant Standards and Animal Adaptations in this unit)

3rd grade standards: 3. Adaptations in physical structure or behavior may improve an organism's chance for survival. As a basis for understanding this concept:

- a. Students know plants and animals have structures that serve different functions in growth, survival, and reproduction.

5th grade standards: 2. Plants and animals have structures for respiration, digestion, waste disposal, and transport of materials. As a basis for understanding this concept:

- a. Students know many multicellular organisms have specialized structures to support the transport of materials.
- b. Students know how blood circulates through the heart chambers, lungs, and body and how carbon dioxide (CO₂) and oxygen (O₂) are exchanged in the lungs and tissues.
- c. Students know the sequential steps of digestion and the roles of teeth and the mouth, esophagus, stomach, small intestine, large intestine, and colon in the function of the digestive system.
- d. Students know the role of the kidney in removing cellular waste from blood and converting it into urine, which is stored in the bladder.
- e. Students know how sugar, water, and minerals are transported in a vascular plant.
- f. Students know plants use carbon dioxide (CO₂) and energy from sunlight to build molecules of sugar and release oxygen.

- g. Students know plant and animal cells break down sugar to obtain energy, a process resulting in carbon dioxide (CO₂) and water (respiration).

*Standards to cover in the **Meteorology and Conservation of Resources** unit:*
(Review Weather, Rock Cycle, and Astronomy Concepts in the Unit)

3rd grade standards: 3. Adaptations in physical structure or behavior may improve an organism's chance for survival. As a basis for understanding this concept:

- a. Students know living things cause changes in the environment in which they live: some of these changes are detrimental to the organism or other organisms, and some are beneficial.

5th grade standards: 3. Water on Earth moves between the oceans and land through the processes of evaporation and condensation. As a basis for understanding this concept:

- a. Students know most of Earth's water is present as salt water in the oceans, which cover most of Earth's surface.
- b. Students know when liquid water evaporates, it turns into water vapor in the air and can reappear as a liquid when cooled or as a solid if cooled below the freezing point of water.
- c. Students know water vapor in the air moves from one place to another and can form fog or clouds, which are tiny droplets of water or ice, and can fall to Earth as rain, hail, sleet, or snow.
- d. Students know that the amount of fresh water located in rivers, lakes, underground sources, and glaciers is limited and that its availability can be extended by recycling and decreasing the use of water.
- e. Students know the origin of the water used by their local communities.

5.4. Energy from the Sun heats Earth unevenly, causing air movements that result in changing weather patterns. As a basis for understanding this concept:

- a. Students know uneven heating of Earth causes air movements (convection currents).
- b. Students know the influence that the ocean has on the weather and the role that the water cycle plays in weather patterns.
- c. Students know the causes and effects of different types of severe weather.
- d. Students know how to use weather maps and data to predict local weather and know that weather forecasts depend on many variables.
- e. Students know that the Earth's atmosphere exerts a pressure that decreases with distance above Earth's surface and that at any point it exerts this pressure equally in all directions.

*Standards to cover in the **Chemistry & Experimentation** Unit:*
(Review States of Matter and Experimentation Concepts in this Unit)

3rd grade standards: 1. Energy and matter have multiple forms and can be changed from one form to another. As a basis for understanding this concept:

- a. Students know that when two or more substances are combined, a new substance may be formed with properties that are different from those of the original materials.
- b. Students know all matter is made of small particles called atoms, too small to see with the naked eye.
- c. Students know people once thought that earth, wind, fire, and water were the basic elements that made up all matter. Science experiments show that there are more than 100 different types of atoms, which are presented on the periodic table of the elements.

5th grade standards: 1. Elements and their combinations account for all the varied types of matter in the world. As a basis for understanding this concept:

- a. Students know that during chemical reactions the atoms in the reactants rearrange to form products with different properties.
- b. Students know all matter is made of atoms, which may combine to form molecules.
- c. Students know metals have properties in common, such as high electrical and thermal conductivity. Some metals, such as aluminum (Al), iron (Fe), nickel (Ni), copper (Cu), silver (Ag), and gold (Au), are pure elements; others, such as steel and brass, are composed of a combination of elemental metals.
- d. Students know that each element is made of one kind of atom and that the elements are organized in the periodic table by their chemical properties.
- e. Students know scientists have developed instruments that can create discrete images of atoms and molecules that show that the atoms and molecules often occur in well-ordered arrays.
- f. Students know differences in chemical and physical properties of substances are used to separate mixtures and identify compounds.
- g. Students know properties of solid, liquid, and gaseous substances, such as sugar (C₆H₁₂O₆), water (H₂O), helium (He), oxygen (O₂), nitrogen (N₂), and carbon dioxide (CO₂).
- h. Students know living organisms and most materials are composed of just a few elements.
- i. Students know the common properties of salts, such as sodium chloride (NaCl).

Science Course Objectives

The chart below gives a comprehensive look at which Science standards are addressed at each grade level within Rocketship.

	K	First	Second	Third	Fourth	Fifth
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Life Science	Plants: K 2.a,c 1 2. a-c, e 2 2. e-f 4 3. c	Food Webs: 1 2. c 4 2. a-c		Animal Adaptations & Habitats: K 2. b K 3. a 1 2. a,c,d 2 2. a-d 3 3. b, d, e 4 3. a, b, d		Plant & Animal Systems: 3 3. a 5 2. a-g
Earth Science		Weather: K 3. b 1 3. a-c 3 1. a	Rock Cycle: 2 3. a-e 4 4. a-b 4 5. a-c	Astronomy: 3 4. a-e 5 5. a-c		Meteorology & Conserving Resources: 3 3. c 5 3. a-e 5 4. a-e
Physical Science	Light: 3 2. a-d	States of Matter: K1. a-c 1 1. a-b 3 1. e-g 5 3. b	Motion: 2 1. a-e, g 3 1. c		Electricity & Magnetism: 2 1. f 3 1. b 3 1. d 4 1. a-g	Chemistry & Experimentation 3 1. g-i 5 1. a-i

Social Studies

English Language Development through Social Studies

EL Level	K-2	3-5
Beginning (CELDT 1)	Teachers can use hands-on activities to discuss content topics such as families and communities. Literature based social studies units provide opportunities to integrate language skills and history concepts. Large maps and multimedia tools can serve as visuals. Teachers can present key vocabulary and teach questioning stems to prepare students to respond to simple questions. Flash cards can be used to learn about school personnel and the common names of local places. The teacher also utilizes various GLAD strategies like input charts, graphic organizers, Teacher “big books,” picture file cards, observation charts, inquiry charts, ELD retell, Silent Video, and	Students can refer to a bilingual dictionary as needed. Teachers use the textbook and supplementary materials to introduce concepts. Teacher models the use of the textbook through <i>think aloud</i> activities. Graphic organizers can be used to organize information. Non-verbal activities can lower students’ affective filter (anxiety). Making dioramas, picture books, abc books, and reconstructing artifacts are excellent products to demonstrate concept attainment. The teacher also utilizes various GLAD strategies like input charts, graphic organizers, Teacher “big books,” picture file cards, observation charts, inquiry charts, ELD retell, Silent Video, and various other strategies.

	various other strategies.	
Intermediate (CELDT 2-3)	Students can label key concepts presented either in handouts or those created by them. Cooperative learning activities can enhance their initial learning. Students can practice language with peers by having opportunities to think and share before answering whole class questions. The teacher also utilizes various GLAD strategies like input charts, graphic organizers, Teacher “big books,” picture file cards, observation charts, inquiry charts, ELD retell, Silent Video, and various other strategies.	In small groups students can practice learning through role-playing, hot-seat, cloning the author, and other activities that involve moderate speaking opportunities. Cooperative learning can provide less stressful settings to practice new concepts and language skills. The teacher also utilizes various GLAD strategies like input charts, graphic organizers, Teacher “big books,” picture file cards, observation charts, inquiry charts, ELD retell, Silent Video, and various other strategies.
Advanced (CELDT 4-5)	Students can write as appropriate for their grade level. The teacher can explicitly present written conventions for capitalization and using titles and quotes as they appear in written materials. In cooperative settings these students can serve as reporters and editors. The teacher also utilizes various GLAD strategies like input charts, graphic organizers, Teacher “big books,” picture file cards, observation charts, inquiry charts, ELD retell, Silent Video, and various other strategies.	Students can create brochures to illustrate key ideas about cultures and concepts learned. Teachers can expect students to deliver presentations that have greater detail and length. The teacher also utilizes various GLAD strategies like input charts, graphic organizers, Teacher “big books,” picture file cards, observation charts, inquiry charts, ELD retell, Silent Video, and various other strategies.

Social Studies Course Objectives

As with Science, Rocketship has chosen to focus on a smaller number of Social Studies units at each grade level in order to allow students to master concepts at a greater level of depth. The chart below gives a comprehensive look at which Social Studies units are taught at each grade level within Rocketship.

	Major Themes	Supplemental Themes	Possible Important People – 2.2.5. & 3.4.6.
Kindergarten	Patriotism, Symbols and Citizenship	American Heroes	
First	Geography	Commerce & Trade	
Second	Heritage & Ancestors	Immigration	
Third	Native American Cultures & Traditions	Local Government and History	Sitting Bull, Cesar Chavez, Sally Ride
Fourth	CA History - Westward Expansion	State Government, Exploration	Lewis & Clarke, Pocahontas
Fifth	Forming a New Nation, The Federal Government	Conflict and Cooperation between settlers and Native Americans	Thomas Jefferson, George Washington, Nelson Mandela

Kindergarten Social Studies Units:

Patriotism, Symbols, and Citizenship

Kindergarten standards. 2 Students recognize national and state symbols and icons such as the national and state flags, the bald eagle, and the Statue of Liberty.

1st grade standards. 1.2. Understand the elements of fair play and good sportsmanship, respect for the rights and opinions of others, and respect for rules by which we live, including the meaning of the "Golden Rule."

1st grade standards. 3. 1-3. Students know and understand the symbols, icons, and traditions of the United States that provide continuity and a sense of community across time.

- a. Recite the Pledge of Allegiance and sing songs that express American ideals (e.g., "America").
- b. Understand the significance of our national holidays and the heroism and achievements of the people associated with them.

- c. Identify American symbols, landmarks, and essential documents, such as the flag, bald eagle, Statue of Liberty, U.S. Constitution, and Declaration of Independence, and know the people and events associated with them.

3rd grade standards. 4. 1-2. Students understand the role of rules and laws in our daily lives and the basic structure of the U.S. government.

- a. Determine the reasons for rules, laws, and the U.S. Constitution; the role of citizenship in the promotion of rules and laws; and the consequences for people who violate rules and laws.
- b. Discuss the importance of public virtue and the role of citizens, including how to participate in a classroom, in the community, and in civic life.

First Grade Social Studies Units:

Geography

Kindergarten standards. 4. 1-3 Students compare and contrast the locations of people, places, and environments and describe their characteristics. Determine the relative locations of objects using the terms near/far, left/right, and behind/in front.

- a. Distinguish between land and water on maps and globes and locate general areas referenced in historical legends and stories. Identify traffic symbols and map symbols (e.g., those for land, water, roads, cities).
- b. Construct maps and models of neighborhoods, incorporating such structures as police and fire stations, airports, banks, hospitals, supermarkets, harbors, schools, homes, places of worship, and transportation lines.
- c. Demonstrate familiarity with the school's layout, environs, and the jobs people do there.

1st grade standards. 2.1-4 Students compare and contrast the absolute and relative locations of places and people and describe the physical and/ or human characteristics of places.

- a. Locate on maps and globes their local community, California, the United States, the seven continents, and the four oceans.
- b. Compare the information that can be derived from a three-dimensional model to the information that can be derived from a picture of the same location.
- c. Construct a simple map, using cardinal directions and map symbols.
- d. Describe how location, weather, and physical environment affect the way people live, including the effects on their food, clothing, shelter, transportation, and recreation.

2nd grade standards. 2.1-4 Students demonstrate map skills by describing the absolute and relative locations of people, places, and environments.

- a. Locate on a simple letter-number grid system the specific locations and geographic features in their neighborhood or community (e.g., map of the classroom, the school).
- b. Label from memory a simple map of the North American continent, including the countries, oceans, Great Lakes, major rivers, and mountain ranges.

Identify the essential map elements: title, legend, directional indicator, scale, and date.

- c. Locate on a map where their ancestors live(d), telling when the family moved to the local community and how and why they made the trip.
- d. Compare and contrast basic land use in urban, suburban, and rural environments in California.

Second Grade Social Studies Units:

Heritage & Ancestors

Kindergarten standards. 6. 2-3 Students understand that history relates to events, people, and places of other times.

- a. Identify the purposes of, and the people and events honored in, commemorative Know the triumphs in American legends and historical accounts through the stories of such people as Pocahontas, George Washington, Booker T. Washington, Daniel Boone, and Benjamin Franklin.
- b. Understand how people lived in earlier times and how their lives would be different today (e.g., getting water from a well, growing food, making clothing, having fun, forming organizations, living by rules and laws).

1st grade standards. 4.1-3 Students compare and contrast everyday life in different times and places around the world and recognize that some aspects of people, places, and things change over time while others stay the same.

- a. Examine the structure of schools and communities in the past.
- b. Study transportation methods of earlier days.
- c. Recognize similarities and differences of earlier generations in such areas as work (inside and outside the home), dress, manners, stories, games, and festivals, drawing from biographies, oral histories, and folklore.

1st grade standards. 5.1-3 Students describe the human characteristics of familiar places and the varied backgrounds of American citizens and residents in those places.

- a. Recognize the ways in which they are all part of the same community, sharing principles, goals, and traditions despite their varied ancestry; the forms of diversity in their school and community; and the benefits and challenges of a diverse population.
- b. Understand the ways in which American Indians and immigrants have helped define Californian and American culture.
- c. Compare the beliefs, customs, ceremonies, traditions, and social practices of the varied cultures, drawing from folklore.

2nd grade standards. 1 Students differentiate between things that happened long ago and things that happened yesterday.

- a. Trace the history of a family through the use of primary and secondary sources, including artifacts, photographs, interviews, and documents.
- b. Compare and contrast their daily lives with those of their parents, grandparents, and/ or guardians.

- c. Place important events in their lives in the order in which they occurred (e.g., on a time line or storyboard).

Third Grade Social Studies Units:

Native American Cultures & Traditions

3rd grade standards. 2. 1-4 Students describe the American Indian nations in their local region long ago and in the recent past.

- a. Describe national identities, religious beliefs, customs, and various folklore traditions.
- b. Discuss the ways in which physical geography, including climate, influenced how the local Indian nations adapted to their natural environment (e.g., how they obtained food, clothing, tools).
- c. Describe the economy and systems of government, particularly those with tribal constitutions, and their relationship to federal and state governments.
- d. Discuss the interaction of new settlers with the already established Indians of the region.

4th grade standards. 2.1 Students describe the social, political, cultural, and economic life and interactions among people of California from the pre-Columbian societies to the Spanish mission and Mexican rancho periods.

- a. Discuss the major nations of California Indians, including their geographic distribution, economic activities, legends, and religious beliefs; and describe how they depended on, adapted to, and modified the physical environment by cultivation of land and use of sea resources.

5th grade standards. 1.1-3 Students describe the major pre-Columbian settlements, including the cliff dwellers and pueblo people of the desert Southwest, the American Indians of the Pacific Northwest, the nomadic nations of the Great Plains, and the woodland peoples east of the Mississippi River.

- a. Describe how geography and climate influenced the way various nations lived and adjusted to the natural environment, including locations of villages, the distinct structures that they built, and how they obtained food, clothing, tools, and utensils.
- b. Describe their varied customs and folklore traditions.
- c. Explain their varied economies and systems of government.

Fourth Grade Social Studies Units:

California History & Westward Expansion

4th grade standards. 3.1-5 Students explain the economic, social, and political life in California from the establishment of the Bear Flag Republic through the Mexican-American War, the Gold Rush, and the granting of statehood.

- a. Identify the locations of Mexican settlements in California and those of other settlements, including Fort Ross and Sutter's Fort.

- b. Compare how and why people traveled to California and the routes they traveled (e.g., James Beckwourth, John Bidwell, John C. Fremont, Pio Pico).
- c. Analyze the effects of the Gold Rush on settlements, daily life, politics, and the physical environment (e.g., using biographies of John Sutter, Mariano Guadalupe Vallejo, Louise Clapp).
- d. Study the lives of women who helped build early California (e.g., Biddy Mason).
- e. Discuss how California became a state and how its new government differed from those during the Spanish and Mexican periods.

4th grade standards. 4.1-9 Students explain how California became an agricultural and industrial power, tracing the transformation of the California economy and its political and cultural development since the 1850s.

- a. Understand the story and lasting influence of the Pony Express, Overland Mail Service, Western Union, and the building of the transcontinental railroad, including the contributions of Chinese workers to its construction.
- b. Explain how the Gold Rush transformed the economy of California, including the types of products produced and consumed, changes in towns (e.g., Sacramento, San Francisco), and economic conflicts between diverse groups of people.
- c. Discuss immigration and migration to California between 1850 and 1900, including the diverse composition of those who came; the countries of origin and their relative locations; and conflicts and accords among the diverse groups (e.g., the 1882 Chinese Exclusion Act).
- d. Describe rapid American immigration, internal migration, settlement, and the growth of towns and cities (e.g., Los Angeles).
- e. Discuss the effects of the Great Depression, the Dust Bowl, and World War II on California.
- f. Describe the development and locations of new industries since the nineteenth century, such as the aerospace industry, electronics industry, large-scale commercial agriculture and irrigation projects, the oil and automobile industries, communications and defense industries, and important trade links with the Pacific Basin.
- g. Trace the evolution of California's water system into a network of dams, aqueducts, and reservoirs.
- h. Describe the history and development of California's public education system, including universities and community colleges.
- i. Analyze the impact of twentieth-century Californians on the nation's artistic and cultural development, including the rise of the entertainment industry (e.g., Louis B. Meyer, Walt Disney, John Steinbeck, Ansel Adams, Dorothea Lange, John Wayne).

Fifth Grade Social Studies Units:

Forming a New Nation, The Federal Government

5th grade standards. 4. Students understand the political, religious, social, and economic institutions that evolved in the colonial era.

- a. Understand the influence of location and physical setting on the founding of the original 13 colonies, and identify on a map the locations of the colonies and of the American Indian nations already inhabiting these areas.
- b. Identify the major individuals and groups responsible for the founding of the various colonies and the reasons for their founding (e.g., John Smith, Virginia; Roger Williams, Rhode Island; William Penn, Pennsylvania; Lord Baltimore, Maryland; William Bradford, Plymouth; John Winthrop, Massachusetts).
- c. Describe the religious aspects of the earliest colonies (e.g., Puritanism in Massachusetts, Anglicanism in Virginia, Catholicism in Maryland, Quakerism in Pennsylvania).
- d. Identify the significance and leaders of the First Great Awakening, which marked a shift in religious ideas, practices, and allegiances in the colonial period, the growth of religious toleration, and free exercise of religion.
- e. Understand how the British colonial period created the basis for the development of political self-government and a free-market economic system and the differences between the British, Spanish, and French colonial systems.
- f. Describe the introduction of slavery into America, the responses of slave families to their condition, the ongoing struggle between proponents and opponents of slavery, and the gradual institutionalization of slavery in the South.
- g. Explain the early democratic ideas and practices that emerged during the colonial period, including the significance of representative assemblies and town meetings.

5th grade standards. 5 Students explain the causes of the American Revolution.

- a. Understand how political, religious, and economic ideas and interests brought about the Revolution (e.g., resistance to imperial policy, the Stamp Act, the Townshend Acts, taxes on tea, Coercive Acts).
- b. Know the significance of the first and second Continental Congresses and of the Committees of Correspondence.
- c. Understand the people and events associated with the drafting and signing of the Declaration of Independence and the document's significance, including the key political concepts it embodies, the origins of those concepts, and its role in severing ties with Great Britain.

5th grade standards. 6 Students understand the course and consequences of the American Revolution.

- a. Describe the contributions of France and other nations and of individuals to the out-come of the Revolution (e.g., Benjamin Franklin's negotiations with the French, the French navy, the Treaty of Paris, The Netherlands, Russia, the Marquis Marie Joseph de Lafayette, Tadeusz Kościuszko, Baron Friedrich Wilhelm von Steuben).

- b. Identify the different roles women played during the Revolution (e.g., Abigail Adams, Martha Washington, Molly Pitcher, Phillis Wheatley, Mercy Otis Warren).
 - c. Understand the personal impact and economic hardship of the war on families, problems of financing the war, wartime inflation, and laws against hoarding goods and materials and profiteering.
 - d. Explain how state constitutions that were established after 1776 embodied the ideals of the American Revolution and helped serve as models for the U.S. Constitution.
 - e. Understand how the ideals set forth in the Declaration of Independence changed the way people viewed slavery.
- 5th grade standards. 7 Students describe the people and events associated with the development of the U.S. Constitution and analyze the Constitution's significance as the foundation of the American republic.
- a. List the shortcomings of the Articles of Confederation as set forth by their critics.
 - b. Explain the significance of the new Constitution of 1787, including the struggles over its ratification and the reasons for the addition of the Bill of Rights.
 - c. Understand the fundamental principles of American constitutional democracy, including how the government derives its power from the people and the primacy of individual liberty.
 - d. Understand how the Constitution is designed to secure our liberty by both empowering and limiting central government and compare the powers granted to citizens, Congress, the president, and the Supreme Court with those reserved to the states.

Art

The curriculum will be aligned with the Visual and Performing Arts Framework for California Public Schools and will include dance, drama/theater, music and visual arts. Arts will be integrated into the Literacy block, often through Social Studies (see Appendix Z: Bell schedule), and will also be integrated at times into Learning Lab as well. Students will examine the influence of the various arts on history, and examine how art reflects and describes historical periods, cultures, and geographic regions.

This program will be designed to develop aesthetic perception and judgment, and creative expression in the context of our diverse historical and cultural heritages. All students, including EL, Gifted, and Special Education will have equal access to the visual and performing arts core curriculum, with modifications to meet their individual needs. Integrated instruction will be delivered by the regular classroom teacher, as well as by the enrichment staff. The State has effectively identified key standards for the visual and performing arts. Key standards, listed below, will guide the integration of arts into the curriculum. Through a process of unpacking and prioritizing content standards for the four core content areas, teachers will identify opportunities to integrate the arts into those curricular areas, and will build unit clusters that maximize student exposure to and engagement in the arts.

Rocketship Top 10 Content Standards for the _____ Arts _____

	Grade Level K	Grade Level 1	Grade Level 2	Grade Level 3	Grade Level 4	Grade Level 5
<i>Dance—Aesthetic Value</i>	Dance 4.1 <i>(Aesthetic Valuing)</i> Explain basic features that distinguish one kind of dance from another (e.g., speed, force/energy use, costume, setting, music).	Dance 4.2 <i>(Aesthetic Valuing)</i> Describe the experience of dancing two different dances (e.g., Seven Jumps, La Raspa).	Dance 4.2 <i>(Aesthetic Valuing)</i> Describe how the movement in dances of peers communicates ideas or moods to the viewer (e.g., ocean environment or a sad or joyous dance).	Dance 1.3 <i>(Artistic Perception)</i> Perform short movement problems, emphasizing the element of force/ energy (e.g., swing, melt, explode, quiver).	Dance 1.1 <i>(Artistic Perception)</i> Demonstrate mental concentration and physical control in performing dance skills.	Dance 4.2 <i>(Aesthetic Valuing)</i> Apply specific criteria to analyze and assess the quality of a dance performance by well-known dancers or dance companies (e.g., technical skill, musicality, dynamics, mood).
<i>Dance—Making Connections and Applying</i>	Dance 2.1 <i>(Creative Expression)</i> Create movements that reflect a variety of personal experiences (e.g., recall feeling happy, sad, angry, excited).	Dance 2.3 <i>(Creative Expression)</i> Create a short movement sequence with a beginning, a middle, and an end.	Dance 5.2 <i>(Connections, Relationships, Applications)</i> Demonstrate language arts concepts through dance (e.g., show different punctuation marks through movement).	Dance 3.3 <i>(Historical and Cultural Context)</i> Explain the function of dance in ceremonial and social community events in Native American cultures.	Dance 5.4 <i>(Connections, Relationships, Applications)</i> Analyze the choreographic process and its relation to the writing process (e.g., brainstorming, exploring and developing ideas, putting ideas into a form, sequencing).	Dance 5.1 <i>(Connections, Relationships, Applications)</i> Describe how historical events relate to dance forms (e.g., the rebellion of the 1960s was represented in popular social dances with a move from partners to individual expression).
<i>Music—Artistic Perception</i>	Music 2.2 <i>(Creative Expression)</i> Sing age-appropriate songs from memory.	Music 2.1 <i>(Creative Expression)</i> Sing with accuracy in a developmentally appropriate range.	Music 1.2 <i>(Artistic Perception)</i> Read, write, and perform simple patterns of pitch, using solfège.	Music 1.3 <i>(Artistic Perception)</i> Identify melody, rhythm, harmony, and timbre in selected pieces of music when presented aurally.	Music 2.1 <i>(Creative Expression)</i> Sing a varied repertoire of music from diverse cultures, including rounds, descants, and songs with ostinatos, alone and with others.	Music 1.4 <i>(Artistic Perception)</i> Analyze the use of music elements in aural examples from various genres and cultures.

<i>Music—Creative Expression</i>	<p>Music 1.2 <i>(Artistic Perception)</i> Identify and describe basic elements in music (e.g., high/low, fast/slow, loud/soft, beat).</p>	<p>Music 2.4 <i>(Creative Expression)</i> Improvise simple rhythmic accompaniments, using body percussion or classroom instruments.</p>	<p>Music 2.4 <i>(Creative Expression)</i> Improvise simple rhythmic and melodic accompaniments, using voice and a variety of classroom instruments.</p>	<p>Music 2.2 <i>(Creative Expression)</i> Sing age-appropriate songs from memory, including rounds, partner songs, and ostinatos.</p>	<p>Music 2.2 <i>(Creative Expression)</i> Use classroom instruments to play melodies and accompaniments from a varied repertoire of music from diverse cultures, including rounds, descants, and ostinatos, by oneself and with others.</p>	<p>Music 2.3 <i>(Creative Expression)</i> Compose, improvise, and perform basic rhythmic, melodic, and chordal patterns independently on classroom instruments.</p>
<i>Music—Aesthetic Value</i>	<p>Music 2.3 <i>(Creative Expression)</i> Play instruments and move or verbalize to demonstrate awareness of beat, tempo, dynamics, and melodic direction.</p>	<p>Music 4.1 <i>(Aesthetic Valuing)</i> Create movements to music that reflect focused listening.</p>	<p>Music 4.2 <i>(Aesthetic Valuing)</i> Create developmentally appropriate movements to express pitch, tempo, form, and dynamics in music.</p>	<p>Music 4.3 <i>(Aesthetic Valuing)</i> Describe how specific musical elements communicate particular ideas or moods in music.</p>	<p>Visual Arts 4.2 <i>(Aesthetic Valuing)</i> Identify and describe how a person’s own cultural context influences individual responses to works of art.</p>	<p>Music 4.2 <i>(Aesthetic Valuing)</i> Develop and apply appropriate criteria to support personal preferences for specific musical works.</p>

Rocketship Top 10 Content Standards for the _____ Arts _____

	Grade Level K	Grade Level 1	Grade Level 2	Grade Level 3	Grade Level 4	Grade Level 5
<i>Theatre—Artistic Perception</i>	Theatre 1.1 <i>(Artistic Perception)</i> Use the vocabulary of theatre, such as actor, character, cooperation, setting, the five senses, and audience to describe theatrical experiences.	Theatre 1.1 <i>(Artistic Perception)</i> Use the vocabulary of the theatre, such as <i>play, plot (beginning, middle and end), improvisation, pantomime, stage, character, and audience</i> , to describe theatrical experiences.	Theatre 1.1 <i>(Artistic Perception)</i> Use the vocabulary of theatre, such as <i>plot (beginning, middle, and end), scene, sets, conflict, script, and audience</i> , to describe theatrical experiences.	Theatre 1.1 <i>(Artistic Perception)</i> Use the vocabulary z of theatre, such as <i>character, setting, conflict, audience, motivation, stage areas, and blocking</i> , to describe theatrical experiences.	Theatre 2.3 <i>(Creative Expression)</i> Design or create costumes, makeup, or masks to communicate a character in formal or informal performances.	Theatre 1.1 <i>(Artistic Perception)</i> Use the vocabulary of theatre, such as <i>sense memory, script, cue, monologue, dialogue, protagonist, and antagonist</i> , to describe theatrical experiences.
<i>Theatre—History and Culture</i>	Theatre 3.1 <i>(Historical and Cultural Context)</i> Retell or dramatize stories, myths, fables, and fairy tales from various cultures and times.	Theatre 3.1 <i>(Historical and Cultural Context)</i> Identify the cultural and geographic origins of stories.	Dance 3.1 <i>(Historical and Cultural Context)</i> Name and perform social and traditional dances from various cultures.	Theatre 3.1 <i>(Historical and Cultural Context)</i> Dramatize different cultural versions of similar stories from around the world.	Theatre 3.1 <i>(Historical and Cultural Context)</i> Identify theatrical or storytelling traditions in the cultures of ethnic groups throughout the history of CA.	Theatre 3.3 <i>(Historical and Cultural Context)</i> Analyze ways in which theatre, television, and film play a part in our daily lives.
<i>Theatre—Aesthetic Value</i>	Dance 1.2 <i>(Artistic Perception)</i> Perform basic locomotor skills (e.g., walk, run, gallop, jump, hop, and balance).	Theatre 2.1 <i>(Creative Expression)</i> Demonstrate skills in pantomime, tableau, and improvisation.	Theatre 4.1 <i>(Aesthetic Valuing)</i> Critique an actor’s performance as to the use of voice, gesture, facial expression, and movement to create character.	Theatre 4.1 <i>(Aesthetic Valuing)</i> Develop and apply appropriate criteria or rubrics for evaluating a theatrical experience.	Theatre 4.2 <i>(Aesthetic Valuing)</i> Compare and contrast the impact on the audience of theatre, film, television, radio, and other media.	Theatre 4.1 <i>(Aesthetic Valuing)</i> Develop and apply appropriate criteria for critiquing the work of actors, directors, writers, and technical artists in theatre, film, and video.

Visual Arts—Creative Expression	Visual Arts 1.3 <i>(Artistic Perception)</i> Identify the elements of art (line, color, shape/form, texture, value, space) in the environment and in works of art.	Visual Arts 2.1 <i>(Creative Expression)</i> Use texture in two-dimensional and three-dimensional works of art.	Visual Arts 2.1 <i>(Creative Expression)</i> Demonstrate beginning skill in the use of basic tools and art-making processes, such as printing, crayon rubbings, collage, and stencils.	Visual Arts 2.4 <i>(Creative Expression)</i> Create a work of art based on the observation of objects and scenes in daily life, emphasizing value changes.	Visual Arts 2.5 <i>(Creative Expression)</i> Use accurate proportions to create an expressive portrait or a figure drawing or painting	Visual Arts 2.3 <i>(Creative Expression)</i> Demonstrate beginning skill in the manipulation of digital imagery (e.g., computer-generated art, digital photography, or videography).
Visual Arts—History and Culture	Visual Arts 4.2 <i>(Aesthetic Valuing)</i> Describe what is seen (including both literal and expressive content) in selected works of art	Visual Arts 3.2 <i>(Historical and Cultural Context)</i> Identify and describe various subject matter in art (e.g., landscapes, seascapes, portraits, still life).	Visual Arts 3.2 <i>(Historical and Cultural Context)</i> Recognize and use the vocabulary of art to describe art objects from various cultures and time periods.	Visual Arts 3.2 <i>(Historical and Cultural Context)</i> Identify artists from his or her own community, county, or state and discuss local or regional art traditions.	Visual Arts 3.2 <i>(Historical and Cultural Context)</i> Identify and discuss the content of works of art in the past and present, focusing on the different cultures that have contributed to California’s history and art heritage.	Visual Arts 3.3 <i>(Historical and Cultural Context)</i> Identify and compare works of art from various regions of the United States.

Appendix D. Strategies and Outcomes for At-Risk Students

Rocketship will screen the following data to identify at-risk students in accordance with the California and SFUSD guidelines:

- Students scoring Basic, Below Basic, or Far Below Basic on the previous year's adopted standardized test in any one subtest score in Reading and Language Arts
- Students who are at least one year below grade level in the areas of Reading, Writing, Math and Oral Language as identified by interim assessments. Please see the section in Student Outcomes titled *Measuring Student Performance* for more information on the assessment methodology to be used.
- Students recommended for academic intervention.

At-Risk Student Outcomes

Rocketship anticipates that 70% or more of our students will be eligible for free and reduced meals and over 60% will be ELL students. Because of these hardships, most of our students are at-risk of failing. Our core program is geared toward students like this.

Strategies to Improve At-Risk Performance

1. *Early Detection* Rocketship will use the DRA 2 assessment and CORE Phonics Survey in Reading and similar assessments for Writing and Math to help us identify struggling students within the first six weeks of school, and every two months thereafter.
2. *Individual Learning Plans* Rocketship will use the ILP system to track a student's work over time for students falling below our academic expectations. The ILP will be used with at-risk students to allow teachers to collaborate on best processes and successful past interventions with this student. The ILP will be updated with objectives for students determined to be academically at-risk focused on allowing them to make expected grade-level gains.
3. *Family Communication* We will inform the families as soon as we become concerned. Our parents sign a significant Commitment Letter (Appendix U), committing to help their student get through these times. We will share formal strategies parents can use at home to help their child.
4. *Teacher Collaboration* Teachers will gather regularly to compare their student data, discuss students, and discuss instructional strategies, interventions and enrichment. This will be realized through a schedule that will allow the staff to have an early dismissal day one day a week.
5. *Focused Instruction* The standard Rocketship instructional approach will be for teachers to plan their lessons for at least three groups of students, who are striving for different sub-goals in their development towards meeting the same overall grade-level standards. For example, in Writer's Workshop, there may be a group of second graders still working on the basics of capitalization and punctuation. Others will be focused on more advanced grammatical issues in their writing like subject/verb agreement or plurals. Still others will be working on creating better Story Maps to make it easier for them to write a new story. By focusing on at least three student groups in each lesson, teachers will have to prompt themselves to customize parts of the lesson to each group.

6. *Direct Intervention* Despite the significant amount of individualization built into the Rocketship curriculum, some students may need more. Tutors will provide direct intervention to the bottom quartile of our students during the after-school program each day.
7. *Ongoing Assessment* Data is gathered both through frequent interim assessments performed in the subject areas and daily feedback given teachers from the computers in the Learning Lab. Teachers will have the tools they need to track all of their students and make sure they are not falling behind again in the areas where they received intervention. The ILP will be updated to identify if intervention has been successful or if additional intervention is necessary.
8. *A Commitment to Each Student* With the most struggling students, an effort is sometimes required beyond any normal day to day instruction in order to help a student achieve. Because of the Rocketship mission of bringing all students to grade level by second grade and above grade level by fifth, our staff will find ways to help each student succeed in Math, Reading, and Writing.

Appendix E: Sample Individualized Learning Plan and Corresponding 8-week RtI Plan

INDIVIDUALIZED LEARNING PLAN

STUDENT NAME: David B.

Prefers to be called:	Grade: 3	Teachers: Fromoltz/Netter
Years at Rocketship: 1	IEP? No	CELDT level: 3
Date of initial ILP: November 18, 2010	Area(s) of concern: Reading Comprehension: Summary lacks detail, author's message, predictions don't reflect critical thought, does not describe characters using character traits. WPM: Slower than necessary.	

CURRENT ACADEMIC RECORD: 2009-2010

	September	October	January	March	May
DRA	DRA: N/A	DRA: 20 DRA Fluency: 68 WPM			
Math assessments					
Additional assessments (letter names, sight words, fact tests, etc.: please specify)					

PARTICIPATION IN RTI: 2009-2010

	Mini-cycle	Cycle I	Cycle II	Cycle III	Cycle IV
Yes/No	X	X	✓		

PREVIOUS ACADEMIC RECORD (end-of-year results, as known)

	Kinder	1 st	2 nd	3 rd
DRA				
Letter names & sounds				
Sight words				
Writing rubric level				
Math assessments				
STAR ELA				
STAR Math				
Additional assessments (letter names, sight words, fact tests, etc.: please specify)				

CLARIFICATION OF THE PROBLEM

Given the data and classroom observations, the biggest areas of concern are the following:

- **Reading behaviors** (please note strengths *and* weaknesses):

Fluency:

-  David reads with strong expression most of the time.
-  David's reading rate is much slower than necessary. He needs more practice reading out loud to increase the pace at which he reads.

Comprehension:

-  Oral retell skills are very strong.
-  Summary contains events from beginning, middle, and end.
-  David struggles to identify author's messages when they are less clear.

-  Makes obvious predictions that make sense. But once the obvious predictions are made, he struggles to make less obvious predictions.
-  David needs to provide proof for his predictions. (...because)
-  Lacks relevant detail inside the summary.
-  Lacks character names or vocabulary in summary.
-  Needs to describe characters using adjectives and providing proof for the adjective selection. He can list character actions, but doesn't use adjectives.

- **Writing** (please note strengths and weakness):

-  David often lacks detail when writing. As he moves on to written summary, it will be important for her to incorporate detail in her writing (eg: describing the characters, the setting, and the events).

- **ELD/oral language** (please note strengths *and* weaknesses):

Oral Communication:

-  David can communicate in English.

Following Directions:

-  Most of the time David can understand verbal directions.

Vocabulary:

-  David struggles to find appropriate vocabulary, both academic and otherwise.

Focus/motivation issues (please note strengths *and* weaknesses):

-  David can be easily distracted by students craving negative attention.

GOAL SETTING

Set three clear, measurable goals that will be assessed at the beginning and end of the Rtl cycle:

Goal	Primary time for practice (in class, Learning Lab/after school)	Assessment(s)
Goal 1: By the end	In class <i>and</i> after school	DRA (will be reassessed)

of this cycle, Angel should be at a DRA 30*.		after 4 weeks)
Goal 3: Davidl’s fluency rate will increase to 120 WPM	In class <i>and</i> after school <i>and</i> at home	DRA Fluency

ACTION PLAN

What kinds of interventions will the student receive in class and in tutoring to help them successfully meet their goals?

Tier I (Classroom) Interventions	Method of Practice	Suggested Materials
Intervention 1: DRA	<ul style="list-style-type: none"> • Angel will have guided reading twice weekly. During this time: <ul style="list-style-type: none"> ○ Summary Writing: <p><i>Identifying Events to Write About</i> David will practice identifying five important events in the story based on plot structure (which event causes the problem in the story, which events make the problem worse, when does the problem start to go away, what events help lead to a solution, how is the problem finally solved.</p> <p><i>Summarizing each Event</i> David will be summarizing individual events. When he summarizes an event, he will work to include characters, setting, what happens, and how the characters feel.</p> <p><i>Summarizing All Together</i> David will tie together summaries of individual events to make a cohesive summary</p>	Guided reading texts both fiction and nonfiction at levels 14, 16, 18, 20, and 24. Sentence frames for MIE. List of common themes/messages. Sentence frame for author’s message. Sentence frame for making connections.

	<p>for an entire text.</p> <ul style="list-style-type: none"> ○ Character Traits: David will describe what a character is like based on their actions or appearance. He will use a character trait, then prove it by explaining “because.” ○ Making Predictions: David will practice justifying her predictions. We will use a graphic organizer with specific types of “proof”. ○ Author’s Message: We will read texts with clear author’s messages, and build his exposure to common messages and themes. The more he is exposed to this type of question, the more he will improve. ○ Predictions: Practice making predictions/proving it. 	
Intervention 3: WPM	<ul style="list-style-type: none"> • Before starting centers each day, David and his reading partner will need to time each other on reading a fluency passage. They will revisit the passage each day and time themselves. They will track their progress. Each time they will also fill out a coaching form regarding their partner’s expression specifically. • David have a leveled fluency passage to read at home each week. • David will read aloud during guided reading and receive immediate feedback. 	Fluency passages, timers
Tier II (Rtl) Interventions	Method of Practice	Suggested Materials
Intervention 1: DRA	<i>See 8-Week Plan</i>	<i>See 8-Week Plan</i>
Intervention 2: Letter names/sounds	<i>See 8-Week Plan</i>	<i>See 8-Week Plan</i>

or sight words		
Intervention 3: WPM	Timed oral reading practice	

Corresponding 8-week RtI Plan

8-Week Plan: Group ____, _____

Monday-Thursday, Time

Name	DRA	Teacher	Class	Pickup

DRA goal for the group: Students will pass the DRA level 24-28 in **January**.

Additional goals on ILPs:

- _____ will
- _____ will
- _____ will
- _____ will

Week #	Sessions	Objectives / Lessons	Materials
Week 1 (Nov. 29- Dec. 2)	Mon - Thurs (4 days)	<p align="center">FICTION</p> <p align="center">(NOTE: Students will experience written tests for the first time at level 28.)</p> <p>Beginning of session stuff (name games/nametags, read aloud, write a paragraph about yourself, etc.) <i>As needed – should be no more than 30 min. during first session with the group.</i></p> <p>Sight Words: Use Rocketship High Frequency Words indicated by teachers OR if no words are indicated, use HFW list 28 (1st half)</p> <p>Word ladders: one daily, _____ 2nd-3rd grade book</p> <p>Decoding/Comprehension Mini-Lessons: for each GR lesson, choose one decoding goal and one comprehension goal. Present these goals to students before reading, reinforce during reading, and evaluate progress toward goals after reading. Note:</p>	<p>GR books: DRA level 24 (or Reading A-Z level M)</p> <p>K-3 DRA2 Teacher Guide:</p> <ul style="list-style-type: none"> • “Storyboard” p. 131 • “Prediction” p. 134-135 • “My Book Log” p. 139 <p>Games:</p> <ul style="list-style-type: none"> • (Create-your-own) sight word Bingo • vocab-building games with affixes and -ed endings • fiction comprehension games • retelling games • main idea games <p>* Note: students should <i>always</i> read the word cards and give</p>

		<p>it's ok to read the same book over the course of 2-3 days so that you can practice multiple decoding/comprehension skills!</p> <p><i>Decoding:</i></p> <ul style="list-style-type: none"> • Read and identify words with r-controlled patterns. • Reread passages explicitly for fluency practice (one-minute timed readings, goal = 75 wpm) • Monitor and clarify while reading independently (“Does that sound right? Does that make sense?”) • Identify unknown vocabulary words and use context clues to predict the meaning • Read with expression. Tutor and students use the expression checklist. With a fiction book, expression should sound like talking. <p><i>Comprehension:</i></p> <ul style="list-style-type: none"> • Record books read on a reading log. Tutor will model each time the group begins a new book. • Define fiction books as stories that are made up and may teach us a lesson. (fiction = fake). • Orally list three traits that describe the main character after reading 2-3 pages of text (characterization). • Use the title, and known information about the characters after reading 2-3 pages to make reasonable predictions. Tutor models the first one, and then supports students. Student responses should push beyond what was read aloud and include evidence from the text. “What made you think so?” • Orally retell the text. Use a five finger retell. 	<p>reasons why they chose a given answer if the game has cards with multiple choice answers.</p>
<p>Week 2 (Dec. 6-9)</p>	<p>Mon - Thurs (4 days)</p>	<p style="text-align: center;">FICTION</p> <p>Sight Words: Use Rocketship High Frequency Words indicated by teachers OR if no words are indicated, use HFW list 28 (2nd half)</p> <p>Word ladders: one daily, _____ 2nd-3rd grade book</p> <p>Decoding/Comprehension Mini-Lessons: for each GR lesson, choose one decoding goal and one comprehension goal. Present these goals to students before reading, reinforce during reading, and evaluate progress toward goals after reading. Note: it's ok to read the same book over the course of 2-3 days so that you can practice multiple</p>	<p>GR books: DRA level 24 (or Reading A-Z level M)</p> <p>K-3 DRA2 Teacher Guide:</p> <ul style="list-style-type: none"> • “Storyboard” p. 131 • “Prediction” p. 134-135 • “Reflection” (Interpretation) p. 137 • “My Book Log” p. 139 <p>Games:</p> <ul style="list-style-type: none"> • (Create-your-own) sight word Bingo • vocab-building games with affixes • fiction comprehension

		<p>decoding/comprehension skills!</p> <p><i>Decoding:</i></p> <ul style="list-style-type: none"> • Read and identify words with inflectional endings, -s, -es, -ing. • Reread passages explicitly for fluency practice (one-minute timed readings, goal = 75 wpm) • Monitor and clarify while reading independently (“Does that sound right? Does that make sense?”) • Identify unknown vocabulary words and use context clues to predict the meaning • Read with expression. Tutor and students use the expression checklist. With a fiction book, expression should sound like talking. <p><i>Literal Comprehension (2/week):</i></p> <ul style="list-style-type: none"> • Orally list three traits that describe the main character after reading 2-3 pages of text (characterization). • Use a graphic organizer to capture all events, details, and key vocabulary in sequence. (sequencing map, storyboard, etc.) • Orally retell the text. Students must include all important events from the beginning, middle, and end, some specific details, key vocabulary, and all important characters’ names. Tutor may prompt using the following phrases only: <ul style="list-style-type: none"> - Tell me more. - What happened at the beginning? - What happened before/after _____? - Who else was in the story? - How did the story end? <p><i>Higher-Order Thinking Skills (2/week):</i></p> <ul style="list-style-type: none"> • Use the title, and known information about the characters after reading 2-3 pages to make reasonable predictions. Tutor models the first one, and then supports students. Student responses should push beyond what was read aloud and include evidence from the text. “What made you think so?” • Determine the lesson that the character learned in the story. “How do you know? Why is this lesson important?” 	<p>games</p> <ul style="list-style-type: none"> • retelling games • main idea games <p>* Note: students should <i>always</i> read the word cards and give reasons why they chose a given answer if the game has cards with multiple choice answers.</p>
<p>Week 3 (Dec. 13-</p>	<p>Mon - Thurs</p>	<p align="center">FICTION</p> <p>Sight Words: Use Rocketship High</p>	<p>GR books: DRA level 24 (or Reading A-Z level M)</p>

<p>16)</p>	<p>(4 days)</p>	<p>Frequency Words indicated by teachers OR if no words are indicated, use HFW list 29 (1st half)</p> <p>Word ladders: one daily, _____ 2nd-3rd grade book</p> <p>Decoding/Comprehension Mini-Lessons: for each GR lesson, choose one decoding goal and one comprehension goal. Present these goals to students before reading, reinforce during reading, and evaluate progress toward goals after reading. Note: it's ok to read the same book over the course of 2-3 days so that you can practice multiple decoding/comprehension skills!</p> <p><i>Decoding:</i></p> <ul style="list-style-type: none"> • Read and indentify contractions. • Reread passages explicitly for fluency practice (one-minute timed readings, goal = 75 wpm) • Monitor and clarify while reading independently (“Does that sound right? Does that make sense?”) • Identify unknown vocabulary words and use context clues to predict the meaning • Read with expression. Tutor and students use the expression checklist. With a fiction book, expression should sound like talking. <p><i>Literal Comprehension (2/week):</i></p> <ul style="list-style-type: none"> • Orally list three traits that describe the main character after reading 2-3 pages of text (characterization). • Use a graphic organizer to capture all events, details, and key vocabulary in sequence. (sequencing map, storyboard, etc.) • Orally retell the text. Students must include all important events from the beginning, middle, and end, some specific details, key vocabulary, and all important characters’ names. Tutor may prompt using 1-2 of the following phrases only: <ul style="list-style-type: none"> - Tell me more. - What happened at the beginning? - What happened before/after _____? - Who else was in the story? - How did the story end? • Write retells (or tutor scribes for group). Revise as a group for events, details, key vocab, and sequence. Students add details or 	<p>K-3 DRA2 Teacher Guide:</p> <ul style="list-style-type: none"> • “Storyboard” p. 131 • “Prediction” p. 134-135 • “Reflection” p. 36 • “Reflection” (Interpretation) p. 137 • “My Book Log” p. 139 <p>Games:</p> <ul style="list-style-type: none"> • (Create-your-own) sight word Bingo • vocab-building games with affixes • fiction comprehension games • retelling games • main idea games <p>* Note: students should <i>always</i> read the word cards and give reasons why they chose a given answer if the game has cards with multiple choice answers.</p>
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		<p>change information with another color (colored pencil).</p> <p><i>Higher-Order Thinking Skills (2/week):</i></p> <ul style="list-style-type: none"> • Determine the lesson that the character learned in the story. “How do you know? Why is this lesson important?” • Determine the lesson that the reader can learn from the story (this might be more general). The frame “You should/shouldn’t ___ because ___” often works. Examples include: <ul style="list-style-type: none"> - You should listen to your parents because they know what’s best to keep you safe. - You should be happy with yourself no matter what you like because there is something special about everyone. - You shouldn’t give up if you have a problem because there is always someone who can help. • Identify the most important event in the story. The response should address the author’s message. The response to <i>why</i> might contain demonstration of higher-order thinking. “What do you think is the most important event in this story? Tell why you think it is important.” 	
<p>Week 4 (Jan. 3-6)</p>	<p>Mon - Thurs (4 days)</p>	<p style="text-align: center;">FICTION</p> <p>Sight Words: Use Rocketship High Frequency Words indicated by teachers OR if no words are indicated, use HFW list 29 (2nd half)</p> <p>Word ladders: one daily, _____ 2nd-3rd grade book</p> <p>Decoding/Comprehension Mini-Lessons: for each GR lesson, choose one decoding goal and one comprehension goal. Present these goals to students before reading, reinforce during reading, and evaluate progress toward goals after reading. Note: it’s ok to read the same book over the course of 2-3 days so that you can practice multiple decoding/comprehension skills!</p> <p><i>Decoding:</i></p> <ul style="list-style-type: none"> • Sort words with -ed inflectional endings into the sounds -d, -t, and -id/-ed. • Reread passages explicitly for fluency practice (one-minute timed readings, goal = 75 wpm) 	<p>GR books: DRA level 28 (or Reading A-Z level N)</p> <p>K-3 DRA2 Teacher Guide:</p> <ul style="list-style-type: none"> • “Storyboard” p. 131 • “Prediction” p. 134-135 • “Reflection” p. 36 • “Reflection” (Interpretation) p. 137 • “My Book Log” p. 139 <p>Games:</p> <ul style="list-style-type: none"> • (Create-your-own) sight word Bingo • vocab-building games with affixes • fiction comprehension games • retelling games • main idea games <p>* Note: students should <i>always</i> read the word cards and give reasons why they chose a given answer if the game has cards with</p>

		<ul style="list-style-type: none"> • Monitor and clarify while reading independently (“Does that sound right? Does that make sense?”) • Identify unknown vocabulary words and use context clues to predict the meaning • Read with expression. Tutor and students use the expression checklist. With a fiction book, expression should sound like talking. <p><i>Literal Comprehension (2/week):</i></p> <ul style="list-style-type: none"> • Orally list three traits that describe the main character after reading 2-3 pages of text (characterization). • Use a graphic organizer to capture all events, details, and key vocabulary in sequence. (sequencing map, storyboard, etc.) • Orally retell the text. Students must include all important events from the beginning, middle, and end, some specific details, key vocabulary, and all important characters’ names. Tutor may prompt using 1-2 of the following phrases only: <ul style="list-style-type: none"> - Tell me more. - What happened at the beginning? - What happened before/after _____? - Who else was in the story? - How did the story end? • Write retells (or tutor scribes for group). Revise as a group for events, details, key vocab, and sequence. Students add details or change information with another color (colored pencil). <p><i>Higher-Order Thinking Skills (2/week):</i></p> <ul style="list-style-type: none"> • Use the title, and known information about the characters after reading 2-3 pages to make reasonable predictions. Tutor models the first one, and then supports students. Student responses should push beyond what was read aloud and include evidence from the text. “What made you think so?” • Determine the lesson that the character learned in the story. “How do you know? Why is this lesson important?” • Determine the lesson that the reader can learn from the story (this might be more general). The frame “You should/shouldn’t _____ 	<p>multiple choice answers.</p>
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		<p>because _____” often works. Examples include:</p> <ul style="list-style-type: none"> - You should listen to your parents because they know what’s best to keep you safe. - You should be happy with yourself no matter what you like because there is something special about everyone. - You shouldn’t give up if you have a problem because there is always someone who can help. <ul style="list-style-type: none"> • Orally isolate the most important event in the story. The response should address the author’s message. The response to <i>why</i> might contain demonstration of higher-order thinking. “What do you think is the most important event in this story? Tell why you think it is important.”” 	
<p>Week 5 (Jan. 10-13)</p>	<p>Mon - Thurs (4 days)</p>	<p style="text-align: center;">NONFICTION</p> <p>Sight Words: Use Rocketship High Frequency Words indicated by teachers OR if no words are indicated, use HFW list 30 (1st half)</p> <p>Word ladders: one daily, _____ 2nd-3rd grade book</p> <p>Decoding/Comprehension Mini-Lessons: for each GR lesson, choose one decoding goal AND one literal comprehension OR one higher-order-thinking goal. Each week you should have 2 lessons with literal comprehension goals and 2 lessons with higher-order thinking goals. Present these goals to students before reading, reinforce during reading, and evaluate progress toward goals after reading. Note: it’s ok to read the same book over the course of 2-3 days so that you can practice multiple decoding/comprehension skills!</p> <p><i>Decoding:</i></p> <ul style="list-style-type: none"> • Chunk multisyllabic words (including identifying and counting/markings the vowel sounds). • Chunk multisyllabic words with affixes. • Sort words with –ed inflectional endings into the sounds –d, -t, and –id/-ed. • Reread passages explicitly for fluency practice (one-minute timed readings, goal = 75 wpm) • Monitor and clarify while reading independently (“Does that sound 	<p>GR books: DRA level 28(or Reading A-Z level N)</p> <p>K-3 DRA2 Teacher Guide:</p> <ul style="list-style-type: none"> • “Prediction” p. 135 • “Reflection” p. 136 • “My Book Log” p. 139 <p>Games:</p> <ul style="list-style-type: none"> • (Create-your-own) sight word Bingo • vocab-building games with affixes • nonfiction games • retelling games • main idea games <p>* Note: students should <i>always</i> read the word cards and give reasons why they chose a given answer if the game has cards with multiple choice answers.</p>

		<p>right? Does that make sense?")</p> <ul style="list-style-type: none"> Identify unknown vocabulary words and use context clues to predict the meaning Read with expression. Tutor and students use the expression checklist. With a nonfiction book, expression should sound like teaching. <p><i>Comprehension:</i></p> <ul style="list-style-type: none"> Define nonfiction books as books with facts about a topic (nonfiction = not fake). Use nonfiction text features to gather information and answer questions (table of contents, headings, labeled diagrams, maps, captions, timelines, flow charts, glossary). Tutor teaches the purpose and how to use various text features from the book. Tutor uses prepared questions based on the text features in the book. "Read the map. What does it show you?" Students use the title, table of contents and information read in the first few pages to orally ask questions about what they think will be answered in the text. Student responses should push beyond what was read aloud. "Why, how, what if?" Use the title, table of contents, and information read in first few pages to make predictions about what will be learned in the text. Tutor models the first one, and then supports students. Student responses should push beyond what was read aloud. 	
<p>Week 6 (Jan. 18-20)</p>	<p>Mon - Wed (3 days)</p>	<p>Sight Words: Use Rocketship High Frequency Words indicated by teachers OR if no words are indicated, use HFW list 30 (2nd half)</p> <p>Word ladders: one daily, _____ 2nd-3rd grade book</p> <p>Decoding/Comprehension Mini-Lessons: for each GR lesson, choose one decoding goal and one comprehension goal. Present these goals to students before reading, reinforce during reading, and evaluate progress toward goals after reading. Note: it's ok to read the same book over the course of 2-3 days so that you can practice multiple decoding/comprehension skills!</p> <p><i>Decoding:</i></p> <ul style="list-style-type: none"> Chunk multisyllabic words 	<p>GR books: DRA level 28 (or Reading A-Z level O)</p> <p>K-3 DRA2 Teacher Guide:</p> <ul style="list-style-type: none"> "Prediction" p. 135 "Reflection" p. 136 "My Book Log" p. 139 <p>Games:</p> <ul style="list-style-type: none"> (Create-your-own) sight word Bingo vocab-building games with affixes nonfiction games retelling games main idea games <p>* Note: students should <i>always</i> read the word cards and give</p>

		<p>(including identifying and counting/marketing the vowel sounds).</p> <ul style="list-style-type: none"> • Chunk multisyllabic words with affixes. • Sort words with –ed inflectional endings into the sounds –d, -t, and –id/-ed. • Reread passages explicitly for fluency practice (one-minute timed readings, goal = 75 wpm) • Monitor and clarify while reading independently (“Does that sound right? Does that make sense?”) • Identify unknown vocabulary words and use context clues to predict the meaning • Read with expression. Tutor and students use the expression checklist. With a nonfiction book, expression should sound like teaching. <p><i>Literal Comprehension(2/week):</i></p> <ul style="list-style-type: none"> • Use nonfiction text features to gather information and answer questions (table of contents, headings, labeled diagrams, maps, captions, timelines, flow charts, glossary). Tutor teaches the purpose and how to use various text features from the book. Tutor uses prepared questions based on the text features in the book. “Read the map. What does it show you?” • Students use the title, table of contents and information read in the first few pages to orally ask questions about what they think will be answered in the text. Student responses should push beyond what was read aloud. “Why, how, what if?” • Use a graphic organizer (web) to list important facts from each heading. Fill in the title and headings and then students search for facts. Students can write facts in their own words on post-its and place them where they were discovered in the text. • Write a summary (retell) of the text by heading. The students should include two significant facts from each section in their own words and demonstrate an understanding of key vocabulary. • Revise summary as a group for important facts and key vocab. Students add details or change 	<p>reasons why they chose a given answer if the game has cards with multiple choice answers.</p>
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		<p>information with another color (colored pencil).</p> <p><i>Higher-Order Thinking:</i></p> <ul style="list-style-type: none"> Use the title, table of contents, and information read in first few pages to make predictions about what will be learned in the text. Tutor models the first one, and then supports students. Student responses should push beyond what was read aloud. 	
<p>Week 7 (Jan 24 - 27)</p>	<p>Mon - Tues (4 days)</p>	<p style="text-align: center;">NONFICTION</p> <p>Sight Words: Use Rocketship High Frequency Words indicated by teachers OR if no words are indicated, use HFW list 31 (1st half)</p> <p>Word ladders: one daily, _____ 2nd-3rd grade book</p> <p>Decoding/Comprehension Mini-Lessons: for each GR lesson, choose one decoding goal and one comprehension goal. Present these goals to students before reading, reinforce during reading, and evaluate progress toward goals after reading. Note: it's ok to read the same book over the course of 2-3 days so that you can practice multiple decoding/comprehension skills!</p> <p><i>Decoding:</i></p> <ul style="list-style-type: none"> Chunk multisyllabic words (including identifying and counting/markings the vowel sounds). Chunk multisyllabic words with affixes. Sort words with -ed inflectional endings into the sounds -d, -t, and -id/-ed. Reread passages explicitly for fluency practice (one-minute timed readings, goal = 75 wpm) Monitor and clarify while reading independently (“Does that sound right? Does that make sense?”) Identify unknown vocabulary words and use context clues to predict the meaning Read with expression. Tutor and students use the expression checklist. With a nonfiction book, expression should sound like teaching. <p><i>Literal Comprehension(2/week):</i></p> <ul style="list-style-type: none"> Use a graphic organizer (web) to list important facts from each heading. Fill in the title and headings and then students search 	<p>GR books: DRA level 28(or Reading A-Z level O)</p> <p>K-3 DRA2 Teacher Guide:</p> <ul style="list-style-type: none"> “Prediction” p. 135 “Reflection” p. 136 “My Book Log” p. 139 <p>Games:</p> <ul style="list-style-type: none"> (Create-your-own) sight word Bingo vocab-building games with affixes nonfiction games retelling games main idea games <p>* Note: students should <i>always</i> read the word cards and give reasons why they chose a given answer if the game has cards with multiple choice answers.</p>

		<p>for facts. Students can write facts in their own words on post-its and place them where they were discovered in the text.</p> <ul style="list-style-type: none"> • Write a summary (retell) of the text by heading. The students should include two significant facts from each section in their own words and demonstrate an understanding of key vocabulary. • Revise summary as a group for important facts and key vocab. Students add details or change information with another color (colored pencil). • Write accurate responses to open-ended, literal comprehension questions. Tutor uses self-prepared questions (oral and written). Students mark where they found the answer. “List two reasons that most peanuts are grown in the southern part of the United States.” <p><i>Higher-Order Thinking (2/week):</i></p> <ul style="list-style-type: none"> • Write reasonable responses to interpretation questions. Students must support their thinking with evidence from the text. Tutor uses self-prepared questions and models answering in complete sentences. “Why do you think people use machines to gather peanuts and make peanut butter?” • Write reasonable responses to reflection questions. Students must support their thinking with evidence from the text. Tutor models answering in complete sentences. “What is the most important thing you learned about _____ (topic)? Why is that important?” Tutor should have a clear idea of what the answer to this question is and hold students accountable. Example: “Service animals help people in many different ways. This is important because service animals allow people to do things they would otherwise be unable to do.” 	
<p>NO Week 8</p>		<p align="center">NONFICTION</p> <p>Sight Words: Use Rocketship High Frequency Words indicated by teachers OR if no words are indicated, use HFW list 31 (2nd half)</p> <p>Word ladders: one daily, _____ 2nd-3rd grade book</p> <p>Decoding/Comprehension Mini-Lessons:</p>	<p>GR books: DRA level 28 (or Reading A-Z level P)</p> <p>K-3 DRA2 Teacher Guide:</p> <ul style="list-style-type: none"> • “Prediction” p. 135 • “Reflection” p. 136 • “My Book Log” p. 139 <p>Games:</p>

		<p>for each GR lesson, choose one decoding goal and one comprehension goal. Present these goals to students before reading, reinforce during reading, and evaluate progress toward goals after reading. Note: it's ok to read the same book over the course of 2-3 days so that you can practice multiple decoding/comprehension skills!</p> <p><i>Decoding:</i></p> <ul style="list-style-type: none"> • Chunk multisyllabic words (including identifying and counting/markings the vowel sounds). • Chunk multisyllabic words with affixes. • Sort words with –ed inflectional endings into the sounds –d, -t, and –id/-ed. • Reread passages explicitly for fluency practice (one-minute timed readings, goal = 75 wpm) • Monitor and clarify while reading independently (“Does that sound right? Does that make sense?”) • Identify unknown vocabulary words and use context clues to predict the meaning • Read with expression. Tutor and students use the expression checklist. With a nonfiction book, expression should sound like teaching. <p><i>Literal Comprehension(2/week):</i></p> <ul style="list-style-type: none"> • Use nonfiction text features to gather information and answer questions (table of contents, headings, labeled diagrams, maps, captions, timelines, flow charts, glossary). Tutor teaches the purpose and how to use various text features from the book. Tutor uses prepared questions based on the text features in the book. “Read the map. What does it show you?” • Students use the title, table of contents and information read in the first few pages to orally ask questions about what they think will be answered in the text. Student responses should push beyond what was read aloud. “Why, how, what if?” • Use a graphic organizer (web) to list important facts from each heading. Fill in the title and headings and then students search for facts. Students can write facts in their own words on post-its and 	<ul style="list-style-type: none"> • (Create-your-own) sight word Bingo • vocab-building games with affixes • nonfiction games • retelling games • main idea games <p>* Note: students should <i>always</i> read the word cards and give reasons why they chose a given answer if the game has cards with multiple choice answers.</p>
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		<p>place them where they were discovered in the text.</p> <ul style="list-style-type: none">• Write a summary (retell) of the text by heading. The students should include two significant facts from each section in their own words and demonstrate an understanding of key vocabulary.• Revise summary as a group for important facts and key vocab. Students add details or change information with another color (colored pencil).• Write accurate responses to open-ended, literal comprehension questions. Tutor uses self-prepared questions (oral and written). Students mark where they found the answer. “List three things that Mae learned to do in the astronaut training program.” <p><i>Higher-Order Thinking (2/week):</i></p> <ul style="list-style-type: none">• Use the title, table of contents, and information read in first few pages to make predictions about what will be learned in the text. Tutor models the first one, and then supports students. Student responses should push beyond what was read aloud.• Write reasonable responses to interpretation questions. Students must support their thinking with evidence from the text. Tutor uses self-prepared questions and models answering in complete sentences. “Why do you think people use machines to gather peanuts and make peanut butter?”• Write reasonable responses to reflection questions. Students must support their thinking with evidence from the text. Tutor models answering in complete sentences. “What is the most important thing you learned about _____ (topic)? Why is that important?” Tutor should have a clear idea of what the answer to this question is and hold students accountable. Example: “Service animals help people in many different ways. This is important because service animals allow people to do things they would otherwise be unable to do.”	
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Appendix F: Sample UbD Unit



Water Makes the World Go Round

1) Desired Results

Established Goals:

Science Standards

5th Grade: 3. Water on Earth moves between the oceans and land through the processes of evaporation and condensation. As a basis for understanding this concept:

- a. *Students know* most of Earth's water is present as salt water in the oceans, which cover most of Earth's surface.
- b. *Students know* when liquid water evaporates, it turns into water vapor in the air and can reappear as a liquid when cooled or as a solid if cooled below the freezing point of water.
- c. *Students know* water vapor in the air moves from one place to another and can form fog or clouds, which are tiny droplets of water or ice, and can fall to Earth as rain, hail, sleet, or snow.
- d. *Students know* that the amount of fresh water located in rivers, lakes, under-ground sources, and glaciers is limited and that its availability can be extended by recycling and decreasing the use of water.
- e. *Students know* the origin of the water used by their local communities.

4. Energy from the Sun heats Earth unevenly, causing air movements that result in changing weather patterns. As a basis for understanding this concept:

- a. *Students know* uneven heating of Earth causes air movements (convection currents).
- b. *Students know* the influence that the ocean has on the weather and the role that the water cycle

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plays in weather patterns.

Students know the causes and effects of different types of severe weather

Science Review Strands:

2nd Grade Rock Cycle Unit: Steps in the rock cycle, focus on weathering and erosion and the role of wind and waves specifically (2nd Grade 3.a-e, 4th Grade 4.a,b, 5.a-c)

3rd Grade Astronomy Unit: Tilt of the earth + rotation = seasons, focus on different hemispheres and direct v. indirect light from the sun (3rd Grade 4.a-e, 5th Grade 5.a-c)

ELA Standards:

Reading 2.3: Discern main ideas and concepts presented in texts identifying and assessing evidence that supports those ideas.

Reading 2.1: Understand how text features (e.g. format, graphics, sequence, diagrams, illustrations, charts, maps) make information accessible and usable.

Literary Criticism 3.7: Evaluate the author’s use of various techniques (e.g. appeal of characters in a picture book, logic and credibility of plots and settings, use of figurative language, **point of view**) to influence readers’ perspectives.

Writing 2.1: Write narratives that establish a. plot, point of view, setting, and/or conflict b. Show rather than tell the events of the story

Listening & Speaking 2.2: Deliver informative presentations about an important idea, issue, or event by the following means a. Frame questions to direct the investigation b. Establish a controlling idea or topic c. Develop the topic with simple facts, details, examples, and explanations

Understandings:

Students will understand that...

Water is a dynamic force.

The interaction between water, wind, and temperature change has many effects for both living and non-living things.

Human actions effect the environment.

U

Essential Questions:

How does water on earth affect my life?

How do I affect the earth’s water supply?

How does water change the all living and non-living things?

Q

Knowledge:

Students will know...

K

Skills:

Students will be able to....

S

that the presence of water on earth is one of the reasons for life on the planet.	1	compare the earth to other planets in our solar system and describe what our world would look like without water.
how very little fresh water there is on earth compared to salt water, and how water is in constant motion.	2	locate on maps where the earth's water supply is stored, describe how it moves, and how much of it is counted as "fresh water."
how water moves through phases and locations in the water cycle.	3	describe the path of a water droplet through the water cycle and across the world.
where their drinking water comes from and how it cleaned.	4	trace the path of their water from Yosemite to their faucets.
how changes in temperature, wind currents, ocean currents, and air pressure combine to create different forms of weather.	5	predict the resulting form of weather given a description of various conditions.
the significance of symbols on a weather map.	6	use a weather map in a local newspaper to describe the weather in various locations nation and world-wide.
how wind and water erosion shapes the landscape over time.	7	identify geographical examples of erosion (i.e. the Grand Canyon), and explain the process of erosion and deposition over time.
how differences in weather can effect living and non-living things.	8	describe the after-effects of prominent weather events (i.e. Hurricane Katrina) on people and the environment, and predict the outcome for a given environment of a specific weather event
how human actions (driving, building factories, polluting water etc.) can change the environment.	9	explain the cause and effect relationship of various human actions and environmental change.
how important a force water is in creating the lives we know.	10	Respond to the essential questions of the unit orally, and in writing to demonstrate a strong understanding of all key ideas.

2) Assessment Evidence

Performance Tasks & Summative Assessments:	SA	Pre-Assessment & Formative Assessments:	FA
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1) Learning Logs (informal) Group Conclusions from Venn Diagram Activity (The earth is unique in these ways....)	1) Review Activity for Astronomy – Venn Diagram between the Earth and various planets
2) Learning Logs (informal) Homework (mark freshwater, share with a parent) Performance Task: using a map describe where we can find freshwater, how it travels	2) Prior to world map input chart, ask students to predict: -Where freshwater is located -What % of water on earth is drinkable -Where we get our drinkable water from
3) Word Card Review Final Narrative about the path of a water droplet	3) Observation charts in class
4) Performance Task: tracing the pathway of freshwater from Yosemite to their faucet Expert Group presentation on Exhibition Night	4) Prior to input chart, ask students to predict: -Where their freshwater comes from -How it reaches their faucet -Where it goes after they flush it, wash it down the drain...
5) Final Assessment Questions Learning Log (informal) Exit Slips	5) Group Work (centers)– what conditions lead to various types of weather, gather and discuss prior to that week’s teaching
6) Final Assessment Questions Exhibition Night Presentation	6) Homework – bring in a weather map, explain to parents what you <i>think</i> it says KWL chart Bellworks questions prior to this unit...
7) Learning Lobs (informal) Final Assessment – Case Study	7) Observation Charts (canyons, etc.)
8) Final Assessment - essay question Sections of the Narrative	8) Observation Charts (Hurricanes etc.) Group Work (in centers) – what happens after...
9) Final Assessment - essay question Exhibition Night Presentation Final Learning Log entry: (what was the most	9) Observation Charts CCD predictions (climate change, global warming)

important thing you learned, what will you do with this information?)	
10) Exhibition Night presentation Final Assessment - essay questions (EQ's)	10) Introduce EQ's and have students respond in Learning Logs
<p>Exhibition Night Plan: <i>"H2O for America"- students will establish the "platform" for H2O, as he/she runs for president. What has he/she done, and what can he/she do for you? Expert groups will present compelling evidence for why you should care about and support, this candidate.</i></p> <p>Expert Groups:</p> <ul style="list-style-type: none"> • Water's Impact: covers erosion, life giving qualities, weather impact (and how weather comes to be) • Freshwater's history: traces the watershed, review water cycle, the importance of conserving freshwater • Weather: What you need to know about how water interacts with his/her friends (currents, climate etc.) • Protect H2O and the Planet: how human actions can impact the weather, water cycle etc. <p><i>Student created ending piece (voting, parents, write down how the most impt. thing they learned, etc.)</i></p>	

Example Weekly UbD Integration Plan

Monday – 3h, 40 m	Tuesday - 3h, 40 m	Wednesday - 3h,40m	Thursday - 3h, 40 m	Friday – 2h, 40m
<ul style="list-style-type: none"> • Revisit UbD content in Word Study • Center(s) during GR 	<ul style="list-style-type: none"> • Revisit content in RW mini-lesson • Center(s) during GR 	<ul style="list-style-type: none"> • Revisit content in WW mini-lesson • Center(s) during GR 	<ul style="list-style-type: none"> • Revisit UbD content in Word Study • Center(s) during GR 	<ul style="list-style-type: none"> • Homework check/bellwork (20) • Spelling Test (15) • GR (30) • GWG (20) • UbD Content

20 – 40 min. per day				(60) <ul style="list-style-type: none">• Community Circle (15)
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3) Learning Activities			LA
Lesson (Number, Title, # of Class Periods)	Whole-Class Components	Differentiated Components	
<p>D1W1 (Friday) <i>Water's Importance</i></p> <p>1 hour whole group with group work</p>	<ul style="list-style-type: none"> -Previously, students have done Venn Diagrams to compare and contrast the earth to other planets (<i>during Centers</i>) -Have students in groups share their work in draw a conclusion about 1-2 main points about how the earth is different from a given planet -Have each group share their conclusion (record on sentence strips) -Provide a note taking graphic organizer and set context for the video/unit -Watch Discovery Streaming video “The Blue Planet” (10 min. -Have each group share their notes, and complete the sentence – The earth is unique amongst the planets in our solar system because.... To share with the whole class -Create class conclusion – water is a life giving element that makes the earth unique (amongst other factors – Mars!) 		
<p>D2W1 (Monday) <i>Water's Importance</i></p> <p>20 min, whole group 20 min. center time in groups</p>	<p>Centers:</p> <ul style="list-style-type: none"> -Copy the EQ’s into your learning log, answer the questions with knowledge you currently have -Make predictions about what you will be learning in the unit, or any questions you have <p>Word Study:</p> <ul style="list-style-type: none"> -CCD: hydrology (focus on the ending –ology, create a list of other –ology words to help define) -Review our group conclusions about how the earth compares to other planets for subject/verb agreement (if no issues, create examples that groups can edit) 	<ul style="list-style-type: none"> -Illustrate the EQ’s for ELLs -Underline key words (have a group leader for each group that can lead this process in centers) -Pull students who need more processing time as they come in to discuss –ology words... 	
<p>D3W1 (Tuesday) <i>Water's Importance</i></p> <p>20 min, whole group</p>	<p>Centers:</p> <ul style="list-style-type: none"> -Share one of your responses to EQ’s with a partner, underline any sections you had BOTH written, add any new information you learn, or questions you have after speaking with you partner -Observation Charts with the pictures from “Don’t Drink the Water” -Complete the g.o. on the shared reading 	<ul style="list-style-type: none"> -Have select vocab words already illustrated and defined, for sharing while reading (this is not the main purpose of the lesson, so we want students to understand quickly...) 	

<p><i>20 min. center time in groups</i></p>	<p>Reader’s Workshop ML: -Set purpose for reading: Identifying cause and effect in order to understand the author’s message -Shared Reading of “Don’t Drink the Water” -Have students begin graphic organizer of cause and effect, and citing details to prove the author’s message</p>	
<p>D4W1 (Wednesday) <i>Water’s Importance</i> <i>20 min, whole group</i> <i>20 min. center time in groups</i></p>	<p>Centers: -Complete the g.o. from yesterday’s shared reading “Don’t Drink the Water” -Summarize key points – if you were going to teach the main idea of this piece to 1st graders, what would you say were the 3 most important details? Writer’s Workshop ML: -Creating examples of problem/solution based on the premise of “Don’t Drink the Water” – what could a character do if they did not access to freshwater?</p>	
<p>D5W1 (Thursday) <i>Water’s Importance</i> <i>20 min, whole group</i> <i>20 min. center time in groups</i></p>	<p>Centers: -Choose one of your seed ideas for problem/solution from yesterday’s writing and begin to draft the story -Scaffolded: students supply the problem for given solutions or vice versa, and choose one to begin drafting -Pre-assessment for input chart: where is freshwater located, what % of the water on earth is drinkable, where does the water in our taps come from? Word Study: CCD - precipitation Define the suffix –tion, create a list of examples Classify (-tion = what part of speech?)</p>	<p>-See scaffolded section of centers time</p>
<p>D1W2 (Friday) <i>The Water Cycle & Freshwater</i> <i>1hour</i></p>	<p>-Review the pre-assessment for freshwater -Begin world map input chart (main oceans, difference between freshwater and ocean water, where freshwater can be found, percentage of drinkable water on earth) -Focus the students on 2 locations – Northern California, and Okavango Delta in Botswana, add the main rivers and water sources to the input chart -Introduce OHECK – the scientific method</p>	<p>-Provide pictures, short narratives about how people gather water in different parts of the world – to build schema -Illustrated version of “The Precipitation Dance” -TPR when teaching the dance</p>

	<ul style="list-style-type: none"> -Pose a question to students – “What about people who do not live near rivers, lakes –w here do they get their water from?” -Start with observations, and have groups form a hypothesis... -Collaboratively decide upon how we could experiment to find out if our hypotheses are correct -Teach “The Precipitation Dance” -CCD follow up define precipitation, add condensation 	
<p>D2W2 (Monday) <i>The Water Cycle</i></p> <p><i>20 min, whole group</i> <i>20 min. center time</i> <i>in groups</i></p>	<p>Centers:</p> <ul style="list-style-type: none"> -Students copy the input chart into their Learning Log, adding their 2 big take-aways, and 3 questions for further research -In groups, write a list of potential experiments to validate our hypothesis about how people get freshwater <p>Word Study:</p> <ul style="list-style-type: none"> -Finish up “condensation” in the CCD -Generate possible inflectional endings for the base word – condense -Have students write/fill in the correct word for various sentences and PROVE how they know their ending is correct 	<ul style="list-style-type: none"> -Create a g.o. for students to plan a potential experiment -Add a list of guiding questions for students who are struggling -Differentiated word study worksheet – either students create the sentence or just choose the correct word to fill in, in pre-made sentences
<p>D3W2 (Tuesday) <i>The Water Cycle</i></p> <p><i>20 min, whole group</i> <i>20 min. center time</i> <i>in groups</i></p>	<p>Centers:</p> <ul style="list-style-type: none"> -Students illustrate the “Precipitation Dance” lyrics in their Learning Logs, using the dictionary when necessary -Continue “monitoring my reading” activity from ML <p>Reader’s Workshop ML:</p> <ul style="list-style-type: none"> -Monitoring our Comp. when reading for information -Model reading through the first 2-3 paragraphs of an article on “The Water Cycle” – using sticky notes to stop and ask questions as they come up, or highlight unknown words, or make connections -Have students begin to do the same in the next paragraph (they will continue during Centers time) 	<ul style="list-style-type: none"> -Could use different passages for different reading levels or have students partner read depending upon levels of students
<p>D4W2 (Wednesday) <i>The Water Cycle</i></p> <p><i>20 min, whole group</i> <i>20 min. center time</i> <i>in groups</i></p>	<p>Centers:</p> <ul style="list-style-type: none"> -Have students finalize their experiments to test their hypotheses about how freshwater travels -Give students CA water cycle input map (scaled down) and have them make predictions about what they will be learning on Friday about the pathway water takes within our state (students paste in their learning Log) <p>Reader’s Workshop ML:</p> <ul style="list-style-type: none"> -Review the post-it’s from yesterday’s reading – how does this help us 	<ul style="list-style-type: none"> -Differentiated CA input chart – guiding questions for some students

	<p>understand our reading better? -Review some of the student generated thoughts/questions etc. -Add “Thinking about reading while reading helps us understand what we are reading more deeply” to the Good Readers.... chart</p>	
<p>D5W2 (Thursday) <i>The Water Cycle</i> <i>20 min, whole group</i> <i>20 min. center time</i> <i>in groups</i></p>	<p>Centers: -Based on their reading this week, have students fill out a “Water Cycle” chart, and write a paragraph to explain how water moves through the water cycle -Extension: have students compare the water cycle to the rock cycle that they studied in 2nd grade in a Venn Diagram Writer’s Workshop ML: -Adding important details: model from the perspective of a water droplet – would add what I see below me as I rise up as a cloud, the temperature etc., would not add the color of everything -Informal assessment of the stages of the water cycle opportunity -Have students think of details for various stages that the droplet would be moving through</p>	<p>-Rock cycle books on hand to reference</p>
	<p>Jump ahead approx. 7 weeks...</p>	
<p>D1W9 (Friday) <i>Tying it All Together</i> <i>1 hour 15 min.</i></p>	<p>-Prior to today, students have reviewed their EQ predictions that were written in the Learning Logs at the beginning of the unit -What were misperceptions we had? Students work in groups to discuss what they wrote 2 months ago, and what new information they have about their EQ’s now, each group captures their best answer on a sentence strip -Present group responses to EQ’s -Vote with dots – what are the most important ideas to convey to our parents on exhibition night? -Students “apply” to be part of various expert groups for exhibition night -Brainstorm for the closing activity with our parents – what do we want them to walk away with on EN? -Finish input chart on human impact causes & effects for the environment</p>	

<p>D2W9 (Monday) <i>Tying it All Together</i></p> <p><i>20 min, whole group</i> <i>20 min. center time</i> <i>in groups</i></p>	<p>Centers: -Students receive “expert group assignment,” and begin to write out their Big 5 key points -EN planning form – what experiment will demonstrate this idea, what visuals etc.</p> <p>Writer’s Workshop ML: -Choosing imp. details to support the assertion -Share a statement about climate change, and review a familiar article on the topic -Have students suggest details to underline for citing in the Response to Literature</p>	<p>-G.o.’s for planning for EN -Use an article students have read before (esp. something lower readers are familiar with, something from GR?)</p>
<p>D3W9 (Tuesday) <i>Tying it All Together</i></p> <p><i>20 min, whole group</i> <i>20 min. center time</i> <i>in groups</i></p>	<p>Centers: -Students each write up their key points into a presentation for EN (at least 3 paragraphs) -Share writing with a partner, and edit</p> <p>Word Study: -Review Weather Bugaloo – searching for prepositions -Farmer in the Dells for hurricane, tornado and blizzard</p>	<p>-Editing checklist (with pictures) -Illustrated word cards for hurricane, tornado and blizzard</p>
<p>D4W9 (Wednesday) <i>Tying it All Together</i></p> <p><i>20 min, whole group</i> <i>20 min. center time</i> <i>in groups</i></p>	<p>Centers: -Expert Groups meet to share their presentation write ups, and make sure they do not overlap -Share EN planning form and make decisions about which experiments, visuals etc. to use and divide responsibilities</p> <p>Reader’s Workshop: -Figurative language (specifically metaphors) -Use poetry about various weather types to illustrate metaphors -Have small groups read their poem and explain the metaphor employed by the poet</p>	
<p>D5W9 (Thursday) <i>Tying it All Together</i></p>	<p>Centers: -Have students use their “study guide g.o.” to go back through their Learning Logs and review for their final assessment -Students needing more time, rewrite their section of the presentation for EN</p> <p>Word Study:</p>	

<p>20 min, whole group 20 min. center time in groups</p>	<p>- Alliteration hunt (model) then have students work in pairs to find as many examples of alliteration from UbD posters/chants as they can, bonus – students together write a sentence about freshwater with as many alliterative phrases as possible -Share out</p>	
<p>D1W10 (Friday)</p> <p><i>Tying it All Together</i></p> <p>1 h. 15 min.</p>	<p>Final Assessment Pull students for performance task #1, and #2 if time allows</p>	
<p><i>*Key Lesson/Activity: Using Reach FAS Lesson Plan & Observation Protocols</i></p>		

- 3) To what extent is the learning plan effective and engaging? Do the key Lesson Plans demonstrate quality differentiated instruction and formative assessments?**
- 4) Overall Design: To what extent is the entire unit coherent, with the elements of all three stages aligned?**

Appendix G. High-Performing Students

Our gifted students will benefit from the same practices that are helpful to our struggling students. Because our internal systems measure student gains monthly, we will be able to monitor our high-achievers to make sure that their gains continue and do not regress to class averages.

1. *Early Detection* Rocketship will use internal assessment in Reading, Writing, Math, and Oral Language to help us identify high performing students within the first six weeks of school and monthly thereafter. Please see the section in Student Outcomes titled *Measuring Student Performance* for more information on the assessment methodology to be used.
2. *Differentiation* Rocketship will use our interim assessments to track a student's work over time for students achieving significantly above grade level. Differentiation will be used with high-performing students to allow teachers to collaborate on best processes and successful past enrichment activities with this student. This will occur both in whole-class and small-group lessons.
3. *Family Communication* We will inform the families as soon as we are sure of the child's performance. Our parents sign a significant Commitment Letter (Appendix U), committing to help their student. With high-performing students, it will be common for teachers to give students additional books and work to perform at home to increase their understanding of the subject area.
4. *Teacher Collaboration* At least weekly, subject area teachers will gather to compare their student data, discuss students, and discuss instructional strategies, interventions and enrichment. This will be realized through a schedule that will allow the staff to have an early dismissal day one day a week.
5. *Focused Instruction* The standard Rocketship instructional approach will be for teachers to plan their lessons with at least three groups of students broken out who are striving for different sub-goals in their development towards meeting the same overall grade-level standards. For example, in Writer's Workshop, there may be a group of second graders still working on the basics of capitalization and punctuation. Others will be focused on more advanced grammatical issues in their writing like subject/verb agreement or plurals. Still others will be working on creating better Story Maps to make it easier for them to write a new story. By focusing on at least three student groups in each lesson, teachers will have to prompt themselves to customize parts of the lesson to each group.
6. *Daily Enrichment* For high-performing students, the Learning Lab will be a place where they can read a lot of children's literature and use software that challenges them, even if they are far ahead of the class. We anticipate providing other activities to our high-achieving students during Learning Lab which can let them examine the current grade-level themes in more depth.
7. *Ongoing Assessment* Data is gathered both through frequent real-time assessments performed in the subject areas and daily feedback given teachers from the computers in the Learning Lab. Teachers will have the tools they need to track all of their students and make sure that students who began the year with

good gains are not falling off. If they do fall off, this data will be used during teacher collaboration time to think of strategies for this student.

Appendix H: Rocketship Education's Response to Intervention Program

Response to Intervention (RtI) describes both a service delivery model and eligibility criteria for specific learning disability (IDEA 2004). In a report prepared by the National Joint Committee on Learning Disabilities (2005), the Committee identified three core components of RtI: “(1) Application of scientific, research-based interventions; (2) measurement of student’s response to these interventions; and (3) use of RtI data to inform instruction” (Tom Green). The term RtI also describes an eligibility criterion for special education. This criterion is found in IDEA 2004 Sec 614(b)(6)(B). The law states; “In determining whether a child has a specific learning disability, a local education agency may use a process that determines if the child responds to scientific, research-based intervention as a part of the evaluation procedures...”

RtI Rationale

Discontent with the IQ-Achievement model as a means of identifying students with learning disabilities stems from three major deficiencies with this model - the unreliability of discrepancy scores, the inability of IQ scores to predict student potential, and high misidentification rates (Vaughn, Linan-Thompson, and Hickman 2003). Along with these deficits, the the IQ-Achievement model usually identifies student *after* they have experienced academic failure. This remedial approach to intervention stymies more preventative measures and frustrates service providers who are forced to wait for students to fail before intervening. In *Catch Them Before They Fall: Identification and Assessment to Prevent Reading Failure in Young Children*, Torgeson (1998) summarizes the research base that echoes these frustrations, “One of the most compelling findings from recent reading research is that children who get off to a poor start in reading rarely catch up...And the consequences of a slow start in reading become monumental as they accumulate over time” (pg. 1). Instead of a remedial approach to intervention, RtI focuses on the prevention of learning difficulties by providing early intervention *before* students experience academic failure. With mounting evidence from both basic and applied research indicating the effects of a remedial approach to service provision and special education eligibility criteria, the preventative approach employed by RtI seems a more viable alternative.

Core Components of RtI

RtI describes a team-based, systematic process where staff provides early intervention. The efficacy of this instruction is assessed using frequent progress monitoring, which in turn informs decision-making (Vaughn, Linan-Thompson, and Hickman 2003). The most frequently used service delivery model is the three-tiered model. In Tier 1, general educators use a research-based core curriculum. This first level should ideally provide adequate instruction for 80% of students. If a student does not ‘respond’ to this primary intervention, the student receives Tier 2 services. Tier 2 services supplement the core curriculum and provide students with extra practice in letter-sound correspondence, phonological awareness, fluency, vocabulary, and comprehension. Tier 2 interventions can either be provided in a general education or in a pullout setting, supporting 10-15% of students school-wide. If a student receives Tier 2 services and continues to need support, as measured by frequent progress monitoring, the learner moves to Tier 3. When

a student moves to this level of service, a special education evaluation is conducted to determine eligibility for formal special education services (National Joint Committee of Learning Disabilities 2005).

Other Potential Benefits of RtI

RtI has many potential benefits for student from diverse economic, linguistic, and cultural backgrounds. This model promises to provide equitable access to standards based curricula for *all* students and reduce identification of students with learning difficulties. For example, students with diverse backgrounds are often overrepresented in special education (Department of Education 2007), and this model could help ameliorate this longstanding problem. In the article *Cultural Considerations with Response to Intervention Models*, Klinger and Edwards state, RtI "...has dramatic implications for culturally and linguistically diverse students who historically have been disproportionately overrepresented in special education programs...RtI models hold promises for preventing academic failure by providing support for culturally and linguistically diverse students before they underachieve." (pg. 108)

Not only can RtI help increase equity in schools, it may also promote collaboration and shared responsibility between service providers. RtI, when preceded by an equalization of funding, training, and support, may help break down the historical barriers between general education and special education. This approach also offers general educators the ability to use "instructionally relevant" data beyond standardized test scores. Teachers and staff members could utilize a variety of assessments, including curriculum-based measurement, district-wide benchmarks, and teacher created measures to assess student growth (National Joint Committee of Learning Disabilities 2005).

Rocketship Education Response to Intervention Model

Revisions to the Elementary and Secondary Education Act (NCLB) and the Individuals with Disabilities Education Act specifically allow coordination of all general education, categorical and special education services. Although the state of California still uses a traditional, separated categorical and special education organizational structure, federal law and implementing regulations, along with precedent in other districts in the state of California are currently interpreted as allowing coordination of services under Response to Intervention.

The Rocketship Response to Intervention model is intended to systematically coordinate regular and special education assessment and services to below grade level students. The purpose of the model is to provide 3-tiered assessment, intervention, and support to all at risk students as early and effectively as possible, consistent with the Response to Intervention model. The expected outcome is that, over time, more students would progress from at risk status to functioning within a normal range for grade level standard, and far fewer students would ultimately need formal special education assessment and service. This model is also intended to address the achievement gap between below grade level English Language Learners, Learning Disabled students, economically disadvantaged students, and students of color; and white and Asian, English speaking, economically advantaged students. A growing body of research supports the contention

that coordinated, intensive, early intervention promotes advanced, equitable student achievement and saves money over time

The Response to Intervention model is designed to coordinate assessment, instruction, and evaluation and coordinate all available support and instructional services for below grade level students. It is designed to make more efficient use of existing resources- time, money, materials, expertise, and staff –to better address the needs of below grade level students.

All of the individual programs necessary for implementing Response to Intervention exist in current practice. All necessary funding, programs, access to training, and staffing are currently available under existing law. Assessment, instructional strategies and materials, schedules and groupings, and Response to Intervention Team makeup may vary from site to site depending on the instructional needs of the students and the expertise of the staff.

Essential Elements of Response to Intervention

There are, however, several necessary elements of the educational program that are essential to successfully implementing this model, including:

- 1. Consensus Building: A professional, institutional commitment to all students meeting or exceeding grade-level standards.** Staff must truly believe and be willing to put into practice the belief that all students are capable of meeting or exceeding grade level standards.
- 2. Universal Screening and Progress Monitoring: The use of data-driven decision-making to inform instructional decisions, allocation of resources, and instruction.** Staff must initially assess all students upon entry into school, and assess student progress on an ongoing basis, at a minimum three times per year, collect the data, analyze the results, and design instruction to meet current student need.
- 3. Early Intervention: A commitment to systematic early literacy instruction.** Intervention must begin at the earliest possible opportunity, in most cases upon beginning Kindergarten. An extended or full day Kindergarten program is essential for full implementation of the model. Kindergarten and primary grades staff must be trained in and provide highly effective pre-literacy and literacy instruction. Support staff, both remedial and special education, must be trained to provide effective and developmentally appropriate assessment and instruction at the Kindergarten and primary levels.
- 4. Collaboration between all instructional staff.** Regular classroom teachers, remedial and support staff, and special education staff must meet regularly to examine assessment data, determine appropriate instructional strategies based upon that assessment data, develop plans and schedules for instructional groupings, and re-evaluate progress on a regular basis.
- 5. Understanding that support and instruction for at risk students must supplement, not supplant regular classroom instruction.** Response to Intervention suggests a 3-tiered model for support. Optimal support and intervention for below grade level students starts in and continues in the regular

- classroom. Regular classroom teaching staff must commit to differentiating instruction to most effectively address the needs of below grade level students in the regular classroom. If additional support and instruction by support and special education staff is needed, or if special education services are warranted, differentiated instruction must continue in the classroom in coordination with support and special education services. All at risk students should receive basic skills instruction in the regular classroom, by support staff, and in an extended day setting. For greatest impact all of these services should be coordinated.
- 6. Commitment to long-term professional development.** Current staff seldom has the professional knowledge to fully implement all aspects of an effective instructional program for below grade level students. The school as an institution must commit to identifying effective instructional strategies and providing the professional development to train staff to use those strategies.

The Response to Intervention Team

The work of the Response to Intervention program is guided by a Response to Intervention Team. This team provides coordinated staff work to assess all students upon entry into the school, determines need for all students assessed as below grade level, assigns services and develops schedules, and monitors progress. The Response to Intervention Team is led by the Principal and Assistant Principal, and also includes the Academic Dean, Individual Learning Specialists, general education classroom teachers, and any and all staff providing direct instruction or service to below grade level students.

Members of the Response to Intervention Team meet regularly to guide the work. The meeting time is essential to train, assess, analyze data, determine instructional needs, obtain materials, and develop schedules and instructional groupings and assignments.

The Student Study Team focuses on individual at risk students within the greater context of the whole school Response to Intervention program. This focus fosters collaboration between the regular classroom and all support and special education staff and services. The significant revision of Student Study Team guidelines and procedures must be addressed in the Response to Intervention model.

Student Study Team forms are included in the charter document to provide specific examples of the restructuring of the Student Study Team under the Response to Intervention model.

Assessment-Universal Screening and Progress Monitoring

All students are assessed upon initial enrollment in school. Subsequent assessments are done monthly to monitor progress, inform instructional decisions, and guide grouping and scheduling decisions. Assessment tools include all standard achievement tests: CELDT, Rocketship math assessments, scored writing samples using a Six Trait rubric, DRA 2 reading assessment, CORE Phonics Survey, and all STAR test data.

This data collection and analysis process requires the implementation of a school-wide assessment, collection, and analysis system.

Eligibility Criteria

All students assessed as currently below grade level standards based upon the data from the multiple assessment tools are eligible for services under the Response to Intervention model. All law and policy guidelines for other eligibilities- special education and English Language Learner –must be adhered to, but are secondary to determination of relation to grade level standards. These legal and policy guidelines are no longer the highest priority for determination of need for service. The Response to Intervention Team uses current assessment data to determine need based upon relation to grade level standard, to develop instructional and support strategies, and as the next priority to determine eligibility for formal special education services.

Provision of Services-Instructional Strategies and Materials

Rocketship school model is a full Response to Intervention model, providing three tiers of intervention for students in need of additional assistance. For students determined upon initial assessment to be below grade level standards, the Response to Intervention Team employs the three-tiered approach and determines appropriate service and staffing. Delivery of service is in the least restrictive, most appropriate setting- general education classroom by the general education classroom teacher, general education classroom supported by additional pullout instruction, both augmented by extended day instruction, or a special day class setting. Instructional strategies will include best practices as determined by the Response to Intervention staff. This approach requires a very high degree of collaboration and coordination between the general education classroom teacher and support staff. Regular grade level planning team meetings, staff meetings, and Response to Intervention team meetings may be used to support the collaboration necessary to plan coordinated instruction. Bi-monthly interim assessment results are analyzed to identify students who are failing to make adequate progress.

For each student in this category, an Individualized Learning Plan (ILP) is generated which specifies areas of strength and weakness and explicit classroom modifications, areas to target in our Computer curriculum, and specific goals and methods for tutors. The first tier of intervention is in the classroom. Guided Reading groups will often be used to deliver these more individualized objectives during normal classroom instruction. The second tier of intervention in Learning Lab will be a daily small-group intervention with a group of students with similar needs, focused on goals from each student's ILP. If classroom modifications and Learning Lab interventions fail to help a student make adequate progress, they enter the IEP process and our IEP's reflect academic goals aligned with the school's goals for that grade level. Providing these three levels of intervention allows Rocketship to serve the most struggling readers more effectively than traditional elementary schools.

Tier 1 General Education Classroom: Regular classroom reading programs use a balanced literacy approach with guided leveled reading. Regular classroom math programs use Harcourt Math, supplemented by a variety of direct instruction support programs. Tier 1 interventions include increased frequency small group instruction in the regular classroom.

Tier 2 Continued General Education Classroom instruction supplemented by support services instruction: Rocketship offers all students the opportunity to participate in our Learning Laboratory for two hours each day. The purpose of the Learning Lab is to provide students with additional practice in Literacy and Math at exactly their current level of instruction.

The Learning Laboratory is a combination of a library, computer lab and homework center. The Learning Lab has a full-set of leveled books where students can read independently at their “just right” level (the top of their independent reading level) as well as at computers running a learning management system that allows students to access instruction at exactly their current level of understanding. Rocketship will also begin to offer small-group tutoring during Learning Lab in the upcoming school year.

Tier 3 The Response to Intervention Model and Special Education:

The Response to Intervention model is consistent with the program requirements of recent revisions to IDEA, Federal Special Education law and policy, and implementing regulations. The state of California has not yet adopted regulations consistent with Federal law, but expert advice in the field counsels us not to wait for these regulations. Districts all over the state are successfully, legally implementing Response to Intervention models. Referral for assessment for eligibility for formal special education services may be made by the Response to Intervention Team meeting as a Student Study Team at whatever point the team determines that failure to respond to intervention warrants such a referral. On the other end of the spectrum, students who make progress towards meeting grade level standards may be moved to less intense instruction. The Response to Intervention model provides a coordinated process for effectively moving students out of special education services to less restrictive settings. Upon meeting or exceeding grade level standard, students are moved to transition support service and monitored by the Response to Intervention Team as they receive instruction solely in the regular classroom. The Response to Intervention Team maintains assessment data on all students served to insure student success and to analyze data to determine effectiveness of the instructional strategies and materials used. The Response to Intervention Team is also responsible for insuring compliance with all special education and English Language Learner legal requirements.

Special Education Caseloads and Instructional Settings

Under the Response to Intervention model, special education staff serves all students who are assessed as needing most intensive services, regardless of legal eligibility for special education services. Legal caseload limits for Speech and Language Therapists and Resource Specialists must be respected, but it is expected that special education staff will serve both legally identified special education students and students not legally identified for service. Special Day Class teachers and para educators will still have students assigned to their classroom as their homeroom and are obligated to provide service under IEPs, but may facilitate service to SDC students in regular classrooms or serve non-SDC students in a Special Day Class setting. In all cases, the Response to Intervention Team will determine the most appropriate instructional setting.

Professional Development and Materials

All instructional staff requires training in highly effective instructional strategies. The Rocketship Response to Intervention model provides for necessary high level professional development.

English Language Learners and English Language Development

It is recognized under the Response to Intervention model that the majority of students who are currently functioning below grade level are English Language Learners, whether legally eligible according to CELDT test scores or not. It must be a high priority to accurately identify the educational needs of these students as early as possible and provide appropriate instruction, both in the regular classroom and in pullout, depending upon the necessary intensity of instruction. It is also essential to recognize that below grade level students may very well have both English Language Learner and other instructional needs, and that early provision of service takes precedent over eligibility issues. If the student is below grade level, for whatever reason, the Response to Intervention Team should determine appropriate service.

Outcomes

All current research supports long term educational and cost effectiveness of early, coordinated intervention for below grade level students. The model holds great promise for such effect. The expectation is that over time a greater number of students will make adequate progress towards meeting grade level standards, and fewer students will require formal special education referral, assessment, determination of eligibility, and formal special education services. Further, the expectation is that over time fewer students will require most restrictive placements such as Special Day Class services, and that the effect would be compounded over time as students served proceed up through the grades to middle school.

APPENDIX I: Sample Kindergarten Long-Term Plan

Language Arts/Writing Opening procedures will encompass the following activities and will take place daily.

Morning Message- daily activities, sight word embedded, question of the day (review of previous day's objectives)

Calendar- days of the week, months, date, patterns with the numbers of the calendar, songs (Days of the week, Months of the year).

Number Matrix- counting days of the school year and identifying patterns in the numbers.

Alphabet cheer-daily chant of letters and letter sounds

Quick Drill- Review and drill sight words, letter names and sounds, colors, shapes, numbers, and auditory battery (start week 4)

Word of the Day/Week - using GLAD Strategies introduce new vocabulary word, make predictions and then give definition (weeks 1&2 core values, week 3 start sight words)

Centers- students will be organized into four or five cooperative learning groups and will work in those groups at four or five different stations daily. Centers will be made up of different tasks relating to the concept or standard that they are working on that day. Centers will consist of writing, math, listening, ELL, and puzzles/phonics games. Students will receive guided reading at the teacher's table 4 days a week, the 5th day will be assessment based. (Student choice/rotations first 3 weeks, 4th week guided reading/rotations)

Response to Intervention-will be included with daily guided reading

Open Court Units

SL=sounds and letters workbook

OCR includes exercises for warming up and phonological and phonemic awareness on a daily basis. These are not mentioned, but are being completed in the classroom—green section of open court.

Standards listed are from the Rocketship Kindergarten top ten standards list for 2008-2009.

*PDSA/Data folders—bi-weekly goal setting/assessments set by teacher/student

At the end of every week, we will include our supplemental lessons that will include letters of the week, sight words of the week, and writing exercises. These will be preceded by an asterisk ().

Sight word list included at end of LTP

. Sample Kindergarten Long-Term Plan (excerpt of Weeks 1 – 10)

Week 1

Unit 1 OCR School Reading Standard 1.6: Recognize and name all upper and lowercase letters of the alphabet **Written and Oral Language 1.1** recognize and use complete coherent sentences when speaking

Activities and Lessons: ABC song, Name game, starting to write with a pencil, coloring with a variety of materials, scissors and glue. Introduce centers (1 a day) and discover a new center on a daily basis starting with library. Read a new kindergarten book everyday (Chrysanthemum) that focuses on welcoming to K, lessons to include proper care/use of books, and question/answer discussions. Team building activities, building classroom community—including core values and behavior system, gingerbread man tour of school.

Week 2

Reading Standard 1.6: Recognize and name all upper and lowercase letters of the alphabet **Reading Standard 1.8** Track (move sequentially from sound to sound) and represent changes in simple syllables and words with two and three sounds as one sound is added, substituted, omitted, shifted, or repeated **Writing Standard 1.1** use letters and phonetically spelled words to write about experiences, stories, people, objects, or events

Activities and Lessons: Introduce letters and numbers, model tracking/read One, Two, Buckle my Shoe, name game, ABC song, Introduce the letters Aa and Bb through writing, kinesthetic use, sound and hand gesture, and ABC big book. Tracing, writing names. Model tracking/read Hickory Dickory Dock. Team building activities, building classroom community— including core values and behavior system

*start assessments

Writing lessons-will focus on line shapes—up, down, slanted, curved, and circles (can be homework if lack of time in classroom)

* Letter Pp, Letter Nn

Week 3

Reading Standard 1.6 Recognize and name all upper and lowercase letters of the alphabet **Reading Standard 1.8** Track (move sequentially from sound to sound) and represent changes in simple syllables and words with two and three sounds as one sound is added, substituted, omitted, shifted, or repeated **Reading Standard 3.2** Identify types of everyday print materials **Written and Oral Language 1.1** recognize and use complete coherent sentences when speaking **Science Standard**

Mini lesson—different types of print materials—newspaper, poetry, magazine catalog, and dictionary

Activities and Lessons: Introduce letters of the alphabet and explore the fact that each letter makes a unique sound. Intro letters Cc- Ff, review Aa-Ff, rhyming, rhyming with picture cards. reading Boomer Goes to School, first, middle, and last sounds, sequence read a loud, pre-decodable; The Park, and I Brought a Worm

Journal writing—Introduce journals with story Captain Jack's Journal (drawing basic pictures to convey meaning)

Team building activities, building classroom community—including core values and behavior system

*Letter Aa, letter Ss, sight word “the”, “here”, take home book ”In a Pan”

*finish assessments

Week 4

Reading Standard 1.6 Recognize and name all upper and lowercase letters of the alphabet. **Reading Standard 1.8** Track (move sequentially from sound to sound) and represent changes in simple syllables and words with two and three sounds as one sound is added, substituted, omitted, shifted, or repeated **Reading Standard 2.2** Use pictures and context to make predictions about story content **Writing Standard 1.1** use letters and phonetically spelled words to write about experiences, stories, people, objects, or events **Listening and Speaking 2.1** Describe people, places, things,(e.g. size, color, shape), locations and actions **Science Standard**

Activities and Lessons: Intro Letters Gg-Jj, review letters Aa-Jj, Read Anabelle Swift and pre-decodable; Lunch, classify and categorize, SL pages 2-4, continue with rhyming and phonemic awareness, focus on following directions

Start guided reading rotations

*Letter Tt, letter Oo, sight words “see” “a”, and “in”, take home book “Tree Sap”

Writing—Journals—introduce heading, name/date, respond to prompts and/or text read

Introduce UbD plant unit

PDSA/Data Folder—teacher/student assessments

Week 5

Reading Standard 1.6 Recognize and name all upper and lowercase letters of the alphabet **Reading Standard 1.8** Track (move sequentially from sound to sound) and represent changes in simple syllables and words with two and three sounds as one sound is added, substituted, omitted, shifted, or repeated **Reading Standard 3.2** Identify types of everyday print materials **Reading Standard 3.3** Identify characters, setting, and important events **Writing Standard 1.1** use letters and phonetically spelled words to write about experiences, stories, people, objects, or events **Written and Oral Language 1.1** recognize and use complete coherent sentences when speaking

Activities and Lessons: Letters Kk and Ll review letters Aa-Ll, reading Anabelle Swift, pre-decodable; School, SL pages 5 and 6, Unit wrap-up—catch up as needed

Introduce characters

Writing—all about me theme/page a day

Plant activities/songs

- Letter Rr, letter Dd, sight words “I” and “we”, “an”, take home book “The Rats”

Week 6

Unit 2 OCR Shadows

Reading Standard 1.6 Recognize and name all upper and lowercase letters of the alphabet. **Reading Standard 1.8** Track (move sequentially from sound to sound) and represent changes in simple syllables and words with two and three sounds as one sound

is added, substituted, omitted, shifted, or repeated **Reading Standard 3.3** Identify characters, setting, and important events **Writing Standard 1.1** use letters and phonetically spelled words to write about experiences, stories, people, objects, or events **Listening and Speaking 2.1** Describe people, places, things,(e.g. size, color, shape), locations and actions

Activities and Lessons: Letters Mm-Pp, read What Makes a Shadow, SL workbook pages 6 and 7, read pre-decodable; We See, read Shadows, Who Ate the Cookies From the Cookie Jar, introduce building block sentences

Review characters, introduce setting

Writing—my family/page a day

Plant activities/songs

*Letter Mm, letter Hh, sight word “can”, “he”, “she”, take home book “Matt Will Not Mop”

*review PDSA/Data folders—set new goals (PDSA)

Week 7

Reading Standard 1.6 Recognize and name all upper and lowercase letters of the alphabet **Reading Standard 1.8** Track (move sequentially from sound to sound) and represent changes in simple syllables and words with two and three sounds as one sound is added, substituted, omitted, shifted, or repeated **Reading Standard 3.2** Identify types of everyday print materials **Reading Standard 3.3** Identify characters, setting, and important events **Written and Oral Language 1.1** recognize and use complete coherent sentences when speaking

Activities and Lessons: Read pre-decodable; A Trunk, read Bear Shadow, Sequence Bear Shadow, SL workbook pages 8-10

Review characters, setting, introduce important events

Writing—science journal—plant stages

Plant activities/songs

Begin practice for exhibition night

*Review letters Pp, Nn, Aa, Ss, Tt, Oo, Rr, Dd, Nn, Hh, sight word “and”, review previous sight words

Week 8

Reading Standard 1.6 Recognize and name all upper and lowercase letters of the alphabet **Reading Standard 1.8** Track (move sequentially from sound to sound) and represent changes in simple syllables and words with two and three sounds as one sound is added, substituted, omitted, shifted, or repeated **Reading Standard 3.3** Identify characters, setting, and important events **Writing Standard 1.1** use letters and phonetically spelled words to write about experiences, stories, people, objects, or events **Listening and Speaking 2.1** Describe people, places, things,(e.g. size, color, shape), locations and actions

Activities and Lessons: Letters Uu-Xx, read The Wolf and His Shadow, SL pages 11-13, read My Shadow, pre-decodable; A Farm

Review characters, setting, and important events
Writing—science journal—parts of a plant
Plant activities/songs
Practice for exhibition night
*Letter Ff, Letter Gg, sight word “have”, “big”, “small”, “mom”, take home book “A fat Hat”,
Journal prompt “I have a...”
*review PDSA/Data folders—set new goals (PDSA)

Week 9

Reading Standard 1.6 Recognize and name all upper and lowercase letters of the alphabet. **Reading Standard 1.8** Track (move sequentially from sound to sound) and represent changes in simple syllables and words with two and three sounds as one sound is added, substituted, omitted, shifted, or repeated **Reading Standard 3.2** Identify types of everyday print materials **Reading Standard 3.3** Identify characters, setting, and important events **Writing Standard 1.1** Use letters and phonetically spelled words to write about experiences, stories, people, objects, or events. **Writing Standard 1.3** Print legibly and space letters, words, and sentences appropriately **Written and Oral Language Convention Standard 1.1:** Recognize and use complete, coherent sentences when speaking.

Activities and Lessons: Letters Yy and Zz, vowel song, Apples and Bananas, Read “Nothing Sticks like a Shadow”, SL workbook pg. 14-15 pre-decodable; “This Is”, sequence Nothing Sticks Like a Shadow Review characters, setting, important events
Plant activities/songs
Practice for exhibition night
Introduce writing process/mind map/draft—map main idea/details halloween
*Letter Ii, letter Bb, sight word “it”, “no”, “this”, letter Pp book, journal prompt “I can see my...”

Week 10

Reading Standard 1.6 Recognize and name all upper and lowercase letters of the alphabet. **Reading Standard 1.8** Track (move sequentially from sound to sound) and represent changes in simple syllables and words with two and three sounds as one sound is added, substituted, omitted, shifted, or repeated **Writing Standard 1.1** use letters and phonetically spelled words to write about experiences, stories, people, objects, or events **Listening and Speaking 2.1** Describe people, places, things, (e.g. size, color, shape), locations and actions

Activities and Lessons: Review and assessment week/catch up
Writing process—illustrate/publish halloween
Plant activities/songs
Practice for exhibition night
*sight word “dad”, “friend”
* review PDSA/Data folders—set new goals (PDSA)—set month long goal (week 12 have time to practice for exhibition night)

Guided Reading Rotations

Group	Rotation 1	Rotation 2	Rotation 3	Rotation 4
Red	Reading Table	Seatwork	Library	Centers
Blue	Centers	Reading Table	Seatwork	Library
Yellow	Library	Centers	Reading Table	Seatwork
Green	Seatwork	Library	Centers	Reading Table

Kindergarten Sight Words 2008-2009

<u>Week 3</u> The Here	<u>Week 4</u> See A In	<u>Week 5</u> I We An	<u>Week 6</u> Can He She	<u>Week 7</u> And	<u>Week 8</u> Big Have Small Mom
<u>Week 9</u> It No This	<u>Week 10</u> Dad Friend	<u>Week 11</u> Down Go Is	<u>Week 12</u> Up Do Has	<u>Week 13</u> Pretty Jump Play	<u>Week 14</u> Are Red Blue
<u>Week 15</u> Black Green On	<u>Week 16</u> Who What You	<u>Week 17</u> Orange Yellow White	<u>Week 18</u> At Purple Girl	<u>Week 19</u> Like Too Boy	<u>Week 20</u> Not Rain Sun
<u>Week 21</u> Be My Did	<u>Week 22</u> As By If	<u>Week 23</u> So To Was	<u>Week 24</u> Will About All	<u>Week 25</u> Call Come For	<u>Week 26</u> Him Little Now
<u>Week 27</u> His Make One	<u>Week 28</u> Of That With	<u>Week 29</u> One Hot Cold	<u>Week 30</u> From Know May	<u>Week 31</u> Quit Ride Zoo	<u>Week 32</u> Run End Very Eat
<u>Week 33</u> People Two Seven Off	<u>Week 34</u> Pet Three Six Eight Ten	<u>Week 35</u> Four Five Nine Book			

Appendix J. ENGLISH LANGUAGE LEARNERS PROGRAM

Rocketship will follow all applicable laws in serving its ELL students. Rocketship will follow the California Department of Education “ELL OPSET” as a program development tool to ensure that the program operates in absolute compliance with guidelines. Structurally, Rocketship runs a full-inclusion program for our ELL students. ELL students will not be in sheltered or bilingual instruction classes at Rocketship. From the first day of school, ELL students will be immersed in English by full inclusion in the classroom with small group and individual customized language support they need to learn and develop the grammatical framework and vocabulary needed to begin developing as readers and writers. In our experience, the most crucial aspect of teaching ELL students is the professional development that teachers have had in order to understand the steps that their students are going through in order to acquire English. All Rocketship teachers will be CLAD certified or in the process of obtaining CLAD certification.

PROGRAM DESCRIPTION

English Immersion with Appropriate Native Language Support

English Language Learners (ELL) students will be immersed in English, with the language support they need to learn the language and develop the grammatical framework and vocabulary needed to begin developing as readers and writers. The National Literacy Panel (August & Shanahan, 2006) found that ELL students can acquire English literacy skills in English-only classrooms. The panel found that strategic primary language support can scaffold ELL students’ literacy development in English. To the extent possible, Rocketship will recruit teachers capable of providing strategic primary language use in order to help students acquire advanced levels of English literacy.

English Language Arts with Appropriate EL Accommodations

Rocketship’s literacy approach incorporates current research on teaching children to read in a second language by providing scientifically-based reading instruction, small group interventions based on on-going assessment, and accommodations for ELL students such as those recommended by the National Literacy Panel. This type of leveled grouping and instruction will create an environment that allows ELL students to be much more successful and receive instruction at the appropriate instructional level. In addition, the smaller groups will allow the teacher to meet the individual needs of each student and differentiate instruction according to their academic abilities and needs.

The recent report of the National Literacy Panel (August & Shanahan, 2006) contains the most comprehensive and rigorous synthesis to date of the research on developing literacy in second language learning children and youth. One of the major findings in the report is that instruction that provides substantial coverage in the key components of reading-identified by the National Reading Panel (NICHD, 2000) - phonemic awareness, phonics, fluency, vocabulary, and text comprehension - has clear benefits for language-minority students. Rocketship’s Literacy approach is a scientifically-based reading program that incorporates these five key components.

The panel also found that instruction in the key components of reading is necessary, but not sufficient, for teaching language-minority students to read and write proficiently in English. Recent research (for example, Vaughn, Mathes, Linan-Thompson & Francis, 2005) has demonstrated that to demonstrate significant gains, appropriate accommodations must be made to:

- increase the oral comprehension of ELL students
- provide effective reading interventions that are systematic, explicit and intense (i.e. are provided in small groups or individually)
- provide instruction in the critical elements of beginning reading including phonemic awareness, phonics and word study, fluency, writing and comprehension strategies can have significant results.

This approach is supported by the work of Vaughn et. al (Vaughn et. al, 2005), who designed a rigorous English Language Literacy intervention program adding a set of language support activities appropriate for ELL students. Their language support activities were similar to Rocketship's, explicit vocabulary and grammar instruction, and extensive oral language instruction. Like the Lead Petitioner's own classroom experience, this blended approach yielded significant gains for the study group of ELL students in all five of the core areas of reading instruction.

English Language Development Instruction in Groups Leveled by English fluency

Small literacy groups will be leveled based on literacy assessment results, taking into account ELL students' English linguistic proficiency. English Language Development Instruction (ELD) grouping will be based on ELD assessments. It is important to provide ELL students with both literacy instruction that is based on literacy criteria and second language development instruction that is based on language development criteria. These two areas often overlap, however it is critical to distinguish between them in order to provide ELL students with both a rigorous literacy instructional program and one that builds their developing abilities in both oral and written academic English across the content areas. It is also important to make sure that ELL students are not segregated into linguistically homogenous groups. ELD time will be the only time where ELL students are grouped by language proficiency, with no more than two levels of English linguistic proficiency in each group in order to ensure targeted instruction in ELD. At other times, language proficiency is a factor taken into account for instruction, but not for grouping. Grouping outside of ELD will be heterogeneous in order to provide ELL students with English language models and opportunities to practice using academic English with other students.

August and Shanahan (2006) found a significant correlation between oral language and reading comprehension and writing ability in ELL students and suggested that classrooms with significant ELL populations should focus extensively on using oral language to summarize and analyze stories. Genesee, Lindholm-Leary, Saunders and Christian (2006) concluded that one explanation for the 5-7 years which ELL students often take to master academic language is that insufficient attention is paid to the oral language development of students, especially in the late elementary school years. We will focus extensively on oral language development, both expressive and receptive, at the same time as focused reading instruction is conducted. We

believe that working on oral and literacy skills concurrently will help our ELL students to master listening, speaking, reading and writing in English by second grade.

Because oral language development is so critical to reading comprehension and content area learning, Rocketship's ELD block will incorporate an intensive focus on oral language development. Additionally, we will focus on explicit academic vocabulary instruction and providing students with increased and scaffolded opportunities to talk in the classroom using academic language and provide students with explicit instruction in the linguistic features of academic English. These objectives will also be assessed through formative assessments and during Rocketship's Exhibition Nights when Rocketship students will be responsible for orally presenting their work and learning. These assessments and public demonstrations will provide Rocketship and the students with data to measure their progress. Rocketship will select a specially designed ELD curriculum such as Hampton Brown's Into English!, which addresses the specific second language needs of students at different linguistic proficiency levels and grade spans, based on the state ELD standards.

Content Area Interactive Instruction to Increase Academic Language Proficiency

Genesee et. al found that a combination of direct instruction with interactive instruction is more effective than one or the other. Rocketship's ELD block focuses on direct language instruction in small groups. Our integrated Science and Social Studies content focuses on interactive activities using small cooperative groups, providing a context for extensive discussion of academic language. Stoddard et. al. found high value in integrating content and academic vocabulary. These skills will also be further enhanced through the integration of strategies from Project GLAD, which focus on vocabulary development, graphic organizers, oral language, interactive displays, and several other strategies that have been proven to be highly effective with ELL students. They also developed a rubric for teacher self-evaluation to monitor their balance of hands-on and vocabulary time and the degree of integration. (Stoddard, T. et al., 2002) This rubric will be used by Rocketship teachers in order to assess the efficacy of their instruction.

Technology to Provide Additional EL Support

August found that use of technology for teaching ELL student's vocabulary and aiding oral fluency was effective. While we do not normally endorse rote learning exercises, these exercises are effective in areas like initial vocabulary acquisition for ELLs and we plan on using programs like Renaissance Learning *English in a Flash* for these purposes.

IDENTIFICATION & ASSESSMENT

Home Language Survey (HLS)

Parents or legal guardians of students shall complete the Home Language Survey when they enroll their child at Rocketship. If a student's Home Language Survey shows a response other than English to questions 1, 2, or 3, he/she must be tested within 30 days for English comprehension, speaking, reading and writing and within 90 days for primary language assessment as required by law.

School personnel shall arrange for these assessments and will place the HLS in the student cum.

Comprehension, Speaking, Reading and Writing Assessment (CELDT)

All students with a Home Language other than English will participate in CELDT testing. CELDT testing will occur in English and the LAS test will be used to assess applicable students in their native language.

All students whose primary language is not English must take the California English Language Development Test (“CELDT”) within 30 calendar days after they are enrolled in a California public school for the first time. The CELDT also must be given once each year to ELLs until they are reclassified as fluent English proficient. These scores will be placed in the student cum file.

The purpose of the CELDT is: (1) to identify new students who are ELLs, in kindergarten through grade twelve; (2) to determine their level of English proficiency; (3) to monitor their progress in learning English on an annual basis; and (4) to determine when students have met one of the criteria to be reclassified to FEP status.

Initial Identification of Students

Legal guidelines clarify that, an EL is a K-12 student who, based on objective assessment (the “CELDT”), has not developed listening, speaking, reading, and writing proficiencies in English sufficient for participation in the regular school program.

In Rocketship, the determination of whether or not a student is designated as an English Language Learner (ELL) or Fluent English Proficient (FEP) will be based upon the score received on the CELDT and the most recent standardized test score (when available.) Different criteria apply to students in grades K-1 as compared to students in grades 2-5.

Grades K-1

Grades K-1 students who are orally proficient in English based on the CELDT will be assigned the status of fluent English speakers (FEP) and placed in the regular academic instruction program. Students designated as ELL based on the required score on the CELDT shall be placed in the appropriate ELD academic setting.

Grades 2-5

Students enrolled in grades 2-5 will be designated as English Language Learner (ELL) based on their overall scaled score on the CELDT.

Ongoing Assessment

Each English Language Learner will be evaluated every six months via a parent conference process. Each English Language Learner’s English proficiency development will be assessed two times during the year using ADEPT California Reading & Literature Project English Proficiency Test. At the conference, the student’s English and/or academic needs will be discussed, and individual student achievement and longitudinal growth will be evaluated based on the school’s monthly internal assessments. The following multiple measures may be examined:

- CELDT & ADEPT
- Student portfolios
- Bi-monthly interim assessments
- CST
- Teacher observations

An English Language Learner Progress Profile will be developed for each English Language Learner and included in the student's Individualized Learning Plan ("ILP") specifying the ELD standards met and targeted ELD goals towards reclassification.

Criteria, Standards and Procedures for Reclassification

When an ELL student demonstrates adequate oral and academic English skills, a recommendation for reclassification can be made. Each former LEP student who has been reclassified to FEP has demonstrated English-language proficiency comparable to that of the average native speakers and can participate equally with average native speakers in the school's regular instructional program. (Education Code 52164.6) The participation of the classroom teacher, parent(s) and site administrator/designee is required in the reclassification process.

The following criteria and standards for reclassification shall be used to determine when Limited English Proficient (LEP) students have developed the English language skills necessary (oral and academic) to succeed in English-only instruction and may be reclassified as Fluent English Proficient (R-FEP). The Principal will ensure that all English Learners are considered for reclassification at any time and/or on an annual basis via the SST process. Classroom teacher, parent, or principal may also initiate the reclassification process by reviewing applicable assessment data. Using the criteria listed below, the teacher determines whether the student has met all the standards to be reclassified to R-FEP status, and ensures that parent consultation is completed.

1. The student has been enrolled in the School for at least one year.
2. The student can demonstrate oral English language proficiency, both speaking and understanding, based on the State mandated English Language Development (ELD) Test (AB 748) or with a score of fluent English speaker on CELDT level 4 or 5.
3. Students in grades 1 – 2 who met criteria 2 shall be considered for reclassification after the successful completion of at least one full semester with grades of "Satisfactory" or better in Reading/Language Arts and Mathematics.
4. Students in grades 1 – 2 must demonstrate grade level writing skills as measured by passing the School Writing Test.
5. Students in grades 3 – 5 must score at a minimum at the 60th percentile on the CST Total Reading, Total Language or Total Mathematics sub-tests.
6. Students in grades 3 – 5 must demonstrate grade level writing skills as measured by passing the School Writing Test.
7. Students in grades 3 – 5 must demonstrate average classroom performance in the English curriculum as evaluated by the teacher. The student needs to obtain a "C" or better in all core content area classes.

8. There must be a consultation with the student's parent or guardian, including an interview or written communication regarding the reclassification process.

Alternate Reclassification Procedures

Some students may not be able to reach the regular criteria due to factors other than language acquisition. The purpose of the following procedure is to ensure the students who have acquired proficiency in English but may not meet standards in an area unrelated to English language acquisition, such as math, are able to move to R-FEP status. This process will also provide any needed supplementary assistance that will enable them to experience the highest levels of success in the school's academic program and meet grade level standards. This procedure will be instituted on a student-by-student basis using the following criteria:

1. Dates of enrollment in specific ELL instructional services in the School or elsewhere. Students enrolled three years or more in an EL Program will be considered for alternate reclassification.
2. Verification that the student met regular reclassification criteria 2 and 6.
3. CELDT test score 4 or 5
4. CELDT writing score of 3
5. Students in grades 4 – 5 need to obtain a "C" or better in Language Arts and Mathematics.
6. Parent or guardian has been consulted
7. Date of Reclassification is recorded in the student's cumulative record.

A plan outlining this procedure must be in place to monitor student progress and provide appropriate interventions.

Follow-up Procedures

The progress of students who have been reclassified will be monitored for two years following the reclassification. Site ELL coordinators will complete an evaluation of student academic progress after the 1st and 2nd grading periods following reclassification. A third follow-up will take place one year after reclassification; a fourth follow-up will occur two years after reclassification. All reclassified (R-FEP) students CST scores will be evaluated to assess to overall reclassification progress, and interventions will be implemented if the student does not maintain appropriate progress.

STAFF TRAINING & PROFESSIONAL DEVELOPMENT

Good instruction is the foundation of good ELL instruction. (Goldenberg, 2003) Rocketship's intensive professional development model with ongoing mentorship is crucial to high performance. Professional development that is directly related to the curriculum teachers use and that provide sustained and hands-on support is the most effective. For our ELD block, Rocketship is investigating professional development from organizations like the California Reading and Literature Project to help teachers develop methods of teaching ELD effectively. For on-going professional development in integrating ELD strategies into literacy and language development for EL students, Rocketship has chosen Project Guided Language Acquisition Design (GLAD), based on their rigorous hands-on approach and extensive validation studies

showing significant gains relative to comparison groups. Each teacher at Rocketship will be thoroughly trained in the usage of SDAIE and GLAD. These strategies have already been demonstrated to be highly effective in regards to ELL students academic achievement. The implementation and usage of these strategies will be expected throughout the campus and each classroom.

Additionally, August and Shanahan found that intensive mentoring and interim assessments were extremely important to creating behavior changes in teacher's instructional practice. (August & Shanahan, 2006) Rocketship's Academic Deans full-time commitment to mentoring help teachers to better determine ways to scaffold and augment their instruction for ELL students. This capacity building model will ensure that the strategies presented in professional development activities provided by both inside and outside experts will be implemented effectively in classrooms and sustained over time.

PARENT / GUARDIAN, STAFF AND COMMUNITY INVOLVEMENT

The School's plans for involving parents, staff, students, and/or community members in developing, implementing, and/or evaluating programs for English learners.

Parent Communication

Communication with the parents of ELL students in their primary language is essential to encourage parent support and involvement. To support this communication, the School will provide translations of major documents, notices, public meetings, and workshops for parents in Spanish.

Parent Notification of Assessment Results and Initial Identification

The parents/guardians of students with a primary language other than English shall be notified of the English comprehension and primary language assessment results completed for the initial identification. The notification shall be in English and in any language which is spoken by 15 percent or more of the students in the School, as determined by the R-30 Language Census. This information shall be communicated orally when a written notice (Parent Notification) letter is not understood or orally translated into another language if needed. If the Parent Notification letter is not returned, site personnel will complete a follow-up phone call.

This written notification will be done on an annual basis and will invite parents to a meeting to do the following:

- 1) Inform parents that they have chosen to enroll their children in a charter school with an English immersion program.
- 2) Parents will be provided with a full written description of the structured English immersion program which includes the educational materials to be used.
- 3) Inform parents that they have a right to visit the program and to withdraw their student from the program through a waiver

4) Inform parents of their rights to participate in the School Meeting.

Once completed, the initial identification process will not be repeated unless the parent/guardian claims there is an error.

Parent Participation

Parents are encouraged to participate in any and all school activities, including but not limited to:

- Parent Teacher Council (PTC)
- Volunteering in classrooms and Learning Lab
- Community Meetings
- Parent/Family Meetings

Parental Rights

Parents concerned with their student's progress or group placement can call for a meeting with teacher and administrators to review the child's IPT.

Community Meetings

Rocketship will have monthly community meetings, which are intended to keep the parents and families of Rocketship informed and empowered. This meeting will be coordinated by the Principal and along with other School information presented to the community, will advise on programs and services for English Learners. During the meetings, the parents will be informed of programmatic and assessment issues that affect ELL students and will also be informed about the programs, funds, and strategies that are being applied to these students. The community will have the opportunity to vote on these issues and ensure that the Rocketship community creates a collective for ELL instruction and interventions.

PROGRAM EFFECTIVENESS

The Rocketship mission of every student on grade level by second grade will be the primary means of determining the effectiveness of our approach with ELL students. This goal will be measured by academic proficiency on CST and assessments. Our interim assessments are correlated to grade-level benchmarks on the CST, and will provide monthly feedback on how our students are progressing towards this goal. Additionally, our oral language assessment will test language proficiency predictive of CELDT year-end outcomes. As described above, these assessments will be used to drive changes in classroom instruction and in individual student interventions. As a school with a large professional development budget and an Academic Dean who is able to mentor other teachers, we have made significant improvement every year in both our general classroom teaching for ELL students and our ability to diagnose and intervene with our most challenged ELL students. In specific areas of weakness for the school, we will seek outside resources such as the Literacy department at the Education schools of nearby universities.

The most important expectation to set is the way that language proficiency level will affect outcomes on the CST. We intend to use the benchmarks created by the San Diego City Schools.



Individual California Standards Test (CST) Benchmarks for English Learners

English Language Arts (ELA)													Mathematics																				
CST	Expected OPL	CST Performance Level												CST	Expected OPL	CST Performance Level																	
		FBB			BB			B			P					A			FBB			BB			B			P			A		
		1	2	3	1	2	3	1	2	3	1	2	3			1	2	3	1	2	3	1	2	3	1	2	3	1	2	3			
2-5	B				★	★																											
	EI					★	★																										
	I						★	★																									
	EA							★	★	★																							
	A										★	★																					
	RFEP												★	★	★																		
2-7 Alg 1 Geo	B							★	★																								
	EI								★	★																							
	I									★	★																						
	EA										★	★	★																				
	A												★	★																			
	RFEP														★	★	★																

Explanatory Notes. These individual CST benchmarks reflect high but reasonable expectations for ELL performance that generally increase with a student’s expected Overall Proficiency Level. Each CST performance level was broken down into three sublevels to provide a more incremental record of progress. (These sublevels were determined by dividing the range of scaled scores at each performance level for every CST into thirds.) The development of the CST expectations was based on the assessed performance levels of ELLs who made timely progress in English language development. Using the above benchmarks, a Grade 2 ELL with an expected OPL of “intermediate” is expected to perform between BB-3 and B-1 on both CST ELA and mathematics, i.e., the student’s CST scaled score must be in the upper third of “below basic” to the lower third of “basic.” A student meets expectations by scoring in the BB-3 to B-1 range, exceeds expectations with a score above B-1, and fails to meet expectations with a score lower than BB-3. Former ELLs who have been reclassified to fluent English status are expected to perform at the “proficient” level (P-1 to P-3) on the CST—the School expectation for all students. The ultimate goal for all ELLs is English language fluency and a performance level of “proficient” or above on both CST ELA and mathematics.

Clearly, from this chart, in order to meet the Rocketship goal of grade-level proficiency by second grade, we must help our ELL students to move from level 1 to level 5 in language proficiency in three years. Recently, Genesee et. al concluded that one explanation for the 5-7 years which EL students often take to attain English proficiency could be because of poor instructional practices with EL students.⁸ We believe that the key to becoming fluent English proficient is the rigorous data-driven cycle used by Rocketship to measure students monthly, modify classroom practices, and provide students with additional instruction. Please see *The Rocketship Assessment-Driven Instruction Model* in Attachment 4 of this document.

REPORTING

ELL students will take the CELDT test annually. CELDT scores for all ELL students will be reported to the authorizer.

⁸ Genesee et. al (2006). Educating English Language Learners New York: Cambridge University Press.

Appendix K: Academic Rubrics

Below are examples of Report Cards that are utilized at Rocketship. There is a sample of Kindergarten and Fourth Grade provided, both of which are correlated with the Top 10 standards of the school as well.

Kindergarten Report Card

FIRST TRI-MESTER REPORT CARD (Kindergarten)

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Student

School Year 2008 - 2009

Name: _____

Language Arts:

Overall Language Arts Grade

Current DRA Level: _____ **End of Year Level: 4**

Below Standard	Approaching Standard	Proficient	Advanced	Effort

Your child knows _____ **letters out of 52 letters**

Your child knows _____ **sounds out of 31 sounds**

Reading 1.6

Recognize and name all uppercase and lowercase letters

1	2	3	4	Effort

Proficiency Standards	
4	Advanced
3	Proficient
2	Approaching Standard
1	Below Standard

Reading 3.2

Identify types of everyday print materials.

1	2	3	4	Effort

Written & Oral Language 1.1

Recognize and use complete, coherent sentences when speaking

1	2	3	4	Effort

Reading 2.4

Retell familiar stories.

1	2	3	4	Effort

Listening & Speaking 2.1

Describe people, places, things, locations, and actions

1	2	3	4	Effort

Reading 1.8

Track print, change simple words when one sound is added, substituted, omitted, shifted, or repeated

1	2	3	4	Effort

Comments: _____

Teacher Signature: _____

Date: _____

Writing 1.1

Use letters and words to write about experiences, stories, people, objects, or events

1	2	3	4	Effort

Written and Oral Language 1.2

Spell independently by using pre-phonetic knowledge sounds of the alphabet and knowledge of letter names.

1	2	3	4	Effort

Writing 1.3

Print legibly and space letters, words, and sentences appropriately

1	2	3	4	Effort

Reading 3.3

Identify characters, setting, and important events.

1	2	3	4	Effort

Rocketship Rocketeers: Soaring Towards Excellence! Aspirando Hacia la Excelencia!



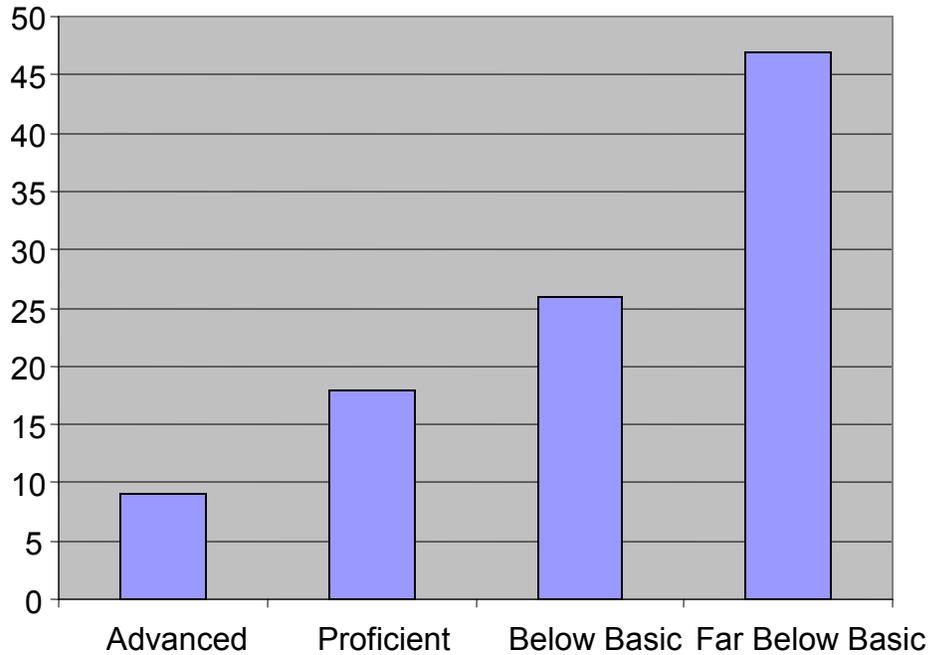
Appendix L: At-Risk Students Entering Kindergarten

A significant amount of research has been done on the readiness for Kindergarten of at-risk students. Much of the focus on programs like Headstart has been on how to raise the preparedness of our Kindergartners. The U.S. Department of Education's Early Childhood Longitudinal Study, Kindergarten 1998-99 (ECLS-K) examined directly the set of skills that most Kindergartners have upon starting school. It compared these to the skills of children with one or more risk factors. The risk factors considered were:

- Single-parent family
- Mother has less than high-school education
- Family has received welfare or food stamps
- Parents' primary language is other than English

Families in the School neighborhood PI schools are approximately 69% qualified for Free and Reduced Meals, which is highly correlated to factor 3. They also may have a primary language other than English (approximately 26%). Inner-city families are also significantly more likely to be single-parent families with less than a high school education. Nationwide, about 16% of Kindergartners have two or more risk factors, which we believe will be the case for the majority of Rocketship San Francisco Kindergartners. As shown in Zill and West's analysis of this dataset, children with two or more risk factors were most likely to fall into the bottom quartile in reading readiness (47%) vs. just 9% in the top quartile. (Zill and West, 2001)

Percentage of Kindergartener Readiness for Children With 2 or More Risk Factors



We arrive at our conclusion that our average student will be 1.5 years behind the average American student through the following analysis. We believe that students who score proficient on achievement tests are at grade level. Advanced students are one grade ahead, below basic one grade behind, and far below basic are two grades behind. We believe that a focused intervention program like Rocketship can move students up approximately one quartile in achievement each year in school (a 25 percentile point gain). Our average student is between one and two years behind and we use the average of 1.5 years behind as our overall expectation of their achievement upon entry.

Appendix M: References

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Center to Improve Reading Competence Using Intensive Treatments Schoolwide (C.I.R.C.U.I.T.S.)

The overarching goal of Project CIRCUITS is to implement, evaluate, replicate, and disseminate systemic prevention models that will accelerate and sustain the early reading achievement of students with reading disabilities or at risk of disabilities in grades K-3.
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Appendix N: Attendance Policy

Allowed Absences

A student shall be excused from school when the absence is: (1) due to his/her illness; (2) due to quarantine under the direction of a county or city health officer; (3) for the purpose of having medical, dental, optometric, or chiropractic services rendered; (4) for the purpose of attending the funeral services of a member of his/her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California; (5) for the purpose of jury duty in the manner provided for by law; (6) due to the illness or medical appointment during school hours of a child of whom the student is the custodial parent; (7) for justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of holiday or ceremony of his/her religion, attendance at religious retreats, or attendance at an employment conference, when the student's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.

A student absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of any class from which a student is absent shall determine that the tests and assignments be reasonably equivalent to, but not necessarily identical to the tests and assignments that the student missed during the absence.

For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.

Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.

Note: Effective July 1, 1998, school districts or charter schools will no longer receive funding from the state for students who have excused absences - illness, medical appointment, or attending funeral services for a member of the immediate family.

Appendix O: Section 504 Board Policy

Board Policy for IDENTIFICATION, EVALUATION AND EDUCATION UNDER SECTION 504

The Governing Board of each Rocketship School recognizes the need to identify and evaluate students with disabilities in order to provide them with a free, appropriate public education and its legal responsibility to ensure that “no qualified person with a disability shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” This policy and the related administrative regulation has been developed to ensure the implementation of Section 504 of the Rehabilitation Act of 1973 (“Section 504”), and its implementing regulations as amended, which pertains to public schools. The intent is to ensure that all students with disabilities, who are eligible under Section 504, are identified and evaluated and have access to a free, appropriate public education (“FAPE”).

Under Section 504, individuals with physical or mental impairments that substantially limit one or more major life activities, including learning, are entitled to receive regular or special education and/or related aids and services designed to meet their individual needs as adequately as the needs of nondisabled students are met. Students may be disabled and entitled to services under Section 504 even though they are not eligible for services pursuant to the Individuals with Disabilities in Education Improvement Act of 2004 (“IDEA”). The identification, evaluation and education of students eligible for services under the IDEA is addressed under the policies and procedures of the El Dorado County SELPA.

The Principal shall ensure that this policy and set of procedures is implemented and followed. Whenever there is reason to believe that, because of a disability, a student needs regular or special education and/or related aids and services (and the student has not been found eligible under IDEA) that student will be evaluated under this policy’s administrative regulation.

A Section 504 Team will be convened to determine the student’s need for regular or special education and/or related aids and services. The 504 Team will include persons knowledgeable about the Section 504 standards, the student’s individual needs and school history, the meaning of evaluation data, and placement options. The student’s parent/guardian shall be invited to participate in this 504 Team and shall receive notice of procedural safeguards guaranteed by law. If the School does not assess a student after a parent has requested an assessment, the School shall provide notice of the parent’s/guardian’s procedural safeguards.

If the student, due to disability, is found to require regular or special education and/or related aids and services under Section 504, the Section 504 Team shall develop a 504 plan for the provision of such services to the student. The student shall be educated with nondisabled students to the maximum extent appropriate to the student’s individual needs. The student’s parent/guardian shall be provided a copy of the 504 plan and shall receive notice of procedural safeguards guaranteed by law. Rocketship shall periodically review the student’s progress and placement.

The Rocketship School will implement this policy through its corresponding administrative regulation.

Current Policy Approval Date:

Amended:

Amended:

Original Approval Date:

Appendix P: 504 Administrative Regulation

Board Policies and Procedures for IDENTIFICATION, EVALUATION AND EDUCATION UNDER SECTION 504

A. Definitions

1. **Academic Setting** – the regular, educational environment operated by Rocketship
2. **Individual with a Disability under Section 504** – An individual who:
 - a. has a physical or mental impairment that substantially limits one or more major life activities;
 - b. has a record of such an impairment; or
 - c. is regarded as having such an impairment.
3. **Evaluation** – procedures used to determine whether a student has a disability as defined within, and the nature and extent of the services that the student needs. The term means procedures used selectively with an individual student and does not include basic tests administered to, or procedures used with, all students in a school, grade or class.
4. **504 Plan** – is a plan developed to identify and document the student’s needs for regular or special education and related aids and services for participation in educational programs, activities, and school –sponsored events.
5. **Free Appropriate Public Education (“FAPE”)** – the provision of regular or special education and related aids and services that are designed to meet the individual needs of persons with disabilities as adequately as the needs of persons without disabilities are met.
6. **Major Life Activities** -- Functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.
7. **Physical or Mental Impairment** –
 - a. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory; including speech organs; cardiovascular; reproductive; digestive; genitor-urinary; hemic and lymphatic; skin; and endocrine; or
 - b. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

8. **504 Coordinator** – Principal shall serve as Rocketship Section 504 coordinator. The parents or guardians may request a Section 504 due process hearing from, or direct any questions or concerns to the 504 at 408-286-3330.

B. Referral, Assessment and Evaluation Procedures

1. The Rocketship School will evaluate any student who, because of disability, needs or is believed to need regular or special education and/or related aids and services.
2. A student may be referred by anyone, including a parent/guardian, teacher, other school employee or community agency, for consideration as to whether the student qualifies as a student with disabilities under Section 504. Requests for evaluation shall be made in writing, and a copy of said request will remain in the student's file regardless of the final determination. This referral should be made to the Section 504 Coordinator who will convene a 504 Team. Any requests made to another Rocketship employee will be forwarded to the Section 504 Coordinator.
3. The Rocketship School has the responsibility to ensure that students with disabilities are evaluated. Therefore, it is important that students who are or may be disabled are referred to the Section 504 Coordinator so that the assessment process is initiated.
4. The 504 Team convened by the Section 504 Coordinator will be composed of the student's parents/guardians and other persons knowledgeable about the student (such as the student's regular education teachers), the student's school history, the student's individual needs (such as a person knowledgeable about the student's disabling condition), the meaning of evaluation data, the options for placement and services, and the legal requirements for least restrictive environment and comparable facilities.
5. The 504 Team shall promptly consider the referral and determine what assessments are needed in all suspected areas of disability to evaluate whether the student is a student with a disability under Section 504 and what special needs the student may have. The decision regarding what assessments shall be undertaken shall be based on a review of the student's school records (including academic, social and behavioral records), any relevant medical records, and the student's needs. Students requiring assessment shall be provided appropriate assessments administered by qualified assessment professional
6. The 504 Team will consider the following information in its evaluation of the student:

- a. Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel;
 - b. Tests and other evaluation materials including those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient; and
 - c. Tests are selected and administered so as to best 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 (except where those skills are the factors that the test purports to measure.)
7. The evaluation of the student must be sufficient for the 504 Team to accurately and completely describe: (a) the nature and extent of the disabilities; (b) the student's special needs; (c) the impact upon the student's education; and (d) what regular or special education and/or related aids and services are appropriate to ensure that the student receives a free appropriate public education. All significant factors relating to the learning process for that student, including adaptive behavior and cultural and language background, must be considered. The evaluation may include, but is not limited to, classroom and playground observation, performance-based testing, academic assessment information, and data offered by the student's teachers and parent/guardian.
8. The parents/guardians shall be given an opportunity in advance of 504 Team meetings to examine assessment results and all other relevant records.
9. If a request for evaluation is denied, the 504 Team shall inform the parents/guardians in writing of this decision and of their procedural rights as described below.

C. 504 Plan

1. When a student is identified as disabled within the meaning of Section 504, the 504 Team shall determine what, if any, services are needed to ensure that the student receives a free, appropriate public education ("FAPE").
2. The 504 Team responsible for making the placement decision shall include the parents/guardians and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.

3. For each identified disabled student, the 504 Team will develop a 504 Plan describing the student's disability and the regular or special education and/or related aids and services needed. The Plan will specify how the special education and/or related aids and services will be provided to the disabled student and by whom. The 504 Plan will also identify the person responsible for ensuring that all the components of the Plan are implemented.
4. The student's teacher and any other staff who are to provide services to the student or who are to make modifications in the classroom for the student shall be informed of the services or modifications necessary for the student and, if appropriate, provided a copy of the 504 Plan. A copy of this plan shall be kept in the student's cumulative file in a manner that limits access to those persons involved in the 504 process and/or the provision of services and modifications.
5. The disabled student shall be placed in the regular education environment unless it is demonstrated that the student's needs cannot be met in the regular education environment with supplementary aids and services. The disabled student shall be educated with students who are not disabled to the maximum extent appropriate to his/her individual needs.
6. The referral, assessment, evaluation and placement process will be completed within a reasonable time. It is generally not reasonable to exceed 50 school days in completing this process.
7. The parents/guardians shall be notified in writing of the final decision concerning the student's identification as a person with disabilities, the educational program and services to be provided, if any, and of the Section 504 procedural safeguards, as described below, including the right to an impartial hearing to challenge the decision.
8. If the 504 Team determines that the student is disabled but that no special services are necessary for the student, the 504 Plan shall reflect the identification of the student as a disabled person under Section 504 and shall state the basis for the decision that no special services are presently needed.
9. The 504 Plan shall include a schedule for annual review of the student's needs, and indicate that this review may occur more frequently at the request of the parent/guardian or School staff.

D. Review of the Student's Progress

1. The 504 Team shall monitor the progress of the disabled student and the effectiveness of the student's 504 Plan. According to the review schedule set out in the student's 504 Plan, the 504 Team shall annually determine whether the services and modifications are appropriate.

2. A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement.

E. Procedural Safeguards

1. Parents/guardians shall be notified in writing of all decisions regarding the identification, evaluation or educational placement of students with disabilities or suspected disabilities. Notifications shall include a statement of their rights to:

- Examine relevant records
 - Have an impartial hearing with an opportunity for participation by the parents/guardians and their counsel.
 - Seek review in federal court if the parents/guardians disagree with the hearing decision.
2. Notifications shall also set forth the procedures for requesting an impartial hearing. Requests shall be made to Principal 504 Coordinator c/o Rocketship, 550 Kingsley Ave, Palo Alto, CA 94301. Notifications shall advise that reimbursement for attorney's fees is available only as authorized by law.
 3. Principal shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with any district within the School's SELPA or the County Office of Education in any capacity other than that of hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.
 4. If a parent/guardian disagrees with the identification, evaluation or educational placement of a student with disabilities under Section 504, he/she may request a hearing to initiate due process procedures. The parent/guardian shall set forth in writing his/her request for a hearing. A request for hearing should include:
 - The specific decision or action with which the parent/guardian disagrees.
 - The changes to the 504 Plan the parent/guardian seeks.
 - Any other information the parent/guardian believes is pertinent.
 5. Within 5 calendar days of receiving the parent/guardian's request for a hearing, the School may offer the parent/guardian an optional alternative dispute resolution process. However, the timeline for the hearing shall remain in effect unless it is

extended by mutual written agreement of the parent/guardian and the School. Alternative dispute resolution options include:

- Mediation by a neutral third party.
 - Review of the 504 Plan by the Principal or the Principal's designee.
6. Within 10 calendar days of receiving the parent/guardian's request, the Principal or designee shall select an impartial hearing officer. This 10 days may be extended for good cause or by mutual agreement of the parent/guardian and the School.
 7. Within 35 calendar days of the selection of the hearing officer, the due process hearing shall be conducted. This 35 days may be extended for good cause or by mutual agreement of the parent/guardian and the School.
 8. The parent/guardian and the School shall be afforded the rights to:
 - Be accompanied and advised by counsel and by individuals with special knowledge or training related to the individual needs of students who are qualified as disabled under Section 504.
 - Present written and oral evidence.
 - Question and cross-examine witnesses.
 - Receive written findings by the hearing officer.
 9. The hearing officer shall issue a written decision within 10 calendar days of the hearing.
 10. If desired, either party may seek a review of the hearing officer's decision by a federal court. The decision shall be implemented unless the decision is stayed, modified or overturned by a court.

Appendix Q: Health and Safety Policies

This appendix contains a set of sample health and safety policies to be approved by the Rocketship School Board. The policies attached are as follows:

Policy 1:	Fingerprinting and Background Checks
Policy 2:	Tuberculin Examinations
Policy 3:	Safe Facilities
Policy 4:	Emergency Plans
Policy 5:	Immunizations/Physical Exams
Policy 6:	Communicable, Contagious, or Infectious Disease Prevention Policy
Policy 7:	Administration of Medications
Policy 8:	Drug-Free Workplace
Policy 9:	Smoke-Free Environment
Policy 10:	First Aid, CPR, and Health Screening
Policy 11:	Exposure Control Plan for Blood Borne Pathogens
Policy 12:	Conditions for Classroom and School Visitation and Removal Policy

Personnel

Board Policy

Fingerprinting and Background Checks

The School shall comply with the applicable provisions of the Education Code, including Sections 44237, 44830.1, and 45125.1.

It is the policy of Rocketship to require fingerprinting and background checks for its employees as required by law prior to employment at Rocketship. All prospective employees must abide by all applicable laws and agree to abide by the policies of the School, including the submission of fingerprints and the approval for the School or its designee to perform background checks. The fingerprinting and Criminal Records Summaries will be required annually, at the beginning of each school year. This requirement is a condition of employment.

The School shall also fingerprint and background check each campus volunteer, prior to volunteering at the School. A campus volunteer is defined as an individual, other than parents and guardians of students within the school, working under the direction of a paid School employee to provide a service without compensation on campus while working with or around children. No campus volunteer or any non-Rocketship staff will be permitted to supervise or interact with students without direct supervision from Rocketship staff. Campus volunteers must abide by all applicable laws and agree to abide by the policies of the School, including the submission of fingerprints and the approval for the School or its designee to perform background checks. The fingerprints will be sent to the Department of Justice for the purpose of obtaining a criminal record summary. Fingerprinting and Criminal Records Summaries will be required annually, at the beginning of each school year. This requirement is a condition of obtaining clearance to volunteer on campus.

Additionally, the School may on a case-by-case basis require an entity providing school site services other than those listed above to require the entity's employees to comply with the requirements for fingerprinting, unless the School determines that the employees of the entity will have limited contact with students. In determining whether a contract employee will have limited contact with students, the School must consider the totality of the circumstances, including factors such as the length of time the contractors will be on school grounds, whether students will be in proximity with the site where the contractors will be working, and whether the contractors will be working by themselves or with others.

Procedures for Background Checks

The Principal(s) of Rocketship shall review Department of Justice reports on prospective employees/ contractors; volunteers to determine whether an employee may be employed in accordance with Education Code Section 44237, 44830.1, or 45125.1, except with respect to her or himself, in which case the President of the Board will review. The Principal(s) shall monitor compliance with this policy and report to the Board of Directors on a quarterly basis.

School Safety

Board Policy

Tuberculin Examinations

1. No person shall be employed by or volunteer at the School unless they have submitted proof of an examination within the last sixty (60) days that they are free of active tuberculosis by a physician licensed under Chapter 5 of Division 2 of the Business and Professions Code.
2. This examination shall consist of an X-ray of the lungs or an approved intradermal tuberculin test, which, if positive, shall be followed by an X-ray of the lungs.
3. All employees/volunteers shall be required to undergo this examination at least once every four (4) years, with the exception of “food handlers” who shall be examined annually.
4. After such examination each employee shall file a certificate with the School from the examining physician showing the employee was examined and found free from active tuberculosis.
5. In the event it becomes necessary for the employee to have an X-ray examination as a follow-up to a skin test, the School will make arrangements with the designated physician for the examination and bear the expense. If the employee chooses to have his or her own physician for this purpose, the School will pay toward the cost of the examination an amount equal to the rate charged by the designated physician.
6. This policy shall also include student teachers serving under the supervision of a designated teacher and all substitute employees.

School Safety

Board Policy

Safe Facilities

Rocketship will be housed in a facility that meets California Building Code requirements (Part 2 (commencing with Section 101) of Title 24 of the California Code of Regulations), as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located.

Surveys and management plans will be maintained and updated for all hazardous building materials (lead, asbestos, etc.) and all hazardous materials used and stored in and around the School will be handled and dispensed properly. Additionally, appropriate training for staff working with hazardous materials (i.e., pesticides, cleaning chemicals, etc.) will be provided. A comprehensive indoor air quality program modeled on the EPA's "Tools for Schools" program will be implemented and maintained.

Inspections will be performed to ensure that daily operations do not compromise facility safety and health in any manner. This will include maintaining safe access / egress paths (both routine and emergency), access to emergency equipment, eliminating obstructions to airflow, etc.

School Safety

Board Policy

Emergency Plans

Disaster Plan

Rocketship shall (1) develop and adopt a plan to ensure the School's preparation to meet disasters; and (2) provide for all members of the certificated and classified staff of the School and all students enrolled in the School the instruction they need to be fully informed regarding all phases of the plan and the responsibilities they are to assume should either a man-made or natural disaster occur in Rocketship or in the area in which the School is located.

Rocketship's emergency plans are consistent with best practices common to many school districts.

School personnel are usually first on the scene of an emergency situation within the school. They will normally take charge and remain in charge of the emergency until it is resolved and will transfer command and incident management to the appropriate emergency responder agency with legal authority to assume responsibility. They will seek guidance and direction from local officials and seek technical assistance from state and federal agencies and industry where appropriate. **However, at no time will school officials transfer responsibility for student care.**

When an emergency situation occurs, school personnel must quickly determine what initial response actions are required. Determining the appropriate actions to take is a three-step process: 1) identify the type of emergency; 2) identify the level of emergency; and 3) determine immediate action(s) that may be required. Each of these steps is discussed in the following sections. Procedures for specific response actions are provided in the "Emergency Response Plan".

Identify Type of Emergency

The first step in responding to an emergency is to determine the *type* of emergency that has occurred. Emergency procedures for the types of emergencies listed below are provided in the "Emergency Response Plan".

- Medical Emergency, Illness, Injury
- Fire in Surrounding Area
- Fire on School Grounds
- Earthquake
- Bomb Threat
- Intruder, Hostage Taking, Lockdown
- Severe Weather
- Extended Power Loss
- Poisoning, Chemical Spills, Hazardous Materials
- Severe Allergic Reaction

Biological or Chemical Attack
Radiation Threat
Armed Assault on Campus
Drive-by Shooting
Air Pollution / Smog
Fallen Aircraft
Explosion
First Aid, CPR and Health Screening
Unlawful Demonstration/Walkout

Identify Level of Emergency

The second step in responding to an emergency is to determine the *level* of the emergency. For schools, emergency situations can range from a small fire to a major earthquake. To assist schools in classifying emergency situations, a three-tiered rating system is described below.

Level 1 Emergency: A *minor* emergency that is handled by school personnel without assistance from outside agencies, e.g., a temporary power outage, a minor earthquake, or a minor injury in the play yard.

Level 2 Emergency: A *moderate* emergency that requires assistance from outside agencies, such as a fire or a moderate earthquake, or a suspected act of terrorism involving the dispersion of a potentially hazardous material, e.g., “unknown white powder”.

Level 3 Emergency: A *major* emergency event that requires assistance from outside agencies such as a major earthquake, civil disturbance or a large-scale act of terrorism. For Level 3 emergencies, it is important to remember that the response time of outside agencies may be seriously delayed.

Notification Procedures

1. In case of an emergency at any school facility, the flow of information after calling 911, shall be from the school Principal to the Rocketship Education main office. Information should include the nature of the incident and the impact, on the facility, students and staff.
2. In the event of a fire, any one discovering the fire shall activate the building fire alarm system. Unless there is a lock down incident or a shelter in place incident in progress, the building shall be evacuated. In the event that a lock down or shelter-in-place incident is in progress, the evacuation shall be limited to the area immediately in danger from the fire.
3. In the event the Rocketship main office is in receipt of information, such as a weather warning that may affect a school within Rocketship Education, the information shall be provided to the school Principal.

Determine Immediate Response Actions

Once the type and extent of an emergency have been identified, school personnel can determine if an *immediate response action* is required. The Principal will be responsible for activating the school emergency operations plan and the initial response. The most common immediate response actions initiated during school emergencies are:

Duck and Cover
Shelter-In-Place
Lockdown
Evacuate Building
Off-Site Evacuation
All Clear

Procedures for each of these are included in the “Emergency Response Plan”.

Immediate Response Actions

Duck and Cover

This action is taken to protect students and staff from flying or falling debris.

Description of Action

1. This action is to be taken immediately in case of an earthquake once shaking is perceived by the teachers and staff, even without the initial announcement by the Principal.
2. If possible, the Principal will make the following announcement on the PA system. If the PA system is not available, the Principal will use other means of communication, i.e., sending messengers to deliver instructions. The Principal should be calm, convey reassuring comments that the situation is under control and give clear directions.

“YOUR ATTENTION PLEASE. AS YOU ARE AWARE, WE ARE EXPERIENCING SOME SEISMIC ACTIVITY. FOR EVERYONE’S PROTECTION, ALL STUDENTS SHOULD FOLLOW STAFF DUCK AND COVER PROCEDURES, WHICH MEANS YOU SHOULD BE IN A PROTECTED POSITION UNDER A TABLE OR DESK, AWAY FROM WINDOWS AND ANYTHING THAT COULD FALL AND HURT YOU. HOLD THIS POSITION UNTIL THE SHAKE STOPS OR GIVEN FURTHER INSTRUCTIONS.”

3. If inside, teachers will instruct students to duck under their desks and cover their heads with their arms and hands.
4. If outside, teachers will instruct students to drop to the ground, place their heads between their knees, and cover their heads with their arms and hands.
5. Teachers and students should move away from windows.

Shelter-in-Place

This action is taken to place and/or keep students indoors in order to provide a greater level of protection from airborne contaminants in outside air. Shelter-in-Place is implemented when there is a need to isolate students and staff from the outdoor environment, and includes the shut down of classroom and/or building HVAC systems. During Shelter-in-Place, no one should be exposed to the outside air.

The difference between Shelter-in-Place and Lockdown is that the former involves shut down of the HVAC systems, and allows for the free movement of students within the building. However, classes in bungalows and buildings with exterior passageways will have to remain in the classroom.

Description of Action

1. The Principal will make the following announcement on the PA system. If the PA system is not available, the Principal will use other means of communication, i.e., sending messengers to deliver instructions. The Principal should be calm, convey reassuring comments that the situation is under control and give clear directions.

“YOUR ATTENTION PLEASE. BECAUSE WE HAVE RECEIVED INFORMATION REGARDING A HAZARD IN THE COMMUNITY, WE ARE INSTITUTING SHELTER-IN-PLACE PROCEDURES. REMEMBER, THIS MEANS STUDENTS AND STAFF ARE TO REMAIN INSIDE THE BUILDING AWAY FROM OUTSIDE AIR WITH WINDOWS AND DOORS SECURELY CLOSED AND AIR CONDITIONING UNITS TURNED OFF. ALL STUDENTS AND STAFF THAT ARE OUTSIDE ARE TO IMMEDIATELY MOVE TO THE PROTECTION OF AN INSIDE ROOM. AS SOON AS WE HAVE FURTHER INFORMATION, WE WILL SHARE IT WITH YOU.”

2. If inside, teachers will keep students in the classroom until further instructions are given.
3. If outside, students will proceed to their classrooms if it is safe to do so. If not, teachers or staff will direct students into nearby classrooms or school buildings (e.g., auditorium, library, cafeteria, gymnasium). Teachers should consider the location and proximity of the identified hazard and, if necessary, proceed to an alternative indoor location.
4. Teachers are responsible to secure individual classrooms whereas the Security/Utilities Team will assist in completing the procedures as needed: shut down the classroom / building(s) HVAC system; turn off local fans in the area; close and lock doors and windows; seal gaps under doors and windows with wet towels or duct tape; seal vents with aluminum foil or plastic wrap, if available; and turn off sources of ignition, such as pilot lights.

Lockdown

This action is taken when the threat of violence or gunfire is identified or directed by law enforcement and it is necessary to prevent the perpetrator(s) from entering occupied areas. During Lockdown, students are to remain in the classrooms or designated locations at all time.

The difference between Shelter-in-Place and Lockdown is that the former involves shut down of the HVAC systems, and allows for the free movement of students within the building.

Description of Action

1. The Principal will make the following announcement on the PA system. If the PA system is not available, the Principal will use other means of communication, i.e., sending messengers to deliver instructions. The Principal should be calm, convey reassuring comments that the situation is under control and give clear directions.

“YOUR ATTENTION PLEASE. WE HAVE AN EMERGENCY SITUATION AND NEED TO IMPLEMENT LOCKDOWN PROCEDURES. TEACHERS ARE TO LOCK CLASSROOM DOORS AND KEEP ALL STUDENTS INSIDE THE CLASSROOM UNTIL FURTHER NOTICE. DO NOT OPEN THE DOOR UNTIL NOTIFIED BY AN ADMINISTRATOR OR LAW ENFORCEMENT. IF OUTSIDE, STUDENTS AND STAFF ARE TO PROCEED INSIDE THE NEAREST BUILDING OR CLASSROOM.”

2. If inside, teachers will instruct students to lie on the floor, lock the doors, and close any shades or blinds if it appears safe to do so.
3. If outside, students will proceed to their classrooms if it is safe to do so. If not, teachers or staff will direct students into nearby classrooms or school buildings (e.g., auditorium, library, cafeteria, gymnasium).
4. Teachers and students will remain in the classroom or secured area until further instructions are given by the Principal or law enforcement.
5. The front entrance is to be locked and no visitors other than appropriate law enforcement or emergency personnel, have to be allowed on campus.

Evacuate Building

This action is taken after the decision is made that it is unsafe to remain in the building.

Description of Action

1. The Principal will make the following announcement on the PA system. If the PA system is not available, the Principle will use other means of communication, i.e., sending messengers to deliver instructions. The Principal should be calm, convey reassuring comments that the situation is under control and give clear directions.

“YOUR ATTENTION PLEASE. WE NEED TO INSTITUTE AN EVACUATION OF ALL BUILDINGS. TEACHERS ARE TO TAKE THEIR STUDENTS TO THE ASSEMBLY AREA AND REPORT TO THEIR DESIGNATED AREA. STUDENTS ARE TO REMAIN WITH THEIR TEACHER. TEACHERS NEED TO TAKE THEIR ROLLBOOK AND LOCK THE CLASSROOM WHEN ALL STUDENTS HAVE EXITED THE CLASSROOM.”

2. The Principal will initiate a fire alarm.
3. Teachers will instruct students to evacuate the building, using designated routes, and assemble in their assigned *Assembly Area*.
4. Teachers will take the student roster when leaving the building and take attendance once the class is assembled in a safe location.
5. Once assembled, teachers and students will stay in place until further instructions are given.

Off-Site Evacuation

This action is taken after a decision is made that it is unsafe to remain on the campus, and evacuation to an off-site assembly area is required.

Description of Action

1. The Principal will make the following announcement on the PA system. If the PA system is not available, the Principle will use other means of communication, i.e., sending messengers to deliver instructions. The Principal should be calm, convey reassuring comments that the situation is under control and give clear directions.

“YOUR ATTENTION PLEASE. WE NEED TO INSTITUTE AN OFF-SITE EVACUATION. TEACHERS ARE TO TAKE THEIR STUDENTS TO THE OFF-SITE ASSEMBLY AREA AND REPORT TO THEIR DESIGNATED AREA. STUDENTS ARE TO REMAIN WITH THEIR TEACHER. TEACHERS NEED TO TAKE THEIR ROLLBOOK AND LOCK THE CLASSROOM WHEN ALL STUDENTS HAVE EXITED THE CLASSROOM.”

2. The Principal will determine the safest method for evacuating the campus. This may include the use of school buses or simply walking to the designated off-site location. The off-site assembly areas are indicated on the Evacuation Map.
3. Teachers will secure the student roster when leaving the building and take attendance once the class is assembled in a pre-designated safe location.
4. Once assembled off-site, teachers and students will stay in place until further instructions are given.
5. In the event clearance is received from appropriate agencies, the Principal may authorize students and staff to return to the classrooms.

Staff Responsibilities:

- **Principal**
 - Orders evacuation via all-call system and with bell system.
 - Takes student accounting as classes leave school site.
 - Does final check of buildings and leaves for evacuation site.
 - Communicates with Designee as needed
- **Principal’s Designee**
 - Takes student accounting as classes leave school building.
 - Does final check of buildings and leaves for evacuation site.
 - Communicates with Principal as needed.
- **Teachers**
 - Teachers prepare to evacuate by:
 - Getting **Emergency Pack**.
 - Turning **off** air/heating.
 - Taking student count before exiting room.
 - Students **take** jackets, but **leave** backpacks, etc.
 - Walk class in an orderly and quiet manner to assigned evacuation point.

All Clear

This action is taken to notify teachers that normal school operations can resume.

Description of Action

1. The Principal will make the following announcement on the PA system. If the PA system is not available, the Principal will use other means of communication, i.e., sending messengers to deliver instructions.

“YOUR ATTENTION PLEASE. IT IS NOW OK TOO RETURN TO YOUR CLASSROOM AND RESUME NORMAL OPERATIONS. I WOULD LIKE TO THANK AND COMMEND STUDENTS AND STAFF FOR THEIR COOPERATION.”

2. This action signifies the emergency is over.
3. If appropriate, teachers should immediately begin discussions and activities to address students’ fears, anxieties, and other concerns.

Training and Exercise

Rocketship understands the importance of training, drills, and exercises in the overall emergency management program. To ensure that district personnel and community first responders are aware of their duties and responsibilities under the school plan and the most current procedures, the following training, drill and exercise actions will occur.

1. Training and refresher training sessions shall be conducted for all school personnel. In case of academic staff, training should coincide with the first in-service day of the school year. Training for the remainder of the support staff shall be held at a time during the school year that will allow for maximum attendance. Records of the training provided including date(s), type of training and participant roster will be maintained.
2. Information addressed in these sessions will include updated information on plans and/or procedures and changes in the duties and responsibilities of plan participants. Discussions will also center on any revisions to additional materials such as annexes and appendices. Input from all employees is encouraged.
3. Rocketship will plan for 1) Earthquake, 2) Fire, 3) Evacuation, 4) Lockdown and 5) Severe Weather/Shelter-in place drills.
4. Rocketship will participate in any external drills or exercises sponsored by local emergency responders or state agencies, such as The Great California Shake Out drill. Availability of school personnel and the nature of the drill or exercise shall govern the degree to which the school will participate as it relates to improving the school's ability to respond to and deal with emergencies.

Activities by Phases of Emergency Management

This plan addresses emergency actions that are conducted during all four phases of emergency management.

Mitigation/Prevention

Rocketship will conduct mitigation/prevention activities as an integral part of the emergency management program. Mitigation/prevention is intended to eliminate hazards and vulnerabilities, reduce the probability of hazards and vulnerabilities causing an emergency situation, or lessen the consequences of unavoidable hazards and vulnerabilities. Mitigation/prevention should be a pre-disaster activity, although mitigation/prevention may also occur in the aftermath of an emergency situation with the intent of avoiding repetition of the situation. Among the mitigation/prevention activities included in the emergency operations program are:

1. Hazard Analysis
2. Identifying hazards
3. Recording hazards
4. Analyzing hazards
5. Mitigating/preventing hazards
6. Monitoring hazards
7. Security Audit

Preparedness

Preparedness activities will be conducted to develop the response capabilities needed in the event an emergency. Among the preparedness activities included in the emergency operations program are:

1. Providing emergency equipment and facilities.
2. Emergency planning, including maintaining this plan, its annexes, and appendices.
3. Involving emergency responders, emergency management personnel, other local officials, and volunteer groups who assist this school during emergencies in training opportunities.
4. Conducting periodic drills and exercises to test emergency plans and training.
5. Completing an After Action Review after drills, exercises and actual emergencies.
6. Revise plan as necessary.

Response

Rocketship will respond to emergency situations effectively and efficiently. The focus of most of this plan and its annexes is on planning for the response to emergencies. Response operations are intended to resolve an emergency situation quickly, while minimizing casualties and property

damage. Response activities include warning, first aid, light fire suppression, law enforcement operations, evacuation, shelter and mass care, light search and rescue, as well as other associated functions.

Recovery

If a disaster occurs, Rocketship will carry out a recovery program that involves both short-term and long-term efforts. Short-term operations seek to restore vital services to the school and provide for the basic needs of the staff and students. Long-term recovery focuses on restoring the school to its normal state. The federal government, pursuant to the Stafford Act, provides the vast majority of disaster recovery assistance. The recovery process includes assistance to students, families and staff. Examples of recovery programs include temporary relocation of classes, restoration of school services, debris removal, restoration of utilities, disaster mental health services, and reconstruction of damaged stadiums and athletic facilities.

- **Emergencies Occurring During Summer or Other School Breaks**
 - If a school administrator or other emergency response team member is notified of an emergency during the summer (or when affected students are off-track if they attend year-round schools), the response usually will be one of limited school involvement. In that case, the following steps should be taken:
 - a) Disseminate information to Emergency Response Team members and request a meeting of all available members.
 - b) Identify close friends/staff most likely to be affected by the emergency. Keep the list and recheck it when school reconvenes.
 - c) Notify staff or families of students most likely to be affected by the emergency and recommend community resources for support.
 - d) Notify general faculty/staff by letter or telephone with appropriate information.
 - e) Schedule faculty meeting for an update the week before students return to school.
 - f) Be alert for repercussions among students and staff.

When school reconvenes, check core group of friends and other at-risk students and staff, and institute appropriate support mechanisms and referral procedure.

Student

Board Policy

Immunizations/Physical Exams

Applicability

This policy applies to all applicants to each Rocketship School and the administration of the School in charge of admissions.

Immunizations

The School will adhere to all law related to legally required immunizations for entering students pursuant to Health and Safety Code Section 120325-120375, and Title 17, California Code of Regulations Section 6000-6075.

California law requires that an immunization record be presented to the School staff before a child can be enrolled in school. The School requires written verification from a doctor or immunization clinic of the following immunizations:

- a) Diphtheria.
- b) Measles.
- c) Mumps, except for children who have reached the age of seven years.
- d) Pertussis (whooping cough), except for children who have reached the age of seven years.
- e) Poliomyelitis.
- f) Rubella.
- g) Tetanus.
- h) Hepatitis B.
- i) Varicella (chickenpox), (persons already admitted into California public or private schools at the Kindergarten level or above before July 1, 2001, shall be exempt from the Varicella immunization requirement for school entry).

School verification of immunizations is to be by written medical records from a doctor or immunization clinic.

Exceptions are allowed under the following conditions:

- a) The parent provides a signed doctor's statement verifying that the child is to be exempted from immunizations for medical reasons. This statement must contain a statement identifying the specific nature and probable duration of the medical condition.
- b) A parent may request exemption of their child from immunization for personal beliefs.
- c) StudentStudents who fail to complete the series of required immunizations within the specified time allowed under the law will be denied enrollment until the series has been completed.

Physical Examinations

All studentstudents are to have completed a health screening examination on or before the 90th day after the student's entrance into first grade or such students must have obtained a waiver pursuant to Health and Safety Code Section 124085. Information and forms are distributed to students enrolled in kindergarten.

Failure by parents or guardians to obtain an examination for a student or a waiver will result in that student being denied enrollment.

Changes in a student's medical status must be provided to the Schoolalong with a physician's written verification of the medical issue, especially if changes impact in any way the students' ability to perform schoolwork.

Adopted:

Amended:

School Safety

Board Policy

Communicable, Contagious, or Infectious Disease Prevention Policy

Rocketship recognizes its shared responsibility with the home and the community to promote appropriate disease prevention procedures in the handling and the cleaning up of blood and body fluids.

The School Board desires to protect the entire school community without segregation, discrimination or stigma. Accordingly, infectious disease prevention shall be taught regardless of whether a student or adult is known to have an identified infectious disease.

All students and employees shall be provided appropriate periodic instruction in basic procedures recommended by the State Department of Education and other public health agencies and associations.

Incidence and transmission of communicable diseases will be further limited through a rigorous program of immunization and health screening required of all students, faculty, and staff. (See “Immunizations / Physical Exams”, Policy # 5) Students found to have communicable diseases will be included in all activities deemed by a physician to present no hazard of infection to other students.

Injuries and Accidents

Whenever exposed to blood or other body fluids through injury or accident, students and staff should follow the latest medical protocol for disinfecting procedures. (See “Bloodborne Pathogen Exposure Control Program”, Policy #11)

Administration of Medications

The Rocketship staff is responsible for the administration of medication to students attending school during regular school hours.

It is imperative that practices followed in the administration of medication be carefully delineated to ensure the safety of our students and the legal protection of our employees.

The School, upon request from the parent/guardian and verification from a physician, will endeavor to provide for the administration of prescribed medication to allow the student to attend School, if the student is unable to take the medication without assistance or supervision.

Any student who is required to take, during the regular school-day, medication prescribed for him or her by a physician or surgeon, may be assisted by designated school personnel or may carry and self-administer prescription auto-injectable epinephrine if the Charter School receives the appropriate written statements

In order for a student to carry and self-administer prescription auto-injectable epinephrine, the parents and guardians shall provide to the school both a written statement from the physician or surgeon detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the student is able to self-administer auto-injectable epinephrine, and a written statement from the parent, foster parent, or guardian of the student consenting to the self-administration, providing a release for the designated school personnel to consult with the health care provider of the student regarding any questions that may arise with regard to the medication, and releasing the School and school personnel from civil liability if the self-administering student suffers an adverse reaction as a result of self-administering medication.

In order for a student to be assisted by designated school personnel, the School shall obtain both a written statement from the physician detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken and a written statement from the parent, foster parent, or guardian of the student indicating the desire that the School assist the student in the matters set forth in the statement of the physician.

Guidelines:

- The primary responsibility for the administration of medication rests with the parent/guardian, student and medical profession.
- Medication shall be administered only during school hours if determined by a physician to be absolutely necessary on an ongoing basis.
- The parent/guardian shall sign a release/consent form, which is to be kept on file at the school.
- Designated staff shall keep records of medication administered at the school.

- All medication will be kept in a secure and appropriate storage location and administered per physician's instructions by the School nurse or by designated staff.
- Designated staff shall return all surplus medication to the parent/guardian upon completion of the regimen or prior to summer holidays.
- Designated staff shall establish emergency procedures for specific medical conditions that require an immediate response (i.e. allergies, asthma, diabetes).
- The written statements specified in this policy shall be provided at least annually and more frequently if the medication, dosage, frequency of administration, or reason for administration changes.
- A student may be subject to disciplinary action if that student uses auto-injectable epinephrine in a manner other than as prescribed.

Personnel

Board Policy

Drug-Free Workplace

Rocketship is committed to providing a drug- and alcohol-free workplace and to promoting safety in the workplace, employee health and well-being and a work environment that is conducive to attaining high work standards. The use of drugs and alcohol by employees, off the job, jeopardizes these goals, since it adversely affects health and safety, security, productivity, and public confidence and trust. Drug or alcohol use in the workplace is extremely harmful to workers.

Accordingly, consistent with this commitment, the school has developed a drug and alcohol policy that applies to all employees.

Bringing to the workplace, possessing or using, or being under the influence of intoxicating beverages or drugs on any School premises or at any school-sanctioned activity or function is prohibited and will result in disciplinary action up to and including termination.

The School reserves the right to use appropriate means to provide a safe work environment for its employees. These means may consist of but are not limited to:

- Post-offer, pre-employment drug/alcohol testing;
- Referral to local authorities;
- Referral to employee assistance program;
- Full investigation of accident causes, which includes drug and alcohol testing;
- “For cause” drug testing (reasonable suspicion testing);
- Search of School property;
- Search of employee property, including employee handbags and vehicles, brought onto School property.

Refusal to submit to a “for cause” drug test or a drug test in connection with an on-the-job injury or accident is cause for immediate termination.

Personnel

Board Policy

Smoke-Free Environment

Rocketship is a smoke-free environment.

Smoking is not allowed anywhere on the School campus. It is the responsibility of each staff member to adhere to this rule, and to inform his or her guests of our non-smoking policy.

School Safety

Board Policy

First Aid, CPR, and Health Screening

Rocketship recognizes the importance of taking appropriate preventive or remedial measures to minimize accidents or illness at school or during school-sponsored activities. To this end, Rocketship expects parents/guardians to provide emergency information and keep such information current in order to facilitate immediate contact with parents/guardians if an accident or illness occurs.

Every classroom shall have a First Aid Kit containing appropriate supplies. First aid will be administered whenever necessary by trained staff members. When necessary, the appropriate emergency personnel will be called to assist.

All Administrators and School Office Personnel are to be certified in adult and pediatric CPR and First Aid and be recertified prior to expiration of certificates. Opportunities for adult and pediatric CPR and First Aid training will be offered to all teachers and teachers will be strongly encouraged to become certified in adult and pediatric CPR and First Aid and be recertified prior to expiration of certificates. Adult and pediatric CPR and First Aid training will also be provided to all support staff and volunteers.

Resuscitation Orders

School employees are trained and expected to respond to emergency situations without discrimination. If any student needs resuscitation, staff shall make every effort to resuscitate him/her. Staff members are prohibited from accepting or following any parental or medical "do not resuscitate" orders. School staff should not be placed in the position of determining whether such orders should be followed, and such Advance Directives shall not be communicated to staff. The Principal, or designee, shall ensure that all parents/guardians are informed of this policy.

Vision, Hearing and Scoliosis Screening

The School shall screen for vision, hearing and scoliosis as required by Education Code Section 49450, et seq., and District Board policy per appropriate grade levels.

Head Lice

To prevent the spread of head lice infestations, School employees shall report all suspected cases of head lice to the school nurse or designee as soon as possible. The nurse, or designee, shall examine the student and any siblings of affected students or members of the same household. If nits or lice are found, the student shall be excluded from attendance and parents/guardians informed about recommended treatment procedures and sources of further information.

The Principal, or designee, shall send home the notification required by law for excluded students.

If there are two or more students affected in any class, an exposure notice with information about head lice shall be sent home to all parents/guardians of those students.

Staff shall maintain the privacy of students identified as having head lice and excluded from attendance.

Excluded students may return to school when reexamination by the nurse, or designee, shows that all nits and lice have been removed.

Adopted:

School Safety

Board Policy #11

Exposure Control Plan For Bloodborne Pathogens

The Principal, or designee, shall meet State and Federal standards for dealing with bloodborne pathogens and other potentially infectious materials in the workplace. The Principal, or designee, shall establish a written “Exposure Control Plan” designed to protect employees from possible infection due to contact with bloodborne viruses, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV).

The Board shall determine which employees have occupational exposure to bloodborne pathogens and other potentially infectious materials. In accordance with Rocketship “Exposure Control Plan,” employees having occupational exposure shall be trained in accordance with applicable state regulations (8 CCR 5193) and offered the hepatitis B vaccination.

The Principal, or designee, may exempt designated first-aid providers from pre-exposure hepatitis B vaccination under the conditions specified by state regulations.

Any employee not identified as having occupational exposure in Rocketship exposure determination may petition to be included in Rocketship employee in-service training and hepatitis B vaccination program. Any such petition should be submitted to the Principal, or designee, who shall evaluate the request and notify the petitioners of his/her decision. The Principal, or designee, may deny a request when there is no reasonable anticipation of contact with infectious material.

School Safety

Board Policy

Conditions for Classroom and School Visitation and Removal Policy

While the School encourages parents/guardians and interested members of the community to visit the School and view the educational program, the School also endeavors to create a safe environment for students and staff.

To ensure the safety of students and staff as well as to minimize interruption of the instructional program, the School has established the following procedures, pursuant to California Penal Code Sections 627, et. seq., to facilitate visits during regular school days:

1. Visits during school hours should first be arranged with the teacher and Principal or designee, at least three days in advance. If a conference is desired, an appointment should be set with the teacher during non-instructional time, at least three days in advance. Parents seeking to visit a classroom during school hours must first obtain the written approval of the classroom teacher and the Principal or designee.
2. All visitors shall register with the front office immediately upon entering any school building or grounds when during regular school hours. When registering, the visitor is required to provide his/her name, address, occupation, age (if under 21), his/her purpose for entering school grounds, and proof of identity. For purposes of school safety and security, the Principal or designee may design a visible means of identification for visitors while on school premises.
3. The Principal, or designee, may refuse to register an outsider if he or she has a reasonable basis for concluding that the visitor's presence or acts would disrupt the school, its students, its teachers, or its other employees; would result in damage to property; or would result in the distribution or use of unlawful or controlled substances.
4. The Principal or designee may withdraw consent to be on campus even if the visitor has a right to be on campus whenever there is reasonable basis for concluding that the visitor presence on school grounds would interfere or is interfering with the peaceful conduct of the activities of the school, or would disrupt or is disrupting the school, its students, its teachers, or its other employees.
5. The Principal may request that a visitor who has failed to register, or whose registration privileges have been denied or revoked, promptly leave school grounds. When a visitor is directed to leave, the Principal or designee shall inform the visitor that if he/she reenters the school without following the posted requirements he/she will be guilty of a misdemeanor.

6. Any visitor that is denied registration or has his/her registration revoked may request a hearing before the Principal or the Board on the propriety of the denial or revocation. The request shall be in writing, shall state why the denial or revocation was improper, shall give the address to which notice of hearing is to be sent, and shall be delivered to either the Principal or the Board President within five days after the denial or revocation. The Principal or Board President shall promptly mail a written notice of the date, time, and place of the hearing to the person who requested the hearing. A hearing before the Principal shall be held within seven days after the Principal receives the request. A hearing before the Board shall be held at the next regularly scheduled Board meeting after the President receives the request.
7. The Principal or designee shall seek the assistance of the police in dealing with or reporting any visitor in violation of this policy.
8. At each entrance to the School grounds of, signs shall be posted specifying the hours during which registration is required, stating where the office of the Principal or designee is located and what route to take to that office, and setting forth the penalties for violation of this policy.
9. No electronic listening or recording device may be used by students or visitors in a classroom without the teacher's and Principal's written permission.

Penalties

1. Pursuant to the California Penal Code, if a visitor does not leave after being asked or if the visitor returns without following the posted requirements after being directed to leave, he/she will be guilty of a crime as specified which is punishable by a fine of up to \$500.00 or imprisonment in the County jail for a period of up to six (6) months or both.
2. Further conduct of this nature by the visitor may lead to the School's pursuit of a restraining order against such visitor which would prohibit him/her from coming onto school grounds or attending School activities for any purpose for a period of three (3) years.

Appendix R. Suspension and Expulsion Procedures

SUSPENSION AND EXPULSION PROCEDURES

*Governing Law: The procedures by which students can be suspended or expelled
—California Education Code Section 47605 (b)(5)(J)*

This Student Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at Rocketship school. When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the School'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.

School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations.

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

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

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

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

A student identified as an individual with disabilities or for whom the school has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities in Education Act ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. The school will follow Section 504, the IDEIA, and all applicable federal and state laws including but not limited to the special education provisions of the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the school 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. While the School remains a public school of the district for purposes of special education under Education Code Section 47641(b), the School shall notify the District of the suspension of any student identified under the IDEA (or for whom there may be a basis of knowledge of the same) or as a student with a disability under Section 504 and shall coordinate with the District the manifestation determination process prior to the expulsion of any such student as well.

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 the school or at any other school or a School sponsored event at any time including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; d) during, going to, or coming from a school-sponsored activity.

B. Enumerated Offenses

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force of violence upon the person of another, except self-defense.
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Principal/Administrator or designee's concurrence.
3. Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
5. Committed or attempted to commit robbery or extortion.

6. Caused or attempted to cause damage to school property or private property.
7. Stole or attempted to steal school property or private property.
8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel.
9. Committed an obscene act or engaged in habitual profanity or vulgarity.
10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5.
11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
12. Knowingly received stolen school property or private property.
13. 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.
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4.
15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
17. Engaged in or attempted to engage in hazing of another. For the purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.

18. Aiding or abetting 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 student 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) above.
19. Made terrorist threats against school officials and/or school property. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
20. Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to students in any of grades 4 to 12, inclusive.
21. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to students in any of grades 4 to 12, inclusive.
22. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to students in any of grades 4 to 12, inclusive.
23. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f)

and (g) of Section 32261 of the Education Code, directed specifically toward a student or school personnel.

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

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Principal or the Principal's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or school employee who referred the student to the Principal. The conference may be omitted if the Principal or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the student shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense.

This conference shall be held within three (3) school days, unless the student waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization.

No penalties may be imposed on a student for failure of the student's parent or guardian to attend a conference with school officials. Reinstatement of the suspended student shall not be contingent upon attendance by the student's parent or guardian at the conference.

2. Notice to Parents/Guardians

At the time of the suspension, the Principal or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian

to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

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

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

D. Authority to Expel

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

E. Expulsion Procedures

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

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

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

1. The date and place of the expulsion hearing;

2. A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
 3. A copy of the School disciplinary rules which relate to the alleged violation;
 4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the school to any other school district or school to which the student seeks enrollment;
 5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
 6. The right to inspect and obtain copies of all documents to be used at the hearing;
 7. The opportunity to confront and question all witnesses who testify at the hearing;
 8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.
- F. Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

The 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 which shall be examined only by the 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 student.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days' notice of his/her scheduled testimony, (b) have up to Three (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.

3. At the discretion of the person or panel conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The person conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The person conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The person conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the School must present evidence that the witness' presence is both desired by the witness and will be helpful to the School. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the student being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. Record of Hearing

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

H. Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel and decision by the School Board to expel must be supported by substantial evidence that the student committed an expellable offense.

Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay and sworn declarations may be admitted as testimony from witnesses of whom the Board, Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

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

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

I. Written Notice to Expel

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

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

The Principal or designee shall send a copy of the written notice of the decision to expel to the District.

This notice shall include the following:

- a) The student's name
- b) The specific expellable offense committed by the student

Additionally, in accordance with Education Code Section 47605(d)(3), upon expulsion of any student, the Charter School shall notify the superintendent of the school district of the student's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the student, including a transcript of grades or report card and health information.

J. Disciplinary Records

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

K. No Right to Appeal

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

L. Expelled Students/Alternative Education

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

N. Readmission

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

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

i. Notification of District

The School shall immediately notify the District and coordinate the procedures in this policy with the District for the discipline of any student with a disability or student who the School or District would be deemed to have knowledge that the student had a disability who is suspended for more than ten (10) school days during a school year.

ii. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; and receive, as appropriate, a functional behavioral assessment or functional analysis, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

iii. Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the School, the parent, and

relevant members of the IEP Team shall review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine:

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

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

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

- a) Conduct a functional behavioral assessment or a functional analysis assessment, and implement a behavioral intervention plan for such child, provided that the School 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 the School agree to a change of placement as part of the modification of the behavioral intervention plan.

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

iv. Due Process Appeals

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

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

v. Special Circumstances

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

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

vi. Interim Alternative Educational Setting

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

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

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

The School 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 School supervisory or administrative

personnel, or to one of the child's teachers, that the student is in need of special education or related services.

- b) The parent has requested an evaluation of the child.
- c) The child's teacher, or other School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other School supervisory personnel.

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

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

Appendix S: Sexual Harassment Policy

Rocketship Education, Inc. Policy on Sexual Harassment

Statement against Sexual Harassment

- **No toleration policy** - Sexual harassment of or by any faculty, staff or student is illegal and will not be tolerated. The School Governing Board prohibits sexual harassment, and harassment based on pregnancy, childbirth or related medical conditions, race, religious creed, color, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state or local law or ordinance or regulation.
- **To whom the policy applies** - This policy applies to all persons involved in the operation of the School and prohibits unlawful harassment by faculty, staff, and students.
- **Discipline** - The School Governing Board considers sexual harassment to be a major offense and any individuals who violate this policy are subject to discipline up to and including dismissal, expulsion or other appropriate sanction.
- **Prompt and Thorough Investigation** - All claims of harassment will be taken seriously and will be investigated promptly and thoroughly.
- **Confidentiality** - Sexual harassment advisers and others responsible to implement this policy will respect the confidentiality and privacy of individuals reporting or accused of sexual harassment.
- **No Retaliation** - Retaliation against any employee or student who in good faith reports or provides information related to harassment in violation of this policy is against the law and will not be tolerated. Intentionally providing false information, however, is grounds for discipline.

Sexual Harassment Defined

Unwelcome sexual advances, requests for sexual favors, and other visual, verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made implicitly or explicitly a term or condition of employment or educational development;
- Submission or rejection of such conduct is used as a basis for employment or education decisions affecting individuals; or
- Such conduct has a purpose or effect of unreasonably interfering an individual's work or educational performance, or creating an intimidating, hostile or offensive

- working or educational environment.
- Sexual harassment in California also includes:
 - Verbal harassment, such as epithets, derogatory comments or slurs;
 - Physical harassment such as assault or physical interference with movement or work; and
 - Visual harassment, such as derogatory cartoons, drawings or posters.

Unwelcome sexual advances of an employer towards an employee or student of the same sex and harassment on the basis of pregnancy disability are unlawful sexual harassment. Employees and students in California are protected from discrimination based on their actual or perceived sexual orientation. Sexual orientation is defined as “heterosexuality, homosexuality, and bisexuality.”

- Specifically, sexual harassment may occur as a pattern of degrading sexual speech or actions and may include, but is not limited to the following examples:
 - Vulgar remarks;
 - Sexually derogatory comments regarding a person’s appearance;
 - Physical touching, pinching, patting, or blocking free movement;
 - Sexual propositions or advances (with or without threats to a person’s job or promotion if that person does not submit);
 - Sexually suggestive or degrading posters, cartoons, pictures or drawings;
 - Offensive sexual jokes, slurs, insults, innuendos or comments; or
 - Physical assault.

Notification

- A copy of the Policy Information Sheet shall be provided to all School students and employees at the beginning of the first semester of each school year with the disbursement of the first paycheck, noting whether any amendments have been made.
- A copy of the Policy Information Sheet and School Board Sexual Harassment Policy # will be provided as part of new student orientation and at the beginning of each new school term.

- New employees to the School will receive a copy of the Information Sheet and Board Sexual Harassment Policy # upon acceptance of employment.
- The School Board Sexual Harassment Policy will be displayed in a prominent location at the School.
- A copy of the School Board Sexual Harassment Policy # shall appear in any publication of the School that sets forth the comprehensive rules, regulations, procedures and standards of conduct from the School.

Employees or students who have questions concerning this Board Policy # are encouraged to contact the Principal.

Complaint Procedure

Complaint Filing Procedure

- **Informal Resolution** - The School Board encourages communication among its employees and students. Employees or students who feel that they are being harassed by another student or employee, if reasonably possible, should inform the party directly that his or her conduct is unwelcome or offensive and it must stop. If this is not possible, or if the alleged harasser is an employee of the School, or if the behavior continues, employees and parents / guardians can follow the complaint filing procedure.
- **Written Complaint** – Complaints should be submitted within one (1) year of the alleged incident to ensure a prompt, thorough investigation.
- Any student who believes he or she has been harassed, or believes he or she has witnessed harassment by a peer, or agent of the School should promptly report in writing, using the attached form, incident(s) to the his or her supervisor and / or the Principal.
- A complaint form is attached to this Policy. It is important to fill in as much information as accurately as possible. A copy of this form can be obtained from the Principal.
- The Principal, or designee, will investigate all reported incidents within 10 days of receiving a written complaint form, unless the Principal, or designee, is the subject of the investigation, in which case the School Governing Board shall appoint an investigator. The individual responsible for the investigation will hereinafter be referred to as the “Investigator.” If the Investigator deems it necessary, he or she will convene a Team of trained investigators to proceed in the investigation.

Investigation

Investigation Policies

- Complaints will be treated seriously and investigated immediately.
- Complaints will be handled confidentially.
- Complainants will be promptly and fully informed of their rights pursuant to this policy.
- All witnesses and the accused will be properly and fully informed of their rights and remedies pursuant to this policy.
- All interviews of the accused, witnesses and the complainant shall be conducted in a private area.
- The Investigator will be properly trained to listen to the allegations, make complete notes, attempt to identify all persons involved, as well as all possible witnesses, and interview the accused.
- No complainant, witness, or party who assists in the investigation will be retaliated against.
- The School will take steps to prevent the recurrence of any harassment and will correct any discriminatory effects on the complainant and others.

Investigation Procedure

The Investigator will initiate an investigation to determine whether there is reasonable cause to believe that a violation of the School Board's sexual harassment policy has occurred. "Reasonable cause" is shown if a person of ordinary caution or prudence would be led to believe and conscientiously entertain a strong suspicion of a violation of the sexual harassment policy.

- All individuals involved in the investigation including the complainant, witnesses and the accused shall be fully informed of their rights under this policy.
- The accused shall be provided with a copy of the complaint form and an opportunity to respond to the allegations within seven (7) days of receipt of the request for a formal inquiry. The investigation will include interviews with the complainant and other witnesses as determined by the circumstances.

- The Investigator shall fully and effectively conduct an investigation that includes interviewing:
 - 1) The complainant;
 - 2) The accused;
 - 3) Any witnesses to the conduct; and
 - 4) Any other person who may be mentioned during the course of the investigation as possibly having relevant information.
- When appropriate, interim protections or remedies for the complainant, such as limitations on contact, alternative course schedules, and the like, may be recommended to the appropriate School administrator at any time during the process. The complainant will be kept informed of the status of the complaint, consistent with the School Board's policy and regulation and applicable law.
- The formal investigation shall typically be completed within sixty (60) days of the date of the filing of the request.
- The final determination of the Investigator's investigation shall result in a report which shall contain, at the minimum:
 - 1) a statement of the allegations and issues;
 - 2) the positions of the parties;
 - 3) a summary of the evidence received from the parties and the witnesses;
 - 4) any response the accused wishes to add to the report; and
 - 5) all findings of fact.
- The final determination report shall state a conclusion that the Investigation Team:
 - 1) Found reasonable cause that the accused violated the sexual harassment policy; or
 - 2) Did not find sufficient evidence to find reasonable cause that the accused violated the sexual harassment policy. Where the Investigator did not find reasonable cause but believes the behavior complained of may constitute misconduct, the Investigator may state such a conclusion and refer the matter to the appropriate School administrator.

- The report shall be submitted to the appropriate School administrator(s) for action, within thirty (30) days of the completion of the investigation or as soon thereafter as is feasible. The Investigator will inform the complainant and the accused that the report has been forwarded and to whom. The appropriate administrator(s) will ensure that the complainant and the accused are timely notified in writing of the disciplinary action taken.
- Within fifteen (15) days of disciplinary action being taken against the accused, or as required by applicable Board procedures, the appropriate administrator(s) shall provide written notification to the complainant indicating:
 - 1) individual remedies available to the complainant; and
 - 2) all sanctions against the accused of which the complainant needs to be aware in order for the sanctions to be fully effective
- Within fifteen (15) days of taking disciplinary action against the accused, the appropriate administrator(s) shall provide written notification to the Investigator indicating
 - 1) the results of any disciplinary actions and the initiation of any appeals; and
 - 2) all further individual remedies available to the complainant.
- If the final determination is that sexual harassment has occurred, a prompt, relevant and effective remedy shall be provided to the complainant and appropriate disciplinary action taken against the harasser.

Appeal

Appeal of Sexual Harassment Investigation Finding of No Reasonable Cause - There are different ways to appeal a finding of no reasonable cause depending on whether the complainant is a student, faculty, or staff. In most cases, existing School complaint procedures provide a mechanism for such an appeal, and where available, such procedures must be utilized.

Notice to the Complainant

Where the Investigator concludes that there is no reasonable cause to believe that a violation of the School Board's sexual harassment policy has occurred and the complaint is to be dismissed, a copy of the report will be sent to the complainant and the accused in accordance with the School Board policies/regulations applying to the disclosure of information from School records.

Written Appeal

A written appeal must be directed to the appropriate administrator, as designated by the Principal, within thirty (30) days of notification to the complainant of the dismissal of the complaint.

Basis for Appeal - The appeal may be based only on one of the following grounds:

- 1) There is newly discovered important evidence not known at the time of the report;
- 2) Bias on the part of an Investigator member; or
- 3) The Investigator failed to follow appropriate procedures.

Decision

The Principal or his or her designee will consider the appeal and will provide a written decision to the complainant and the Investigator within thirty (30) days of receipt of the appeal.

Extensions of Deadlines

Extensions of all deadlines contained in these procedures may be granted at the discretion of the Investigator for good cause. The Principal shall be consulted before a decision is made on requests for extensions involving faculty and staff.

Appendix T: Role of Staff as Mandated Child Abuse Reporters

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

Appendix U: Sample Rocketship Parent Commitment Letter

Parents'/Guardians' Commitment

We fully commit to Rocketship San Francisco in the following ways:

- We will always help our child in the best way we know how, and we will do whatever it takes for him/her to learn and prepare for college and life by supporting him/her and encouraging him/her to adhere to his/her “commitment to excellence.”
- We will make sure our child arrives at Rocketship San Francisco on-time every day by 7:15 A.M. if they intend to eat Breakfast or 8:00 A.M. if they do not (Monday – Friday).
- We will make arrangements so our child can remain at Rocketship San Francisco until 3:20pm (K) or 3:50pm (1st-2nd) or 4:00pm (3rd – 5th) Monday thru Thursday.
- We will make arrangements so our child will be picked up from Rocketship San Francisco at 1:50pm (K-2nd) or 2:10pm (3rd – 5th) every Friday.
- We will follow all arrival and dismissal regulations and parking procedures.
- We will make sure our child follows the Rocketship San Francisco dress code.
- We will ensure that our child is reading or being read to every night.
- We will check our child’s homework every night, sign his/her agenda, and we will read carefully and sign (if requested) all the papers the school sends home to us.
- We will meet regularly with teachers to discuss our child’s progress, including home visits, sites off campus, and parent conferences and support their work to help our child excel.
- We will participate in all school activities including parent/family meetings, exhibition nights, community meetings, open house nights, conferences, etc.
- We will volunteer at least 30 hours per year for the Rocketship San Francisco community.

We, not the school, are responsible for the behavior of our child.

X _____

Rocketship Commitment

We fully commit to our families and students in the following ways:

- We will create a safe place to learn.
- We will respect the background, culture, and individuality of each child.
- We will communicate regularly with you about your child's progress and special needs.
- We will hold high expectations for all students.
- We will work hard to help your child feel successful and increase their sense of self-worth.
- We will provide your child with the academic base and moral compass they need to be successful through college and the rest of their lives.
- We will provide support to you and your child as you determine the best educational path upon graduating from Rocketship San Francisco.

X _____

Appendix V: Resumes of Rocketship Founders

John Danner
420 Florence Street, Suite 300
Palo Alto, CA 94301
(877) 806-0920 extension 101

June 2005 to Present **Rocketship Education** **Palo Alto, California**
Founder and CEO

Founded this non-profit Charter Management Organization to create high-performing literacy-focused elementary schools serving inner-city students. Performed all fund-raising, created banking relationships, built board of directors, established curriculum. Rocketship intends to open its first elementary school in August, 2007.

July 2005 to Present **KIPP Academy Nashville** **Nashville, Tennessee**
Director

John introduced KIPP to Nashville and after two years of local political resistance, was able to establish KIPP Academy Nashville with principal Randy Dowell. John recruited KAN'S first teacher and a Reading Master Teacher. John oversaw the first year's budgeting and accounting processes to help KAN achieve a solid financial position during its first year of operation. KAN's teachers and students were named "Nashvillians of the Year" by the Nashville Scene newspaper in December, 2005 for showing Nashville that high expectations can be achieved by fully committed teachers and students.

August 2002 To May 2005 **Nashville Metro School District** **Nashville, Tennessee**
Teacher

Taught fifth grade in a high-risk middle school in 2002. Moved to second grade in 2003 and taught 2nd grade English Language Learners (ELL) in 03-05 at Glengarry Elementary in South Nashville and served as ELL Coordinator for the school. Achieved 2.5 years of reading progress for students during his two years at Glengarry. Instituted a data-driven model for assessing students' current reading skills and basing instruction on student need. Instituted a leveled classroom library for independent reading resulting in high correlations between independent reading and progress in reading development. Purchased curriculum software for his classroom allowing ELs to focus on vocabulary acquisition, phonemic awareness, and phonics.

August 2001 To May 2005 **Tennessee Charter School Association** **Nashville, Tennessee**
Director (01-03), Chairman (03-05)

John became a director of the TCSA and helped to pass the first charter school law in the state in 2002. Subsequently, the TCSA helped twelve charter schools to begin operations over the next four years. John was involved in state and local political advocacy and assisted schools in operating in compliance with Tennessee education and charter school law.

March 2000 To August 2001 **Sacred Heart Nativity School** **San Jose, California**
Co-Founder, Chief Financial Officer

Preston Smith

4163 Partridge Drive, San Jose, CA 95121

(408) 313-0265

preston@rsed.org

HIGHLIGHTS

- Over 10 years' experience public education (traditional school districts and charters)
- Co-Founder of Rocketship Education, an organization dedicated to eliminating the achievement gap and serving 1 million students across the United States by 2040.
- Founding Principal of Rocketship Mateo Sheedy Elementary School. In 2008, after two years of operation, Rocketship received an API score of 925 and was the third ranked high poverty (50% free and reduced meals) school in California.
- Founding Principal of L.U.C.H.A. Elementary School, a small-autonomous school in the Alum Rock Union Elementary School District. In 2006, after three years of operation, L.U.C.H.A. received an API score of 881 and was the fourth ranked high-poverty (50% free and reduced meals) school in California.

PROFESSIONAL EXPERIENCE

Chief Achievement Officer, Rocketship Education (May 2009 – Present)

- Responsible for building and supporting the Rocketship academic team in their efforts to create college preparatory elementary schools.
- Responsible for the academic progress and accomplishments of students (teachers are effective in their ability to ensure 1.5 years of significant gains for each student, each year).
- Responsible for professional development of staff, various achievement related projects and the continued expansion of schools.
- Developing merit based evaluation measures and compensation structures for staff.
- Developing Leadership Development Program at Rocketship intended to ensure that internal leaders are developed (Principals, Academic Deans, etc.) to make the continued expansion and replication of Rocketship successful.
- Assisting with the academic and curricular design with the hybrid model of Rocketship Education.

Founding Principal, Rocketship Mateo Sheedy Elementary School (July 2007 – May 2009)

- Rocketship Mateo served 160 students in the founding year and 323 students in the following year.
- Student population was 78% English Language Learners and 87% of the students were eligible for Free and Reduced Meals.
- In its second year of operation, Rocketship Mateo received a 926 API, based on the California state assessment, which was the top ranked elementary school in San Jose and Santa Clara County for low-income students and the third best ranked school in the state for low-income students, better than 99% of schools.

Principal, L.U.C.H.A. Elementary School (July 2004 – June 2007)

- Founded L.U.C.H.A., a small school, with a team of parents and teachers
- Oversaw the growth of L.U.C.H.A. Elementary School from 120 students to over 250 students and subsequently, a budget that increased from \$1 million to almost \$3 million.

- Led L.U.C.H.A. to successive increases in API scores according to the California State Exam from an initial API of 753 to 881 in the final year. This API score was the fourth highest in the state for low-income elementary schools in California.
- Helped to create a consortium of small schools within San Jose, which led to collaboration efforts on professional development and mentoring of other principals.

Founding Design Team Leader, L.U.C.H.A. Elementary School (October 2003– April 2004)

- Recruited the team of parents and teachers that helped to design L.U.C.H.A. Elementary school.
- Oversaw the development of the various autonomies that were put in place for curriculum, budget, and evaluation processes within the school.
- Organized parents and community members in various activities in order to ensure that the small schools were created and established within a low-performing district.

First Grade Teacher, Arbuckle Elementary School (August 2001 – June 2004)

- Served as a Teach for America teacher at Arbuckle Elementary School and selected as a Sue Lehmann Award finalist, a national competition for Teach for America teachers with the strongest academic results.
- Selected from amongst the staff as Teacher of the Year during the 2002/2003 school year.
- Oversaw the development of the first grade team and served as the team leader from 2002 to 2004.
- Led 18 out of 20 students to receiving proficient scores on their writing exams during the 2002/2003 and 2003/2004 school years.
- Organized parents and families of students in weekend and week-night activities, which led to greater parent involvement and student achievement.

Second Grade Teacher, Teach for America Institute (July 2001 – August 2001)

- Selected from over 4,000 applicants to be able to join Teach for America.
- Participated in a five-week summer institute that was an intense professional development “boot-camp” for teachers.

EDUCATION

- **San Jose State University**, Master of Arts—Education (Administration and Supervision), 2006
- **University of North Carolina at Chapel Hill**, Bachelor of Arts, Latin American Studies, 2001, graduated with Honors, *Phi Beta Kappa*.
- **San Jose State University**, Graduate Student—Teaching Credential, 2002, Teaching Professional Clear Credential

HONORS & SCHOLASTIC ACHIEVEMENT

- Aspen New-Schools Fellow
- Finalist for the Sue Lehmann Award for excellence in Teaching (only six are awarded to over 1,000 Teach for America corps members)
- Recruited by a Community Organization (P.A.C.T.) and asked to lead in the creation of a New, Small Autonomous School in San Jose, CA
- Teacher of the Year at Clyde Arbuckle Elementary School (2002/2003)
- Member of the Phi Beta Kappa Fraternity

GROUPS AND ASSOCIATIONS

- Association for Supervision and Curriculum Development
- California Charter School Association
- Charter School Growth Fund
- CES: Coalition of Essential Schools
- Association of California School Administrators
- WASC—Western Association of Schools and Colleges
- San Jose Writing Project

LANGUAGES:

- Spanish (Proficient)

Appendix W: Articles of Incorporation, Bylaws, and Conflict Code

2853527

ENDORSED - FILED
In the office of the Secretary of State
of the State of California

FEB 16 2006

**ARTICLES OF INCORPORATION
OF
ROCKETSHIP EDUCATION
(A California Nonprofit Public Benefit Corporation)**

I.

The name of the Corporation shall be Rocketship Education.

II.

The Corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for public and charitable purposes. The specific purposes for which this Corporation is organized are to manage, operate, guide, direct and promote one or more California public charter schools.

The Corporation is organized and operated exclusively for educational and charitable purposes pursuant to and within the meaning of Section 501(c)(3) of the Internal Revenue Code or the corresponding provision of any future United States Internal Revenue Law. Notwithstanding any other provision of these articles, the Corporation shall not, except to an insubstantial degree, engage in any other activities or exercise of power that do not further the purposes of the Corporation. The Corporation shall not carry on any other activities not permitted to be carried on by: (a) a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code; or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

III.

The name and address in the State of California of this Corporation's initial agent for service of process is:

John Danner
550 Kingsley Avenue
Palo Alto, CA 94301

IV.

All corporate property is irrevocably dedicated to the purposes set forth in the second article above. No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to any of its directors, members, trustees, officers or other private persons except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered, and to make payments and distributions in furtherance of the purposes set forth in Article II.

No substantial part of the activities of the Corporation shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not

**ARTICLES OF INCORPORATION
ROCKETSHIP EDUCATION, INC.**

PAGE 1 OF 2

EXHIBIT A

Designated Positions

I. Persons occupying the following positions are designated employees and must disclose financial interests in all categories defined in “Exhibit B” (i.e. categories 1, 2, and 3).

- A. Members of the Governing Board
- B. Candidates for Member of the Governing Board
- C. Corporate Officers (e.g., CEO, Secretary, CFO, etc.)
- D. Executive Director
- E. Principal
- F. Assistant Principals
- G. Chief Business Officer
- H. Director Personnel Services
- I. Assistant Director of Personnel Services
- J. Consultants¹
- K. Other Employees²

II. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 1 of “Exhibit B.”

- A. Purchasing Manager
- B. Assistant Business Officer
- C. Other Employees³

III. Persons occupying the following positions are designated employees and must disclose financial interests defined in Categories 2 and 3 of “Exhibit B.”

¹ The Chief Executive Officer may determine, in writing, that a particular consultant, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Chief Executive Officer’s determination is a public record and shall be retained for public inspection in the same manner and location of interest code.

² “Other Employees” include any employee occupying a position that requires the employee to make a governmental decision that foreseeably and materially affects a personal financial interest, source of income, or a business position in a business entity.

³ “Other Employees” include any employee with authority to make purchases that may foreseeably and materially affect an investment and/or business position in business entities or who are in a position to influence a governmental decision that may foreseeably and materially affect an investment and/or business position in a business entity.

- A. Information Systems Technician
- B. Contractor
- C. Other Employees⁴

EXHIBIT B

Disclosure Categories

Category 1 Reporting:

- A. Interest in real property which is located in whole or in part either (1) within the boundaries of the District, or (2) within two miles of the boundaries of the District, including any leasehold, beneficial or ownership interests or option to acquire such interest in real property, if the fair market value of the interest is greater than \$1,000.

(Interests in real property of an individual include a business entity's share of interest in real property of any business entity or trust in which the designated employee or his or her spouse owns, directly, indirectly, or beneficially, a ten percent interest or greater.)

- B. Investments in or income from persons or business entities which are contractors or sub-contractors which are or have been within the previous two-year period engaged in the performance of building construction or design within the District.
- C. Investments in or income from persons or business entities engaged in the acquisition or disposal of real property within the jurisdiction.

(Investment includes any financial interest in or security issued by a business entity, including but not limited to common stock, preferred stock, rights, warrants, options, debt instruments and any partnership interest or other ownership interests.)

(Investments of any individual include a pro rata share of investments of any business entity or trust in which the designated employee or his or her spouse owns, directly, indirectly or beneficially, a ten percent interest or greater.)

(Investment does not include a time or demand deposit in a financial institution, shares in a credit union, any insurance policy, or any bond or other debt instrument issued by any government or government agency.)

⁴ "Other Employees" include employees with authority to make purchases that may foreseeably and materially effect investments and business positions in business entities which provide services, supplies, materials, or equipment in which the employee has authority to purchase.

(No investment or interest in real property is reportable unless its fair market value exceeds \$1,000. No source of income is reportable unless the income received by or promised to the public official aggregates \$250 or more in value or \$50 or more in value if the income was a gift during the preceding 12-month reporting period.

Category 2 Reporting:

- A. Investments in or income from business entities which manufacture or sell supplies, books, machinery or equipment of the type utilized by the department for which the designated employee is Manager or Director. Investments include interests described in Category 1.

Category 3 Reporting:

- A. Investments in or income from business entities which are contractors or sub-contractors engaged in the performance of work or services of the type utilized by the department for which the designated employee is Manager or Director. Investments include the interests described in Category 1.

Appendix X: Class Size Reduction Review Letters



LAW OFFICES OF SPECTOR, MIDDLETON, YOUNG & MINNEY, LLP

APRIL 14, 2008

VIA E-MAIL AND U.S. MAIL
catx.alexander@gmail.com

PAUL C. MINNEY
JAMES E. YOUNG
MICHAEL S. MIDDLETON
DANIEL I. SPECTOR
LISA A. CORR
AMANDA J. McKECHNIE
TIMOTHY M. WEIR

Cat Alexander
Rocketship One Public School
405 S. 10th Street
Suite #2
San Jose CA 95112

Re: Class Size Reduction Funding for 2008-09

JESSICA ADAMS ROBBISON
JERRY W. SIMMONS
CHRISTIN H. PIERMAN
JULIE D. ROBBINS
JAMES L. SHEA
KIMBERLY RODRIGUEZ
ANDREA C. SEXTON
SARAH J. KOLLMAN
JANELLE A. RILEY
AMY L. ROBERTS

Dear Cat:

You asked our office to look into the laws pertaining to Class Size Reduction ("CSR") for grades K-3 because Rocketship Education ("Rocketship" or the "Charter School") intends to apply to the California Department of Education ("CDE") for Option 1 CSR funding for 2008-09. Specifically, your questions were about Rocketship's Learning Lab, an intervention and supplemental hourly instruction program. You asked: (1) whether the way Learning Lab is scheduled impermissibly breaks up a student's entire day of classroom instruction; and (2) whether a credentialed teacher must be present in Learning Lab.

It is our understanding that Learning Lab sessions last for one hour and forty minutes and are neither taught nor supervised by credentialed teachers. Students are assigned to be in Learning Lab at various points during their school day, and no more than eighty students are there at one time. Within the group of approximately eighty students, there are subgroups consisting of about 20 students; these subgroups rotate through the various stations in Learning Lab, including but not limited to supplemental instruction through computer software programs, and time for reading at grade-level. None of the time that any student spends in Learning Lab is counted in Rocketship's instructional minutes calculation.

The Class Size Reduction Program is found at California Education Code Section 52120, *et seq.* Charter schools are eligible for funding under the CSR program. In order to receive CSR funding under Option 1 of the Program, a charter school shall provide a reduced class size for all pupils in each classroom for the full regular schoolday in each grade level for which the funding is claimed. The Education Code defines "full regular schoolday" as: "a **substantial majority of the instructional minutes per day**, but shall permit limited periods of time during which pupils are brought together for a particular phase of education in

7 PARK CENTER DRIVE ■ SACRAMENTO, CA 95825 ■ T 916 646 1400 ■ F 916 646 1300

WWW.SMYMCHARTERLAW.COM



Gilbert Associates, Inc.
CPAs and Advisors

March 20, 2006

John Danner
Rocketship Education
550 Kingsley Avenue
Palo Alto, CA 94301

Dear John:

The audit requirements for Class Size Reduction (in the proposed 2006/07 Audit Guide, which are unchanged from the 2005/06 Audit Guide) are as follows:

- 1) Verify the mathematical accuracy of the Class Size Reduction Program claim form submitted to the California Department of Education (CDE).
- 2) For Option One Classes:
 - a. Select a sample of classes from those that were certified as eligible for Option One Class Size Reduction Program funding, using the following procedures:
 - i. The number of classes to be reviewed shall be based on auditor judgment, but the selection of classes shall be made randomly.
 - ii. For each class selected, the sample shall include at least 15 days randomly selected from all instructional days that occurred between the first day of instruction and April 15, inclusive, of the year audited.
 - iii. If the class size for the sampled classes was more than 20.4 when averaged over a period from the first day of instruction to April 15, inclusive, the auditor shall conduct a more in-depth review. The in-depth review shall be either of the following:
 1. A review of all instructional days for all classes for which a district or charter school has requested funding pursuant to the provisions of Education Code Section 52126.

2880 Gateway Oaks Dr. • Suite 100 • Sacramento, CA 95833
101 Parkshore Dr. • Suite 100 • Folsom, CA 95630

Phone 916.646.6464 • Fax 916.641.2727
<http://www.gilbertcpa.com>

Appendix Y: Learning Lab Components

The Learning Lab is a productive way for students to practice and learn skills which they need most. Learning Lab consists of three parts: Reading/Literacy Center, a Computer Center, and an Enrichment Center. In addition, it is during this time that some interventions may be provided (most are provided at the After-School program) for students who have Individualized Learning Plans that stipulate additional instruction and intervention in particular areas. The instructional methodology in every center of Learning Lab revolves around the critical components of the Rocketship Response to Intervention strategies as described in great detail earlier in this document. The operating methodology behind Learning Lab time is to ensure that students are on-task for as much time as possible. We believe the key to this is a strict set of procedures for students and a group leader who is actively working to ensure on-task time. The components of the Learning Lab are as follows:

Reading Center:

- A leveled library of books

We anticipate using the same books used in Guided Reading in our leveled library. Books are leveled A-Z according to the Rigby leveling system. Students primarily read these books for practice with fluency.

- A library of unleveled works of great children's literature for enjoyment reading

We will build our literature collection over time. Students who have completed the day's assignments will have a chance to do additional pleasure reading from this collection. We anticipate that these books will be the ones available for checkout from the Learning Lab.

- Renaissance Learning's *Accelerated Reader*

Accelerated Reader will be used to test basic fluency and comprehension, despite its known limitations in deeper comprehension measurement. For ELL students and early readers, screen-based tests will be replaced with computerized oral tests available from Renaissance.

Computer Center:

- Online Curricula

The Computer Center will have online curricula focused on building skills in Math and Literacy. Online programs in the Learning Lab will allow students to progress along a developmentally appropriate path during the time they have on computers to best individualize their practice. Most online programs will be adaptive, meaning that the system will adjust the difficulty of material to a level most appropriate for the individual student, focusing on the particular skills on which the student needs the most practice. Each program allows for student progress to be tracked by teachers according to mastery of a skill. Teachers can specify particular content focus, and thus, outline a learning path for individual students through the online curricula. Online programs scheduled to be used at Rocketship include:

Math

DreamBox Learning
Reasoning Mind
ST Math/MIND Research
TenMarks
Equatia

Literacy

Headsprout Early Reading
Headsprout Reading Comprehension
Compass Learning

Oral Language

Rosetta Stone

- Intervention in Learning Lab

The final component of Learning Lab is one-on-one and small group intervention time. Interventions occur in both Reading and Computer Centers. Depending on each student's Individualized Learning Plan (ILP), Rocketship students will receive one on one and/or small group supplemental instruction during a portion of his/her Learning Lab time. A student's ILP serves as the intersection between daily student performance and formative assessment data and the identification of critical skills that any student may need assistance in developing. Implementing the Rocketship Response to Intervention model throughout Learning Lab and training staff to facilitate supplemental instruction to students ensures that there will be a systematic connection between a student's classroom instruction and his or her intervention. Teachers and the intervention staff will use the ILP to track student progress in the classroom and in the Learning Lab and plan lessons for them.

Enrichment Center:

- Physical Education

Rocketship students will be led by the Enrichment Center Coordinator who will teach them exercises and activities important to the students' physical development. Additionally, the coordinator will teach them group activities and games to promote teamwork. In all activities a culture of self-discipline, persistence, and working together will be promoted.

- Nutrition Class

In addition to the physical activity portion of the Enrichment Center, Rocketship students will also receive a nutrition class once a week. In this class the Enrichment Center Coordinator will teach lessons about nutrition, personal health, environmental sustainability, and other topics relevant to educating students about how to live healthy lives.

A typical Lab period for a Learning Lab Coordinator might look like the following:

Ms. Garcia, the Individualized Learning Specialist, gets to the Learning Lab a short time before her 8:00am class. She will have a class of first grade students for the next forty minutes. Ms. Garcia participates in Rocketship Launch outside with her class. Following launch, she brings her class into the Learning Lab. Her group begins in the Reading Center, so she brings them in quietly and each student selects a book that is at their own level. The students know the levels of their books because the library is leveled according to the DRA 2 assessment, which they all completed earlier. In addition, Ms. Garcia knows the level of each student, so she can ensure that they really are reading at their level. After she has helped get all of the students started on their reading work, Ms. Garcia logs on to the system to see where these students stand. She accesses Accelerate Reader and is able to monitor her students' progress. She monitors their progress on independent reading as measured by *Accelerated Reader* (AR) scores. Ms. Garcia believes that although AR tests the most basic level of comprehension, it is a useful check for understanding in independent reading. She notices that two students, Jose and Claude, have not kept up with the goal of a book each day. She looks at their tests and their ILP and realizes they have been trying to read books above their "just right" level and are probably frustrated. Ms. Garcia goes to talk to the boys and helps them find the proper books. The library is completely leveled with letters assigned to each level. The computer system reminds them of their current level if they forget, and if they pass several tests in a row at a given level, their Literacy teacher is alerted that they may be ready to advance. Often, the teacher will conduct a Running Record at that level before allowing them to progress. At the beginning, students thought that if they just took a lot of tests, they would move up the most levels. Now they are realizing that passing tests is what counts.

After about 40 minutes, the class puts away their books and begins their math programs. Mr. Otello, has just finished up with his own class of first graders. Mr. Otello's class goes outside for Enrichment Center, and Ms. Garcia's class remains with him for Computer Center. Ms. Garcia receives a 2nd grade class from a Rocketship Math Teacher.

In the Learning Lab, each student has their own assigned computer, and they begin to log onto the system. Upon logging on, each student is able to access the online program that has been assigned to their specific needs and skills. The students access math about 50% of the time and reading for the other 50% of the time, depending on their needs. Thus, some of the students in Mr. Otello's class are on reading programs and others are on math programs. Mr. Otello spent time before his first class examining the dashboard, which lists the lessons the students have completed in the various online programs, as well as their accuracy and time on task. This helps him see how students are progressing on their online Literacy and Math lessons, as well as informs him of which students could benefit from a 1-1 intervention. Mr. Otello spends the 40 minute class period answering students' questions, checking the dashboard, motivating students to complete more lessons, and conducting a few 1-1 interventions with students who are struggling. For example, Mr. Otello's has noticed that Ramon has been struggling with his "Two-Digit Addition" lesson, so he helps Ramon understand his DreamBox lesson on that topic. After 40 minutes, Mr. Otello's class is ready to go to Enrichment Center. The Enrichment Center Coordinator, Coach Robin, arrives to collect the class and Mr. Otello gets a new class of students from Ms Garcia.

Depending on the day, Coach Robin will either take the class outside for Physical Education or inside a classroom for Nutrition class. On a P.E. day, the students will walk out to the playground area and line up for stretching and calisthenics. Coach Robin will lead the students through the warm-up making sure the students are stretching together and counting the exercises as a class. After warm-up, the class will work on "Core Sports Readiness". This could be running, lunging, jumping, or a sports skill such as kicking a soccer ball or shooting a basketball. With the remainder of the class, the students will play a group game. Some examples include soccer, basketball, volleyball, group tag, and other team building games. On a nutrition day, Coach Robin would take the class inside where she will take them through a General Wellness lesson. The lesson may cover nutrition, personal health, hygiene, and environmental sustainability. The activities are often hands-on and interactive. After about 40 minutes, when Enrichment Center is complete, Coach Robin will return the class (which has now completed Reading Center, Computer Center, and Enrichment Center) to their math or literacy teacher and then gather a new class from Mr. Otello in the Computer Center.

Appendix Z: Sample Bell Schedule

Below is a sample schedule for our third grade class. The top row of the schedule lists the classes of students in the school. For example, A is the Kindergarten A class, a class of 20 Kindergarten students. The column underneath KA shows the class schedule those students will have every day of the school year. Along the left side of the schedule are the times that a given period begins. Within the blocks that make up a class period is an indicator of which subject is being taught – Literacy or Math - and which teacher will be teaching that class. For example, at 8 a.m., the Kindergarten A class will be in Math class with the Kindergarten Math Teacher

Science, Social Studies, and the Arts are integrated into the Literacy block through UbD-designed lessons that connect standards thematically across disciplines.

Key:
M – Math
LL – Learning Lab (computers, small group work, tutoring)
L – Literacy (includes integrated Science and Social Studies standards)

	Kindergarten			
	KA	KB	KC	KD
8:00a	M - MK	Recess	L - LKA	L - LKB
9:40a		LL - Comp		
9:40a	Recess	M - MK	L - LKA	L - LKB
10:40a	teacher lunch			
11:20a	LL	M - MK	L - LKA	L - LKB
12:00p	L - LKA	L - LKB	M - MK	Recess
1:40p				LL - Comp
1:40p	L - LKA	L - LKB	Recess	M - MK
3:40p			LL - Comp	

Appendix AA: Rocketship Leadership Development

Rocketship is not only invested in academic gains and skills for its students, but is also highly invested in its own professional growth. In fact, at Rocketship, we believe that it is the mission of the organization to not only realize these academic goals, but to also help develop additional leaders within the organization who can eventually become Principals, Assistant Principals, and Academic Deans both to provide compelling career opportunities for our employees and also to meet the demand for more Rocketship schools within the community and in other communities. With this in mind, we have created a multi-year leadership development program, the Rocketship Network Leadership Program, which supports teachers in developing their craft in the classroom and in preparing for possible school leadership roles in the future.

School Leadership Positions

Rocketship school leadership teams are made up of, first and foremost, the principal. Principals at Rocketship are responsible for the success of the school and their role is defined by the following primary responsibilities:

- Attaining API results (closing the achievement gap)
- Instilling Rocketship culture in students, teachers, and parents
- Developing other leaders to support Rocketship's growth and scale.
- Coaching teachers so that they attain 1.5 years or more of growth with 100% of their students

Every school also has an Academic Dean, who serves as an instructional leader at the school with primary responsibilities in the following areas:

- Coaching teachers so that they attain 1.5 years or more of growth with 100% of their students
- Managing staff professional development

Finally, every school also has an assistant principal whose major responsibilities include the following:

- Developing strong culture of high expectations and college prep
- Managing Learning Lab and all associated staff
- Coaching teachers so that they attain 1.5 years of growth or more with 100% of their students

Together, these three roles make up the leadership team of Rocketship schools. Because Deans, Principals, and Assistant Principals are responsible for the success of the school (and thus Rocketship's ability to close the achievement gap) and because we believe that many assistant principals and deans will eventually take over established schools, we see the qualities and skills necessary in these roles as very similar and have designed the Rocketship Network Leadership program to build these critical skills and experiences.

The Rocketship Network Leadership Program

The Rocketship Network Leadership program is based on the belief that leadership potential, coupled with intense ground-level experience in our schools, is the best preparation to become a Rocketship leader. Just as the best preparation for teaching is being a teacher, the best preparation for school leadership is being a school leader. With this in mind, program participants will fill real leadership roles in our network including academic dean positions and assistant principal positions. Program participants first work as teacher leaders, academic deans, or assistant principals under the direction of current Rocketship principals. Additionally, Rocketship Network Fellows participate in a comprehensive, rigorous training curriculum that includes 1:1 coaching and workshops from third-party experts in management as well as instructional and personal leadership. For example, program participants will attend specialized leadership workshops on topics such as effective communication, performance management, and data-driven instruction and make visits to observe high-performing schools throughout the country. Throughout the entire program, Network Fellows learn through sustained collaboration with other program participants as part of a selective cohort.

In evaluating program candidates, we prioritize leadership potential and ability to drive results over all other characteristics. Consequently, some program participants with two to three years of teaching experience may be ready to become Rocketship principals after a single year in the Network Leadership Program. In contrast, others with leadership experience in other schools may spend two years (or more) to become a Rocketship school leader. Whether you are just beginning your leadership pathway or you are an experienced senior manager looking to make the transition to Rocketship, our program is designed to provide you with the specific experience and coaching you need to run a successful Rocketship school.

Given the emphasis we place on potential over years of experience, applicants are asked to apply to the Rocketship Network Leadership program and as part of the application process Rocketship's Leadership Development team will work with each applicant to identify the most appropriate Network Leadership track. These tracks are:

Emerging Leaders: A 2+ Year Pathway to School Leadership

Rocketship Emerging Leaders are outstanding teachers interested in becoming school and network leaders. These classroom leaders have a track record of student achievement and demonstrated leadership potential. Emerging Leaders come to Rocketship as teachers to become immersed in the innovative Rocketship model and also participate in additional leadership experiences and workshops as outlined above. They take on specialized projects at their school sites that may include teacher coaching, event planning, or community outreach and meet regularly with other teachers in the Emerging Leaders program (approximately once a month). Emerging Leaders are also mentored by their school-based leadership team (Principal and/or Dean and/or Assistant Principal). Rocketship Emerging Leaders will be among the first considered for Rocketship Rising Fellow and Rocketship Principal Fellow positions (see descriptions below) as well as any open Academic Dean Positions and serve as important leadership team members on their campuses. Teachers may participate in Emerging Leaders for 1-2 years before moving into a leadership role or bringing their increased leadership skills back to their classrooms and schools as experienced teacher leaders.

Rising Fellows: A Two-Year Pathway to Becoming a Principal

The Rising Fellows Program is intended to prepare program candidates to become Principal Fellows in their second year of program participation, with the objective of opening or taking over an existing school after completion of two years in the Network Leadership program. Rocketship Rising Fellows may serve as assistant principals or academic deans, depending on their own professional development needs. In these roles, they hone their management and instructional skills and become immersed in the Rocketship model. If placed as assistant principals, Rising Fellows are responsible for managing all non-teaching staff (including staff of Learning Lab), coaching a small group of teachers, and building school culture by sharing in the supervision of transitions, arrival, dismissal, and lunch. If placed as Academic Deans, they are responsible for intensively coaching new and experienced teachers as well as planning and executing professional development. In addition to the experiential learning gained from these roles, Rising Fellows also benefit from collaborating with a select group of Rocketship school leaders through training workshops, individual coaching, and hands-on opportunities such as external school visits, 360 feedback surveys, and several weeks each year serving as the full principal. Rocketship Rising Fellows may also have the opportunity to found a new region and advance into regional and national leadership roles within the network.

Principal Fellows: A One-Year Pathway to Becoming a Principal

Rocketship Principal Fellows train intensively for a year, in preparation to run or take over an existing Rocketship school upon program completion. In this year, Principal Fellows are based at a single school site, serving as Assistant Principal and becoming immersed in the Rocketship school model. Principal Fellows are responsible for managing all non-teaching staff (including Learning Lab tutors), coaching a group of teachers, and reinforcing school culture by supervising classroom transitions, school arrival and dismissal, and lunch. Additionally, they prepare to open and run a new Rocketship school, or take over an existing Rocketship school in the next year, by building community relationships, hiring staff, and creating a plan for their school. Principal Fellows participate in many Rocketship Network Leadership events and also spend several weeks each year serving as the full principal. Principal Fellows pursue an accelerated career track that may include the opportunity to found the first Rocketship school in a new region; they may also move quickly into a Regional Director role or other senior management role.

Because we believe that experience is so critical in developing leadership skill and capacity, the Network Leadership program aligns explicit trainings with authentic leadership and management work during both the Rising Fellow and Principal Fellow year. The different types of development activities include:

Leadership Experience (Rising Fellows and Principal Fellows)	Training & Coaching (Rising Fellows and Principal Fellows)	Start-Up School Activities (for start-up Principal Fellows only)
<ul style="list-style-type: none"> • Authentic management experiences including serving as the manager of Learning Lab and RtI staff 	<ul style="list-style-type: none"> • Trainings address the following functional areas: personal leadership, performance management, 	<ul style="list-style-type: none"> • Community and family engagement activities (community meetings, home visits)

<p>as well as some additional support staff (lunch and/or dismissal) (If placed as an Assistant Principal)</p> <ul style="list-style-type: none"> • Coaching and support of at least two teachers on staff, representing different levels of experience and in subject areas where Fellow may not be experienced (Academic Dean or Assistant Principal) • 3-5 “Takeover” Weeks per year where Fellow serves as principal (Assistant Principal) • Fellow Projects that address network needs and development areas (e.g. planning college trips, planning PD, running Saturday CST prep) 	<p>organizational development, instructional leadership, and operations</p> <ul style="list-style-type: none"> • 360 feedback protocols to assess personal development areas • Small group trainings with LD staff, regional director, or external facilitators • 1:1 coaching from principal at school site, regional director, and leadership development staff as needed. 	<ul style="list-style-type: none"> • Staff hiring and engagement (Dean, Assistant Principal, OM, teachers, ILS) • Drafting school plan that incorporates additional core value and principal’s own touch on RSED mission as well as day-to-day systems and procedures
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Other possible Rising Fellow and Principal Fellow activities include:

- Shadowing current Principals
- Mentoring at least one staff member at each site
- Teaching Model Lessons for coached staff members
- Helping to facilitate and plan staff meetings
- Managing special projects within Achievement (i.e. teacher professional development, student recruiting handbook, etc.)
- Observing Learning Lab
- Observing Response to Intervention
- Monthly and at-times bi-weekly trainings
- 1:1/Coaching with CAO
- Coaching one rising Academic Dean (who will be assigned to their school)
- Building the Parent Leadership team for their start-up school

Key Characteristics and Leadership Competencies

In all tracks of the Rocketship Network Leadership Program, cohort members are working to develop a core set of competencies essential for success in a school leadership role at Rocketship. These competencies may be divided into our key characteristics, which we believe should define all Rocketship employees (for our leaders, we place even higher expectations on demonstration of these characteristics) and then additional leadership competences.

Key Characteristics	Additional Leadership Competencies
<ul style="list-style-type: none">• Perseverance• Rocketship Student Achievement• Self-Awareness• Judgment• Internal Locus of Control• Planner• Adaptable• Mission Driven• Collaborative• Innovative• Eternally Positive• Quick Learning	<ul style="list-style-type: none">• Effective Written and Oral Communication Skills• Math Curriculum and Instruction• ELA Curriculum and Instruction• Effective at Using Data to Drive Decisions• Ability to Give Feedback• Ability to Receive Feedback• Investment In and Use of Rocketship Parent Involvement Model• Ability to Inspire and Motivate Others

Cultivating Leadership from Day One

In addition to the Network Leadership Program, Rocketship also recognizes the importance of developing leadership inside and outside of the classroom for *all* teachers. Our interview and selection process includes authentic tasks that screen for our key characteristics *and* leadership competencies (listed above). Rocketship maintains a strong partnership with Teach for America, attracting both high-performing corps members and alumni to our network.

While formal school leadership training begins in the Network Leadership Program, we believe that all of our teachers can be and must be classroom leaders. Additionally, we seek to build their leadership skillset from their first days with our organization, both because we know this will make them better teachers and because we want to provide them with exciting opportunities to move into school leadership in the future. With this in mind, all Rocketship teachers receive leadership development support in the following ways:

- Integration of leadership competencies into the Professional Growth Plan. As with goals for instruction, all teachers will have one identified leadership goal or focus area.
- Regular coaching, feedback, and evaluation for teachers from the immediate supervisor (often the Principal) on this leadership goal, in addition to the Instructional leadership goals. (Academic Deans and Assistant Principals may also be coaching teachers, but will be primarily focused on the instructional goals).
- Selection by principals of certain high-potential candidates to participate in campus-based projects and receive feedback on these assignments. For example, a teacher might be asked to run the homework program for his or her grade level and then be coached and evaluated on their work. In these roles, the teachers will be responsible for leadership tasks with specific objectives and expectations.
- Identification or recommendation by principals of individuals to participate in later phases of the Leadership Development Program based on their progress in the classroom (attaining 1.5+ years of growth for all Rocketeers), performance on leadership tasks (if applicable), and progress in their selected leadership goals on their Professional Growth Plans (PGPs).

Ongoing Leadership Development

Finally, it is important to note that leadership development does not stop once a Principal Fellow becomes a principal. The Leadership Development programming involves the ongoing professional development and support of principal and deans once they move into their roles. To date, most professional development opportunities for Principals and Academic Deans occur in 1:1 meetings with their immediate supervisors and a trained leadership coach. In addition, the Principals receive professional development during weekly Achievement Team Meetings (ATMs) and through opportunities with external providers such as GLAD, and Real Time Coaching.

Summary

Rocketship Education's plans for growth and scale depend on having a talented and prepared pipeline of leaders ready to serve as principals and academic deans. Therefore, it is critical that the organization establish a high-quality and comprehensive system for identifying, cultivating, developing, training, evaluating, and supporting talent from within its schools. Rocketship strongly believes that this investment in building leadership capacity in staff will foster not only a ready pipeline of future leaders, but most importantly, the highest quality leaders for all existing schools.

Appendix AB: Sample Professional Development Calendar

RSSP Summer PD Calendar August 2010

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Big Picture, Expectations, Curriculum, Parent Involvement					
2 At RMS 8:00 – 10:00am RSED Big Picture & Team Building 10:00 – 12:00pm RSSP Team Building & Context (goals and vision) 12:00 – 1:00pm Lunch & INTEL MATH teachers leave 1:00 – 4:00pm RSSP Team Building, Expectations for the year, Resource Binders etc.	3 At RMS INTEL MATH 8:00 – 12:00pm RSSP Team – Core Values and School Culture LUNCH 1:00 – 2:00pm RSED Curriculum background (Top Ten Standards etc.) 2:00 – 4:00pm Content Area Teams - SSM and LTP roll outs and Resources	4 At RMS INTEL MATH 8:00 – 9:00am Lesson Planning Overview & Expectations 9:00 – 11:00am K-1 st Lit: Maximizing Read Alouds 2 nd – 5 th Lit.: Shared Reading Math: Top Ten Assessments LUNCH 12:00 – 4:00pm New to RSED Lit.: Intro. to Literacy Session Math: Math Block Overview & Small Group Instruction Exp. Lit.: SSM synthesizing and planning time	5 At RSSP INTEL MATH – TFA 1st Year CMS 8:00- 11:00am Literacy Assessments / DRA Overview (DIBEL, Core) LUNCH 12:00 – 4:00pm Digging Deeper with Guided Reading & Writer's Workshop	6 at RSSP REACH CREDENTIALING 8:00- 11:00am Math – Scope and Sequence Maps Literacy – Grade level Planning time LUNCH 12:00 – 4:00pm Rocketship Parental Involvement Model	7 REACH CREDENTIALING

Digging Deeper – Rocketeer Reasoning, UbD, English Language Learners					
9 At RSSP INTEL MATH REACH CREDENTI ALING 8:00 – 11:00am Writing Rubrics, Assessment s & Progress Monitoring LUNCH 12:00 – 4:00pm Rocketship Reasoning Planning Time: first few weeks & months of school	10 At RSSP INTEL MATH REACH CREDENTIALI NG 8:00 – 11:00am UbD Overview Tools & Planning Model Unit presentation LUNCH 12:00 – 4:00pm Exhibition Night Overview Planning	11 At RMS GLAD INTEL MATH 8:00am – 11:00am GLAD refresher/ Classroom Instruction that Works for ELLs Discussion LUNCH 12:00 – 2:30pm UbD Planning Time 2:30pm UbD Protocol	12 At RMS GLAD INTEL MATH 8:00 – 11:00am Building class and school culture LUNCH 12:00- 4:00pm Planning Time – how to best share with grade level partners next week?	13 WHOLE RSSP Team!!! 8:00 – 11:00am Team Building 100 Culture Items Team LUNCH 12:00 – 4:00pm 100 Culture Items Community Scavenger Hunt	14 Back to School BBQ & Homevisit Sign Ups!
16 8:00 – 12:00pm Real Time Coaching Training (ALL RSED) 12:00 – 4:00pm ½ Day for	17 8:00 – 11:00am ISD Presentation Rtl, SST, SAT – serving all students LUNCH 12:00 –	18 8:00 – 11:00am 100 Culture Items Grade Level Goals LUNCH 12:00 – 4:00pm	19 HOME VISITS	20 HOME VISITS	21

Homevisits!	4:00pm RSSP Team: PGP, Bonus, Expectations & Behavior Management	Best Practices Review Grade Level Planning Time 1st & 2nd Grade Orientation Meeting at 5:30pm	3rd & 4th Grade Orientation Meeting at 5:30pm		
23 8:00 – 11:00am School Site Safety Kinder Orientation Meeting at 5:30pm	24 Classroom Set Up & Planning	25 First Day of School!!!!	26	27	28

	Topic (Topics in Italics are Suggested for that date but may be covered anytime in the month)	Description	Owner	Teacher Leader Facilitators	Notes/Quest ions
August					
27-Aug	Content PD (math, reading, writing) @ RLS	ELA: Review DRA by grade level. First years with Kate Math- Planning time for unit 1 and top 10 assessments	Deans/Kate National		
September					
2-Sep	Real Time Coaching Training -Deans at RMS	learning to use technology			
3-Sep	Grade Level Collaboration	Share info on students, home visits, summer homework, UBD	School		

		planning time, BTSN			
10-Sep	Differentiated Staff PD (1st year and experienced)	1st Yr: Lemov Sweat the Details ** REACH TPA 2 orientation	Peggy/National		
		Experienced: ELOs 1:1 w/ Meg, planning time (guided reading, ubd), Collaborate with LL Staff, Strong Voice, Sweat the Details	Deans, Meg		
17-Sep	Assessment Wall Meeting/Review 100 Culture Items/No School	Remember to Review DRA now that they've been administered to close the loop on norming, ILPs	School		
		1st Yr: REACH with Peggy Backwards Planning (all together)	Peggy/National		
23-Sep	Guaranteach (with Intel Math teachers)	Learn how to make videos. Each teacher makes 10 videos on Top Ten Standards incorporating Intel ** Prepare ideas/materials beforehand**	Michelle/National		location TBD
24-Sep	Content PD (math, reading, writing) @ RSSP	Math: review a teachers' video lesson on using manipulatives to teach conceptual lessons from Guaranteach	Kacie/National		EKG in Sacramento
		Reading: Guided Reading time to plan and see model lesson	Adrian/National	* Claire Wernecke RMS	
		Writing: TBD/OR guided reading planning	Eve/National	Becky Owens (RMS)	*Kristin and Melissa gone

October					
1-Oct	Writing Assessment Review @ RMS	Set norms for feedback on content vs. conventions, prepare anchor papers, math teachers are here	School/National	* RtI Collaboration: Andrea Chrisman and Rebecca Buchanan (RLS)	? Are teachers already trained on rubrics?
8-Oct	Home Visits Meeting		School		(Workshop/PLC surveys sent out)
15-Oct	Content PD (Math, Reading, Writing)/RTI Collaboration (new date) @ RMS	Math: DI and center ideas esp. ELL	Kacie/National	Myong (RMS)	
		Reading: execution of GR strategies and planning	Adrian/National	*Tayna Nees RMS, * Rebecca Buchanan (RLS)	
		Writing: conferencing-timing, procedures, tiered questioning	Eve/National	* Alyssa Sigala (K, RLS), Becky Owens (RMS)	
22-Oct	Differentiated Staff PD (1st year and experienced) - Lemov Format Matters, Pacing	1st Yr: ** ELL REACH Session (EKG runs), review pacing	National		
		Experienced: Time Management, ELL differentiation for centers and lesson planning, begin PLCs??	School		
29-Oct	Grade Level Collaboration/GLAD (CCD and Sentence Patterning) Focus on: 1. the flow of how to use the GLAD strategies linearly in a unit 2. Determine which strategies go where in the unit (beginning, middle, end)	Time for grade level teams to determine HOW to use GLAD strategies in all parts of the day, UBD planning, Time to Write Donors Choose Grants	School	* Claire Wernecke (RMS), * Jason Fromoltz (RSSP)	teachers can plan off-site :)
November					

Nov. 4-5	Guaranteach Session 2 (1st Yr. Math Teachers)	Day 1: Learning to make videos Day 2: Video Factory	Michelle/National		
5-Nov	Report Card Conf. Planning Time/Assessment Grading Time/Lemov Review Format Matters		School		
12-Nov	Parent Conferences/No School		School		
19-Nov	Assessment Wall Meeting/No School/GLAD-Expert Groups, Process Grids, Mind Map	Lemov- Precise Praise, planning for exhibition night	School	Becky Owens (RMS) for Lemov	
		1st Years: TPA 2 Practice (2nd years invited)- Lemov- Precise Praise (Cancelled)	National		
December					
3-Dec	Grade Level Collaboration/ RTI collaboration/GLAD-songs and chants, Paragraph		School		
10-Dec	Differentiated Staff PD- Workshops!!- Lemov- Pepper @ RSSP	LD and PITs help to plan differentiated workshops	National/PITs/LD		
January					
7-Jan	Differentiated Staff PD (1st year and experienced)/ Lemov Review- Precise Praise	1st Yr: Lemov-Pacing (review), Break it Down, REACH TPA 3 Orientation with Peggy	Peggy/National		
		Experienced: ELO work time, ELO-1:1 Feedback, planning time	Meg, Deans		
14-Jan	Content PD (Math, Reading, Writing) @ RLS	Math: Student Talk/Reaching Consensus, DI	Kacie/National		
		Reading: Conferencing	Adrian/National		
		Writing: Conferencing	Eve/National	Becky Owens (RMS)	

21-Jan	Assessment Wall Meeting/Review 100 Culture Items/No School/ GLAD - Input Charts		School		
28-Jan	Grade Level Collaboration/Report Card Planning Time/Lemov-Joy Factor		School		teachers can plan off-site :)
February					
4-Feb	Parent Conferences/No School		School		
11-Feb	Staff Appreciation/ RTI collaboration @ RMS		National/School		
18-Feb	Writing Assessment Review/Scoring/Lemov Review- Format Matters @ RMS		School/National		
25-Feb	Differentiated Staff PD (1st year and experienced)	1st Yr: TPA 4 Orientation, Lemov Review: Precise Praise, 100%	National		
		Experienced: Lemov 100% Investing Families/ Closing the Achievement Gap, Race, and Poverty?, PLCs	Deans		
March					
4-Mar	Content Meetings- CST Prep (math, reading, writing) @ RSSP	Math:CST Prep	Kacie/National		
		Reading: CST Prep	Adrian/National	*Jackie Vargas RMS	
		Writing: CST Prep	Eve/National		
11-Mar	Differentiated Staff PD (1st year and experienced)	1st Yr: Lemov-Joy Factor (review), TPA work	National		
		Experienced: ELOs, Levels of Questioning	Deans		
17-19 Mar	Staff Retreat/Assessment Wall Meeting/No School (3.19 at RSSP)	Day 1: Team Building (off-site), Review Lemov J-	School		

		Factor			
		Day 2: School Site PD (off-site)	School		
		Day 3: Workshops (@ schools) to be cont. in May	National		
25-Mar	Grade Level Collaboration/CST Prep/Lemov Review- Break it Down	5th Grade (Science CST Prep)	School		teachers can plan off-site :)
April					
1-Apr	Grade Level Collaboration/ RTI collaboration		School		
8-Apr	Content PD--Supporting ELLs (math, reading, writing) @ RLS	Math: Critical Thinking/Questioning	Kacie/National		
		Reading: Supporting ELLs	Adrian/National		
		Writing: Supporting ELLs	Eve/National		
15-Apr	Differentiated Staff PD (1st year and experienced)	1st Yr: CST culture setting, TPA 1 Orientation	Peggy/National		
		Experienced: Giving/Receiving Feedback, ELOs 1:1 feedback with Meg, PLCs	Schools/Meg		
29-Apr	Grade Level Collaboration/Lemov Review- Precise Praise		School		
May					
6-May	Differentiated Staff PD- Workshops cont. @ RMS		DITs/LD/National		
13-May	Grade Level Collaboration/Lemov Review- Pepper	1st yr: TPA 1 work	National		
		experienced: TBD	School		
20-May	Content PD (math, reading, writing) @ RMS	Math: Wishes for next grade level/ EOY assessments	Kacie/National		
		Reading: TBD	Adrian/National		
		Writing: TBD	Eve/National		

27-May	Staff Appreciation?? @ RMS		National		
June					
3-Jun	Writing Assessment Review/Scoring @ RSSP		National/School		
10-Jun	Assessment Wall Meeting/Report Card Planning		School		teachers can plan off site :)
17-Jun	Parent Conferences		School		
	PLC Topics	Workshop Topics:			
	1. Differentiation	1. Differentiation			
	3. Cooperative Learning	3. Cooperative Learning			
	4. ELA comprehension strategies	4. ELA comprehension strategies			
	5. Math strategy alignment	5. Math strategy alignment			
	6. National Board Certification	6. National Board Certification			
	how to integrate writing and ubd	how to integrate writing and ubd			
	how to integrate ell centers into guided reading time	how to integrate ell centers into guided reading time			

Appendix AC: Sample Data Analysis Forms

Math Data Analysis Form – Whole Class

DRA DATA ANALYSIS FORM

Focus Concepts/Skills:			
<p>* Use your assessment data to find trends for class weaknesses * Quantify how many students need to focus on this area, and which assessments gave you this information</p>			
<p>Area of Focus: Place Value – Tens and Ones and Expanded Form</p>	<p>Area of Focus: Skip Counting -By 5s -By 2s -By 10s</p>	<p>Area of Focus: Test Taking Skills - Solving the problem first -Finding the exact answer</p>	<p>Area of Focus:</p>
<p>Number of Students Served: (which classes) In all of my classes, every student needs to work on expanded form. (from the N.S. 1.2 pretest) Tens and ones: 60 % of students do not understand the difference between 5 tens and 50 tens (the concept of GROUP)</p>	<p>Number of Students Served: (which classes) 55% of students need to learn counting by 2s 65% need to learn counting by 5s 35% need to learn counting by 10s</p>	<p>Number of Students Served: (which classes) All students.</p>	<p>Number of Students Served: (which classes)</p>

Assessment Specifics: (kinds of wrong answers) Students don't know expanded form. Students say that 5 tens is 50 tens.	Assessment Specifics: (kinds of wrong answers) Blank boxes Students counting odd numbers (2,4,6,7,9,11, etc) Counting by tens (13,14,15, instead of 30,40,50 → ELD)	Assessment Specifics: (kinds of wrong answers) Students circle an answer without solving first. Students solve the problem but then don't circle or recognize the correct answer	Assessment Specifics: (kinds of wrong answers)

Correlating California Standards

- List any top ten standards at your grade level that correlate with the target skills. This will help us see the bigger picture beyond the assessments.

N.S. 1.2 : I can compare and put in order numbers to 100. I can use these symbols: $>$ $<$ $=$

Complementary Standards:

N.S. 1.1: Count, read, and write whole numbers to 100.

N.S. 1.4: Count and group objects in tens and ones

Skill Goals	Targeted Assessments
* SKILLS: Based on pinpointed problems and your top ten standards, what should your focus students be able to do by the time of the next DRA? * SUB-SKILLS: What sub-skills need to be taught for mastery of each skill?	* For each skill or sub-skill, list an assessment you will use to monitor student progress during this cycle. * What is the structure of the assessment? When will it be implemented?
Skill: SWBAT: break down a number into tens and ones SWBAT: write a 2 digit number in expanded form SWBAT: skip count by 2s, 5s, and 10s, (to 40, 100, and 100 respectively) SWBAT: eliminate incorrect answers on a multiple choice test	Interim Assessment: I will use weekly whole class quizzes to test place value concepts such as breaking a number into tens and ones and expanded form. I will also use math meeting as an informal assessment of student's learning by calling on individual students to solve problems and count by 2s, 5s, and 10s. Students will be assessed on test taking skills with the weekly assessments.
Sub-Skills: SWBAT: Count to 100 SWBAT: Write numbers to 100 SWBAT: Read a 2 digit number SWBAT: visually represent a number using tens and ones blocks	Interim Assessment: Counting to 100 will be assessed in math meeting as well as with a quiz on writing #s to 100. Reading 2 digit numbers and making them with 10s and 1s will be assessed during math meeting.

	I will call on students each day to read a number and then make it using groups of tens and ones.
<h3>Instructional Plan</h3> <p>* Include:</p> <ul style="list-style-type: none"> <input type="checkbox"/> new / re-teaching activities <input type="checkbox"/> at least one GLAD strategy <input type="checkbox"/> timing (when during the day, or how many times per week etc.) <input type="checkbox"/> group structure (CENTERS, individual, partner, small group, whole class) <ul style="list-style-type: none"> • BE SPECIFIC <p>Week 1: Sept. 20th – 24th Focus on: Skip counting by 10s and 5s. Breaking numbers into 10s and 1s.</p> <p>Math Meeting (daily)</p> <ul style="list-style-type: none"> - counting to 100 - counting by 10s – specifically noting the difference between the tricky numbers (like 18 and 80) - counting by 5s - place value cups → days in school broken into 10s and 1s. <p>Lesson (over multiple days with increasing numbers)</p> <ul style="list-style-type: none"> - students given a cup of cubes and need to show a given number by making a group of 10 and adding 1s. E.g. show me 13 cubes (students count). Now show me 13 cubes using groups of tens and ones. Students make 1 group of 10 and 3 ones. Discuss how both ways showed 13, but that in our number system we group things into 10s to make it easier for us. <p>Quiz on Thurs or Fri about 10s and 1s</p> <p>Week 2: Sept. 27th – Oct. 1st Focus on: Skip counting by 10s and 5s. Breaking numbers into 10s and 1s. Introduce expanded form</p> <p>Math Meeting (daily)</p> <ul style="list-style-type: none"> - counting to 100 - counting by 10s – specifically noting the difference between the tricky numbers (like 18 and 80) 	

- counting by 5s
- place value cups → days in school broken into 10s and 1s. Explain that we need a way to show how many straws there are all together if we add the cups up. → Expanded form

Lesson (over multiple days with increasing numbers)

- First review tens and ones. (a ten is a GROUP of ten ones)
- Explain that expanded form is how we write a number sentence to show how many cubes there all altogether. We can't say $1+2 = 12$ for 1 ten + 2 ones = 12 because tens and ones aren't the same thing, we can't add them. So we have to figure out how many ones there are in 1 ten. (Count them)
- *adjective-noun theme from Intel
- practice writing Expanded Form

Week 3: Oct. 4th – 8th Focus on: Skip counting by 5s and 10s. Expanded form in math meeting.

Math Meeting (daily)

- counting to 100
- counting by 10s – specifically noting the difference between the tricky numbers (like 18 and 80)
- counting by 5s
- counting by 2s
- place value cups → days in school broken into 10s and 1s. Explain that we need a way to show how many straws there are all together if we add the cups up. → Expanded form.
- number of the day: students will have to label the tens and ones and write it in expanded form.

Lesson: Race to 100 (over multiple days)

- Students will become fluent in counting tens and ones by playing race to 100 with a partner
- Student rolls a die and takes that many beans. When he/she has 10 beans he/she trades for a 10 bean stick.
- After every round the child has to say how many he/she has by counting 10s and 1s.

I will do this in small groups with students who are struggling as well.

-

Administer Unit Assessment

Week 4: Oct. 11th – 15th

Math Meeting (daily)

- counting to 100
- counting by 10s – specifically noting the difference between the tricky numbers (like 18 and 80)
- counting by 5s
- counting by 2s
- place value cups → days in school broken into 10s and 1s. Explain that we need a way to show how many straws there are all together if we add the cups up. → Expanded form.
- number of the day: students will have to label the tens and ones and write it in expanded form.

The next 3 weeks I will pull small groups of students who did not perform well on the Unit test. Our whole class lessons will be about comparing numbers, not expanded form, unless so many students perform poorly that we need to reteach.

Small group:

- Ask students how many beans are in my cup. They will guess or say they don't know. Start counting but mess up and have to keep starting over as the numbers get too big. Suggest counting by 10s. Count out 10 beans and put them in a smaller cup. Have students do this, making lots of groups of 10s. When all the beans are gone, ask them how we should count them.
- count by 10s, then by 1s for the last few beans.

Week 5: Oct. 18th – 22nd

Math Meeting (daily)

- counting to 100
- counting by 10s – specifically noting the difference between the tricky numbers (like 18 and 80)
- counting by 5s
- counting by 2s
- place value cups → days in school broken into 10s and 1s. Explain that we need a way to show how many straws there are all together if we add the cups up. → Expanded form.
- number of the day: students will have to label the tens and ones and write it in expanded form.

Small group:

Play race to 100. Play on a white board so I (and the student) can write how many tens and ones there are. Emphasize counting by 10s to figure out the expanded form (and write that on the board too)

Week 6: Oct. 25th – 29th

Math Meeting (daily)

- counting to 100
- counting by 10s – specifically noting the difference between the tricky numbers (like 18 and 80)
- counting by 5s
- counting by 2s.
- place value cups → days in school broken into 10s and 1s. Explain that we need a way to show how many straws there are all together if we add the cups up. → Expanded form.
- number of the day: students will have to label the tens and ones and write it in expanded form.

Lesson – test taking

- Discuss how test makers try to trick us by choosing the wrong answers really carefully. They know what mistakes we will make and we have to be careful and trust our brains.
- Teach students to always solve the problem first.
- Start with multiple choice pages with only 2 answers and have students explain why one of them is right, and why the other one is wrong.
- Work up to 4 answers.
- Discuss the post-it strategy of covering up the answers to solve it using what we know first.

Literacy Data Analysis Form – Focus Students

DRA DATA ANALYSIS FORM

Focus Concepts/Skills:			
* Use the students’ files to determine what is causing them to be “stuck” in this range.			
* Circle/highlight all that apply (or write in) and provide specifics.			
Student Name: Jennifer Montes	Student Name: Carlos Perez	Student Name: Paola Ramirez	Student Name: Alice Lee
Current DRA Level: 38 DRA Level Goal:	Current DRA Level: 34 DRA Level Goal:	Current DRA Level: 38 DRA Level Goal:	Current DRA Level: 38 DRA Level Goal:

40	40	40	40
<u>ORAL READING FLUENCY</u> high frequency words decoding book-handling skills expression phrasing accuracy fluency rate pacing use of cues monitoring and clarifying <u>COMPREHENSION</u> literal comprehension making predictions retelling sequence of events retelling characters retelling vocabulary writing a summary making connections interpretation / author’s message identifying important information support of answers / relevant reasons metacognitive awareness	<u>ORAL READING FLUENCY</u> high frequency words decoding book-handling skills expression phrasing accuracy fluency rate use of cues monitoring and clarifying <u>COMPREHENSION</u> literal comprehension making predictions retelling sequence of events retelling characters retelling vocabulary writing a summary making connections interpretation / author’s message identifying important information support of answers / relevant reasons metacognitive awareness	<u>ORAL READING FLUENCY</u> high frequency words decoding book-handling skills expression phrasing accuracy fluency rate use of cues monitoring and clarifying <u>COMPREHENSION</u> literal comprehension making predictions retelling sequence of events retelling characters retelling vocabulary writing a summary making connections interpretation / author’s message identifying important information support of answers / relevant reasons metacognitive awareness	<u>ORAL READING FLUENCY</u> high frequency words decoding book-handling skills expression phrasing accuracy fluency rate use of cues monitoring and clarifying <u>COMPREHENSION</u> literal comprehension making predictions retelling sequence of events retelling characters retelling vocabulary writing a summary: Alice over loads her summaries with unnecessary details. making connections interpretation / author’s message identifying important information support of answers / relevant reasons metacognitive awareness

Correlating California Standards

* List any top ten standards at your grade level that correlate with the target skills. This will help us see the bigger picture beyond the DRA.

Reading 2.4: Rocketeers choose the most important points to share when they retell a story.

<p style="text-align: center;">Skill Goals</p> <p>* SKILLS: Based on pinpointed problems and your top ten standards, what should your focus students be able to do by the time of the next DRA? * SUB-SKILLS: What sub-skills need to be taught for mastery of each skill?</p>	<p style="text-align: center;">Targeted Assessments</p> <p>* For each skill or sub-skill, list an assessment you will use to monitor student progress during this cycle. * What is the structure of the assessment? When will it be implemented?</p>
<p>Write a strong, unscaffolded summary that includes important events from the story</p> <ul style="list-style-type: none"> • Identify events in a story • Identify the main problem that fuels the plot in a narrative text • Distinguish important events from unimportant events through an understanding of plot • Recall relevant details from important events • Create a strong topic sentence that guides the summary • Appropriately use transition words to break up events in a summary 	<p>Collect guided reading work/reading packets</p>
<p>Identify the MOST important event in the story and justify rationale</p> <ul style="list-style-type: none"> • identify the problem, solution and climax of a plot • understand cause and effect relationships of events in the text • identify the author’s message 	<p>Collect guided reading work/assess through discussion.</p>
<p>Infer a character’s motives</p> <ul style="list-style-type: none"> • identify a character’s personality traits • recall background information about a character • locate clues in the text that relate to the question • access schema about particular events related to the question • make meaningful text-to-self connections 	<p>Collect guided reading work/assess through discussion.</p>
<p style="text-align: center;">Instructional Plan</p> <p>* Include: ✓ new / re-teaching activities</p>	

- ✓ at least one GLAD strategy
- ✓ timing
- ✓ group structure (CENTERS, individual, partner, Guided Reading, whole class)

* BE SPECIFIC

Week of April 12, 2010

WHOLE CLASS:

- Squeeze small group/guided content for target students within the whole class objectives:
 - This week, review what an event is whole class. Identify events in a whole class read aloud by asking, “what event just happened?”
 - Review that narrative texts have a problem that drive the story whole class. In a read aloud, call on target students to identify the problem in the text read.

GUIDED READING:

- Meet in guided reading **twice** in this week (Monday and Tuesday).

Day One:

- Comprehension Objective: SWBAT identify the events that occur in a text
 - Mini-Lesson: Explain to students that events are things that happen in a story. Relate a story to things that happen during our day. What that have happened so far in our day? Make a list (on the list, show students how to compile smaller events that go together, eg: brush my teeth, get dressed, eat breakfast getting reading for school). Then show students a partially complete list of events in a familiar read aloud text. Using to the familiar read aloud text, model how to identify an event as you read (eg: *Jacob sits down and turns to his mother. “Mom, I’m nervous about the first day of school,” he sobs.* The event is here is that Jacob is talking to his mother. This is all one event -> the event is not Jacob sat down or that he turned to his mother, those are smaller things that happened within this event).
 - Guided Practice/Discussion: Students will be assigned a particular amount of pages to read. We will come together and discuss what events took place. When we identify an event we will record it on a list of events (attached).

Day 2:

- Comprehension Objective: SWBAT identify the problem in a text
 - Mini-Lesson: Review with students that narrative texts have a problem/conflict that drive the story. Provide examples/a list of common problems (character has a fear,

character does not get along with another character, character, etc). Using a graphic organizer and a few examples off a list of familiar read aloud texts, model identifying the problem.

- Guided Practice/Discussion: Using the rest of the list of familiar read aloud texts and the graphic organizer, have students write what they believe the problem is in each story then have a guided discussion where students discuss.

Centers

Day One:

All students go to a reading response center where they will finish reading the text individually and will identify all other events in the text and record those events on their list.

Day Two:

All students go to a reading response center where they will finish review the text individually and determine the problem in the text.

Progress Monitoring:

Students turn in guided reading work, notes taken during fluency observations, reading packets collected.

Week of April 19, 2010

WHOLE CLASS:

- Squeeze small group/guided content for target students within the whole class objectives:
 - This week, review what an event is whole class. Identify events in a whole class read aloud by asking, “what event just happened?”
 - Review that narrative texts have a problem that drive the story whole class. In a read aloud, call on target students to identify the problem in the text read.

GUIDED READING:

- Meet in guided reading **twice** in this week (Monday and Tuesday).

Day One:

- Comprehension Objective: SWBAT distinguish between which events are important and unimportant
 - Mini-Lesson: Explain to students that when we writing a summary, we only want to include events that are important. Tell students to think about if they were telling a story about the day they went to Great America and had the most fun ever! Are they going to want to tell person listening about all the minor events that happened that day: I brushed my teeth in the morning, I had to go to the bathroom at 2:00? Or are you only going to want to tell about the important stuff? We rode on survivor and then got soaking wet on the log ride! ... Summaries are the same way, you only want to tell what is important. So how do we find important events? Provide students with a list of guiding questions (linked to the elements of plot) to help them identify which events in the text are important. Model how to use the guiding questions by working through the process of selecting important events from my list of events from a realoud text used in Day 1 of the week of April 12th. As I do this, I will mark the events are important with a check and scratch out unimportant events.
 - Guided Practice/Discussion: Have students use the guiding questions identify two important events on their list from Day One, Week of April 12th about the story they read in guided reading. Have the students discuss the events they've selected and why.

Day 2:

- Comprehension Objective: SWBAT fill out Plot Mountain with Previously Selected Important Events
 - Mini-Lesson: Using the read aloud example, model for students how to take selected events and fill out the plot mountain organizer. Explain that students are required to have an exposition, climax, and resolution box filled in but must select no more than four events to go in the middle (either rising action or falling action events). The guiding questions from the previously day are tied to elements from plot, so it should be an easy transfer. (The graphic organizer for plot mountain has particular questions the students must answer, this will help guided them in writing their summaries and I will drill them to memorize these questions through the practice time).
 - Guided Practice/Discussion: Work with students to fill in a few boxes on the new plot mountain.

Centers

Day One:

All students go to a reading response center where they will finish identifying all important events from the text.

Day Two:

All students go to a reading response center where they will complete their plot mountain.

Progress Monitoring:

Students turn in guided reading work, notes taken during fluency observations, reading packets collected.

Week of April 26, 2010

WHOLE CLASS:

- None

GUIDED READING:

- Meet in guided reading **twice** in this week

Day One:

- Comprehension Objective: SWBAT transfer plot mountain information into a well written summary that incorporates transition words
 - Mini-Lesson: Provide students with list of transition words. Using list from my own plot mountain from realoud, model how to transfer into summary and select appropriate transition words.
 - Guided Practice/Discussion: Have students begin their summaries at guided reading table. Stop students at particular points to offer direct and immediate feedback.

Day 2:

Comprehension Objective: Students will be able to identify the most important event using a graphic organize with essentially predetermined justifications.

- Mini-Lesson: Explain to students, “on the DRA you will have to determine the MOST

important event in the story. There is no correct answers. You can choose any event that you want, so long as you justify why that event is important and your justification makes sense.” Model to students how many different events could be the most important and provide justifications tied to plot (eg: choose an event in the rising action, this event is the most important because it causes the problem to occur, choose the climax, this event is the most important because it is the turning point where the character learns _____ and the problem starts to go away.) Then provide student with a list generic justifications that can be adapted for specific texts (If you choose the climax, then your justification is _____. If you an event from the rising action, your justification is _____. If you choose the resolution, etc. etc.)

- Guided Practice/Discussion: Students choose the most important event in the story and discuss rationales.

Centers

Day One:

All students go to a reading response center where they complete their summaries individually.

Day Two: None.

Progress Monitoring:

Students turn in guided reading work, notes taken during fluency observations, reading packets collected.

Week of May 3, 2010

WHOLE CLASS:

None

GUIDED READING:

- Meet in guided reading **twice** in this week

Day One:

- Give students new book. Provide them with materials to run through the past three weeks on their own with a new book.

Day Two:

- Check in with students on progress. Provide direct feedback and send students back to complete/revise summaries on new book.

Centers

Day One:

All students go to a reading response center where read text, and complete work.

Day Two:

All students go to a reading response center where they complete remaining work, finish summaries.

Progress Monitoring:

Students turn in guided reading work, notes taken during fluency observations, reading packets collected.

Week of May 10, 2010

WHOLE CLASS:

Ask case study students targeted questions about why a character does something during readalouds.

GUIDED READING:

- Meet in guided reading **twice** in this week

Day One:

Comprehension Objectives: Students will be able to use a characters feelings to infer a character's motives for a particular action

- Mini-Lesson: Explain to students that many strong readers think about WHY characters do and say things as they read. Most time the author doesn't tell us why and we have to infer. One way to infer is by figuring out what the characters feel. Characters act on their emotions. If character bullies another character, it might be because they are angry, or lonely. If a character refuses to do something, it could be because they feel afraid.
- Guided Practice: Give an action of a particular character from the book and ask a question about their motives, have students discuss the character's feelings as a motive

-

Day Two:

Comprehension Objective: Students will be able to use a text-to-self connection to infer a character's motives for a particular action

- Mini-Lesson: Another way to infer is by making text-to-self connections. Have you ever done something similar to what the character has done? Think about why YOU did it, and it might help you understand the character better. Model with an example from a read aloud.
- Guided Practice: Give an action of a particular character from the book and ask a question about their motives, have students discuss text to self connections about why the character may have acted the way

Centers:

Day One and Day Two:

Provide students with interpretation questions about character's motives. Have students answer using the strategies from guided reading.

Progress Monitoring:

Students turn in guided reading work, notes taken during fluency observations, reading packets collected.

Week of May 17, 2010

Reassess all students on DRA 40

Appendix AD: Teacher Professional Growth Plan

STRENGTHS

Overall Teacher Key Strengths	Next Steps to build this strength and to leverage this strength for the school
• • •	• • •
• • •	• • •
• • •	• • •

SMART GOALS

Grade Level SMART Goals for the Year:

- 1.
- 2.
- 3.
- 4.
- 5.

Goal Content Area	September	November	January	March	June
• DRA					
• Sight Words					
•					

SMART Goal(s) for 8 week cycle:

Example: *At the end of the 8 week cycle, all classes will have an average of 72% or higher (meaning a 15% or more growth for all classes).*

- 1.
- 2.

SMART Goals for Focus students:

Example: *Cesar will improve from 67% on his EOY exam to 80% or higher upon being reassessed in 4 weeks and will conclude the year at 90% or higher.*

- 1.
- 2.
- 3.

4.

Rocketeer Characteristics

This section is a discretionary decision by the manager. They may select to highlight a Rocketeer characteristic due to it being exemplified during the previous eight weeks, as a focal point for growth in the next eight weeks, or even as a key lever to accomplishing other areas of the PGP in the next eight weeks. (Managers, please do not focus on all characteristics, but focus on a maximum of two to three.)

Rocketeer Characteristics	Evidence	Strengths and/or Challenges Feedback
<p>Mission Driven Rocketeers believe that every child should go to college, and that requires both outstanding schools and thousands of them. Their language and actions with parents, educators, students and co-workers reflect their passion about closing the achievement gap through Rocketship's unique model.</p>	<ul style="list-style-type: none"> • 	
<p>High Achiever High achieving Rocketeers continuously overcome obstacles to find better ways to build schools and support a child's education while consistently working to improve and accomplish significant results.</p>	<ul style="list-style-type: none"> • 	
<p>Adaptable When the ground suddenly shifts Rocketeers don't panic, they calmly assess, quickly regroup and move forward believing something better can be realized ahead. Rocketeers are open-minded, proactive, self-aware and demonstrate a positive attitude in addressing change.</p>	<ul style="list-style-type: none"> • 	
<p>Collaborative Rocketship is all about teams and Rocketeer's trust that the collective efforts of the team will move us much faster and further than going it alone. Rocketeers value working relationships, understand how important working relationships are for the organization, and work at making their relationships function well.</p>	<ul style="list-style-type: none"> • 	
<p>Planner Rocketeers have strong organizational skills (pre-crastinator) and demonstrate them in their timeliness and focus by prioritizing effectively, managing their time, making strategic decisions, and thoroughly planning for events in the present and future.</p>	<ul style="list-style-type: none"> • 	
<p>Innovative Rocketeers bring diverse experiences, new ideas and new viewpoints to their jobs in order to question existing assumptions and push conversations in new directions.</p>	<ul style="list-style-type: none"> • 	
<p>Mature Rocketeers demonstrate maturity by keeping their eye on the Rocketship vision and conducting themselves with the bigger picture in mind. Their behaviors demonstrate the ability to</p>	<ul style="list-style-type: none"> • 	

<p>access the entire situation, the ability to make good decisions, keep an optimistic attitude despite any challenges, and understand the need to take care of one's mind and body.</p>		
<p>Internal Locus of Control Rocketeers don't blame others, they chart their own paths and they go after them with the belief that there is no failure, only feedback. They take responsibility for their actions and find ways to directly or indirectly affect outcomes to move the organization forward.</p>	<ul style="list-style-type: none"> • 	
<p>Eternally Positive Rocketeers take their work seriously, but not so much themselves. They display a persistent, positive attitude to problem solving and recognize that goals are achievable, even with obstacles. They constantly make positive assumptions and have a generosity of spirit.</p>	<ul style="list-style-type: none"> • 	

Section I. Planning

Planning Focus Areas	Indicators	Specific Evidence/Student Data to Support Rating	M (4)	P (3)	IP (2)	DNM (1)
TAL—Set Big Goals	Regularly makes Rocketeers aware of their progress towards these SMART goals (public data wall in classroom, etc.) and invests them in these class and individual goals (Objective) .	•				
		Next Steps:	Completion Date:			
	Consistently uses rigorous, bite-sized, measurable, standards-based objectives to drive instruction; writes objectives/agenda on the board and reviews them with Rocketeers daily. (Objective)	•				
		Next Steps:	Completion Date:			
TAL—Plan Purpose-fully	Designs daily, quality, rigorous (clear objectives), standards-based lesson plans that result in students being able to articulate the connections between prior and new knowledge as well as how the concepts relate to their own life experiences and cultural backgrounds. (Objective)	•				
		Next Steps:	Completion Date:			
	Engages in a constant cycle of modifying practice based on findings from assessing performance data, implementing strategic improvements, reassessing, analyzing, and implementing additional improvements (Data Analysis). (Objective)	•				
		Next Steps:	Completion Date:			
	Designs innovative, student-centered activities that align with the principles of effective lesson planning (e.g., activates prior knowledge, articulates key ideas, anticipates misunderstandings, infuses scaffolded student practice , (assesses understanding) and effectively and efficiently leads to student mastery. (Objective)	•				
		Next Steps:	Completion Date:			

Section II. Execution

Execution Focus Areas	Indicators	Specific Evidence/Student Data to Support Rating	M (4)	P (3)	IP (2)	DNM (1)
Rocketship Top 100	Effectively implements all of the Rocketship Top 100 culture items and ensures students internalize the Rocketeer culture. (Objective)	•				
		Next Steps: Completion Date:				
Lemov—Sweat the Details	Pays attention to even the smallest details to ensure smooth, predictable, and effective outcomes in everything that is done. (Objective)	•				
		Next Steps: Completion Date:				
Lemov—Strong Voice	Consistently implements all components of Strong Voice (economy of language, do not talk over, do not engage, square up/stand still, quiet power, self-interrupt, and “register”) as necessary and maintains effective control of the classroom. (Objective)	•				
		Next Steps: Completion Date:				
Lemov—100%	Ensures that all students (100%) meet 100% of the goals of the lesson, follow 100% of the directions, 100% of the way, 100% of the time, and 100% and create the expected product. (Objective)	•				
		Next Steps: Completion Date:				
Lemov—Precise Praise	Uses positive reinforcement strategically (Acknowledgment v. Praise). (Objective)	•				
		Next Steps: Completion Date:				
Lemov—Pacing	Ensures that every minute in class is effectively used and transitions/procedures are highly effective. (Change the Pace, Brighten Lines, All Hands, Every Minute Matters, Look Forward, and Work the Clock) (Objective)	•				
		Next Steps: Completion Date:				
Lemov—Format Matters/	Ensures that student’s responses fully address the question. Do they ‘stretch-it’ and use whole	•				

Stretch-It/ Right is Right	sentences and prove their answers? Do they use the correct format and answer with appropriate units, grammar, etc.? Is their answer fully right, not partway? (Objective)	Next Steps:	Completion Date:				
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Section II. Execution (cont.)

Execution Focus Areas	Indicators	Specific Evidence/Student Data to Support Rating	M (4)	P (3)	IP (2)	DNM (1)
TAL—Execute Effectively	Varies instructional strategies, adapts materials and resources, and utilizes multiple sources of technology to increase active participation and facilitate learning for all students. (Objective)	•				
		Next Steps:	Completion Date:			
	Assessments probe for evidence of higher-order understanding (analyzing, synthesizing, and evaluating information), the ability to connect and process various forms of knowledge, and an awareness of the complexities of the world. (Objective)	•				
		Next Steps:	Completion Date:			
TAL—Invest Students and Families	Creates a welcoming physical and emotional environment through rational persuasion, role models, and constant reinforcement and marketing to instill Rocketship core values (respect, responsibility, empathy, and persistence) so that students feel comfortable and supported enough to take the risks of striving for the SMART goals. (Objective)	•				
		Next Steps:	Completion Date:			
	Builds trusting relationships with students' parents/families and devotes time and energy to continuously developing those relationships throughout the year while regularly connecting with the greater community (100% home visits completed by end of first semester). (Objective)	•				
		Next Steps:	Completion Date:			

Section III. Differentiation

Differentiation Focus Areas	Indicators	Specific Evidence/Student Data to Support Rating	M (4)	P (3)	IP (2)	DNM (1)
TAL— Continuously Increase Effectiveness	Conducts effective differentiated instruction that significantly affects student achievement, such as guided reading and math workshop, in the classroom on a daily basis and group students according to their intervention level. (Objective)	•				
		Next Steps:	Completion Date:			
	Plans lessons to include necessary review or differentiation for Tier 1 & 2 students. (Objective)	•				
		Next Steps:	Completion Date:			
	Analyzes, adapts, and creates a wide range of relevant instructional materials, resources (behavior contracts, etc), and technologies to extend special needs students' understanding and provide equal access. (Objective)	•				
		Next Steps:	Completion Date:			
Lemov— No Opt Out	Ensures that a sequence that begins with a student unable to answer a question should end with the student answering that question as often as possible (scaffolding). (Objective)	•				
		Next Steps:	Completion Date:			
ELL Instruction	Seamlessly integrates a wide variety of strategies to address the varied needs of all ELLs in the classroom at all times and offers a daily center with differentiated ELL activities and Academic Language instruction during guided reading time. (Objective)	•				
		Next Steps:	Completion Date:			

Section III. Differentiation (cont.)

Differentiation Focus Areas	Indicators	Specific Evidence/Student Data to Support Rating	M (4)	P (3)	IP (2)	DNM (1)
GLAD— CCD (Cognitive Content Dictionary)	Consistently uses this strategy and graphic organizer in introducing vocabulary and teaching word analysis skills while correctly implementing the strategy. (Objective)	•				
		Next Steps:	Completion Date:			
GLAD— Sentence Patterning Chart	Consistently uses this GLAD strategy and graphic organizer in introducing sentence structure and teaching syntax while correctly implementing the strategy. (Objective)	•				
		Next Steps:	Completion Date:			
GLAD— Input Charts	Consistently uses this GLAD strategy and includes various input charts in teaching concepts and academic vocabulary. Strategy is also correctly implemented. (Objective)	•				
		Next Steps:	Completion Date:			
GLAD— Expert Groups	Consistently uses this strategy during instruction to teach vocabulary and reading standards and it is correctly implemented. (Objective)	•				
		Next Steps:	Completion Date:			
GLAD— Songs and Chants	Consistently uses this GLAD strategy throughout the day and year to assist student's learning in a meaningful manner. (Objective)	•				
		Next Steps:	Completion Date:			
GLAD— Process Grid/Mind Map	Consistently uses this GLAD strategy to teach advanced organizing techniques for reading and it is correctly implemented.	•				
		Next Steps:	Completion Date:			
GLAD— Paragraphs	Consistently uses this GLAD strategy to teach the writing process and in introducing writing checklists. Strategy is correctly implemented.	•				
		Next Steps:	Completion Date:			

Section IV. Leadership

Leadership Focus Areas	Indicators	Specific Evidence/Student Data to Support Rating	Met Objectives/Outcomes?		M (4)	P (3)	IP (2)	DNM (1)
			Yes	No				
Embedded Leadership Opportunities	Manages responsibilities of embedded leadership opportunities and meets outcomes in a timely manner that positively affects the grade level, school, students, and families. (Objective)	•	Yes	No				
		Next Steps:	Completion Date:	Yes	No			
Effective Time Management/Planning	Consistently demonstrates the ability to plan, prioritize effectively, manage multiple tasks, and meet deadlines. (Objective)	•						
		Next Steps:	Completion Date:					
Flexibility	Fluidly adjusts to the constantly changing start-up environment. (Objective)	•						
		Next Steps:	Completion Date:					
Effective Oral and Written Communication	Communicates effectively with diverse audiences. Written and oral communication is clear, accurate and influential. (Objective)	•						
		Next Steps:	Completion Date:					
Ability to Give Feedback	Delivers feedback in an effective manner that influences others to implement the feedback. (Objective)	•						
		Next Steps:	Completion Date:					
Ability to Receive Feedback	Seeks out feedback from others on ways to improve. He/She hears the feedback without becoming defensive and appropriately acts on it. (Objective)	•						
		Next Steps:	Completion Date:					

Teacher PGP Objectives:

These objectives are based on 4 - Mastery: Teacher consistently exceeds expectations and is an exemplar for this standard.

PLANNING:

TAL Set Big Goals:

- Following each assessment section the teacher shares data with all Rocketeers, sets SMART class and individual goals based on this data, and has a public in-class system to track their Rocketeer's progress.
- Has Agenda and Standards Driven Objectives on the board daily and ensures that 100% of lessons are driven by standards, rigorous objectives, and SMART goals.

TAL Plan Purposefully

- 100% of daily lessons are standards-based and include rigorous objectives that the teacher can ensure have been realized within the lesson. All lessons are also scaffolded based on student's prior knowledge from previous lessons.
- Teacher completes a data analysis form by the appropriate deadline and uses a thorough analysis of data to establish SMART goals for the class and focus students that provide the Principal/Dean with a thorough understanding of next steps and how progress will be assessed.
- 100% of student activities each day (centers or whole class) are scaffolded and differentiated for each group of students, but also include some type of formal or informal assessment of student learning from the lesson and assume misunderstandings within the lesson in order to address them prior to any confusion/obstacles in the lesson.

EXECUTION:

Rocketship Top 100

- 100% of culture items within Rocketship Top 100 are implemented 100% of the time and 100% of students realize these expectations.

Lemov—Sweat the Details

- Teacher notices small, minor details (un-tucked shirt, student off-task, student sitting crooked, etc.) and immediately addresses them prior to the culture of the class being affected.

Lemov—Strong Voice

- Teacher maintains effective control of the classroom 100% of the time through a calm presence that initiates all seven components of Strong Voice (economy of language, do not talk over, do not engage, square up/stand still, quiet power, self-interrupt, and 'register').

Lemov—100%

- 100% of the time students meet the goal of the lesson, follow 100% of the directions, and 100% of the students create the expected product.

Lemov—Precise Praise

- 100% of the time, teacher strategically uses positive recognition and effectively differentiates between acknowledgment and praise.

Lemov—Pacing

- All minutes in class are used effectively and all six components of Pacing are effectively implemented (change the pace, brighten lines, all hands, every minute matters, look forward, and work the clock).

Lemov—Format Matters...

- When responding to a question, students always use complete sentences, stretch their answers, and prove their work/responses.

TAL Execute Effectively

- During each lesson during the day, the teacher has a teaching strategy that is purposefully embedded (different learning styles, technology, etc.) to increase participation and facilitate better learning for all students.
- All assessments included higher order thinking questions and a majority of students are successful in responding to these questions in their entirety.

TAL Invest Students and Families

- Classroom environment embodies all of the Rocketeer core values and inside of the class, all four of these values can be visibly seen and are constantly demonstrated by the students.
- All home visits completed in a timely manner, 100% of parent/family meetings realized in a timely manner and have 80% attendance or higher, and teacher has some type of systems to keep parents regularly (at least monthly) informed of student progress.

DIFFERENTIATION:

TAL Continuously Increase Effectiveness

- Guided reading/differentiation occurs for at least 60 minutes daily and is effective, which is demonstrated by a majority of students realizing significant gains.
- All lessons include explicit, standards based differentiation plans for Tier I and Tier II students.
- During each lesson during the day, the teacher has a teaching strategy that is purposefully embedded (different learning styles, technology, etc.) to increase participation and facilitate better learning for specifically students in integrated services.

Lemov—No Opt Out

- 100% of the time that a question is asked of a student, the sequence ends with that same student responding to the question through whatever scaffolding is necessary.

ELL Instruction

- On a daily basis, teacher purposefully interweaves ELL instruction into guided reading, other sections of the day, and daily ensures that there is an ELL center provided during guided reading as well.

GLAD CCD

- This strategy is used on a consistent basis, when it is most relevant, and is executed in an incredibly effective manner that ensures all students master the vocabulary and word analysis skills.

GLAD Farmer in the Dell

- This strategy is used on a consistent basis, when it is most relevant, and is executed in an incredibly effective manner that ensures all students master sentence patterns and structures with the application of taught vocabulary.

GLAD Input Charts

- This strategy is used on a consistent basis, when it is most relevant, and is executed in an incredibly effective manner that ensures all students master the content (vocabulary and concepts) of the lesson and includes active student participation.

GLAD Expert Groups

- This strategy is used on a consistent basis, when it is most relevant, and is executed in an incredibly effective manner that ensures all students master the content by applying note taking skills through reading material while also working in a positive, collaborative group experience.

GLAD Songs and Chants

- This strategy is used on a consistent basis, when it is most relevant, in thoughtful ways with purposeful chants and songs, and is executed in an incredibly effective manner that ensures all students master the vocabulary, content, and language art skills of a lesson.

GLAD Process Grid and Mind Map

- This strategy is used on a consistent basis, when it is most relevant, and is executed in an incredibly effective manner that ensures all students master the ability to utilize advanced organizers with reading material for content and academic vocabulary.

GLAD Cooperative Strip Paragraph or Group Frame

- This strategy is used on a consistent basis, when it is most relevant, and is executed in an incredibly effective manner that ensures all students master the writing process.

LEADERSHIP:

Embedded Leadership Opportunities

- 100% of expected outcomes of ELO are realized in a timely manner that meets all deadlines.

Effective Time Management/Planning

- Meets 100% of deadlines
- Always gives appropriate advanced notice in requests from others (at least 48 hours)
- Manages schedule so that personal needs do not negatively affect professional responsibilities

Flexibility

- Always maintains a positive and proactive attitude even in the face of great change (i.e. mid-year schedule or curriculum changes)
- Moves at a fast to adopt and implement new practices
- Admits to and learns from mistakes, moves on quickly

Oral and Written Communication

- Always and connects point of view, ideas, and rationale and in a clear, concise and compelling manner

- Always demonstrates appropriate speech, tone, and visual cues (in oral communication) that convey professionalism (i.e. in communications to families and staff)
- Tailors message to the audience

Giving Feedback

- Builds strong professional relationships with others so that they are receptive and responsive to feedback
- Gives feedback consistently, directly, and in a way that motivates
- Follows through on feedback given (i.e. checks that feedback is being implemented)

Receiving Feedback

- Always listens attentively to feedback, asks questions to clarify, and seeks to understand (i.e. in 1:1s with principal or dean)
- Seeks out feedback from people in different roles within the organization and from diverse backgrounds and perspectives
- Always implements constructive appropriate feedback from manager(s) and peers.

Appendix AE: Sample Rocketship Education & School Management Services Contract

MANAGEMENT SERVICES AGREEMENT

THIS MANAGEMENT SERVICES AGREEMENT (this “Agreement”) is made as of [Date], by and between Rocketship Education, a California nonprofit public benefit corporation (“Manager”), and [School], a California nonprofit public benefit corporation (“Company”).

WITNESSETH:

WHEREAS, Company desires to obtain Manager’s services in connection with the Company’s operation of a school (the “School”) pursuant to the terms hereof and Manager is able and willing to provide the services as hereinafter set forth;

NOW, THEREFORE, in consideration of the covenants and agreements of the parties herein contained and of the fees to be paid to Manager as hereinafter set forth, the parties hereto do hereby agree on behalf of themselves and their respective legal successors and assigns, as follows:

1. **APPOINTMENT.** Company hereby engages Manager on the terms and conditions hereinafter set forth to provide the described services to Company; and Manager hereby agrees to provide the services to Company, pursuant to the terms hereof.

2. **TERM.** This Agreement shall commence upon the date hereof and shall continue until terminated with or without cause by written notice given by either party to this Agreement thirty (30) days prior to either parties’ intention to terminate this Agreement.

3. **DUTIES OF MANAGER.** Manager shall provide the following services (collectively, the “Services”):

- (a) creating the School, including, but not limited to, any and all required legal and financial filings;
- (b) creating, preparing and submitting the School’s charter;
- (c) researching, locating and preparing a suitable facility (the “Facility”) for the operation of the School;
- (d) researching, providing or preparing for any future expansion of the Facility to accommodate growth of the School;
- (e) providing professional development training for certain employees of the Company prior to the commencement of the school year and continuing throughout the school year as necessary;
- (f) providing office services, such as accounting, payroll, human resources and billing;
- (g) supervising the annual budget;
- (h) developing and executing fundraising opportunities;
- (i) working with the Charter Authorizer, CDE and other agencies as necessary, including complying with reporting requirements and any other general inquiries received from these agencies;
- (j) supervising the parent coordinator and parent involvement generally;

- (k) marketing for student enrollment;
- (l) assisting with public relations;
- (m) writing grants for state and other funding;
- (n) providing guidance relating to the curriculum;
- (o) providing support for information technology;
- (p) securing working capital financing for the school
- (q) providing financial support as needed; provided, however, that such support be agreed to by the parties in a separate writing; and
- (r) providing any other operational or educational needs relating to the School that the Company may reasonably request of Manager.
- (s) collecting Special Education funds and managing the Special Education program budget on behalf of all Rocketship Education schools that are part of the El Dorado County SELPA and therefore having the authority to determine the allocation of Special Education dollars based on Special Education needs at each site

4. **SERVICES FEE.** In consideration for the services, Manager shall receive a monthly "Services Fee" equal to 15% of local, state and federal revenues of Company (excluding revenues from reimbursement programs such as NSLP and school uniforms) as well as fundraising conducted by Manager for such month, determined in accordance with United States generally accepted accounting principles which are consistently applied; provided, however, that if in any month Company suffers a net loss, the amount of such net loss will be carried forward to succeeding months and no further payment of the Services Fee shall be made hereunder until and to the extent that the cumulative amount of all such losses is recouped against net income of Company earned in such succeeding months. The Services Fee shall be payable by Company to Manager on or before the 30th day after the end of each calendar month during the term of this Agreement. Additionally, the Manager shall receive a quarterly "Facilities Reserve Fee" equal to the difference between 20% of local, state and federal revenues of Company (excluding revenues from reimbursement programs such as NSLP and school uniforms) as well as fundraising conducted by Manager for such month, determined in accordance with United States generally accepted accounting principles which are consistently applied and the facilities lease payments for that quarter. The Services Fee and Facilities Reserve Fee are the only compensation or other payments to which Manager will be entitled hereunder; Manager shall be responsible for all of its own costs and expenses necessary to fulfill its obligations under this Agreement, including, but not limited to, compensation and other benefits payable to any Manager employees and any travel expenses. In the [school years 0-2] school years, the services provided by Rocketship Education will be associated with school startup, planning and implementation and eligible for funding through the Public Charter School Grant Program. Additionally, the portion of services provided by Rocketship Education that relate to administrative support (payroll, compliance, accounting, financial reporting, program oversight) are expenses that can be considered indirect costs under state and federal programs.

5. **INDEPENDENT CONTRACTOR.** It is expressly agreed by the parties hereto that Manager is not an employee of the Company for any purpose whatsoever, including for federal or state tax purposes, but is an independent contractor. Furthermore, no relationship of joint venture or partnership of any form is created by this Agreement.

6. GOVERNING LAW. This Agreement shall be governed by and construed in accordance with the laws of the State of California.

7. SEVERABILITY. Any provision of this Agreement which shall prove to be invalid, void or illegal shall in no way affect, impair or invalidate any other provision hereof and such other provision shall remain in full force and effect.

* * *

IN WITNESS WHEREOF, Company and Manager have caused this Agreement to be executed as of the day and year first above written.

ROCKETSHIP EDUCATION

By:

Name: John Danner

Title: CEO

SCHOOL

By:

Name: [Principal Name]

Title: Principal

Date of RSED Board Approval:

Date of Rocketship[School #] Board Approval:_____

Appendix AF: Rocketship Approach to Academic Instruction

At Rocketship, we believe that students benefit from having core subjects integrated throughout the day. This allows subject areas to not be isolated areas of learning, rather, they are integrated throughout all subject areas and students are able to learn that all skill areas (reading, writing, math, science, social studies, etc.) rely upon one another in order for true learning and academic achievement to be accomplished. Consequently, we approach our instructional assignments for teachers and students in the same manner.

At Rocketship, we use a teaming approach with our instructional staff. This teaming approach means that teachers have their own instructional home-room, however, the students move to different teachers throughout the day. The students have a teacher each day that focuses primarily on literacy instruction that is integrated with science and/or social studies instruction and a teacher that is focused primarily on math instruction that is also integrated with science and/or social studies instruction. Each day a student at Rocketship receives at least three hundred minutes of instruction, of which, at least sixty to one hundred are dedicated to these science and/or social studies objectives each day.

The science & social studies instruction at Rocketship is based on the Association for Supervision and Curriculum Development's ("ASCD") Understanding by Design ("UbD") approach. This approach is a framework for creating a curriculum based on state standards. UbD has been shown to develop students' reasoning and interest in Science and Social Studies. To develop our curriculum based on the UbD framework, we started by backwards mapping of the state standards to identify the main objectives in Science and Social Studies. We then developed units and lesson plans within each unit to focus on these major objectives. As we develop these units, we focus on correlating these unit objectives with literacy and math objectives that are relevant to the core unit as well. We have been refining these units for two years and continue to do so as more teachers contribute to the richness and learning techniques of each unit and lesson.

Each classroom teacher further supplements their instruction through the use of Project GLAD's method of providing ELD instruction during all subject areas, including Science and Social Studies. The use of these strategies allows us to accelerate students Cognitive Academic Language Proficiency ("CALP") development by supporting acquisition of academic vocabulary.

Each classroom teacher is also responsible for various objectives that depending on their homeroom may include literacy objectives combined with science and social studies objectives or math objectives combined with science and social studies objectives. This accountability to multiple subjects ensures that teachers are instructing various subjects throughout the day.

The integration of science and social studies in the core literacy and math subject areas and the teaming of teachers allow students to make connections across multiple subject areas. For example, one of the most important skills a student can learn from these classes in the primary grades is how to effectively read non-fiction text in the content areas (Pressley, 2002). The integration of literacy and science and/or social studies allows students to further develop these

skills. Students will be faced with a multitude of classes throughout the rest of their lives where this skill will be central to their understanding of the content and ultimately their enjoyment and performance in the subject. The critical skills of determining the organization of a non-fiction text, identifying and understanding key vocabulary terms, and actively summarizing are skills that are not easily learned when reading fiction. Likewise, another important skill that students can learn from the integration of math and science and/or social students is the application of mathematical concepts and equations. Students are able to translate a static equation into a meaningful real time experience, which allows them to better retain and apply this knowledge in future real-life situations. This ability to apply mathematical concepts outside of a controlled classroom environment is a crucial life-skill for the success of students as they mature and grow.

Appendix AG: Outreach Initiatives

Rocketship Education and the leaders of Rocketship San Francisco intend to collaborate with a variety of organizations in southeast San Francisco, both for student enrollment purposes and in other capacities. Rocketship San Francisco will employ best efforts to ensure neighborhood families know about the school and have the opportunity to submit enrollment forms. Because Rocketship Education schools’ mission is to close the achievement gap, school leaders look for ways to contact local families during the enrollment process who are in greatest need and may be least likely to hear about new educational opportunities.

Rocketship Education and local volunteers engaged in the below outreach initiatives prior to submission of this charter petition. Best efforts were put forth to translate presentations and materials into Spanish and Chinese, and will continue to be put forth for recruitment purposes. Rocketship values these relationships and will look to partner with these parents, leaders and organizations long-term for recruitment purposes. Such recruitment activities will include presenting at community centers and meetings, having parent ambassadors go door-to-door to speak individually with families, and advertising open enrollment in neighborhood publications.

What	Where
Door to Door and/or Neighborhood Presentations	Bayview-Hunters Point apartments, Visitacion Valley apartments
Pre-Ks: Discussed Rocketship with Site Director and/or Family Advocate or presented at Parent Meetings	Southeast Families United Childcare Development Center, Hunter’s Point Head Start, Potrero Hill Head Start, Sunnydale Head Start, Visitacion Valley Family and Child Development Center
Community Organizations: Met leaders and/or distributed Rocketship information to members	Mayor’s Office of Neighborhood Services, Boys and Girls Club Visitacion Valley, Urban Strategies, Visitacion Valley Business Opportunities and Outreach Merchants, McCormack Baron, 100 Black Men, San Francisco Organizing Project, Rapha House, Hirsch Associates, Visitacion Valley Asian Alliance

Appendix AH: Letter from El Dorado County SELPA



**EL DORADO COUNTY CHARTER
SPECIAL EDUCATION LOCAL PLAN AREA**

VICKI L. BARBER, Ed.D., Superintendent
EMI JOHNSON, SELPA Director

May 25, 2011

San Francisco Unified School District
555 Franklin Street
San Francisco, CA 94102

To Whom It May Concern:

This letter is provided to you to include in the application for Rocketship San Francisco for the 2013-14 school year.

The El Dorado County Charter SELPA has enjoyed working with Rocketship as a member. We would welcome the opportunity to include Rocketship San Francisco as an LEA member for 2013-14. I look forward to reviewing their application.

Please feel free to contact me if you have any additional questions.

Sincerely,

A handwritten signature in cursive script that reads "Emi Johnson".

Emi Johnson
SELPA Director

EJ/ac

6767 Green Valley Road/Placerville, CA 95667-9357
Phone (530) 295-2228/FAX (530) 295-9137

Appendix AI: Financial Support Letters

Hastings/Quillin Fund



June 18, 2010

Mr. John Danner, Co-Founder and CEO
Rocketship Education
550 Kingsley Avenue
Palo Alto, CA 94301-3224

Dear Mr. Danner,

At the recommendation of Reed Hastings and Patty Quillin, we are pleased to enclose a check in the amount of \$230,000.00 to Rocketship Education from the Hastings/Quillin Fund, an advised fund of Silicon Valley Community Foundation. This payment represents the first two of nine installments toward the \$1,105,000.00 grant awarded on June 15, 2010. Please see the reporting and payment plan attached for further explanation.

This grant is to support opening and operating new schools. Please note that by accepting the enclosed check, your organization confirms that:

- all grant funds, and income earned on those funds, may be spent only for charitable, religious, scientific, literary or educational purposes;
- individuals connected with this grant recommendation will receive no benefits, goods or services in exchange for this grant;
- this grant will not be used to satisfy the payment of a pre-existing pledge or other financial obligation;
- this grant will be used solely for the purpose specified in this letter and is not for the personal benefit of an individual. If the fund advisor has recommended support for an individual, your organization retains discretion over the funds, including the right to use the gift to support a different person;
- any funds not used for the purposes specified in this letter will be returned to Silicon Valley Community Foundation.

For multi-payment grants **only**, any additional payments are contingent upon satisfactory financial market performance and available assets in the Hastings/Quillin Fund, an advised fund at Silicon Valley Community Foundation.

For information on how to recognize this grant, please refer to the guidelines on the back of this letter. We appreciate the work of your organization and are pleased to support your efforts.

Sincerely,

A handwritten signature in black ink, appearing to read "Kia Sullivan".

Kia Sullivan
Senior Director of Grants, Gifts and Compliance

Grant #: 2010-05080 (3975)

P.S. For information on how to recognize this grant, please refer to the guidelines on the back of this letter.



Charter School Growth Fund

Helping public education thrive

July 8, 2009

John Danner
Rocketship Education
788 Locust Street
San Jose, CA 95110

Dear John,

On behalf of the Charter School Growth Fund (the "Fund"), I am pleased to inform you that your organization has been awarded a Walton Family Foundation ("WFF") School Startup Grant of \$1,500,000 based on your recent funding applications. Enclosed please find the Grant Award Agreement (the "Grant Agreement"), Grant Expenditure Reporting Template, Loan Agreement, and Promissory Note.

The Grant Agreement establishes the grantor/grantee relationship between your organization and the Fund. The Grant Agreement outlines the responsibilities of the grantee pertaining to use of funds, expenditure reporting, and student data submission. Reporting is required on an annual basis, as detailed in the Grant Agreement. To help facilitate this process, we have attached the Grant Expenditure Reporting Template (also available at www.charterschoolgrowthfund.org/memberlogin.php). The completed template should be submitted to the Fund (i) with your year-end milestone report and (ii) when all funds provided under this grant have been expended. The Grant Expenditure Reporting Template must delineate all incurred and forecasted grant expenses. Any funds remaining 24 months after the school opens must be returned to the Fund along with a completed expenditure report.

As part of your current grant agreement with the Fund and as a WFF Startup Grant recipient, you are required to provide student achievement data as defined in section V(F) of the Grant Agreement. You may use or implement the SIS of your choice to facilitate these reporting requirements and can find more information about how to choose a SIS in the attached SIS Selection Guide (also available at www.charterschoolgrowthfund.org/memberlogin.php).

Please have two qualified officers of your organization sign four copies of the Grant Agreement, *initial all pages*, and return to the Fund. Upon receipt, the Fund will initiate the school startup grant disbursement process as well as notify WFF. If you have any questions, please contact Stephen Hinson at (303) 217-8345.

We are excited to be able to provide you this additional resource as you expand and appreciate your efforts in helping public education thrive.

Sincerely,

Stephen Hinson
Director, Quality Assessment and Data Analysis

Appendix AJ: Budget Narrative & Cash Flow Statement

The Rocketship San Francisco financial statements include a six year pro-forma annual budget (start-up year and five years of operations) and four year (start-up year and three additional years) monthly cash flow statement.

Students: Enrollment, Demographics and Average Daily Attendance

Revenues for the school depend on the number of students enrolled and their demographics. This budget assumes 30% English Learners (EL), 50% at Federal Poverty level and 70% Free and Reduced Lunch (FRL) students. Prior to each school year, we plan to have waitlists in place of at least 10% of each class size to manage start-of-year attrition. The Average Daily Attendance (ADA) is the aggregate attendance of a school during a reporting period divided by the number of days school is in session during this period. Rocketship San Francisco will assume a 96% attendance rate for our students, which is consistent with historical results at existing Rocketship Schools. ADA is used to calculate many of the revenue sources.

The following table shows our projected demographics as well as projections for enrollment and ADA:

	Year 0 2012-13 Startup Budget	Year 1 2013-14 Projected Budget	Year 2 2014-15 Projected Budget	Year 3 2015-16 Projected Budget	Year 4 2016-17 Projected Budget	Year 5 2017-18 Projected Budget
Projected Total Enrollment by Grade Level Group						
Grades K-3	0	416	430	430	430	430
Grades 4-6	0	0	83	125	125	125
Total Projected Enrollment	0	416	513	555	555	555
ADA %	0.0%	96.0%	96.0%	96.0%	96.0%	96.0%
Total ADA						
Grades K-3	0	399	413	413	413	413
Grades 4-6	0	0	80	120	120	120
Total ADA	0	399	492	533	533	533
Projected Student Demographics						
English Language Learner	0%	30%	29%	27%	26%	24%
Free/Reduced Meal Eligible	0%	70%	70%	70%	70%	70%
Federal Poverty Level	0%	50%	50%	50%	50%	50%

Revenues

Revenue sources for charter schools come from federal and state governments and local private funding sources. State block grants provide the largest source of funding, constituting over 90% of charter school funding in California.¹³ Because of Rocketship San Francisco’s reliance on this single revenue source, we will constantly monitor all components associated with state revenue throughout the year as the funding estimates are refined and recalculated.

A Summary of the projected revenues for this year and the five projected years along with the percentage components of all revenues is shown on the following two charts.

Projected Revenues, By Source

	Year 0 2012-13 Startup Budget	Year 1 2013-14 Projected Budget	Year 2 2014-15 Projected Budget	Year 3 2015-16 Projected Budget	Year 4 2016-17 Projected Budget	Year 5 2017-18 Projected Budget
Summary of Revenue Programs						
State Sources	-	2,471,523	3,079,288	3,349,430	3,358,016	3,354,836
Federal Programs	150,000	546,164	447,014	321,826	323,380	324,950
Local Programs	-	436,835	74,478	85,800	85,800	85,800
Total Revenues	150,000	3,454,523	3,600,781	3,757,056	3,767,197	3,765,586

Projected Revenue Component Percentages

	Year 0 2012-13 Startup Budget	Year 1 2013-14 Projected Budget	Year 2 2014-15 Projected Budget	Year 3 2015-16 Projected Budget	Year 4 2016-17 Projected Budget	Year 5 2017-18 Projected Budget
Summary of Revenue Programs						
State Sources	0%	72%	86%	89%	89%	89%
Federal Programs	100%	16%	12%	9%	9%	9%
Local Programs	0%	13%	2%	2%	2%	2%
Total Revenues	100%	100%	100%	100%	100%	100%

¹³ This statistic assumes that in lieu tax payments are considered a source of state funds.

State Revenues

State Revenues are estimated based on specific program variables as identified below, with the majority of this funding dependent upon the annual state budget and the school’s student population.

Projected State Revenues

	Year 0 2012-13 Startup Budget	Year 1 2013-14 Projected Budget	Year 2 2014-15 Projected Budget	Year 3 2015-16 Projected Budget	Year 4 2016-17 Projected Budget	Year 5 2017-18 Projected Budget
State Programs						
Charter School General Purpose Block Grant Allocation	-	1,863,813	2,305,257	2,496,898	2,496,898	2,496,898
Charter School Categorical Block Grant Allocation	-	208,865	257,567	278,654	278,654	278,654
Economic Impact Aid	-	125,928	125,928	151,368	159,954	156,774
California Lottery	-	47,124	58,113	62,870	62,870	62,870
Special Education	-	-	-	-	-	-
Class Size Reduction	-	-	-	-	-	-
Supplemental Hourly Instruction	-	-	-	-	-	-
Facilities Reimbursement (SB 740)	-	225,792	332,424	359,640	359,640	359,640
Art & Music Block Grant	-	-	-	-	-	-
State Nutrition	-	-	-	-	-	-
Total State Programs	-	2,471,523	3,079,288	3,349,430	3,358,016	3,354,836

General Purpose Block Grant

The General Purpose Block Grant (GPBG) is the largest source of revenue for Rocketship San Francisco. The GPBG is calculated based on student ADA and provides a set amount, per pupil, per grade level grouping. GPBG provides different funding levels for different blocks of grade levels. Rocketship San Francisco students fall into two grouping for purposes of GPBG: K–3 and 4–6.

The majority of charter schools in California receive the same amount of funds for each student, as expressed in terms of ADA, based on the grade level of the student. These block grant funding amounts, as well as other state revenues for charter schools, are set annually by the State during the legislative process and are incorporated in the State budget each summer. Funding amounts are typically changed annually based on a Cost of Living Adjustment (COLA). Given the state of California’s economy, we have adopted a conservative scenario for our revenue calculations, using 0% for all years.

Based on the conservative COLAs adopted by Rocketship San Francisco, our projection for the General Purpose Block Grant is \$4667/ADA for Grades K–3 and \$4753/ADA for Grades 4–6 for all years. These rates are approximately \$400 less than the estimated P2 rates for 2010-11 which is an extremely conservative assumption.

Charter School Categorical Block Grant

Categorical funding per ADA is additional block grant funding based upon an annual State Budget funding allocation. The categorical block grant funding is in addition to the GPBG funding and is an accumulation of funding for each charter school student from multiple special purpose funds combined into one allocation. As with the GPBG, we project zero (0%) growth in funding for the next five years. The Categorical funding for Rocketship San Francisco includes a supplemental \$127/ADA amount for new charter schools that are not eligible for certain categorical programs including K-3 Class Size Reduction.

Economic Impact Aid

Economic Impact Aid Funding (EIA) is based on the poverty counts of pupils enrolled and minimum funding floors. Rocketship San Francisco’s eligible pupil count is projected to generate revenues well above the minimum funding floor. As over 50% of Rocketship San Francisco’s students are projected to be eligible for this funding, Rocketship San Francisco is also eligible for an EIA concentration bonus. The bonus calculation weights eligibility over 50% of enrollment by an additional 50%. For fiscal year 2013, Rocketship San Francisco will have a sum of 396 student equivalents for EIA because of our 30% ELL population and High Federal Poverty populations.

	Year 0 2012-13 Startup Budget	Year 1 2013-14 Projected Budget	Year 2 2014-15 Projected Budget	Year 3 2015-16 Projected Budget	Year 4 2016-17 Projected Budget	Year 5 2017-18 Projected Budget
Economic Impact Aid Student Counts						
PY Enrollment (A) (CY in year 1)		416	416	513	555	555
PY Economically Disadvantaged (EDD) (CY in year 1)		208	208	257	278	278
PY English Language Learners (ELL) (CY in year 1)		125	125	146	150	143
Bonus Concentration Factor (ED + ELL - A/2)/2		63	63	73	75	72
Total EIA Pupil Count		396	396	476	503	493

Lottery

Lottery funding is based upon recent estimates provided by School Services of California. We project a total per student allocation of approximately \$118 per year. Funding is based on annual ADA. This estimate will be updated at the First, Second, and Third Interim Reporting periods. Lottery funds are mainly allocated for general purpose use (Unrestricted Funds) with slightly over 10% of the funds restricted for instructional materials. Based on current economic conditions, we are budgeting for flat funding over the next five years, with the unrestricted portion amounting to \$103/ADA and the Prop-20 portion amounting to \$15/ADA.

Class Size Reduction and Additional Categorical Funding for New Schools

Based on the uncertainty with the eligibility of new charter schools for Class Size Reduction (CSR) funding, we have conservatively assumed zero CSR funding for Rocketship San Francisco. As mentioned above, we included additional funding for the categorical block grant associated with new schools not being eligible for K3CSR.

Facilities Reimbursement (SB 740)

The Charter School Facility Grant Program provides assistance with facilities rent and lease expenditures for charter schools that meet certain eligibility criteria. Eligible charter schools may receive reimbursement for facilities rent and lease costs in an amount of up to \$750 per unit of classroom-based average daily attendance (ADA), not to exceed 75 percent of their total annual facilities rent and lease costs. If there are insufficient funds to reimburse all eligible charter schools at the maximum level, the funding provided to each school will be reduced on a pro-rata basis.

To be eligible for reimbursement, a charter school site must be geographically located within the attendance area of a public elementary school in which at least 70 percent of the pupil enrollment is eligible for free or reduced-price meals, or serving a pupil population that meets or exceeds 70 percent eligibility for free and reduced-price meals.

Rocketship San Francisco has recognized Charter School Facilities Grant revenue, (SB 740) using a per pupil amount of \$675 which is conservative in light of the upward range of \$750 per ADA.

Federal Revenues

As a direct-funded charter school, Rocketship San Francisco will apply for federal funds directly through the Consolidated Application process. Federal revenues will be updated when a Federal entitlement notification is received. Rocketship San Francisco is aware that there are significant compliance features associated with federal funding. All federal program funding rates are conservatively projected to increase at the following rates:

	2012-13 Startup Budget	2013-14 Projected Budget	2014-15 Projected Budget	2015-16 Projected Budget	2016-17 Projected Budget	2017-18 Projected Budget
Annual Federal Funding Increases	0.0%	0.0%	1.0%	1.0%	1.0%	1.0%

Title I

Title I funding is based upon a formula for students qualifying for free and/or reduced meals. The amount per student is typically \$400–\$1,000 base. We conservatively project \$408 per identified pupil in 2013, with increases based on the funding schedule above.

Free and Reduced-Price Meal Eligibility

The federally funded National School Lunch Program provides free and reduced-price meals for lunch (and breakfast) to eligible students, based on parent/guardian income levels. For this budget, we assume that 70%, of our students will be eligible to receive federal funding per meal per day for free and reduced-price meals. For operational purposes, we project that 80% of all students receive lunch and only 6% breakfast, based on historical percentages. Rocketship San Francisco does not offer afternoon snack service. Additional receipts from paid student meals are included in the budget as local revenue. Food expenses for this program are shown under Books and Supplies; serving expenses are included in Classified Salaries and Benefits.

Other Federal Programs

Title II –Teacher Quality.

Participation: Yes or No or TBA based on further review

Title III –Limited English Proficiency

Participation: Yes or No or TBA based on further review

Title IV – Safe and Drug Free Schools – based upon eligibility criteria of Title I.

Participation: Yes or No or TBA based on further review

Summary Revenues per Enrollee

For the six year period through 2017-18, the projected Revenues per student enrolled at Rocketship San Francisco is shown below.

	Year 0 2012-13 Startup Budget	Year 1 2013-14 Projected Budget	Year 2 2014-15 Projected Budget	Year 3 2015-16 Projected Budget	Year 4 2016-17 Projected Budget	Year 5 2017-18 Projected Budget
Summary of Revenue Programs						
State Sources Per Enrollee	N/A	5,941	6,003	6,035	6,050	6,045
Federal Programs Per Enrollee	N/A	1,313	871	580	583	585
Local Programs Per Enrollee	N/A	1,050	145	155	155	155
Total Revenues Per Enrollee	N/A	8,304	7,019	6,769	6,788	6,785

Expenditures

Summary of Projected Expenditures

The projected expenditures through 2017-18 are shown below and are followed by the percentage distribution of costs by major expenditure item.

	Year 0 2012-13 Startup Budget	Year 1 2013-14 Projected Budget	Year 2 2014-15 Projected Budget	Year 3 2015-16 Projected Budget	Year 4 2016-17 Projected Budget	Year 5 2017-18 Projected Budget
Summary of Expenditures						
Certificated Salaries	-	1,018,200	1,202,200	1,266,000	1,266,000	1,266,000
Classified Salaries	29,040	206,380	206,380	257,680	257,680	257,680
Employee Benefits	7,349	282,706	325,424	346,551	346,551	346,551
Books & Supplies	3,950	510,673	342,404	356,750	344,700	344,700
Services & Operational Expenses	37,780	1,320,211	1,343,842	1,389,603	1,392,808	1,390,061
Capital Outlay	-	-	-	-	-	-
Other Outgo	1,771	54,787	53,774	53,656	51,582	49,505
Total Expenditures	79,890	3,392,958	3,474,023	3,670,239	3,659,321	3,654,496

Summary of All Expenditures by Relative Percentage

	Year 0 2012-13 Startup Budget	Year 1 2013-14 Projected Budget	Year 2 2014-15 Projected Budget	Year 3 2015-16 Projected Budget	Year 4 2016-17 Projected Budget	Year 5 2017-18 Projected Budget
Percentage of Expenditures						
Certificated Salaries	0%	30%	35%	34%	35%	35%
Classified Salaries	36%	6%	6%	7%	7%	7%
Employee Benefits	9%	8%	9%	9%	9%	9%
Subtotal, Compensation	46%	44%	50%	51%	51%	51%
Books & Supplies	5%	15%	10%	10%	9%	9%
Services & Operational Expenses	47%	39%	39%	38%	38%	38%
Capital Outlay	0%	0%	0%	0%	0%	0%
Other Outgo	2%	2%	2%	1%	1%	1%
Total Expenditures	100%	100%	100%	100%	100%	100%

Salaries and Employee Benefits

Total personnel costs (salary and benefits) remain relatively constant at roughly half of total expenditures after the continued development of the school to 16 teachers at full enrollment. Rocketship San Francisco’s average class size is 26 students throughout the school. Rocketship staffing is more efficient than traditional elementary schools while maintaining these ratios, resulting in significant savings in salaries and benefits. This is because students have five hours of classroom instruction per day, while teachers typically teach between six and eight hours per day. Learning Lab is provided as an Intervention program and Learning Lab minutes do not factor into annual instructional minutes calculations.

“Compensation” includes the salary costs of all staff, including those who work full-time and part-time. Compensation also incorporates all staff benefits including Social Security, state teachers’ retirement, unemployment insurance, Medicare, workers’ compensation, and 403b match.

Teacher Staffing

Rocketship San Francisco teacher staffing levels are based upon enrollment projections. At full enrollment, Students in grades Kindergarten and Grade One will be in classes of 30 and 28, respectively. Grades Two through Five will have class sizes of 24. In a traditional elementary school, if a teacher’s homeroom class is receiving services from another teacher, the homeroom teacher does not instruct another class of students. Because Rocketship San Francisco teachers are specialized in a subject area, they are able to teach more than one class of students each day, similar to middle and high school teachers. With four Kindergarten classes, one class will be in Learning Lab, two in Literacy and one in Math at any given time of the day. This allows Rocketship to hire three Kindergarten teachers whereas traditional elementary schools must hire four.

Projected Classroom Teacher Compensation

Teachers will be paid according to the Rocketship San Francisco pay scale, as developed by Rocketship San Francisco’s Leadership Team, and approved by the Governing Board. Teacher pay is based on the surrounding district teacher pay scale for teachers with similar years of

experience. The weighted average Teacher Compensation costs for the six year period are shown below:

	Year 0 2012-13 Startup Budget	Year 1 2013-14 Projected Budget	Year 2 2014-15 Projected Budget	Year 3 2015-16 Projected Budget	Year 4 2016-17 Projected Budget	Year 5 2017-18 Projected Budget
Teacher Compensation						
Weighted Average Teacher Salaries	N/A	59,767	58,080	58,438	58,438	58,438

School Administrator Salary Cost

Certificated Management Staff include the School’s Principal, Assistant Principal and Academic Dean. These individuals will be active mentors to the staff. Each position is 1 FTE.

The projected annual salaries integrating the projected FTE and the annual salaries for the six year period follow.

Total Certificated Annual Salary Projection

	Year 0 2012-13 Startup Budget	Year 1 2013-14 Projected Budget	Year 2 2014-15 Projected Budget	Year 3 2015-16 Projected Budget	Year 4 2016-17 Projected Budget	Year 5 2017-18 Projected Budget
CERTIFICATED SALARIES						
Certificated Teacher Salaries						
Teachers	0	652,000	792,000	850,000	850,000	850,000
Bonuses	0	65,200	79,200	85,000	85,000	85,000
Total Teacher Salaries	0	717,200	871,200	935,000	935,000	935,000
Other Certificated Salaries						
Academic Dean	0	80,000	85,000	85,000	85,000	85,000
Principal	0	100,000	120,000	120,000	120,000	120,000
Assistant Principal	0	85,000	85,000	85,000	85,000	85,000
Bonuses	0	36,000	41,000	41,000	41,000	41,000
Total Other Certificated Salaries	0	301,000	331,000	331,000	331,000	331,000
Total Certificated Salaries	0	1,018,200	1,202,200	1,266,000	1,266,000	1,266,000

Classified Salary Costs

Classified (non-certificated) employees include the Office Manager, Food Service Workers and Instructional Aids. The Classified Salary costs are as follows.

	Year 0 2012-13 Startup Budget	Year 1 2013-14 Projected Budget	Year 2 2014-15 Projected Budget	Year 3 2015-16 Projected Budget	Year 4 2016-17 Projected Budget	Year 5 2017-18 Projected Budget
CLASSIFIED SALARIES						
Office Manager	26,400	52,800	52,800	52,800	52,800	52,800
Other (Lunch Staff, Instructional Aids, etc)	0	139,800	139,800	191,100	191,100	191,100
Bonuses	2,640	13,780	13,780	13,780	13,780	13,780
Total Classified Salaries	29,040	206,380	206,380	257,680	257,680	257,680

Employee Benefits

	Year 0 2012-13 Startup Budget	Year 1 2013-14 Projected Budget	Year 2 2014-15 Projected Budget	Year 3 2015-16 Projected Budget	Year 4 2016-17 Projected Budget	Year 5 2017-18 Projected Budget
Retirement Options						
State Teachers Retirement (STRS)	-	75,653	89,265	94,050	94,050	94,050
Social Security	1,800	12,796	12,796	15,976	15,976	15,976
Other Classified Retirement	871	6,377	6,385	8,056	8,056	8,056
Total Retirement Costs	2,672	94,825	108,446	118,082	118,082	118,082
Other Mandatory Benefits						
Medicare	363	19,738	22,791	24,740	24,740	24,740
State Unemployment	250	11,750	13,250	13,750	13,750	13,750
Worker's Compensation (WC)	465	19,593	22,537	24,379	24,379	24,379
Total Mandatory Benefit Costs	1,078	51,082	58,578	62,868	62,868	62,868
Health Benefits						
Health/Dental/Vision Combined	3,600	136,800	158,400	165,600	165,600	165,600
Life Insurance	-	-	-	-	-	-
Disability Insurance	-	-	-	-	-	-
Total Health Benefit Costs	3,600	136,800	158,400	165,600	165,600	165,600
Total Benefit Costs	7,349	282,706	325,424	346,551	346,551	346,551

The above table lists the total projected annual employer costs for all employee benefits, on a year-by-year basis. Within employee benefits, most benefits are statutory and are determined by either state or federal mandate and are based on current rate factors. Statutory benefits are cost factors applied to the salary factor. These benefits differ by type of employee: certificated and classified and by the period of time they work: full-time, part-time and hourly. Rocketship San Francisco's employees participate in State Teachers' Retirement, Social Security, Medicare, State Unemployment, Workers' Compensation, Disability, and Life Insurance programs. For a full-time certificated employee, the State Teachers' Retirement System¹⁴ employer contribution factor is 8.25%¹⁵. Other Employee Benefits include health care insurance to employees who work at least 0.75 FTE.

¹⁴ Teachers in STRS do not traditionally participate in Social Security.

¹⁵ In 2005, the Governor attempted to raise the cost factor to 10.25%; this effort was unsuccessful and thus the current 8.25% rate is maintained throughout the five year period.

Books and Supplies

	Year 0 2012-13 Startup Budget	Year 1 2013-14 Projected Budget	Year 2 2014-15 Projected Budget	Year 3 2015-16 Projected Budget	Year 4 2016-17 Projected Budget	Year 5 2017-18 Projected Budget
Approved Textbooks and Core Curricula	1,950	124,813	12,250	10,750	10,000	10,000
Books and Other Reference Materials	-	123,800	30,800	25,400	15,000	15,000
Materials and Supplies	2,000	47,280	46,960	49,400	48,500	48,500
Non-Capitalized Equipment	-	49,200	56,400	60,000	60,000	60,000
Food	-	165,581	195,994	211,200	211,200	211,200
Total Books and Supplies	3,950	510,673	342,404	356,750	344,700	344,700

Rocketship San Francisco will pay for Books and Supplies from the Block Grant funds that will be allocated to Rocketship San Francisco annually. Many of the cost projections are based upon a per pupil allotment, such as Textbooks and Instructional Supplies. Given Rocketship San Francisco’s purchases during its first three years of operations, ongoing textbook purchases will be limited. All categories of books and supplies carry forward with small annual increases pegged to the student enrollment count.

Approximately \$2.50 per student per day is budgeted for food service costs from a third party vendor with an estimated annual cost ranging from \$165,000 in 2012-13 to over \$210,000 in 2017-18.

Services and Operational Expenses

	Year 0 2012-13 Startup Budget	Year 1 2013-14 Projected Budget	Year 2 2014-15 Projected Budget	Year 3 2015-16 Projected Budget	Year 4 2016-17 Projected Budget	Year 5 2017-18 Projected Budget
Travel & Conferences	3,280	3,280	600	600	600	600
Dues and Memberships	0	1,499	1,775	1,913	1,913	1,913
Insurance	0	20,384	24,128	26,000	26,000	26,000
Total Operating and Housekeeping	0	36,667	43,333	43,333	43,333	43,333
Rentals, Leases, and Repairs	0	668,888	663,810	685,691	687,472	685,946
Professional/Consulting Services and Operational						
Accounting & Audit Services	0	8,000	8,000	8,000	8,000	8,000
Board Development	0	1,500	1,500	1,500	1,500	1,500
District Financial Oversight Fee	0	21,420	25,053	27,172	27,261	27,185
Fingerprinting / TB Testing	0	1,960	2,320	2,500	2,500	2,500
Legal Services	2,500	1,000	1,000	1,000	1,000	1,000
Substitutes	0	24,000	30,000	32,000	32,000	32,000
Assessment Team	0	20,000	20,000	20,000	20,000	20,000
Student Recruitment	2,000	0	0	0	0	0
Field Trips	0	6,000	6,000	6,000	6,000	6,000
Physical Education Program	0	0	0	0	0	0
Postage & Shipping (nonacademic)	0	1,250	1,479	1,594	1,594	1,594
Printing and Reproduction (nonacademic)	0	3,749	4,437	4,781	4,781	4,781
Professional Development	0	8,400	10,500	11,200	11,200	11,200
Rocketship Education Licensing Fee	6,000	126,111	124,429	128,805	96,871	96,642
Rocketship Education Management Fee	24,000	346,805	342,179	354,214	387,483	386,567
Staff Recruitment	0	14,000	28,000	28,000	28,000	28,000
Technology Consultants	0	5,000	5,000	5,000	5,000	5,000
Total Professional/Consulting Services and Operational	34,500	589,194	609,896	631,766	633,190	631,969
Communications (Internet and Telephone)	0	300	300	300	300	300
Total Services & Operational Expenses	37,780	1,320,211	1,343,842	1,389,603	1,392,808	1,390,061

Expenses in this section are primarily based on preliminary negotiations with prospective service providers. Many of these items are self-explanatory. We make note of items below as needed to explain our budgeting assumptions.

Insurance

Comprehensive insurance based on historical amounts from Rocketship's operational schools.

The Rocketship Education Management Fee

As discussed in the charter petition, this pays for central office personnel to provide necessary operational and academic services to the school. Rocketship Education Management Services fee is 15% of the total school revenues.

Professional Development

Professional development includes both certification costs and costs for other professional development of administrators, teachers, and staff. It has been budgeted on a per new staff member basis of approximately \$1,500 per year with an annual COLA adjustment.

District Financial Oversight Fee

This oversight fee, paid to the school district or other authorizer is set by law at actual costs of the oversight up to 1% of the general purpose entitlement and categorical block grant revenues of Rocketship San Francisco.

Staff Recruitment

Fees paid primarily to Teach for America, RISE and Edjoin.

Substitute Teacher Costs

Teacher Substitute Provisions are included for both projected sick and personal leave as well as for professional staff development leave. Ten days per year per teacher FTE are projected for sick and personal leave.

Other Outgo and Transfers

This budget is based on having received a low-interest rate working capital loan of \$250,000 from the CDE Charter School Revolving Loan fund in year 1. It also includes interest payments associated with a line of credit negotiated with a regional bank to provide liquidity in the face of state payment deferrals. Finally, it also includes a contingency line-item that represents 1% of revenues. The contingency is an additional conservative assumption to ensure that Rocketship San Francisco will have the resources necessary to ensure the strong academic performance of its students.

Starting Fund Balance

Rocketship San Francisco's 2012-13 starting fund balance includes a startup grant for \$125,000 from a private foundation.

Ending Fund Balance

No state authoritative body has determined how recommended reserve levels should be set for charter schools. Rocketship San Francisco's goal will be to maintain a minimum of 5% of current expenditures each year as its Fund Balance Reserve for Economic Uncertainty. The projected reserves will be monitored constantly and adjusted and refined as decisions and updates are provided relative to state funding amounts as well as when refinements or updates are made to the projected spending plan for the School. As can be seen, Rocketship San Francisco maintains a positive net Ending Fund Balance Reserve.

	Year 0 2012-13 Startup Budget	Year 1 2013-14 Projected Budget	Year 2 2014-15 Projected Budget	Year 3 2015-16 Projected Budget	Year 4 2016-17 Projected Budget	Year 5 2017-18 Projected Budget
A. Revenues						
State Sources	-	2,471,523	3,079,288	3,349,430	3,358,016	3,354,836
Federal Programs	150,000	546,164	447,014	321,826	323,380	324,950
Local Programs	-	436,835	74,478	85,800	85,800	85,800
Total Revenues	150,000	3,454,523	3,600,781	3,757,056	3,767,197	3,765,586
B. Expenditures						
Certificated Salaries	-	1,018,200	1,202,200	1,266,000	1,266,000	1,266,000
Classified Salaries	29,040	206,380	206,380	257,680	257,680	257,680
Employee Benefits	7,349	282,706	325,424	346,551	346,551	346,551
Books & Supplies	3,950	510,673	342,404	356,750	344,700	344,700
Services & Operational Expenses	37,780	1,320,211	1,343,842	1,389,603	1,392,808	1,390,061
Capital Outlay	-	-	-	-	-	-
Other Outgo	1,771	54,787	53,774	53,656	51,582	49,505
Total Expenditures	79,890	3,392,958	3,474,023	3,670,239	3,659,321	3,654,496
Net Operations	70,110	61,565	126,758	86,817	107,876	111,090
Beginning Balance	125,000	195,110	256,674	383,432	470,249	578,125
Ending Balance	195,110	256,674	383,432	470,249	578,125	689,215
Reserve Balance (% of Expenditures)	244%	8%	11%	13%	16%	19%

Cash Flow

Starting Cash Balance

Rocketship San Francisco's starting cash balance consists of the net income from the \$125,000 grant in 2011-12 and a \$250,000 startup loan from Rocketship Education.

Revenues

Because revenues are lumpy and primarily from a single source, correctly projecting cash flow is far more important than the budget for a charter school's financial health. The greatest cash flow challenge is correctly predicting the flow of federal and state revenue sources. California law identifies the percentage of a School's Block Grant funds to be paid at specified dates. This schedule is subject to legislative and regulatory change. Receipts of revenue per month were assumed to take place according to the following schedule:

First Year of Operations

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
State Aid NEW Schedule - 2010+	1.24%	0.00%	9.00%	14.00%	5.24%	12.76%	12.76%	1.47%	9.00%	6.45%	5.24%	0.00%	16.53%	6.32%
State Aid NEW Schedule (Expansion)- 201	0.00%	0.00%	0.00%	37.00%	0.00%	18.00%	0.00%	1.47%	9.00%	6.45%	5.24%	0.00%	16.53%	6.32%
LPT	0.00%	0.00%	0.00%	26.00%	8.00%	8.00%	8.00%	8.00%	14.00%	7.00%	7.00%	7.00%	7.00%	0.00%
Lottery	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
CSR	0.00%	0.00%	0.00%	0.00%	0.00%	75.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	25.00%
SB 740	0.00%	0.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	25.00%	0.00%	0.00%	25.00%	0.00%	0.00%
Fed Titles	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	40.00%	0.00%	0.00%	40.00%	0.00%	0.00%	20.00%	0.00%

Second Year of Operation & Thereafter

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
State Aid NEW Schedule - 2010+	1.24%	0.00%	9.00%	14.00%	5.24%	12.76%	12.76%	1.47%	9.00%	6.45%	5.24%	0.00%	16.53%	6.32%
State Aid NEW Schedule (Expansion)- 201	0.00%	0.00%	0.00%	37.00%	0.00%	18.00%	0.00%	1.47%	9.00%	6.45%	5.24%	0.00%	16.53%	6.32%
LPT	0.00%	0.00%	0.00%	8.00%	8.00%	8.00%	8.00%	8.00%	14.00%	7.00%	7.00%	7.00%	7.00%	0.00%
Lottery	0.00%	0.00%	0.00%	0.00%	0.00%	25.00%	0.00%	0.00%	25.00%	0.00%	0.00%	25.00%	25.00%	0.00%
CSR	0.00%	0.00%	0.00%	0.00%	0.00%	75.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	25.00%
SB 740	0.00%	0.00%	0.00%	0.00%	0.00%	50.00%	0.00%	0.00%	25.00%	0.00%	0.00%	25.00%	0.00%	0.00%
Fed Titles	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	40.00%	0.00%	0.00%	40.00%	0.00%	0.00%	20.00%	0.00%

General Purpose Block Grant

A Charter School's Block Grant funding comes from a combination of two sources: In Lieu Property Taxes and State Aid. Amounts from these two sources flow to the Charter School monthly throughout the school year. The district where the school is located pays the Charter School an In Lieu Property Tax amount per (ADA) on or before the 15th of each month. State Aid is due from the state on or before the end of the month. In Lieu Property Taxes are paid over a twelve month period from August through July. State aid is paid monthly from July to June, except that a number of payments are deferred until the next fiscal year because of state funding constraints.

Categorical Block Grant and Economic Impact Aid

A Charter School's Categorical Block Grant Funds and its Economic Impact Aid funding schedule follow the schedule for the General Purpose Block Grant. However, funding is made solely based on the State Aid schedule, because no property taxes contribute to these programs. Changes are happening on categorical funding outside of the funding cycle based on the current state budget revisions. We have captured the current projections and will continue to monitor the changes and apply them to the Rocketship San Francisco budget & cash flow projections.

California Lottery

State Lottery Revenues are paid according to the prior year's ADA, paid quarterly beginning in December.

Title I Funding

We project that Title I payments will be made in January (40% of total), April (40%), and July (20%).

Loan Proceeds and Repayment of Debt Principal

Rocketship San Francisco will pay down its \$250,000 balance on its loan from the California Department of Education ("CDE") Charter School Revolving Loan program over the next five years.

Expenditures

Rocketship San Francisco's cost structure is primarily staff compensation and facilities related expenses which are generally paid evenly throughout the year, with the exception of staff bonuses which are paid out in June. For other expenses, Rocketship San Francisco generally has proportionally greater expenses in the first several months of the school year. The State Revolving Loan will have annual debt service payments. This debt service is deducted from the School's State Aid Apportionment for those months.

Cash Flow Summary

2012-13	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Beginning Cash Balance	375,000	371,523	368,045	364,568	360,795	357,022	353,249	343,963	334,677	325,391	316,400	307,409
Operating Receipts	0	0	0	0	0	0	0	0	0	0	0	150,000
Operating Disbursements	3,478	3,478	3,478	3,773	3,773	3,773	9,286	9,286	9,286	8,991	8,991	12,299
Financing Cash Flow	0	0	0	0	0	0	0	0	0	0	0	250,000
Change in Cash	(3,478)	(3,478)	(3,478)	(3,773)	(3,773)	(3,773)	(9,286)	(9,286)	(9,286)	(8,991)	(8,991)	387,701
Ending Cash Balance	371,523	368,045	364,568	360,795	357,022	353,249	343,963	334,677	325,391	316,400	307,409	695,110
2013-14	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Beginning Cash Balance	695,110	398,443	97,636	383,144	836,865	624,755	910,904	769,585	568,212	659,506	613,827	499,345
Operating Receipts	4,140	0	486,315	726,600	60,768	559,027	131,559	71,505	364,172	209,735	140,932	171,889
Operating Disbursements	300,807	300,807	300,807	264,545	264,545	264,545	264,545	264,545	264,545	255,414	255,414	392,440
Financing Cash Flow	0	0	100,000	(8,333)	(8,333)	(8,333)	(8,333)	(8,333)	(8,333)	0	0	0
Change in Cash	(296,667)	(300,807)	285,508	453,722	(212,110)	286,149	(141,319)	(201,373)	91,294	(45,679)	(114,482)	(220,551)
Ending Cash Balance	398,443	97,636	383,144	836,865	624,755	910,904	769,585	568,212	659,506	613,827	499,345	278,794
2014-15	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Beginning Cash Balance	278,794	382,268	239,227	251,516	329,547	202,253	516,677	622,544	407,074	523,838	495,529	382,073
Operating Receipts	388,495	141,980	297,309	380,347	175,023	616,740	408,183	86,846	419,081	256,712	171,565	184,009
Operating Disbursements	285,021	285,021	285,021	293,983	293,983	293,983	293,983	293,983	293,983	285,021	285,021	285,021
Financing Cash Flow	0	0	0	(8,333)	(8,333)	(8,333)	(8,333)	(8,333)	(8,333)	0	0	0
Change in Cash	103,474	(143,041)	12,288	78,031	(127,294)	314,424	105,867	(215,470)	116,764	(28,309)	(113,456)	(101,012)
Ending Cash Balance	382,268	239,227	251,516	329,547	202,253	516,677	622,544	407,074	523,838	495,529	382,073	281,061
2015-16	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Beginning Cash Balance	281,061	465,597	334,701	316,558	412,266	284,296	543,980	670,297	446,270	542,458	521,061	406,622
Operating Receipts	485,918	170,486	283,239	414,366	190,688	578,342	444,975	94,630	414,846	279,985	186,943	158,914
Operating Disbursements	301,382	301,382	301,382	310,325	310,325	310,325	310,325	310,325	310,325	301,382	301,382	301,382
Financing Cash Flow	0	0	0	(8,333)	(8,333)	(8,333)	(8,333)	(8,333)	(8,333)	0	0	0
Change in Cash	184,536	(130,896)	(18,143)	95,708	(127,970)	259,684	126,317	(224,028)	96,188	(21,397)	(114,439)	(142,468)
Ending Cash Balance	465,597	334,701	316,558	412,266	284,296	543,980	670,297	446,270	542,458	521,061	406,622	264,154

2012 – 2013 Cash Flow

	Jul 2011	Aug 2011	Sep 2011	Oct 2011	Nov 2011	Dec 2011	Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	Total 2010-11	Receivables
Beginning Cash Balance	375,000	371,523	368,045	364,568	360,795	357,022	353,249	343,963	334,677	325,391	316,400	307,409	375,000	
REVENUES														
State Programs														
Charter School General Purpose Block (-	-	-	-	-	-	-	-	-	-	-	-	-	-
State Aid	-	-	-	-	-	-	-	-	-	-	-	-	-	-
In Lieu of Property Taxes	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Charter School Categorical Block Grant	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Economic Impact Aid	-	-	-	-	-	-	-	-	-	-	-	-	-	-
California Lottery	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total State Programs	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other State Programs														
Facilities Reimbursement (SB 740)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
State Nutrition	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Other State Programs	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Federal Programs														
Title I - Compensatory Education	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Free and Reduced Meal Program	-	-	-	-	-	-	-	-	-	-	-	-	-	-
PCSGP (Title Vb Start-up / Implementa	-	-	-	-	-	-	-	-	-	-	-	150,000	150,000	-
Other Federal Programs (Identify)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Federal Programs	-	-	-	-	-	-	-	-	-	-	-	150,000	150,000	-
Local Programs														
Interest	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Local Revenue	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Local Grants	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Local Programs	-	-	-	-	-	-	-	-	-	-	-	-	-	-
PY Receivables	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL REVENUES	-	-	-	-	-	-	-	-	-	-	-	150,000	150,000	-
EXPENSES														
Certificated Salaries	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Classified Salaries	-	-	-	-	-	-	4,400	4,400	4,400	4,400	4,400	7,040	29,040	-
Employee Benefits	-	-	-	-	-	-	1,114	1,114	1,114	1,114	1,114	1,782	7,349	-
Books & Supplies	329	329	329	329	329	329	329	329	329	329	329	329	3,950	-
Services & Operational Expenses	3,148	3,148	3,148	3,148	3,148	3,148	3,148	3,148	3,148	3,148	3,148	3,148	37,780	-
Capital Outlay	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Outgo	-	-	-	295	295	295	295	295	295	-	-	-	1,771	-
TOTAL EXPENSES	3,478	3,478	3,478	3,773	3,773	3,773	9,286	9,286	9,286	8,991	8,991	12,299	79,890	-
OTHER FINANCING SOURCES/USES														
Changes in Financing	-	-	-	-	-	-	-	-	-	-	-	250,000	250,000	-
Total Financing Cash Flow	-	-	-	-	-	-	-	-	-	-	-	250,000	250,000	-
Cumulative Cash Position	371,523	368,045	364,568	360,795	357,022	353,249	343,963	334,677	325,391	316,400	307,409	695,110		

2013 – 2014 Cash Flow

	Jul 2012	Aug 2012	Sep 2012	Oct 2012	Nov 2012	Dec 2012	Jan 2013	Feb 2013	Mar 2013	Apr 2013	May 2013	Jun 2013	Total 2011-12
Beginning Cash Balance	695,110	398,443	97,636	383,144	836,865	624,755	910,904	769,585	568,212	659,506	613,827	499,345	695,110
REVENUES													
State Programs													
Charter School General Purpose Block C	-	-	-	658,858	22,366	307,529	22,366	45,703	181,722	121,691	102,529	19,570	1,482,334
State Aid	-	-	-	586,169	-	285,163	-	23,337	142,582	102,121	82,959	-	1,222,332
In Lieu of Property Taxes	-	-	-	72,689	22,366	22,366	22,366	22,366	39,140	19,570	19,570	19,570	260,002
Charter School Categorical Block Grant	2,583	-	18,798	29,241	10,937	26,658	26,658	3,077	18,798	13,464	10,937	-	161,151
Economic Impact Aid	1,557	-	11,334	17,630	6,594	16,073	16,073	1,855	11,334	8,117	6,594	-	97,161
California Lottery	-	-	-	-	-	-	-	-	-	-	-	-	-
Total State Programs	4,140	-	30,131	705,729	39,897	350,260	65,097	50,635	211,853	143,272	120,061	19,570	1,740,646
Other State Programs													
Facilities Reimbursement (SB 740)	-	-	-	-	-	112,896	-	-	56,448	-	-	56,448	225,792
Art & Music Block Grant	-	-	-	-	-	-	-	-	-	-	-	-	-
State Nutrition	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Other State Programs	-	-	-	-	-	112,896	-	-	56,448	-	-	56,448	225,792
Federal Programs													
Title I - Compensatory Education	-	-	-	-	-	-	45,592	-	-	45,592	-	-	91,183
Free and Reduced Meal Program	-	-	-	14,687	14,687	14,687	14,687	14,687	14,687	14,687	14,687	14,687	132,186
PCSGP (Title Vb Start-up / Implementa	-	-	75,000	-	-	75,000	-	-	75,000	-	-	75,000	300,000
Other Federal Programs (Identify)	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Federal Programs	-	-	75,000	14,687	14,687	89,687	60,279	14,687	89,687	60,279	14,687	89,687	523,369
Local Programs													
Other Local Revenue	-	-	6,184	6,184	6,184	6,184	6,184	6,184	6,184	6,184	6,184	6,184	61,835
Other Local Grants	-	-	375,000	-	-	-	-	-	-	-	-	-	375,000
Total Local Programs	-	-	381,184	6,184	436,835								
PY Receivables	-												
TOTAL REVENUES	4,140	-	486,315	726,600	60,768	559,027	131,559	71,505	364,172	209,735	140,932	171,889	2,926,642
EXPENSES													
Certificated Salaries	77,136	77,136	77,136	77,136	77,136	77,136	77,136	77,136	77,136	77,136	77,136	169,700	1,018,200
Classified Salaries	15,635	15,635	15,635	15,635	15,635	15,635	15,635	15,635	15,635	15,635	15,635	34,397	206,380
Employee Benefits	21,417	21,417	21,417	21,417	21,417	21,417	21,417	21,417	21,417	21,417	21,417	47,118	282,706
Books & Supplies	76,601	76,601	76,601	31,208	31,208	31,208	31,208	31,208	31,208	31,208	31,208	31,208	510,673
Services & Operational Expenses	110,018	110,018	110,018	110,018	110,018	110,018	110,018	110,018	110,018	110,018	110,018	110,018	1,320,211
Capital Outlay	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Outgo	-	-	-	9,131	9,131	9,131	9,131	9,131	9,131	-	-	-	54,787
TOTAL EXPENSES	300,807	300,807	300,807	264,545	264,545	264,545	264,545	264,545	264,545	255,414	255,414	392,440	3,392,958
OTHER FINANCING SOURCES/USES													
Changes in Financing	-	-	100,000	(8,333)	(8,333)	(8,333)	(8,333)	(8,333)	(8,333)	-	-	-	50,000
Total Financing Cash Flow	-	-	100,000	(8,333)	(8,333)	(8,333)	(8,333)	(8,333)	(8,333)	-	-	-	100,000
Cumulative Cash Position	398,443	97,636	383,144	836,865	624,755	910,904	769,585	568,212	659,506	613,827	499,345	278,794	

2014-2015 Cash Flow

	Jul 2013	Aug 2013	Sep 2013	Oct 2013	Nov 2013	Dec 2013	Jan 2014	Feb 2014	Mar 2014	Apr 2014	May 2014	Jun 2014	Total 2012-13
Beginning Cash Balance	278,794	382,268	239,227	251,516	329,547	202,253	516,677	622,544	407,074	523,838	495,529	382,073	278,794
REVENUES													
State Programs													
Charter School General Purpose Block (24,230	20,747	217,847	301,989	130,271	277,759	277,759	56,528	224,763	150,514	126,814	24,205	1,833,425
State Aid	24,230	-	176,352	274,326	102,608	250,096	250,096	28,865	176,352	126,309	102,608	-	1,511,841
In Lieu of Property Taxes	-	20,747	41,495	27,663	27,663	27,663	27,663	27,663	48,410	24,205	24,205	24,205	321,583
Charter School Categorical Block Grant	3,185	-	23,181	36,059	13,488	32,874	32,874	3,794	23,181	16,603	13,488	-	198,728
Economic Impact Aid	1,557	-	11,334	17,630	6,594	16,073	16,073	1,855	11,334	8,117	6,594	-	97,161
California Lottery	-	-	-	-	-	14,528	-	-	14,528	-	-	14,528	43,584
Total State Programs	28,972	20,747	252,361	355,678	150,353	341,234	326,706	62,177	273,805	175,234	146,895	38,733	2,172,897
Other State Programs													
Facilities Reimbursement (SB 740)	-	-	-	-	-	166,212	-	-	83,106	-	-	83,106	332,424
State Nutrition	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Other State Programs	-	-	-	-	-	166,212	-	-	83,106	-	-	83,106	332,424
Federal Programs													
Title I - Compensatory Education	-	-	-	-	-	-	56,808	-	-	56,808	-	-	113,615
Free and Reduced Meal Program	-	-	-	17,222	17,222	17,222	17,222	17,222	17,222	17,222	17,222	17,222	154,995
PCSGP (Title Vb Start-up / Implementa	-	-	37,500	-	-	37,500	-	-	37,500	-	-	37,500	150,000
Other Federal Programs (Identify)	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Federal Programs	-	-	37,500	17,222	17,222	54,722	74,029	17,222	54,722	74,029	17,222	54,722	418,611
Local Programs													
Other Local Revenue	-	-	7,448	7,448	7,448	7,448	7,448	7,448	7,448	7,448	7,448	7,448	74,478
Other Local Grants	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Local Programs	-	-	7,448	74,478									
PY Receivables	359,523	121,233	-	-	-	47,124	-	-	-	-	-	-	527,880
TOTAL REVENUES	388,495	141,980	297,309	380,347	175,023	616,740	408,183	86,846	419,081	256,712	171,565	184,009	2,998,410
EXPENSES													
Certificated Salaries	100,183	100,183	100,183	100,183	100,183	100,183	100,183	100,183	100,183	100,183	100,183	100,183	1,202,200
Classified Salaries	17,198	17,198	17,198	17,198	17,198	17,198	17,198	17,198	17,198	17,198	17,198	17,198	206,380
Employee Benefits	27,119	27,119	27,119	27,119	27,119	27,119	27,119	27,119	27,119	27,119	27,119	27,119	325,424
Books & Supplies	28,534	28,534	28,534	28,534	28,534	28,534	28,534	28,534	28,534	28,534	28,534	28,534	342,404
Services & Operational Expenses	111,987	111,987	111,987	111,987	111,987	111,987	111,987	111,987	111,987	111,987	111,987	111,987	1,343,842
Capital Outlay	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Outgo	-	-	-	8,962	8,962	8,962	8,962	8,962	8,962	-	-	-	53,774
TOTAL EXPENSES	285,021	285,021	285,021	293,983	293,983	293,983	293,983	293,983	293,983	285,021	285,021	285,021	3,474,023
OTHER FINANCING SOURCES/USES													
Changes in Financing	-	-	-	(8,333)	(8,333)	(8,333)	(8,333)	(8,333)	(8,333)	-	-	-	(50,000)
Total Financing Cash Flow	-	-	-	(8,333)	(8,333)	(8,333)	(8,333)	(8,333)	(8,333)	-	-	-	(50,000)
Cumulative Cash Position	382,268	239,227	251,516	329,547	202,253	516,677	622,544	407,074	523,838	495,529	382,073	281,061	

2015 -2016 Cash Flow

	Jul 2014	Aug 2014	Sep 2014	Oct 2014	Nov 2014	Dec 2014	Jan 2015	Feb 2015	Mar 2015	Apr 2015	May 2015	Jun 2015	Total 2013-14
Beginning Cash Balance	281,061	465,597	334,701	316,558	412,266	284,296	543,980	670,297	446,270	542,458	521,061	406,622	281,061
REVENUES													
State Programs													
Charter School General Purpose Block C	26,244	22,472	235,957	327,094	141,101	300,850	300,850	61,227	243,448	163,027	137,356	26,217	1,985,841
State Aid	26,244	-	191,013	297,131	111,138	270,887	270,887	31,264	191,013	136,809	111,138	-	1,637,524
In Lieu of Property Taxes	-	22,472	44,944	29,963	29,963	29,963	29,963	29,963	52,435	26,217	26,217	26,217	348,317
Charter School Categorical Block Grant	3,446	-	25,079	39,012	14,592	35,566	35,566	4,105	25,079	17,962	14,592	-	214,998
Economic Impact Aid	1,872	-	13,623	21,192	7,926	19,320	19,320	2,230	13,623	9,757	7,926	-	116,789
California Lottery	-	-	-	-	-	15,718	-	-	15,718	-	-	15,718	47,153
Total State Programs	31,561	22,472	274,659	387,297	163,619	371,453	355,735	67,561	297,867	190,746	159,874	41,935	2,364,781
Other State Programs													
Facilities Reimbursement (SB 740)	-	-	-	-	-	179,820	-	-	89,910	-	-	89,910	359,640
State Nutrition	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Other State Programs	-	-	-	-	-	179,820	-	-	89,910	-	-	89,910	359,640
Federal Programs													
Title I - Compensatory Education	-	-	-	-	-	-	62,170	-	-	62,170	-	-	124,341
Free and Reduced Meal Program	-	-	-	18,489	18,489	18,489	18,489	18,489	18,489	18,489	18,489	18,489	166,400
Other Federal Grants (Identify)	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Federal Programs (Identify)	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Federal Programs	-	-	-	18,489	18,489	18,489	80,659	18,489	18,489	80,659	18,489	18,489	290,741
Local Programs													
Other Local Revenue	-	-	8,580	8,580	8,580	8,580	8,580	8,580	8,580	8,580	8,580	8,580	85,800
Other Local Grants	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Local Programs	-	-	8,580	85,800									
PY Receivables	454,357	148,014	-	602,371									
TOTAL REVENUES	485,918	170,486	283,239	414,366	190,688	578,342	444,975	94,630	414,846	279,985	186,943	158,914	3,100,961
EXPENSES													
Certificated Salaries	105,500	105,500	105,500	105,500	105,500	105,500	105,500	105,500	105,500	105,500	105,500	105,500	1,266,000
Classified Salaries	21,473	21,473	21,473	21,473	21,473	21,473	21,473	21,473	21,473	21,473	21,473	21,473	257,680
Employee Benefits	28,879	28,879	28,879	28,879	28,879	28,879	28,879	28,879	28,879	28,879	28,879	28,879	346,551
Books & Supplies	29,729	29,729	29,729	29,729	29,729	29,729	29,729	29,729	29,729	29,729	29,729	29,729	356,750
Services & Operational Expenses	115,800	115,800	115,800	115,800	115,800	115,800	115,800	115,800	115,800	115,800	115,800	115,800	1,389,603
Capital Outlay	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Outgo	-	-	-	8,943	8,943	8,943	8,943	8,943	8,943	-	-	-	53,656
TOTAL EXPENSES	301,382	301,382	301,382	310,325	310,325	310,325	310,325	310,325	310,325	301,382	301,382	301,382	3,670,239
OTHER FINANCING SOURCES/USES													
Changes in Financing	-	-	-	(8,333)	(8,333)	(8,333)	(8,333)	(8,333)	(8,333)	-	-	-	(50,000)
Total Financing Cash Flow	-	-	-	(8,333)	(8,333)	(8,333)	(8,333)	(8,333)	(8,333)	-	-	-	(50,000)
Cumulative Cash Position	465,597	334,701	316,558	412,266	284,296	543,980	670,297	446,270	542,458	521,061	406,622	264,154	

Appendix AK: Teacher Dashboard

Both educators and students benefit in multiple ways from the Teacher Dashboard/API. First, since all educators are using the same consistent interface to assess, prioritize, monitor and manage student learning, teachers can make collaborative, more fully informed decisions about each student's individual learning needs. In addition, use of the Teacher Dashboard as the repository for a student's Individual Learning Plan ensures that each student's out-of-class time is maximized to address his / her own individual learning needs. Finally, the students benefit from having the perspective and collaboration from multiple educators to boost their academic progress. Key benefits of the Dashboard / API include:

- Real-time feedback on student progress. Real-time assessments – from tutors, Learning Lab, from online curricula and external online assessments – are available for teachers to track and prioritize each student's progress.
- More effective lesson planning. Dashboard information gives teachers useful content and context for planning lessons based on students' current levels, enabling teachers to re-allocate instruction time for key topics, and regroup students based on mastery, as appropriate.
- More targeted, individualized instruction. Teachers have a larger, deeper "basket" of resources to deploy for individualized instruction and student achievement. Having more resources at hand (without adding complexity) gives teachers more options to help students succeed.
- Data-driven assessments of teacher effectiveness. Teachers and administrators have access to more assessment data. With more ways to assess students, teachers gain more insights into the effectiveness of their teaching methods and practices.

Teacher Dashboard: Navigation and User Interface

The Teacher Dashboard is an online application, and is accessible via any browser. Educators log into the system, using their ID and a user-generated password.

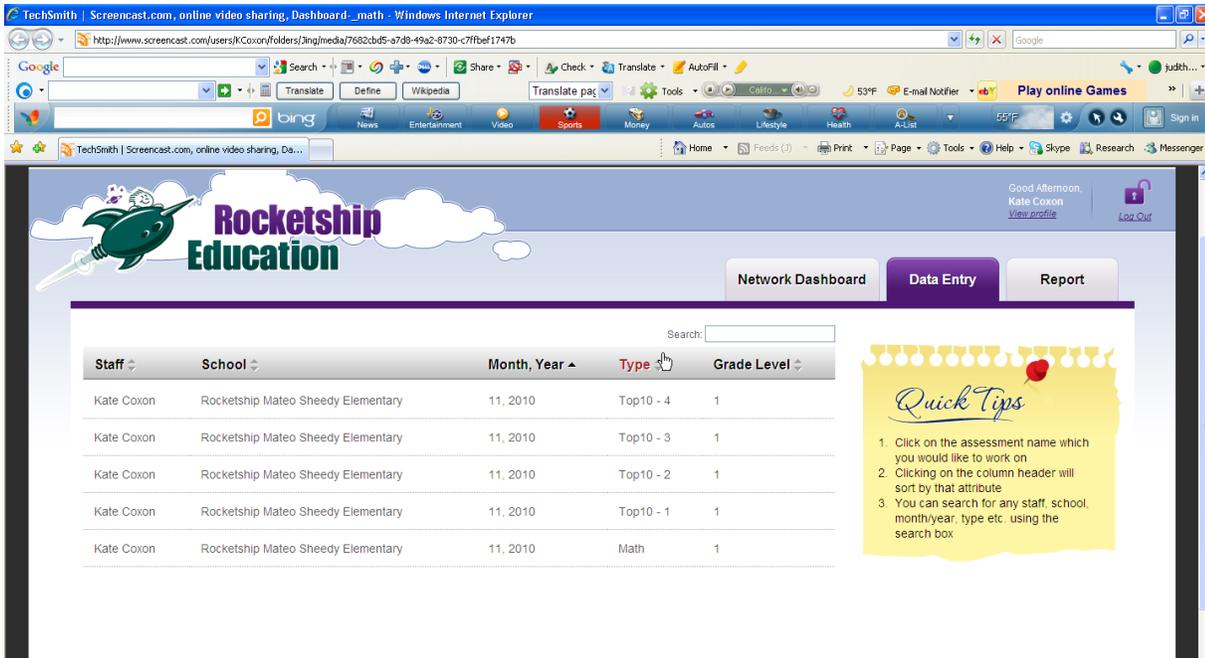


Figure 1: Data Entry Tab

Student Assessment Data

Our objective is for the Dashboard to be a continually-updated repository of student assessment data which is sourced from online learning programs, tests given by teachers, and state assessments. Assessment data is automatically integrated into each student's Individualized Learning Plan (ILP), and forms an important basis from which teachers can assess students' learning proficiencies and remediate their deficits.

From the Data Entry tab (see Figure 1), teachers can search by school, by date, by standard type, and by grade level, by entering a term in the search box. In Figure 2, the teacher has selected Class 1A (see below), to begin entering assessments for her class, 1A. Note that assessments from online learning programs will be automatically added to the Teacher Dashboard, and then integrated into each student's ILP.

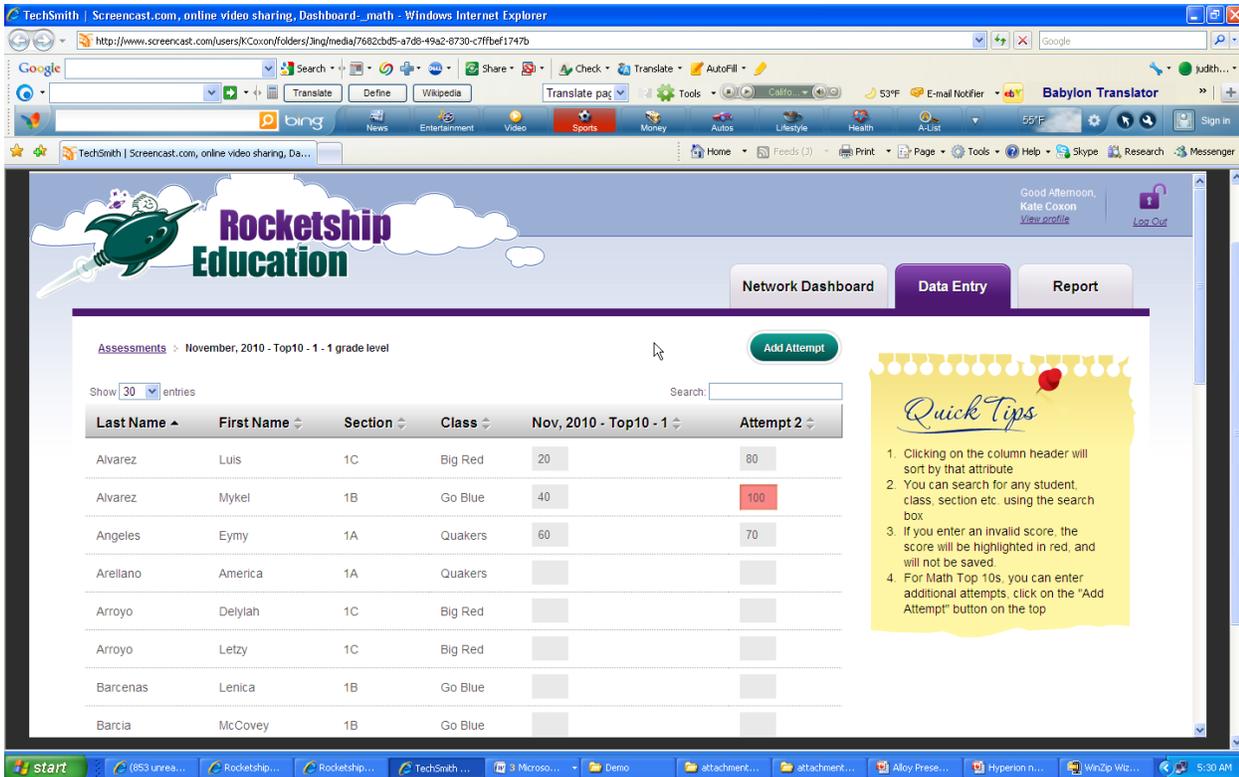


Figure 2: Entering Assessment Data

Note that in Figure 2 above, the teacher has created two columns of assessments, or “attempts”. This enables the teacher to record a pre-test assessment, and a post-test, to gauge student learning for each standard.

In addition to Data Entry, the Dashboard tab provides educators with both high-level and detailed comparisons of student achievement. Comparisons can be made by school, by grade, by standard, and by month (see Figure 3, below). The assessment data will be automatically integrated into the student’s Individualized Learning Plan, discussed below (see Figure 6).

Appendix AL: Parent Signature Pages

Please find attached an Excel database of parent petition signatures and contact information. Please also find attached the original signature forms as well as a file of all scanned petition pages.

In total, the parents of 293 children signed the Rocketship San Francisco petition.



Leah J. Won
Deputy General Counsel
SFUSD Legal Department
(415) 241-6054 • Fax (415) 241-6371

San Francisco Unified School District • 555 Franklin Street, Third Floor • San Francisco, California 94102

August 10, 2011

By Email to ekohn@rsed.org

Evan Kohn
Manager of Regional Policy
Rocketship Education
420 Florence St., Suite 300
Palo Alto, CA 94301

Re: Denial of Rocketship San Francisco Charter School Petition

Dear Mr. Kohn:

This letter will confirm that, at its August 9, 2011 meeting, the Board of Education of the San Francisco Unified School District, by a 6-0 vote, denied the petition to form the Rocketship San Francisco charter school and approved the attached report as its written findings in compliance with Education Code section 47605, subdivision (b).

Sincerely,

A handwritten signature in blue ink, appearing to read "Leah J. Won", with a long horizontal flourish extending to the right.

Leah J. Won

Enclosure

cc: Maribel S. Medina, General Counsel

RECOMMENDED FACTUAL FINDINGS REGARDING THE ROCKETSHIP SAN FRANCISCO CHARTER PETITION

Board of Education Meeting Date: August 9, 2011

A. Introduction

The California Charter Schools Act of 1992 (“Charter Schools Act”) governs the creation of charter schools in the State of California. (Ed. Code § 47600 *et seq.*) Charter schools “are part of the public school system,” but “operate independently from the existing school district structure.” (Ed. Code §§ 47615(a)(1); 47601.) Charter schools are established through submission of a petition by proponents of the charter school to the governing board of a public educational agency, usually a school district.

The Charter Schools Act provides that a school district governing board considering whether to grant a charter petition “shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged.” (Ed. Code § 47605(b).) With this legislative intent in mind, a school district’s governing board must grant a charter “if it is satisfied that granting the charter is consistent with sound educational practice.” (Ed. Code § 47605, subd. (b).) The governing board may not deny a charter petition unless it makes written factual findings, specific to the particular petition, in support of its decision to deny the charter. (*Ibid.*)

B. Procedural Status of Rocketship San Francisco Charter Petition

The San Francisco Unified School District (“District”) received a charter petition on June 10, 2011 (“Petition”) proposing the creation of an independent charter school called Rocketship San Francisco (“Charter School”). The Petition proposes a charter term of five (5) years, beginning July 1, 2011 through June 30, 2016. The Charter School proposes to serve students in grades kindergarten through third grade in the 2013-2014 school year, expanding to serve grades kindergarten through fifth by the 2015-2016 school year, and possibly adding a sixth grade thereafter, depending on demand.

In consideration of the Petition, District staff has reviewed the Petition and its appendices. Based on its review, District staff sets forth the following written factual findings regarding the Charter School Petition. Due to District staff’s concerns with the Petition and based on the grounds set forth below, District staff recommends that the Charter School Petition be denied.

It should be noted that, while not a grounds for denial, the Charter School declined several requests from the District to extend the deadline for Board action on the proposed Petition. Specifically, because petitioners submitted the Petition in the middle of the District's summer recess, the District requested that the Charter School extend the 60-day deadline for final action on to 90 days, as authorized under Education Code section 47605, subdivision (b). *The District informed the Charter School* petitioners that the Regular Board meetings for the month of July 2011 had been cancelled, as well as Committee meetings. Indeed, the District Board Policy Appendix F regarding charter schools provides that "petitioners are encouraged not to submit a petition during a period when a regular Board of Education meeting is not scheduled within the next 30 days," which was precisely the case here. Nevertheless, the Charter School declined to extend the deadline, thereby preventing the District from implementing a complete review process.

C. Standard for Review of Charter Petitions

As referenced above, the governing board may not deny a charter petition unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one, or more, of the following findings, as set forth in Education Code section 47605, subdivision (b):

1. The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain the number of signatures required by Education Code section 47605, subdivision (a). Specifically, subdivision (a)(1)(A) requires that the petition be signed by a number of parents or guardians of pupils equal to at least one-half the number of pupils that the charter school estimates will enroll in the charter school for its first year of operation. Alternatively, subdivision (a)(1)(B) requires that the petition be signed by a number of teachers that is equal to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation.
4. The petition does not contain an affirmation of each of the conditions described in Education Code section 47605, subdivision (d), including that the charter school: (a) will be

nonsectarian in its programs, admissions policies, employment practices, and all other operations, (b) will not charge tuition, and (c) will not discriminate against any pupil on the basis of the characteristics set forth in Education Code section 220.

5. The petition does not contain reasonably comprehensive descriptions of the following elements set forth in Education Code section 47605, subdivision (b)(5)(A-P), which constitute sixteen (16) separate elements that must be addressed in every charter petition.
 - a. A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an “educated person” in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.
 - b. The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes” means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program.
 - c. The method by which pupil progress in meeting those pupil outcomes is to be measured.
 - d. The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement.
 - e. The qualifications to be met by individuals to be employed by the school.
 - f. The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Education Code Section 44237.

- g. The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.
- h. Admission requirements, if applicable.
- i. 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.
- j. The procedures by which pupils can be suspended or expelled.
- k. The manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.
- l. The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.
- m. A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.
- n. The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.
- o. A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act ("EERA" or "Rodda Act").
- p. A description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the school to determine the disposition of

all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.

Charter school petitions are also required to include discussion of the impact on the chartering district, including the facilities to be utilized by the school, the manner in which administrative services will be provided, potential civil liability for the school district, and a three-year projected operational budget. (Ed. Code § 47605, subd. (g).)

D. Proposed Factual Findings Regarding Charter Petition

Based on the District’s review of the Charter School Petition, District staff recommends that the Board of Education deny the Charter School Petition under grounds (1), (2), and (5) above, as described in the following findings of fact. The following proposed findings of fact have been grouped for convenience under the aforementioned grounds for denial of a charter petition, however, certain findings of fact may support more than one ground of denial.

Ground (1): The Charter School presents an unsound educational program for the pupils to be enrolled in the Charter School.

a. Educational Program. The Petition’s discussion of the proposed educational program demonstrates an unsound kindergarten through third grade educational program.

i. *English/Language Arts and Social Science*. The Petition indicates that the Charter School will implement publisher’s programs, as a basis for the English/language arts and social science curriculum (i.e. Open Court, Scholastic Leveled Reading, the Six Traits Writing Program, Lucy Calkins Units of Study, and Step Up to Writing, and Grant Wiggins Understanding by Design.) However, these publisher’s programs do not constitute instructional programs, and in fact, the Petition fails to provide a clear and comprehensive description of the proposed English/language arts and social science core curriculum.

ii. *Mathematics and Science*. The Petition identifies the Harcourt mathematics program, supplemented with materials from John Van de Valle, Marilyn Burns and Cathy Fosnot, however, the Petition’s discussion of instruction and assessment emphasizes computational fluency without describing how conceptual understanding will be taught or assessed. The Petition’s emphasis is on skill-based fluency that sounds like “drill and kill” with specific mention of “getting to the correct answer.” This emphasis does not align philosophically with the District’s mathematics vision, which is based on national and international research, and the District’s SERP partnership (in fact, SERP work is about not rushing to the correct answer). In addition, page 35 of the Petition states: “In order to focus on deeper comprehension of mathematical concepts, we will

strike a balance between building computational fluency and using discussion to help students explain why they reached an answer.” This represents a major misconception as to what mathematics conceptual understanding is: you cannot have a rich discussion about why a student got an answer when teaching computation; concepts need to be taught and discussed regularly. The Petition provides no clear plan as to how the two types of instruction will be integrated. The goal of integrating Harcourt and the supplemental materials based on the resources contained in the Petition does not seem feasible. Finally, the Petition fails to mention the California State Board of Education adopted instructional materials, and contains no reference as to how specific inquiry-based tasks are developed or from where they will be selected. Again, the Petition provides clear plan as to how the “hands-on, project-based” instruction will be developed and delivered.

iii. *Response to Intervention.* The Response to Intervention (“RTI”) model that is presented in the Petition seems to be missing a step. The Petition states that Tiers 1 and 2 include small group and individualized instruction in the classroom and individualized learning plans with intervention via tutors in a Learning Lab. Tier 3 jumps to “student not demonstrating adequate response to learning lab intervention receives Special Education Referral.” According to the California Department of Education’s RTI Technical Assistance Document (2009) the Three-Tiered Model includes: (1) a Tier I Benchmark (Core with differentiated instruction), (2) Tier II Strategic (Core plus supplemental) and (3) Tier III Intensive (Intervention programs used with fidelity). Tier III Intervention is intended to be temporary, however, the Petition does not contemplate the temporary nature of Tier III: “Tier III instruction is not another step in the special education referral process but an opportunity for students to receive the intensive intervention necessary to accelerate them to the core at the strategic level and, over time to close the skill gaps enough to be able to return to the benchmark group” (Silvia DeRuvo, 2010).

b. Measureable Student Outcomes. The Petition’s discussion of measureable student outcomes is significantly lacking for the following reasons.

i. *Student Outcome Goals.* The Petition is vague with regard to how the Charter School will measure pupil exit outcomes. The Petition contains a broad statement about how teachers will strive for “significant gains” for their students (defined as 1.5 years of academic progress for every school year) as measured by “internal measures” and state exams. The Petition also provides a broad statement that pupil outcomes will address state content and performance standards in core academics but does not explain how this will be measured in each of the core subjects. The Petition does not address exit outcomes/academic skills area of social studies related content and skills. The Petition contains no clear mention that benchmark skills and specific classroom-level skills will be developed.

ii. *Student Assessment Tools.* The Petition fails to provide for the minimum required performance level necessary to attain each academic standard and is not indicated for the different core subject areas or for the listed academic and life skills. The Petition does not include a list of assessments that will be used by the Charter School in all subject areas and for the different grade levels.

c. English Language Learners. The Petition provides for a model of English Language Learner services that is of significant concern to District staff. Specifically, District staff is concerned with the proposed English-only instructional model, the lack of clarity with regard to English Language Development, and the lack of clarity with regard to reclassification procedures.

i. *English-Only Model.* Page 31 of the Petition provides that “once a child reaches the intermediate stages of fluency, he or she begins to accelerate his or her progress on all of his or her academic work. In order to help our EL students to master listening, speaking, reading and writing in English by second grade, Rocketship San Francisco students will be immersed in English.” However, most research shows that EL students reach the intermediate stage rather quickly and it is after reaching that stage of fluency that EL students tend to get stuck, often eventually becoming Long-Term English Learners. EL students who are immersed in English until second grade may have higher levels of English literacy at second grade, but as they move forward in the grades, this is not the instructional model that leads to the highest levels of academic proficiency. In fact, models that provide instruction and instructional support in the primary language have been shown to lead to the highest levels of academic proficiency in the long term. Also, the maintenance and development of the primary language, with the goal of bilingualism and biliteracy is a commitment of the District.

ii. *English Language Development.* Page 32 of the Petition provides that “[o]ur explicit ELD will focus on developing oral language, grammatical constructs and academic vocabulary in English. This period will take place during the Literacy block in Guided Reading, when EL students will be leveled by English fluency and provided with explicit ELD instruction.” However, District staff is concerned that ELD is proposed to take place during Guided Reading, a time when ELs also need to participate in the guided reading instruction. ELD must be a clearly delineated specific time of the day focused on English Language Development.

iii. *Reclassification Procedures.* Pages 51-52 of the Petition address EL reclassification procedures, however, the procedures are quite vague, and do not give any specific

reclassification criteria. This is a concern, as students who are reclassified before they are truly proficient in English will no longer receive the services they need.

d. Special Education. The Petition states that the Charter School would operate “as a Local Educational Agency under the El Dorado County Special Education Local Plan Area Charter Consortium pursuant to Education Code section 47641(a).” (p. 52) However, Education Code section 47641(a) requires that a charter school intending to be deemed an LEA for special education services must “include [] in its petition for establishment or renewal, or... otherwise provide [], verifiable, written assurances that the charter school will participate as a local educational agency in a special education plan approved by the State Board of Education.”

The Petition lacks the required “written verifiable assurances.” Instead, the Petition includes a letter from the El Dorado County SELPA Director that indicates that El Dorado County SELPA would look forward to reviewing an application from Rocketship San Francisco (Appendix AH, p. 352.) However, this letter fails to address the conditions to El Dorado County SELPA membership, as described below.

The El Dorado SELPA includes in its “Charter SELPA Value Statement,” that it is designed to serve State-wide charters (approved by SBE) or charters that have been unable to develop a ‘workable’ relationship with their authorizing district and/or local SELPA, and have sought relief from the Charter SELPA. These criteria or protocol do not fit Rocketship, a currently non-existent charter that is applying/petitioning to be a district charter, not a state charter. In addition, there has been no attempt to develop a ‘workable’ relationship with the San Francisco Unified School District or its SELPA.

In fact, the “Charter SELPA Value Statement” contained on the El Dorado SELPA’s website contains several conditions that a potential charter school member must meet prior to becoming an approved member of the El Dorado County SELPA. The Petition does not contain the requisite showing that the Charter School has met these necessary conditions for becoming an LEA for special education purposes in the El Dorado SELPA, including a demonstration that it has attempted to develop a “workable” relationship with the local authorizer for the provision of special education.

Ground (2): The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

a. Facilities. The Petition fails to identify a specific facility. (See, Ed. Code § 47605(g)(“[t]he governing board of a school district shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the school,

including, but not limited to, the facilities to be utilized by the school...”).) The Petition only contains a general description of the specification of a proposed facility (Petition, pp. 96-97.)

b. Budget. The Petition’s proposed budget is a source of primary concern. The following provide several of the most significant concerns with the Charter School’s proposed budget.

i. *Planning Assumptions*. The Charter School is projecting over 100 students per grade level from year 1, with 70% of the students qualifying for free or reduced price lunch (“FRPL”). It is important to note that the page 49 of the Petition erroneously states that the District’s FRPL rate is 91%; when in fact it is 61%. The overall projection as well as the FRPL projection will be difficult to obtain and somewhat dependent upon the location of the Charter School. Throughout the Petition, there are at least three different mentions of class size for kindergarten through third grade classrooms. (*See, i.e.* p. 21, 20:1; p. 57, 23:1; p. 361, 24:1)

The tables on page 362 of the Petition show “weighted average Teacher Compensation costs” are around \$58,438 for total with the teacher salary cost at approximately \$53,125 at full roll out. That would leave just \$5,313 for health and welfare benefits, retirement, unemployment insurance and other salary-driven benefits. This is significantly below market rates for these costs. This doesn’t align to the information in the tables on page 363 of the Petition, which shows a \$5,878 for STRS only by year 3. No full time equivalencies (“FTEs”) are provided to establish the breakdown of benefits by individual.

Finally, the Petition’s proposed budgeted food service costs are below market rates.

ii. *Revenue Sources*. Letters of support from granting agencies are to “Rocketship Education.” It is unclear what, if any, of these funds are available to Rocketship San Francisco, specifically, and under what circumstances.

iii. *Program Elements Not Budgeted*. There are many program elements that do not seem to be accounted for within the budget including but not limited to, four weeks of professional development before school starts, learning lab support and equipment, funding to support the teacher dashboard and assessments. Bonuses are included in the budget, but not mentioned in the Petition; it is unclear to whom and based on what criteria these bonuses would be distributed. Finally, the Petition fails to identify the SELPA payment within the proposed budget.

c. Administrative Services. According to the Petition, 15 percent of the Charter School’s revenue would be paid as a fee to Rocketship Education Management Services. The Petition lacks a reasonably comprehensive description of what exact “management services” that Rocketship Education Management Services would provide in exchange for this fee, and why it has

not investigated alternative and potentially less expensive options. Furthermore, founding member John Danner. Is listed also as the CEO of Rocketship Education, the entity with which the school contracts for services. This creates an inappropriate and potentially illegal financial nexus between his role as founding member and CEO of Rocketship Education, one that is not explained in the Petition. Most of the duties listed in the sample services agreement (Appendix AE, p. 346) are traditionally performed by school staff.

d. Governance Structure. District staff has concerns with the following aspects of the Petition's proposed governance structure.

i. *Conflicts of Interest*. The Petition states that the Charter School "will adopt a conflicts code which complies with the Political Reform Act, Government Code Section 87100, and applicable conflict restrictions required by the Corporations Code" (p. 53). However, the charter school should comply with the more rigorous conflict on interest provisions applicable to public officials, including Government Code 1090. The Petition fails to make this commitment. The Petition also makes a reference to Board Bylaws (Petition, p. 73), though no Bylaws were found in the Appendices. (Appendix W.)

ii. *Parent Involvement*. The Petition describes a Parent/Teacher Council that would foster parental involvement, but fails to contain a reasonably comprehensive description of any measure that would be taken to promote communication between the school and the community, especially with respect to native language speakers. (pp.78-79.)

Ground (5): The Petition does not contain reasonably comprehensive descriptions of certain specific aspects of its program and operations.

a. Health and Safety Procedures. The Petition fails to contain reasonably comprehensive descriptions of the following proposed health and safety procedures.

i. *Administration of Medication*. The Petition's Administration of Medications policy is insufficiently detailed to be in compliance with applicable law. (Appendix Q.) The policy purports to allow "designated school personnel" to assist a student in the administration of medication without providing any further requirements regarding the scope and process for such designation. (See, e.g., 5 C.C.R. § 604) The policy's failure to define what steps a designated staff member may take to assist a student in the administration of medication also subjects employees to potential violations of Business & Professions Code section 2725. The policy also fails to address the administration of medication in cases of medical emergency.

ii. *Mandated Child Abuse Reporting.* The Petition contains a brief statement that all staff “will be mandated child abuse reporters and will follow all applicable reporting laws, the same policies and procedures used by the District.” (p. 88.). However, the Petition fails to contain any further detail, including how the charter school would meet its legal obligations to train staff on their legal duties. (See Pen. Code, § 11165.7.)

b. Student Discipline. Charter schools are not required to follow the Education Code when disciplining students, but they are required to provide due process to students assured under the federal and state constitutions. (Goss v. Lopez (1975) 419 U.S. 565; Wood v Strickland (1975) 421 U.S. 921.) The Petition addresses the process for expulsions, and allows for an Administrative Panel that might include the Principal and/or a teacher who does not currently instruct the student being considered for expulsion as its members. Accordingly, under the Petition, the proposed charter school’s principal can make recommendations for expulsion, and preside over a hearing regarding the charges against the student. (Petition, Appendix at p. 262.) Further, such a procedure can occur even after the Principal engages in a conference prior to the hearing. (Petition, Appendix at p. 261.) To the extent the Principal makes the recommendation for expulsion after a parent conference, then presides over a hearing, there is an absence of an impartial arbiter determining the credibility of the charges against the student. Also, to underscore the lack of due process, the Petition states that there is no process at all for any appeal of an expulsion and its Board’s decision to expel shall be final (Petition, Appendix at p. 266.) The lack of sufficient due process safeguards evinces a larger concern that the proposed student discipline procedure does not sufficiently contain procedures to maintain the educational context of a proposed disciplinary action, and to ensure that the Constitutional rights of the student are protected.

c. Dispute Resolution. The Petition’s proposed dispute resolution process meets minimal legal requirements. However, the provision that both parties “shall refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process unless otherwise required by law” is unduly restrictive. (Petition, p. 90.)

d. School Closure Procedures. The Petition’s proposed school closure procedures meets minimum legal requirements, except that the Petition references notification to San Mateo County Office of Education upon closure. (p. 98.) It is unclear why school closure notification would be required to San Mateo County Office of Education.

E. Recommendation of Denial of Charter Petition

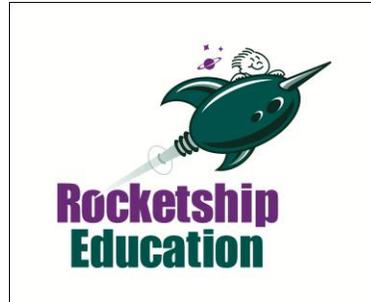
Based on the foregoing, the District staff makes the following recommendations:

1. That the Petition be denied for reasons including, but not limited to, the failure of the petitioners to present a sound educational program, including a failure to describe the content and implementation of the curriculum, a failure to provide assessments aligned with the proposed curriculum, and a failure to describe implementation of programs for ELL and special education students. Therefore, the proposed Petition presents an unsound educational program for students to be enrolled at the Charter School.
2. That the Petition be denied for reasons including, but not limited to, the petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition, including the failure of the petitioners to adequately describe the facilities in which to implement the proposed program, the failure of the petitioners to develop a comprehensive and viable budget, and the failure of the petitioners to establish a viable governance structure. Therefore, it is demonstrably unlikely that the Petitioners will successfully implement the program set forth in the Petition.
3. That the Petition be denied for reasons including, but not limited to, the Petition's failure to contain reasonably comprehensive descriptions of the items required by Education Code section 47605, subdivision (b)(5), including the areas of health and safety procedures, student discipline, dispute resolution, and school closure.

In order to deny the Petition on the grounds set forth above, Education Code section 47605, subdivision (b), requires the Board of Education to make written factual findings, specific to the particular petition, setting forth specific facts to support one or more grounds for denial of the Petition. District staff recommends that the Board of Education adopt these written factual findings as their own.

F. Conclusion

Based on the District's review of the Charter School Petition and its appendices, District staff recommends that the Board of Education deny the Charter School Petition under the grounds set forth herein. In support of the proposed denial, District staff recommends that the Board of Education adopt these written factual findings as their own.



OCTOBER 14, 2011

Celina Torres, Education Programs Consultant
Charter Schools Division
California Department of Education
1430 N Street
Sacramento, CA 95814

VIA: E-MAIL
ctorres@cde.ca.gov

Re: Rocketship San Francisco Charter School Charter Petition Appeal to the State Board of Education – Response to District Findings

Dear Ms. Torres:

As you know, the Board of Education of the San Francisco Unified School District (“District Board”) denied approval of the Rocketship San Francisco (“Rocketship” or “Charter School”) charter petition and adopted written findings regarding the Rocketship charter, upon which the District Board based its decision to deny the charter. This letter responds to those findings, highlighting factual inaccuracies, and provides clarifying information about Rocketship.

At the outset, we wish to point out the legal basis for denial of a charter petition. Education Code Section 47605(b) states:

The governing board of the school district shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

- (1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
- (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

Bonnie Galloway, Administrator
Re: Rocketship San Francisco Charter School Charter Petition Appeal to
the State Board of Education – Response to District Findings
October 14, 2011
Page 2 of 18

- (3) The petition does not contain the number of signatures required by subdivision (a) [of Education Code Section 47605].
- (4) The petition does not contain an affirmation of each of the conditions described in subdivision (d) [of Education Code Section 47605].
- (5) The petition does not contain reasonably comprehensive descriptions of [the 16 required elements]. (Emphasis added.)

Accordingly, the law is written such that the default position for a school district governing board is to approve a charter petition, unless it makes written factual findings to support a denial. The District Board’s findings were either based on incorrect fact or go beyond the requirements set forth in law, and therefore the findings constitute an impermissible basis for denial of the Rocketship charter.

Below please find the District Board’s factual findings, in the order in which they were presented in the District staff report, immediately followed by the Rocketship response. We point out that the District states in its staff report that, “while not a grounds for denial, the Charter School declined several requests from the District to extend the deadline for Board action on the proposed Petition...” and detailed the scheduling inconveniences posed to the District due to Rocketship’s submission of its charter petition to the District “in the middle of the District’s summer recess...” (see District staff report, page 2). We note that Rocketship did not intend to inconvenience the District, nor did it expect that the District Board would fail to meet for an entire month. Instead, Rocketship acted in the best interests of the future Rocketeers of San Francisco and respectfully requested to the District to follow the requirements of Education Code Section 47605(b) and schedule a hearing to consider and act on its charter petition within the 60-day timeline provided in statute. At Rocketship, we see the achievement gap as an urgent issue. We’re losing lives, and we cannot wait.

Ground (1): The Charter School presents an unsound educational program for the pupils to be enrolled in the Charter School.

Finding #1: English/Language Arts and Social Science. The Petition indicates that the Charter School will implement publisher’s programs, as a basis for the English/language arts and social science curriculum (i.e. Open Court, Scholastic Leveled Reading, the Six Traits Writing Program, Lucy Calkins Units of Study, and Step Up to Writing, and Grant Wiggins Understanding by Design.) However, these publisher’s programs do not constitute instructional programs, and in fact, the Petition fails to provide a clear and comprehensive description of the proposed English/language arts and social science core curriculum.

Rocketship Response: The District is misguided in its interpretation of the legal standard that defines an “unsound educational program.” The California Code of Regulations, Title 5,

Bonnie Galloway, Administrator
Re: *Rocketship San Francisco Charter School Charter Petition Appeal to
the State Board of Education – Response to District Findings*
October 14, 2011
Page 3 of 18

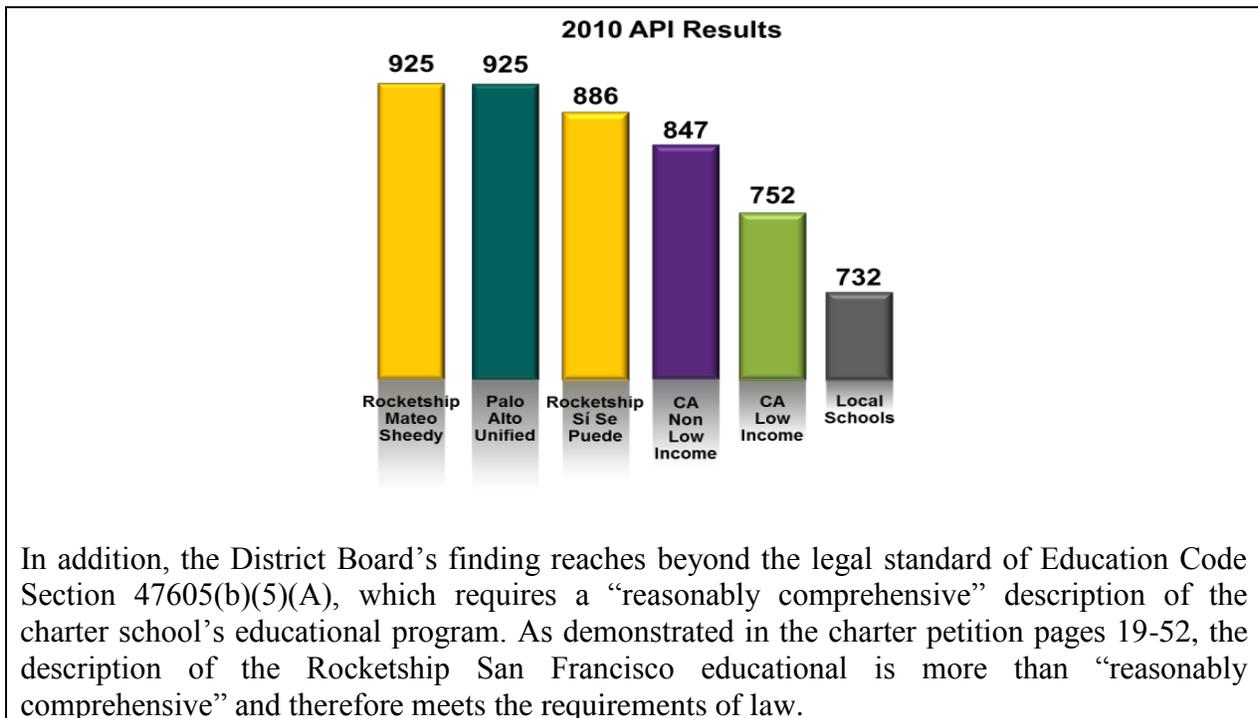
Section 11967.5.1(b) state that for the “purposes of Education Code section 47605(b)(1), a charter petition shall be an “unsound educational program” if it is either of the following: (1) A program that involves activities that the State Board of Education determines would present the likelihood of physical, educational, or psychological harm to the affected pupils;” or “(2) A program that the State Board of Education determines not likely to be of educational benefit to the pupils who attend.”

The District’s finding regarding Rocketship’s educational program does not provide facts to demonstrate either basis of an “unsound educational program” per the regulatory language and therefore is an impermissible basis for denial of the Rocketship charter petition.

Rocketship’s success in closing the achievement gap among the school’s targeted student population is exceptional. As demonstrated below, academic performance at Rocketship schools has been exceptional, especially in comparison to overall school district performance, and to neighboring and regional schools. For the 2009 - 2010 school year:

- Rocketship Mateo Sheedy Elementary (RMS) earned an API score of 925 for the second consecutive year, the same score earned by the far more affluent Palo Alto School District.
- Rocketship Sí Se Puede Academy (RSSP) earned an API score of 886 in its first year of operation.
- Both Rocketship schools placed in the #5 and #15 positions, respectively, for all California schools with similar low-income populations of students (e.g., >70% qualify for free/reduced meals).
- Sí Se Puede Academy (RSSP) was the top school in this category, for all new elementary schools which opened in the fall of 2009.

Bonnie Galloway, Administrator
Re: Rocketship San Francisco Charter School Charter Petition Appeal to
the State Board of Education – Response to District Findings
October 14, 2011
Page 4 of 18



Finding #2: Mathematics and Science. The Petition identifies the Harcourt mathematics program, supplemented with materials from John Van de Valle, Marilyn Burns and Cathy Fosnot, however, the Petition’s discussion of instruction and assessment emphasizes computational fluency without describing how conceptual understanding will be taught or assessed. The Petition’s emphasis is on skill-based fluency that sounds like “drill and kill” with specific mention of “getting to the correct answer.” This emphasis does not align philosophically with the District’s mathematics vision, which is based on national and international research, and the District’s SERP partnership (in fact, SERP work is about not rushing to the correct answer). In addition, page 35 of the Petition states: “In order to focus on deeper comprehension of mathematical concepts, we will strike a balance between building computational fluency and using discussion to help students explain why they reached an answer.” This represents a major misconception as to what mathematics conceptual understanding is: you cannot have a rich discussion about why a student got an answer when teaching computation; concepts need to be taught and discussed regularly. The Petition provides no clear plan as to how the two types of instruction will be integrated. The goal of integrating Harcourt and the supplemental materials based on the resources contained in the Petition does not seem feasible. Finally, the Petition fails to mention the California State Board of Education adopted instructional materials, and contains no reference as to how specific inquiry-based tasks are developed or from where they will be selected. Again, the Petition provides clear plan as to how the “hands-on, project-based” instruction will be developed and delivered.

Rocketship Response: As with Finding #1, the District’s interpretation of the legal standard

Bonnie Galloway, Administrator
Re: Rocketship San Francisco Charter School Charter Petition Appeal to
the State Board of Education – Response to District Findings
October 14, 2011
Page 5 of 18

that defines an “unsound educational program” is misguided and does not demonstrate that Rocketship’s educational program either presents the likelihood of physical, educational, or psychological harm to the affected pupil, or that that educational program is not likely to be of educational benefit to the pupils who attend. The District’s finding therefore is an impermissible basis for denial of the Rocketship charter petition. Please also see pages 19-52 of the charter petition for a reasonably comprehensive description of the educational program, including mathematics, which meets the legal standard set forth in Education Code Section 47605(b)(5)(A).

In addition, the Rocketship educational model is a proven success as demonstrated by impressive student academic achievement results in all content areas, including mathematics. In 2010-11, over 80 percent of Rocketship students were proficient or advanced in math.

Finding #3: Response to Intervention. The Response to Intervention (“RTI”) model that is presented in the Petition seems to be missing a step. The Petition states that Tiers 1 and 2 include small group and individualized instruction in the classroom and individualized learning plans with intervention via tutors in a Learning Lab. Tier 3 jumps to “student not demonstrating adequate response to learning lab intervention receives Special Education Referral.” According to the California Department of Education’s RTI Technical Assistance Document (2009) the Three-Tiered Model includes: (1) a Tier I Benchmark (Core with differentiated instruction), (2) Tier II Strategic (Core plus supplemental) and (3) Tier III Intensive (Intervention programs used with fidelity). Tier III Intervention is intended to be temporary, however, the Petition does not contemplate the temporary nature of Tier III: “Tier III instruction is not another step in the special education referral process but an opportunity for students to receive the intensive intervention necessary to accelerate them to the core at the strategic level and, over time to close the skill gaps enough to be able to return to the benchmark group” (Silvia DeRuvo, 2010).

Rocketship Response: Once again, the District has not adopted findings that demonstrate the Rocketship educational program is unsound according to the criteria set forth in the California Code of Regulations, Title 5, Section 11967.5.1(b). This finding is therefore an impermissible basis for denial of the charter petition. Beginning on page 27, the Rocketship charter petition contains a well-detailed description of the RTI program, which exceeds the reasonably comprehensive standard of Education Code Section 47605(b)(5)(A).

Finding #4: Student Outcome Goals. The Petition is vague with regard to how the Charter School will measure pupil exit outcomes. The Petition contains a broad statement about how teachers will strive for “significant gains” for their students (defined as 1.5 years of academic progress for every school year) as measured by “internal measures” and state exams. The Petition also provides a broad statement that pupil outcomes will address state content and performance standards in core academics but does not explain how this will be measured in each of the core subjects. The Petition does not address exit outcomes/academic skills area of

Bonnie Galloway, Administrator
Re: Rocketship San Francisco Charter School Charter Petition Appeal to
the State Board of Education – Response to District Findings
October 14, 2011
Page 6 of 18

social studies related content and skills. The Petition contains no clear mention that benchmark skills and specific classroom-level skills will be developed.

Rocketship Response: The District has not made findings that demonstrate Rocketship’s measurable pupil outcomes presents the likelihood of physical, educational, or psychological harm to students, or that that educational program is not likely to be of educational benefit to the students who attend Rocketship schools. The District’s finding is therefore an impermissible basis for denial of the Rocketship charter petition. The Rocketship petition contains a reasonably comprehensive description of the measurable pupil outcomes to which the Charter School has committed, by providing objective outcomes that are capable of frequent measurement and thus meeting the reasonably comprehensive standard of Education Code Section 47605(b)(5)(b) and Section 11967.5.1(f)(2) of Title 5 of the California Code of Regulations (See Element 3, beginning on page 69 of the charter petition). At Rocketship, we take pride in the schoolwide and student outcomes set forth in our charters, which, as demonstrated by Rocketship’s success in closing the achievement gap, lead to high expectations for students and overall increased student achievement. We endeavor to bring this success to the future Rocketeers of San Francisco.

In addition, please find below Rocketship’s grade-level S.M.A.R.T. (specific, measurable ambitious, realistic, time-bound) goals:

Kindergarten Goals:

ELA:

- 100% of students will be at a DRA Level 4 or higher by the end of the school year, and 90% will move at least 1.5 years in reading as measured by the DRA2 (50% in ELA according to NWEA)
- 80% of students will score 100% on the Alphabet section of the Core Phonics Inventory by March, 100% by June
- 90% of students will know all 100 Sight Words by June
- 70% of students will score a 3 or higher on the end of year writing assessment

Math:

- 100% of students will score 90% or higher on the Kindergarten benchmark
- 40% make 1.5 years of progress in math according to NWEA
- 75% of students will score 50% or higher on the First Grade benchmark by June

First Grade Goals:

ELA:

- 100% of students will read the first 30 lists of Rocketship Sight Words
- 100% of students will reach at least a DRA level 16, and 90% will grow 1.5 years of more (50% in ELA according to NWEA)
- 80% of students will move at least one level on the grade level writing rubric

Math:

Bonnie Galloway, Administrator
Re: Rocketship San Francisco Charter School Charter Petition Appeal to
the State Board of Education – Response to District Findings
October 14, 2011
Page 7 of 18

- 90% of students will score 85% or higher on the end of unit assessments
- 40% make 1.5 years of progress in math according to NWEA
- 90% of students will score 85% or higher on the First Grade Benchmark

Second Grade Goals:

ELA:

- 100% of students will reach at least a DRA level 28, and 90% will move at least 1.5 years in reading as measured by the DRA2 (50% in ELA according to NWEA)
- 100% of students will read all K-2nd sight words by June
- 80% of students will move at least one level on the grade level writing rubric
- 80% of students will score proficient or advanced on the ELA section of the CST

Math:

- 90% of students will score 85% or higher on the end of unit assessments
- 90% of students will score 90% or higher on the 2nd Grade benchmark assessment
- 40% make 1.5 years of progress in math according to NWEA
- 90% of students will score proficient or advanced on the Math section of the CST

Third Grade Goals:

ELA:

- 90% of students will reach at least a DRA level 38 and 90% of students will grow at least 1.5 years in reading (50% in ELA according to NWEA)
- 80% of students will move at least one level on the grade level writing rubric
- 80% of students will score proficient or advanced on the ELA section of the CST

Math:

- 90% of students will score 85% or higher on the end of unit assessments
- 90% of students will score 90% or higher on the 3rd Grade benchmark assessment
- 40% make 1.5 years of progress in math according to NWEA
- 90% of students will score proficient or advanced on the Math section of the CST

Finding #5: Student Assessment Tools. The Petition fails to provide for the minimum required performance level necessary to attain each academic standard and is not indicated for the different core subject areas or for the listed academic and life skills. The Petition does not include a list of assessments that will be used by the Charter School in all subject areas and for the different grade levels.

Rocketship Response: Please see our Response to Finding #6 regarding our measurable pupil outcomes. Further, as described on pages 70-72 of the charter petition, Rocketship commits to using NWEA MAP assessments three times per year to track student progress and determine areas of needed improvement, as well as conducting bi-monthly assessments in Reading, Writing, and Math. The NWEA MAP and bi-monthly Reading, Writing, and Math assessments provide our teachers with frequent checks on the progress of each of our students towards the

Bonnie Galloway, Administrator
Re: Rocketship San Francisco Charter School Charter Petition Appeal to
the State Board of Education – Response to District Findings
October 14, 2011
Page 8 of 18

state standards. As with the balance of our charter petition, the description of the Rocketship measurable pupil outcomes and use of assessments contained in the petition exceeds the reasonably comprehensive standard set forth in Education Code Sections 47605(b)(5)(B)-(C) and Section 11967.5.1(f)(2)-(3). The District has not provided a legally permissible basis for denial of the Rocketship charter petition.

Finding #6: English-Only Model. Page 31 of the Petition provides that “once a child reaches the intermediate stages of fluency, he or she begins to accelerate his or her progress on all of his or her academic work. In order to help our EL students to master listening, speaking, reading and writing in English by second grade, Rocketship San Francisco students will be immersed in English.” However, most research shows that EL students reach the intermediate stage rather quickly and it is after reaching that stage of fluency that EL students tend to get stuck, often eventually becoming Long-Term English Learners. ...Also, the maintenance and development of the primary language, with the goal of bilingualism and biliteracy is a commitment of the District.

Rocketship Response: A charter school’s commitment to bilingualism is an impermissible reason to deny a charter and does not meet the definition of an “unsound educational program” as defined in regulation and therefore does not provide facts to support a basis for denial of the charter. Rocketship is deeply committed to serving the needs of all Rocketeers, including English learners, as evidenced by our English learner students’ API scores of 839, 887, and 854 in 2010-2011. Rocketship’s Learning Lab offers students a chance to focus on basic English language acquisition skills through adaptive online programs and tutoring, so teachers can focus on higher order skills, which prevent students from “getting stuck.” Please also see pages 49-52 and Appendix J of the Rocketship petition for more information about our English learner program.

Finding #7: English Language Development. ...District staff is concerned that ELD is proposed to take place during Guided Reading, a time when ELs also need to participate in the guided reading instruction. ELD must be a clearly delineated specific time of the day focused on English Language Development.

RSF Response: The District here has presented a “concern,” which ignores the results described above with regard to English Learners and thus fails to present facts that demonstrate that the Rocketship EL program meets the criteria of an “unsound educational program” as set forth in regulation. Therefore this is an impermissible basis for denial of the Rocketship charter petition. We point out that Rocketship teachers receive professional development around Project GLAD strategies, and incorporate these throughout the day, including Science and Social Studies. Please see the EL program description in the charter petition, beginning on page 49, as well as Appendixes C and J, for a reasonably comprehensive description of our program that meets the requirements of Education Code Section 47605(b)(5)(A).

Bonnie Galloway, Administrator
Re: Rocketship San Francisco Charter School Charter Petition Appeal to
the State Board of Education – Response to District Findings
October 14, 2011
Page 9 of 18

Finding #8: Reclassification Procedures. Pages 51-52 of the Petition address EL reclassification procedures, however, the procedures are quite vague, and do not give any specific reclassification criteria. This is a concern, as students who are reclassified before they are truly proficient in English will no longer receive the services they need.

Rocketship Response: As with Finding #7, the District has failed to demonstrate that the Rocketship EL program meets the criteria of an “unsound educational program” as set forth in regulation, and therefore this is an impermissible basis for denial of the Rocketship charter petition. Rocketship follows the *Guidelines for Reclassification of English Learners* as approved by the State Board of Education. Please also see pages 51-52 of our petition and Appendix J, pages 213-214, for more information about our English learner reclassification criteria and procedures.

Finding #9: Special Education. The Petition states that the Charter School would operate “as a Local Educational Agency under the El Dorado County Special Education Local Plan Area Charter Consortium pursuant to Education Code section 47641(a).” (p. 52) However, Education Code section 47641(a) requires that a charter school intending to be deemed an LEA for special education services must “include in its petition for establishment or renewal, or... otherwise provide [], verifiable, written assurances that the charter school will participate as a local educational agency in a special education plan approved by the State Board of Education.” The Petition lacks the required “written verifiable assurances.” Instead, the Petition includes a letter from the El Dorado County SELPA Director that indicates that El Dorado County SELPA would look forward to reviewing an application from Rocketship San Francisco (Appendix AH, p. 352.)...In fact, the “Charter SELPA Value Statement” contained on the El Dorado SELPA’s website contains several conditions that a potential charter school member must meet prior to becoming an approved member of the El Dorado County SELPA. The Petition does not contain the requisite showing that the Charter School has met these necessary conditions for becoming an LEA for special education purposes in the El Dorado SELPA, including a demonstration that it has attempted to develop a “workable” relationship with the local authorizer for the provision of special education.

Rocketship Response: The District’s finding is factually inaccurate and is not a permissible basis for denial of a charter petition. Nor does the District’s finding demonstrate that the Rocketship is an “unsound educational program” pursuant to the criteria set forth in regulation. The Rocketship charter petition, beginning on page 52, contains a detailed description of the operational plans and processes, as well as a reasonably comprehensive description of the educational program, that shall Rocketship shall use to serve students with disabilities, including providing the necessary verifiable written assurances required by Education Code Section 47641(a) for becoming a local educational agency. Appendix AH includes a letter from the El Dorado County Charter SELPA, which demonstrates that Rocketship has begun the

Bonnie Galloway, Administrator
Re: *Rocketship San Francisco Charter School Charter Petition Appeal to
the State Board of Education – Response to District Findings*
October 14, 2011
Page 10 of 18

necessary steps to plan for membership in that SELPA. As noted in that letter, Rocketship is proud of its ongoing relationship with the El Dorado County Charter SELPA and looks forward to providing quality special education services to its San Francisco students through this SELPA. As a standard condition of operation, Rocketship shall submit all required SELPA membership verifications to the California Department of Education and the State Board of Education according to the processes and timelines outlined in the “State Board of Education Conditions on Opening and Operation.”

Ground (2): The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

Finding #10: Facilities. The Petition fails to identify a specific facility. ...The Petition only contains a general description of the specification of a proposed facility (Petition, pp. 96-97.)

Rocketship Response: As required by Education Code Section 47605(g), pages 96-97 of the charter petition provide information regarding the facilities to be utilized by Rocketship San Francisco and in accordance with the provisions of Section 11967.5.1(c)(3)(D), and thus no facts support a finding that the petitioners are demonstrably unlikely to successfully implement the program set forth in the petition. The Charter School affirms on page 89 that its facilities will meet facilities safety requirements pursuant to Education Code Section 47610. Indeed, Rocketship does not yet know where it will operate, so it cannot give an exact address; nor does Education Code Section 47605(g) require an address be provided in the charter petition. Further, there is nothing in the law that requires that facilities be in place prior to approval of a charter; and more traditionally, such a requirement is a condition to operation. It is not uncommon for charter schools to be approved without specific facilities in place, given, as here, the Charter School will have months of lead time to secure legally compliant facilities before the school begins operation.

In addition, as a standard condition of operation, Rocketship shall submit all required facilities agreements and zoning and occupancy verifications to the California Department of Education and the State Board of Education according to the processes and timelines outlined in the “State Board of Education Conditions on Opening and Operation.”

Finding #11: Planning Assumptions. The Charter School is projecting over 100 students per grade level from year 1, with 70% of the students qualifying for free or reduced price lunch (“FRPL”). It is important to note that the page 49 of the Petition erroneously states that the District’s FRPL rate is 91%; when in fact it is 61%. The overall projection as well as the FRPL projection will be difficult to obtain and somewhat dependent upon the location of the Charter School. Throughout the Petition, there are at least three different mentions of class size for kindergarten through third grade classrooms.

Bonnie Galloway, Administrator
 Re: Rocketship San Francisco Charter School Charter Petition Appeal to
 the State Board of Education – Response to District Findings
 October 14, 2011
 Page 11 of 18

The tables on page 362 of the Petition show “weighted average Teacher Compensation costs” are around \$58,438 for total with the teacher salary cost at approximately \$53,125 at full roll out. That would leave just \$5,313 for health and welfare benefits, retirement, unemployment insurance and other salary-driven benefits. This is significantly below market rates for these costs. This doesn’t align to the information in the tables on page 363 of the Petition, which shows a \$5,878 for STRS only by year 3. No full time equivalencies (“FTEs”) are provided to establish the breakdown of benefits by individual.

Finally, the Petition’s proposed budgeted food service costs are below market rates.

Rocketship Response: Page 362 of the charter petition includes the weighted average teacher salary and bonus rather than salary, benefits, and bonus. On average, teacher salary, benefits and bonus amount to \$77,171 in year 1, \$75,210 in year 2, and \$75,626 in year 3. Budgeted food service expenses are in line with historical figures at Rocketship. Accordingly, the District has not provided facts to support a basis a finding that the petitioners are unlikely to successfully implement the program.

As indicated on pp.19-20 of the petition, based on an analysis of the 2009-2010 demographics of the PI elementary schools located in the southeast corridor of San Francisco Unified School District shown in the table below, our target population is 26% English Learner (“EL”) and 69% Free and Reduced Lunch (“FRL”). Students in greatest need of options attend El Dorado, Bret Harte, Flynn, Starr King, and Webster.

Elementary School in southeast corridor of San Francisco	PI Year	% ELL	% Free-Reduced Meals	% Proficient or Advanced Reading	API 2010
El Dorado	2	21	68	36	715
Bret Harte	2	25	85	20	627
Flynn	5	31	63	32	706
Starr King	1	18	51	40	724
Webster	5	33	76	36	702
Average	3	26	69	33	695

As indicated on p. 21 of the charter petition, Rocketship San Francisco will provide all classroom instruction in a 20:1 ratio for grades K-3, despite having a school-wide student-teacher ratio higher than 20:1. This is because students have five hours of classroom instruction per day, while teachers typically teach between six and eight hours per day. Learning Lab is provided as an Intervention program and Learning Lab minutes do not factor into annual instructional minutes calculations.

Teacher Level	Number of Teachers
Academic Dean	1

Bonnie Galloway, Administrator
 Re: Rocketship San Francisco Charter School Charter Petition Appeal to
 the State Board of Education – Response to District Findings
 October 14, 2011
 Page 12 of 18

	Literacy / History Teachers	11	
	Math / Science Teachers	5	

Finding #12: Revenue Sources. Letters of support from granting agencies are to “Rocketship Education.” It is unclear what, if any, of these funds are available to Rocketship San Francisco, specifically, and under what circumstances.

Rocketship Response: While these will not contribute directly to Rocketship San Francisco, they serve as an example of the financial support Rocketship has built. The proposed Rocketship SF budget does not rely on these sources of funds.

Finding #13: Program Elements Not Budgeted. There are many program elements that do not seem to be accounted for within the budget, including but not limited to, four weeks of professional development before school starts, learning lab support and equipment, funding to support the teacher dashboard and assessments. Bonuses are included in the budget, but not mentioned in the Petition; it is unclear to whom and based on what criteria these bonuses would be distributed. Finally, the Petition fails to identify the SELPA payment within the proposed budget.

Rocketship Response: Provided below is weblink to a Rocketship School Financial Model that includes detailed financial projections (income statement, balance sheet, cash flow statement) for the first ten years of operational history for a “typical” Rocketship school. as well as monthly cash flow projections for the planning year and three following years of operation:
<https://rsed.box.net/shared/3filkgrdeqbysoz7k2j/>

The major assumptions that form the basis for these projections have been vetted against the historical financial performance of Rocketship’s schools and include numerous conservative assumptions to ensure the fiscal solvency of each school.

Funding for our professional development program is included as part of the management fees for Rocketship Education, and included in teacher salaries for them to attend. Learning Lab equipment is part of the budget and the Individualized Learning Specialists are part of the budgeted staffing. Finally, funding for the teacher dashboard is part of management fees and assessments are an explicit line-item.

Accordingly, here the District has not provided facts to support a finding that the petitioners are unlikely to successfully implement the petition.

Finding #14: Administrative Services. According to the Petition, 15 percent of the Charter School’s revenue would be paid as a fee to Rocketship Education Management Services. The

Bonnie Galloway, Administrator
Re: Rocketship San Francisco Charter School Charter Petition Appeal to
the State Board of Education – Response to District Findings
October 14, 2011
Page 13 of 18

Petition lacks a reasonably comprehensive description of what exact “management services” that Rocketship Education Management Services would provide in exchange for this fee, and why it has not investigated alternative and potentially less expensive options. Furthermore, founding member John Danner. Is listed also as the CEO of Rocketship Education, the entity with which the school contracts for services. This creates an inappropriate and potentially illegal financial nexus between his role as founding member and CEO of Rocketship Education, one that is not explained in the Petition. Most of the duties listed in the sample services agreement (Appendix AE, p. 346) are traditionally performed by school staff.

Rocketship Response: Please see Appendix AE for a sample management services contract. As indicated in the charter petition, each school has a board of directors which provides financial oversight and approves the management contract. Further, Education Code Section 47605(g) does not require a “reasonably comprehensive” description of a charter school’s financial statements, including budgeted line item expenditures and projections. Accordingly, there are no facts provided here to support a basis for denial. Rocketship would be happy to provide clarifying information regarding its management services contract.

Finding #15: Conflicts of Interest. The Petition states that the Charter School “will adopt a conflicts code which complies with the Political Reform Act, Government Code Section 87100, and applicable conflict restrictions required by the Corporations Code” (p. 53). However, the charter school should comply with the more rigorous conflict on interest provisions applicable to public officials, including Government Code 1090. The Petition fails to make this commitment. The Petition also makes a reference to Board Bylaws (Petition, p. 73), though no Bylaws were found in the Appendices. (Appendix W.)

Rocketship Response:

Bylaws

Rocketship attached sample Articles of Incorporation and a sample Political Reform Act-compliant Conflict of Interest Code to illustrate the governance documents used for other Rocketship nonprofit entities, and to evidence familiarity with the content and form of these documents. Rocketship has successfully incorporated several nonprofit public benefit corporations to operate its charter schools, and will replicate the same for Rocketship San Francisco upon approval of the charter petition.

Rocketship believes that individually incorporating each charter school allows for a governing Board that reflects local leadership and a close connection with the community where the charter school is located.

Please find Rocketship Education’s Articles of Incorporation here:

<https://rsed.box.net/shared/tof2r1dz617l3vhp61vs>

Bonnie Galloway, Administrator
Re: *Rocketship San Francisco Charter School Charter Petition Appeal to
the State Board of Education – Response to District Findings*
October 14, 2011
Page 14 of 18

Please find Rocketship Education's Bylaws here:

<https://rsed.box.net/shared/coz85lrjzc>

Government Code Section 1090

It is the legal opinion of our counsel that Government Code Section 1090 does not apply to charter schools. We believe the District has reached this conclusion based upon an erroneous interpretation of the relevant law.

Pursuant to Education Code Section 47610, charter schools are exempt from “the laws governing school districts,” with only a few minor exceptions, not applicable here. This Section is known as the “mega-waiver.” School districts themselves are not directly governed by Government Code Section 1090. Absent Education Code Section 35233, which directs school district governing boards to comply with Government Code Section 1090, the provisions of Section 1090 would not apply to school districts.

As it is only through Education Code Section 35233 that Government Code Section 1090 applies to school districts, charter schools are necessarily exempt from Section 1090 by virtue of the “mega-waiver” described above. Since Education Code Section 35233, by its terms, does not apply to charter schools, and no other California statute states that Section 1090 applies to charter schools, there is no statute that applies Government Code Section 1090 to charter schools. The Legislature is presumed to have been aware of Education Code Section 35233 when it enacted the Charter Schools Act. It made no exception in the “mega-waiver” for Section 1090 when it adopted Education Code Section 47610, although it expressly made a number of other exceptions. Thus, Section 1090 is not applicable to charter schools.

Further, the Legislature attempted to make the substantive requirements of Section 1090 applicable to charter schools by voting to approve Assembly Bill (“AB”) 572 in the most recent legislative session. However, on September 23, 2010, Gov. Arnold Schwarzenegger vetoed AB 572, which would have made the Ralph M. Brown Act (or, in some instances, the Bagley-Keene Open Meeting Act), California Public Records Act (“CPRA”), the Political Reform Act of 1974, and California Government Code section 1090 expressly applicable to charter schools. The Governor noted in his veto message, “Repeatedly, charter schools with high proportions of disadvantaged students are among the highest performing public schools in California. Any attempt to regulate charter schools with incoherent and inconsistent cross-references to other statutes is simply misguided. ... Legislation expressing findings and intent to provide ‘greater autonomy to charter schools’ may be well intended at first glance. A careful reading of the bill reveals that the proposed changes apply new and contradictory requirements, which would put hundreds of schools immediately out of compliance, making it obvious that it is simply another veiled attempt to discourage competition and stifle efforts to aid the expansion of charter schools.”

Had it been the case that Government Code Section 1090 clearly applied to charter schools, then the Legislature would not have drafted or passed AB 572. We believe it is even clearer

Bonnie Galloway, Administrator
Re: Rocketship San Francisco Charter School Charter Petition Appeal to
the State Board of Education – Response to District Findings
October 14, 2011
Page 15 of 18

now, after the veto of AB 572, that Section 1090 does not apply to charter schools.

Accordingly, this finding is not a legal basis for denial of the charter petition.

Finding #16: Parent Involvement. The Petition describes a Parent/Teacher Council that would foster parental involvement, but fails to contain a reasonably comprehensive description of any measure that would be taken to promote communication between the school and the community, especially with respect to native language speakers.

Rocketship Response: The District’s finding is factually inaccurate and fails to provide any grounds to support a legal basis for denial. Please see page 61 of our petition for more information about Rocketship’s considerations for English learners, including verbal and written translations of materials, and page 94 regarding the Rocketship student outreach plan.

At Rocketship, we employ Office Managers who are bilingual, along with many bilingual staff members and school leaders. All correspondence that is sent home includes translations. Rocketship staff members also conduct home visits to all students every year, with translation provided when needed. Further, Rocketship conducts regular community meetings in local neighborhood centers or at the school, along with parent leadership trainings, exhibition nights, and numerous other community events that are translated and which promote a community environment for all families.

Ground (5): The Petition does not contain reasonably comprehensive descriptions of certain specific aspects of its program and operations.

Finding #17: Administration of Medication. The Petition’s Administration of Medications policy is insufficiently detailed to be in compliance with applicable law. (Appendix Q.) The policy purports to allow “designated school personnel” to assist a student in the administration of medication without providing any further requirements regarding the scope and process for such designation. (See, e.g., 5 C.C.R. § 604) The policy’s failure to define what steps a designated staff member may take to assist a student in the administration of medication also subjects employees to potential violations of Business & Professions Code section 2725. The policy also fails to address the administration of medication in cases of medical emergency.

Rocketship Response: Page 89 of the Rocketship San Francisco charter petition contains an assurance that the Charter School shall adhere to Education Code Section 49423 regarding administration of medications in school. Further, Appendix Q of the charter petition contains Rocketship’s detailed Health and Safety Policies, which are designed to ensure the protection of safety of all students and staff. The assurances, procedures, and policies described in the Rocketship charter petition are designed and implemented to ensure the health and safety of students and, together, meets the “reasonably comprehensive” standard as required by Education Code Section 47605(b)(5)(F) and California Code of Regulations, Title 5, Section

Bonnie Galloway, Administrator
Re: Rocketship San Francisco Charter School Charter Petition Appeal to
the State Board of Education – Response to District Findings
October 14, 2011
Page 16 of 18

11967.5.1(g) and therefore, there is no factual basis for denial.

At Rocketship, the “designated school personnel” for the administration of medication to students as identified in our Health and Safety Policies is typically the Office Manager. Rocketship will officially designate this staff person following approval of the charter petition. In a medical emergency, the Charter School shall follow the Emergency Plans Policy, which is also included in Appendix Q of the charter petition.

Finding #18: Mandated Child Abuse Reporting. The Petition contains a brief statement that all staff “will be mandated child abuse reporters and will follow all applicable reporting laws, the same policies and procedures used by the District.” (p. 88.). However, the Petition fails to contain any further detail, including how the charter school would meet its legal obligations to train staff on their legal duties. (See Pen. Code, § 11165.7.)

Rocketship Response: As stated on page 88 of the charter petition, “all non-certificated and certificated staff will be mandated child abuse reporters and will follow all applicable reporting laws...” If authorized by the SBE, Rocketship shall create own policies and procedures regarding child abuse reporting obligations and staff training. As such, this section of the charter petition meets the “reasonably comprehensive” standard as required by Education Code Section 47605(b)(5)(F) and California Code of Regulations, Title 5, Section 11967.5.1(g).

Finding #19: Student Expulsion Procedures. The Petition addresses the process for expulsions, and allows for an Administrative Panel that might include the Principal and/or a teacher who does not currently instruct the student being considered for expulsion as its members. Accordingly, under the Petition, the proposed charter school’s principal can make recommendations for expulsion, and preside over a hearing regarding the charges against the student. (Petition, Appendix at p. 262.) Further, such a procedure can occur even after the Principal engages in a conference prior to the hearing. (Petition, Appendix at p. 261.) To the extent the Principal makes the recommendation for expulsion after a parent conference, then presides over a hearing, there is an absence of an impartial arbiter determining the credibility of the charges against the student. Also, to underscore the lack of due process, the Petition states that there is no process at all for any appeal of an expulsion and its Board’s decision to expel shall be final (Petition, Appendix at p. 266.)

The lack of sufficient due process safeguards evinces a larger concern that the proposed student discipline procedure does not sufficiently contain procedures to maintain the educational context of a proposed disciplinary action, and to ensure that the Constitutional rights of the student are protected.

Rocketship Response: One of the last areas of flexibility for a charter school is the ability of

Bonnie Galloway, Administrator

Re: *Rocketship San Francisco Charter School Charter Petition Appeal to the State Board of Education – Response to District Findings*

October 14, 2011

Page 17 of 18

the charter school to create its own suspension and expulsion policy as long as it accords appropriate due process for students. Per Education Code Section 47610, a charter school is not bound by the laws that apply to school districts, including the suspension and expulsion provisions found in Education Code Section 48900 et seq. In accordance with that flexibility, Rocketship has created a policy that provides adequate due process and ensures the health and safety of students.

The expulsion process portion of the suspension and expulsion policy is intended to provide due process to a student. In accordance with the policy included in the charter petition, Appendix R, the Principal or designee determines whether a student has committed an expellable offense, and the matter is referred to an Administrative Panel. The Administrative Panel is appointed by the School Board, and is charged with presiding over the expulsion hearing and making a recommendation to the School Board for expulsion. The School Board is then charged with making the final decision regarding the expulsion. Thus, contrary to the District's findings, the Principal does not preside over the hearing nor make the ultimate decision regarding student expulsion.

Regarding expulsion appeal rights, most counties will not take jurisdiction over an appeal of an expulsion of a charter school student because Education Code Section 48900 et seq. does not apply to charter schools. In fact, there is no San Francisco County Office of Education available to preside over an expulsion appeal hearing, and the State Board of Education is also not a designated appeal entity as it is not a local educational agency. As written, however, the suspension and expulsion policy provides adequate due process to students in accordance with legal requirements applicable to charter schools, and the lack of a secondary appeal after a full hearing before the Administrative Panel and decision by the Charter School Board does not provide a fact to support a basis for denial of a charter under Education Code Section 47605(b).

Finding #20: Dispute Resolution. The Petition's proposed dispute resolution process meets minimal legal requirements. However, the provision that both parties "shall refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process unless otherwise required by law" is unduly restrictive.

Rocketship Response: As stated in the District's findings, the dispute resolution process provided in the Rocketship charter petition meets the "reasonably comprehensive" standard as required by Education Code Section 47605(b)(5)(N). To meet the requirements of California Code of Regulations, Title 5, Section 11967.5.1(f)(14), Rocketship has notified the CDE that it shall also include the following dispute resolution language necessary to reflect the State Board of Education as the authorizing entity:

"The Charter School recognizes that, because the State Board of Education is not a local educational agency, the State Board of Education may choose to resolve a

Bonnie Galloway, Administrator
Re: Rocketship San Francisco Charter School Charter Petition Appeal to
the State Board of Education – Response to District Findings
October 14, 2011
Page 18 of 18

dispute directly instead of pursuing the dispute resolution process specified in the charter, it must first hold a public hearing to consider arguments for and against the direct resolution of the dispute instead of pursuing the dispute resolution process specified in the charter.”

Finding #21: School Closure Procedures. The Petition’s proposed school closure procedures meet minimum legal requirements, except that the Petition references notification to San Mateo County Office of Education upon closure. (p. 98.) It is unclear why school closure notification would be required to San Mateo County Office of Education.

Rocketship Response: As stated in the District’s findings, the school closure process provided in the Rocketship charter petition meets the “reasonably comprehensive” standard as required by Education Code Section 47605(b)(5)(P) and the California Code of Regulations, Title 5, Section 11962. The inclusion of the San Mateo County Office of Education was a typographical error. Should Rocketship invoke closure procedures, in accordance with the requirements of the California Code of Regulations, Title 5, Section 11962, Rocketship shall notify the San Francisco Unified School District in lieu of an applicable county office of education.

* * *

Rocketship looks forward to working with you throughout the charter petition review process. Should the California Department of Education or State Board of Education wish to discuss our responses to any of the above findings, please do not hesitate to contact me.

Sincerely,



Preston Smith
Co-Founder and Chief Achievement Officer
Rocketship Education

Enclosure



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM 2



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

SUBJECT	
Statewide Benefit Charter Schools: Hold a Public Hearing to Consider the Renewal of the High Tech High Statewide Benefit Charter.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input checked="" type="checkbox"/> Public Hearing

SUMMARY OF THE ISSUE(S)

High Tech High (HTH) requests that the State Board of Education (SBE) approve the renewal of its HTH statewide benefit charter petition, originally approved in January 2006 and materially revised in March 2009. The California Department of Education (CDE) reviewed data from the HTH statewide benefit charter renewal petition, the required elements for renewal, progress achieved toward charter goals, statewide benefit, performance of opened schools, and expansion plan, as summarized in Tables 1 and 2.

In evaluating the HTH statewide benefit charter renewal petition, the CDE reviewed the performance of HTH per the following criteria:

Criteria Required by Law (Refer to Table 1):

- Renewal criteria, pursuant to California *Education Code (EC)* Section 47607
- Elements of a charter petition, pursuant to *EC* Section 47605(b)

Other Criteria That May Be Considered at Renewal (Refer to Table 2):

- Charter goals outlined in the original 2006 HTH charter, and the 2009 HTH material revision specific to measurable pupil outcomes, plans for expansion, and evidence supporting statewide benefits
- 2006 conditions set forth by SBE to open and operate statewide benefit charter schools

SUMMARY OF THE ISSUE(S) (Cont.)

Table 1. California <i>Education Code (EC)</i> Requirements for the Renewal of the High Tech High (HTH) Statewide Benefit Charter Renewal Petition			
Brief Description: HTH operates five charter schools under the HTH statewide benefit charter. Two schools opened in 2007, one in 2009, and two in 2011.			
	Requirement	Outcome	Location of Detailed Analysis
Renewal Criteria- <i>EC</i> Section 47607(b)*	Meet at least 1 of 4 criteria	Met 1 or more criteria	Attachment 3
Elements Required for charter petition <i>EC</i> Section 47605(b)(5)	16 elements	Met 16 elements	Attachment 2

Table 2. Considerations for the Renewal of the High Tech High (HTH) Statewide Benefit Charter Renewal Petition			
	Criteria	Outcome	Location of Detailed Analysis
Charter Petition Goals (2006 petition and 2009 material revision)			
Measurable pupil outcomes in charter (for 2010–11)	7 outcomes identified in charter	5 outcomes met; 1 in progress; 1 partially met	Attachment 6
Statewide Benefit <i>EC</i> Section 47605.8	3 benefits identified in charter	Evidence of progress on 3 benefits submitted	Attachment 4
Original Authorization	Open 6 schools	Opened 5 schools	Attachment 5
Expansion Plan	Open 2 new schools per year	Opened no new schools	Attachment 5

Table 2. Considerations for the Renewal of the High Tech High (HTH) Statewide Benefit Charter Renewal Petition (Cont.)			
	Criteria	Outcome	Attachment
State Board of Education Conditions as Established in 2006			
Statewide Academic Performance Index (API) Rank of Current Schools**	6 or higher** required to expand beyond approved number of schools in 2006	3 of 3 schools met condition	Attachment 5
API Similar School Rank of Current Schools**	6 or higher** required to expand beyond approved number of schools in 2006	0 of 3 schools met condition	Attachment 5
Demographics of Current Schools (Either schoolwide or of incoming grades)	40 percent socio-economically disadvantaged required to open schools within the approved number of schools in 2006	1 of 3 schools met condition	Attachment 5
<p>*Renewal criteria from <i>EC</i> Section 47607 apply to schools operating at least four years. Only High Tech High North County and High Tech High Chula Vista have operated four years.</p> <p>**At least one of the ranks, statewide or similar school, must be a 7 or above. To date HTH has not expanded beyond its originally approved schools; therefore, these conditions have not been applied.</p>			

RECOMMENDATION

The CDE recommends that the State Board of Education (SBE) hold a public hearing to renew the HTH statewide benefit charter and then take the following actions:

1. Pursuant to *EC* Section 47605.8(b) and Title 5, *California Code of Regulations* (5 *CCR*) Section 11967.6(b), make or reaffirm, as appropriate, a finding that substantial evidence still exists to support the following findings:
 - i. The ability of HTH to provide model public school facilities that are integral to the success of HTH's programs and recognized for their environmental quality and cost-effective construction constitutes a statewide benefit in accordance with *EC* Section 47605.8(b) and 5 *CCR* Section 11967.6(b).
 - ii. The ability of HTH to provide model public school facilities could not be provided by a series of local charters.

RECOMMENDATION (Cont.)

- iii. The HTH teacher credential program, graduate school of education, and professional development program which develops highly qualified teachers with a focus on Science, Technology, Engineering and Mathematics (STEM) constitutes a statewide benefit in accordance with *EC* Section 47605.8(b) and 5 *CCR* Section 11967.6(b).
 - iv. The HTH benefit related teacher credential program, graduate school of education, and professional development program that develops highly qualified teachers with a focus on STEM could not be provided through a series of local charters.
2. Approve the HTH petition to renew its statewide benefit charter for a five-year period from July 1, 2012, to June 30, 2017, subject to both of the following:
- i. HTH complies with the proposed conditions for the opening and operation of school sites as set forth in Attachment 1, as submitted by HTH in the renewal petition and accepted or amended by the SBE.
 - ii. The HTH statewide benefit petition is modified to incorporate the additions and changes proposed by the CDE, which included the technical revisions described in Attachment 2. None of these revisions were found to be substantive.

BRIEF HISTORY OF KEY ISSUES

The HTH statewide benefit charter serves students in kindergarten through grade twelve. The current school locations are in San Marcos, located in northern San Diego County, and Chula Vista, located nine miles from the border of Mexico.

California *Education Code* Requirement for Renewal

A charter school that has been in operation for four years shall meet at least one of four criteria outlined in *EC* Section 47607(b). According to data generated by the CDE, the HTH statewide benefit charter has met two of the four statutory renewal requirements permissible under *EC* Section 47607(b) for the renewal of a charter term (Tables 1–3 of Attachment 3 outline the data for HTH statewide benefit renewal criteria).

BRIEF HISTORY OF KEY ISSUES (Cont.)

1. The HTH statewide benefit charter has attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years pursuant to *EC* Section 47607(b)(1).
2. HTH statewide benefit charter schools had statewide ranks of five or higher for the past three years pursuant to *EC* Section 47607(b)(2) .

Based on additional data supplied by HTH, the HTH statewide benefit charter met a third criteria permissible for renewal pursuant to *EC* sections 47607(b)(4)(A) and 47607(b)(4)(B). HTH statewide benefit charter sites outperform comparison schools on truancy, suspension, and expulsion data and self-reported graduation rates and “a-g” course completion. (Tables 4–24 of Attachment 3 outline the data for the HTH statewide benefit charter sites as they compare to schools the students would otherwise likely attend).

The HTH statewide benefit charter renewal petition meets all of the elements required for the establishment of a charter school pursuant to *EC* Section 47605(b) (See Attachment 2 for detailed analysis).

Charter Goals Not Required for Renewal But May Be Considered

The HTH statewide benefit charter has achieved the statewide benefits approved in the original petition as outlined in Attachment 4.

The HTH statewide benefit charter has met or nearly met its established charter goals as described in Attachment 6.

State Board of Education Conditions Not Required for Renewal But May Be Considered

Attachment 5 outlines the compliance of HTH statewide benefit charter to the conditions set by the SBE in 2006 and again in 2009. The HTH statewide benefit charter has fully complied with five of nine conditions of SBE approval (conditions 2B, 3, 5, 7, and 8). Two conditions (conditions 1 and 2C) are not applicable at this time. Conditions 2A and 6 have been partially met. Condition 2A stated that the first two high school sites be located in different school districts and/or counties and shall be located in areas where most neighboring public schools serving the same grade levels are in program improvement (PI). Data retrieved from CDE DataQuest shows that for the schools in the HTH North County area in the 2006–07 school year, two of the schools did not receive Title I funds and one school was not in program PI. Data retrieved from CDE DataQuest shows that for the schools in the HTH Chula Vista area in the 2006–07 school year, two of the schools did not receive Title I funds and one school was PI year 3. Condition 6 stated that for each school opened under the HTH statewide benefit charter, a target of

BRIEF HISTORY OF KEY ISSUES (Cont.)

at least 40 percent shall be established for the portion of the school's student body who are socioeconomically disadvantaged by the end of the third year of operation. The condition also gave HTH the discretion to apply the target to either its entering grade level population at each school site, or to the whole school population. HTH was also given the choice to use either the number of students eligible for free and reduced price meals or the API socioeconomic status calculation. HTH Chula Vista has met the 40 percent target while HTH North County had 21 percent of the student population considered socioeconomically disadvantaged.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In March 2009, the SBE approved a material amendment to the HTH statewide benefit charter to expand the grades served from grades nine through twelve to kindergarten through grade twelve.

At its January 2006 meeting, the SBE granted HTH a statewide benefit charter for a five-year term from July 1, 2007, through June 30, 2012, to serve students in grades nine through twelve. (See Attachment 4 for SBE actions.)

FISCAL ANALYSIS (AS APPROPRIATE)

If approved, this school would receive apportionment funding under the charter school block grant funding model. Funding is based on the statewide average funding levels for each grade span (kindergarten through grade three, grades four through six, grades seven through eight, and grades nine through twelve). Calculations use revenue limits for unified, elementary, and high school districts.

ATTACHMENTS

- Attachment 1: Proposed SBE Conditions Prior to Opening and Operation for the High Tech High Statewide Benefit Charter Term July 1, 2012–June 30, 2017 (2 Pages)
- Attachment 2: California Department of Education Charter School Renewal Petition Staff Review Form High Tech High Statewide Benefit Charter (34 Pages)
- Attachment 3: Analysis of Renewal Criteria Achievement (21 Pages)
- Attachment 4: Evidence Submitted by High Tech High Supporting Statewide Benefit Provisions (5 Pages)

ATTACHMENTS (Cont.)

- Attachment 5: Analysis of High Tech High Statewide Benefit Charter Compliance with SBE Conditions Prior to Opening and Operation (2009) (5 Pages)
- Attachment 6: Analysis of High Tech High Progress Towards Statewide Benefit Charter Goals Established in 2006 (2 Pages)
- Attachment 7: High Tech High: A Proposal and Petition to Renew the Statewide Benefit Charter School for High Tech High (90 Pages)
- Attachment 8: High Tech High Statewide Benefit Charter Renewal Financial Projections (66 Pages)
- Attachment 9: High Tech High Letter to SBE Regarding Statewide Benefit Charter (9 Pages)
- Attachment 10: Relevant California *Education Code* and *California Code of Regulations* (25 Pages)
- Attachment 11: History of Statewide Benefit Charter School Legislation (1 Page)
- Attachment 12: State Board of Education Actions and Relevant Attachments: Final Minutes, State Board of Education, September 2005, January 2006, and March 2009; Last Minute Memorandum, January 2006; California Department of Education Memorandum to the Advisory Commission on Charter Schools, October 2008; and October 2010 Information Memoranda (25 Pages)

Proposed SBE Conditions Prior to Opening and Operation for the High Tech High Statewide Benefit Charter Term July 1, 2012–June 30, 2017

The California Department of Education (CDE) recommends approval of the High Tech High (HTH) Statewide Benefit Charter (SBC) renewal petition with the following conditions prior to the opening and operation of school sites. These conditions are to be incorporated in a Memorandum of Understanding (MOU) between HTH and the State Board of Education (SBE). The proposed conditions are:

1. The CDE is to be provided information by HTH sufficient to update the SBE on an annual basis (pursuant to the guidelines of the MOU) in respect to the organization's progress in implementing the charter and the MOU (and prior to the opening of any schools under the charter). It is the intent of the CDE, unless circumstances otherwise dictate, to include this information in the standing item for updates on SBE-chartered schools.
2. As a condition for the opening of additional schools, each existing school of the same school type (not including schools in year 1) under the statewide benefit petition shall demonstrate the following:
 - Meet or exceed double the state API growth target, schoolwide and for all numerically significant student groups in the previous school year

OR

 - A schoolwide growth API score at or above 800 in the most recent year, and have all numerically significant student groups make their API growth targets in two of the last three years.
3. HTH shall present a specific plan for the opening of any new school. The plan shall be submitted to the CDE and the SBE Executive Director for review. The plan shall then be forwarded to the SBE for its approval or denial.

The plan shall include the following elements:

- Financial data that includes the following elements:
 - Budget assumptions
 - Three-year budget and cash flow
 - Three-year profit and loss statement
- Proposed school level data including:
 - A grade level build-out plan of grade-level expansion and enrollment targets for each year of operation until the school incorporates all grade levels proposed

- Demographic information about the potential student body population
 - County, District, School codes for three district-run comparison schools where students would otherwise attend
 - Each site shall initially open between July 1 and September 30.
 - The general location of each proposed school (within the districts indicated in the charter) shall be identified to the CDE and SBE by HTH in advance of its opening.
4. Prior to the opening of any new schools, an MOU shall be in effect between the SBE and HTH that covers essential elements of the school sites' operation that are pertinent to effective state oversight and that are not incorporated in the charter itself.

**California Department of Education
Charter School Renewal Petition Review Form:
High Tech High Statewide Benefit Charter**

Key Information				
Grade Span and Build-out Plan	School Name	Opening Year	Grade Span	Location
	High Tech High North County (HTH NC) 37764710114694	2007	9–12	San Marcos
	High Tech High Chula Vista (HTH CV) 37764710123042	2007	9–12	Chula Vista
	High Tech Middle North County (HTM NC) 37764710119271	2009	6–8	San Marcos
	High Tech Middle Chula Vista (HTM CV) 37764710123042	2011	6–8	Chula Vista
	High Tech Elementary Chula Vista (HTE CV) 37764710123059	2011	K–5	Chula Vista
Location	High Tech High (HTH) is located in San Diego, CA. Through the statewide benefit charter, HTH has opened a high school and middle school in San Marcos and a high school, middle school, and elementary school in Chula Vista.			
Brief History	<ul style="list-style-type: none"> • In January 2006, the State Board of Education (SBE) approved the HTH statewide benefit charter to serve students in grades nine through twelve, for a five-year term from either July 1, 2006, through June 30, 2011, or July 1, 2007, through June 30, 2012, based upon the opening the first two high schools. • In September 2007, the first two high school sites opened in San Marcos (HTH NC) and Chula Vista (HTH CV). • In March 2009, the SBE approved a material revision for the HTH statewide benefit charter to expand grades served to kindergarten through grade twelve. 			

	<ul style="list-style-type: none">• In September 2009, a middle school site opened in San Marcos (HTM NC).• In September 2011, middle school and elementary school sites opened in Chula Vista (HTM CV and HTE CV).
Lead Petitioner	Larry Rosenstock, Chief Executive Officer, High Tech High

California Department of Education Staff Review Summary for the Required Charter Elements Under California <i>Education Code (EC)</i> Section 47605(b)			
	Required Charter Elements Under <i>EC</i> Section 47605(b)	Meets Requirements	Technical Amendments Necessary
	Sound Educational Practice	Yes	
	Ability to Successfully Implement the Intended Program	Yes	
	Affirmation of Specified Conditions	Yes	
1	Description of Educational Program	Yes	
2	Measureable Pupil Outcomes	Yes	
3	Method for Measuring Pupil Progress	Yes	
4	Governance Structure	Yes	
5	Employee Qualifications	Yes	
6	Health and Safety Procedures	Yes	Yes
7	Racial and Ethnic Balance	Yes	Yes
8	Admission Requirements	Yes	Yes
9	Annual Independent Financial Audits	Yes	
10	Suspension and Expulsion Procedures	Yes	Yes
11	Retirement Coverage	Yes	Yes
12	Public School Attendance Alternatives	Yes	
13	Post-employment Rights of Employees	Yes	Yes
14	Dispute Resolution Procedures	Yes	
15	Exclusive Public School Employer	Yes	
16	Closure Procedures	Yes	
	Standards, Assessments, and Parent Consultation	Yes	
	Employment is Voluntary	Yes	
	Pupil Attendance is Voluntary	Yes	
	Effect on Authorizer and Financial Projections	Yes	
	Academically Low Achieving Pupils	Yes	
	Teacher Credentialing	Yes	
	Transmission of Audit Report	Yes	

California Department of Education Summary of Technical Amendments	
Required Charter Elements	
EC Section 47605(b)	Technical Amendments
6. Health and Safety Procedures EC Section 47605(b)(5)(F):	Ensure that contractors and volunteers with prolonged contact with students submit to a tuberculosis (TB) test and period testing thereafter. Require after an initial test, periodic testing thereafter. Specifically delineate compliance with the provision of scoliosis, vision, and hearing screening. Specifically delineate the requirement to provide proof of immunization for pupils upon enrollment.
7. Racial and Ethnic Balance EC Section 47605(b)(5)(G):	Additional racial and ethnic information will be submitted via a technical amendment and reviewed annually to ensure that the schools are reflective of the general population residing within the territorial jurisdiction of each school's location. The means by which the schools will annually review and revise their recruitment plans and admissions preferences to achieve racial and ethnic balance will also be submitted.
8. Admission Requirements EC Section 47605(b)(5)(H):	The petition shall remove the reference to a ten percent cap on admissions preference for children of employees or board members of HTH, HTH Foundation, or HTH Learning for schools not receiving the funding from the Public Charter School Grant Program (PCSGP). Schools receiving funds from this grant must continue to have the ten percent cap on admissions preference only for children of employees of the school or board members of school who also receive preference as students of the district. The petition shall be revised to conform with the law that gives preference to students of the district before children of employees and students of other schools operated by the corporation. The California Department of Education (CDE) also recommends that the HTH statewide benefit charter renewal petition be amended to delineate admissions requirements between schools receiving the funding under the PCSGP and those not. Specifically, schools receiving the PCSGP funding may weight the admissions for students coming from schools in year 2, 3, 4, or 5 of program improvement (PI).
10. Suspension and Expulsion Procedures EC Section 47605(b)(5)(J):	The petition present separate lists for offenses which a pupil may be either expelled or suspended.

California Department of Education Summary of Technical Amendments	
Required Charter Elements	
EC Section 47605(b)	Technical Amendments
11. Retirement Coverage EC Section 47605(b)(5)(K):	Designate the staff person responsible for the arrangements of retirement coverage. Additionally the element shall be amended to specify the positions to be covered under each retirement system.
13. Post-employment Rights of Employees EC Section 47605(b)(5)(M):	Clarify that no right exists for employees to return to their district of employment absent such a provision in the district's policies, procedures, or collective bargaining agreements.

Overall California Department of Education Evaluation

The HTH statewide benefit charter serves students in kindergarten through grade twelve. The current school locations are in San Marcos, located in northern San Diego County, and Chula Vista, located nine miles from the Mexican border. Given the current fiscal climate, HTH has no current plans to expand.

In considering the HTH statewide benefit charter renewal petition, the CDE reviewed:

- The HTH statewide benefit charter renewal petition
- HTH statewide benefit charter budget information
- HTH statewide benefit charter schools statewide assessment results, data on statewide benefit development, and data specific to the goals of the charter.

Charter Renewal Criteria

A charter school that has been in operation for four years shall meet at least one of four criteria outlined in EC Section 47607(b). According to data generated by the CDE, the HTH statewide benefit charter has met two of the four statutory renewal requirements permissible under EC Section 47607(b) for the renewal of a charter term (Tables 1–3 of Attachment 3 outlines the data for HTH statewide benefit renewal criteria).

1. The HTH statewide benefit charter has attained its Academic Performance Index (API) growth target in the prior year and in two of the last three years pursuant to EC Section 47607(b)(1).

2. HTH statewide benefit charter schools had statewide ranks of five or higher for the past three years pursuant to *EC* Section 47607(b)(1).
3. The HTH statewide benefit charter schools outperform comparison schools on truancy, suspension, and expulsion data and on self-reported graduation rates and “a-g” course completion (Tables 4–24 of Attachment 3).

Review of Statewide Benefit Development

The SBE approved the following statewide benefits for the HTH statewide benefit charter petition (See Attachment 7 for analysis of statewide benefit):

- Model public school facilities that are integral to the success of HTH’s programs and recognized for their environmental quality and cost-effective construction
- The HTH teacher credential program, graduate school of education, and professional development program which develops highly qualified teachers with a focus on Science, Technology, Engineering and Mathematics (STEM)
- Instructional services which provide leadership in preparing students for college and career

The HTH statewide benefit charter has complied with the approved statewide benefits.

Review of SBE Statewide Benefit Charter Criteria for Opening and Operation

Attachment 5 outlines the compliance of HTH statewide benefit charter to the conditions set by the SBE in 2006 and 2009. The HTH statewide benefit charter has fully complied with five of nine conditions of SBE approval (conditions 2B, 3, 5, 7, and 8). Two conditions (conditions 1 and 2C) are not applicable at this time. Conditions 2A and 6 have been partially met. Condition 2A stated that the first two high school sites be located in different school districts and/or counties and shall be located in areas where most neighboring public schools serving the same grade levels are in program improvement (PI). Data retrieved from CDE DataQuest shows that for the schools in the HTH North County area in the 2006–07 school year, two of the schools did not receive Title I funds and one school was not in program PI. Data retrieved from CDE DataQuest shows that for the schools in the HTH Chula Vista area in the 2006–07 school year, two of the schools did not receive Title I funds and one school was PI year 3. Condition 6 stated that for each school opened under the HTH statewide benefit charter, a target of at least 40 percent shall be established for the portion of the school’s student body who are socioeconomically disadvantaged by the end of the third year of operation. The condition also gave HTH the discretion to apply the target to either its entering grade level population at each school site, or to the whole school population. HTH was also given the choice to use either the number of students eligible for free and reduced price

meals or the API socioeconomic status calculation. HTH Chula Vista has met the 40 percent target while HTH North County had 21 percent of the student population considered socioeconomically disadvantaged.

Review of Original Charter Goals Established in 2006

The charter goals are as follows:

- Graduate students with Scholastic Aptitude Test/American College Testing (SAT/ACT) scores.
- Graduate students with a transcript and portfolio that greatly increases their opportunities for admission to a college.
- One hundred percent of HTH graduates will secure admission to an institution of higher education. Eighty percent of the graduates will secure admission to a four-year institution.
- Students will complete a course of study that meets all requirements for entry into the University of California system.
- Sixty percent of HTH alumni will complete four-year college degrees within six years of graduating from HTH. This includes tracking High Tech Middle (HTM) and High Tech Elementary (HTE) students through college.
- All students will achieve proficiency or above on their fifth grade, eighth grade, and twelfth grade transitional Presentations of Learning (POL) that summarized their learning as documented by their digital portfolios.
- All students in the statewide benefit charter sites will perform comparably to nearby schools with similar demographics on state level mandated assessments.

The HTH statewide benefit charter has met or nearly met the established charter goals. An analysis is provided in Attachment 6.

Sixteen Elements

The HTH statewide benefit charter renewal petition meets all of the elements required for the establishment of a charter school pursuant to *EC* Section 47605(b). The HTH statewide benefit charter renewal petition describes an educational program that provides students with rigorous and relevant academic and workplace skills; petitioners are demonstrably likely to implement the program set forth in the petition; and the petition contains reasonably comprehensive descriptions of the 16 charter elements pursuant to *EC* Section 47605(b)(5). In addition, the HTH statewide benefit charter has

experience in starting and operating charter schools under the authorization of the SBE and has been responsive and compliant to deadlines and requests from the CDE.

A number of technical amendments are needed for clarification and to reflect SBE re-authorization; however, none of these amendments is deemed substantive. HTH statewide benefit charter petitioners have agreed to incorporate all of the amendments identified in this report into the final HTH statewide benefit charter petition as a requirement under the SBE Conditions of Opening and Operation, as follows:

- Modifications to the charter in accordance with the CDE staff report
- Specification of a five-year term beginning July 1, 2012, and ending June 30, 2017

The CDE recommends the inclusion of the applicable SBE Conditions on Opening and Operation, as provided in Attachment 1.

Requirements for State Board of Education Authorized Charter Schools

Sound Educational Practice	<i>EC Section 47605(b)</i> <i>California Code of Regulations, Title 5 (5 CCR)</i> <i>Section 11967.5.1(a) and (b)</i>	
<p>Evaluation Criteria</p> <p>For purposes of <i>EC Section 47605(b)</i>, a charter petition shall be “consistent with sound educational practice” if, in the SBE’s judgment, it is likely to be of educational benefit to pupils who attend. A charter school need not be designed or intended to meet the educational needs of every student who might possibly seek to enroll in order for the charter to be granted by the SBE.</p> <p>For purposes of <i>EC Section 47605(b)(1)</i>, a charter petition shall be “an unsound educational program” if it is either of the following:</p> <ul style="list-style-type: none"> (1) A program that involves activities that the SBE determines would present the likelihood of physical, educational, or psychological harm to the affected pupils. (2) A program that the SBE determines not likely to be of educational benefit to the pupils who attend. 		
Is the charter petition “consistent with sound educational practice?”		Yes

Comments:

The HTH statewide benefit charter renewal petition proposes an educational program that is based on the integration of technical and academic education with a focus on project-based learning. HTH has adopted a standards-based, college-preparatory curriculum closely following the current California state standards. Standards taught in each grade level and subject areas are outlined and aligned in a scope and sequence format. HTH incorporates student internships and POL as an integrated component of its educational program.

The HTH statewide benefit charter renewal petition proposes to serve students in kindergarten through grade twelve. The targeted population reflects the ethnic, cultural, and economic diversity of the areas where the school sites are located.

Academic achievement data for HTH statewide benefit charter sites and surrounding schools where the students would otherwise attend are contained in Tables 4–24 of Attachment 3.

Ability to Successfully Implement the Intended Program	EC Section 47605(b)(2) 5 CCR Section 11967.5.1(c)	
<p>Evaluation Criteria</p> <p>For purposes of <i>EC</i> Section 47605(b)(2), the SBE shall take the following factors into consideration in determining whether charter petitioners are "demonstrably unlikely to successfully implement the program."</p> <ul style="list-style-type: none"> (1) If the petitioners have a past history of involvement in charter schools or other education agencies (public or private), the history is one that the SBE regards as unsuccessful, e.g., the petitioners have been associated with a charter school of which the charter has been revoked or a private school that has ceased operation for reasons within the petitioners' control. (2) The petitioners are unfamiliar in the SBE's judgment with the content of the petition or the requirements of law that would apply to the proposed charter school. (3) The petitioners have presented an unrealistic financial and operational plan for the proposed charter school (as specified). (4) The petitioners personally lack the necessary background in the following areas critical to the charter school's success, and the petitioners do not have plan to secure the services of individuals who have the necessary background in curriculum, instruction, assessment, and finance and business management. 		
Are the petitioners "demonstrably unlikely to successfully implement the program?"	No	

Comments:

The HTH statewide benefit charter renewal petition demonstrates that the petitioners are likely to implement the program as set forth in the charter petition. The petitioners have a reasonable comprehension of the requirements of law and a solid background in the educational, financial, organizational, and legal aspects of operating a charter school. The petitioners have demonstrated willingness to work with the CDE and have been responsive and compliant to requests for information, submission of reports and necessary documents.

In general, each of HTH's statewide benefit charter sites has been successful in its financial operations and has consistently maintained the recommended levels of reserve that would be expected of a school district of similar size. In addition, both enrollment and average daily attendance trends have been strong. Overall, CDE has confidence in HTH's ability to maintain its financial stability during the next five-year renewal period.

Affirmation of Specified Conditions	EC Section 47605(b)(4) EC Section 47605(d) 5 CCR Section 11967.5.1(e)
<p>Evaluation Criteria</p> <p>For purposes of <i>EC</i> Section 47605(b)(4), a charter petition that "does not contain an affirmation of each of the conditions described in (<i>EC</i> Section 47605[d])" ...shall be a petition that fails to include a clear, unequivocal affirmation of each such condition. Neither the charter nor any of the supporting documents shall include any evidence that the charter will fail to comply with the conditions described in <i>EC</i> Section 47605(d).</p>	
<p>(1) [A] charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the California <i>Penal Code</i>. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or guardian, within this state, except that any existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school.</p>	<p>Yes</p>
<p>(2)(A) A charter school shall admit all pupils who wish to attend the school.</p> <p>(B) However, if the number of pupils who wish to attend the charter school exceeds the school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the district except as provided for in <i>EC</i> Section 47614.5. Other preferences may be permitted by the chartering authority on an individual school basis and only if consistent with the law.</p> <p>(C) In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and, in no event, shall take any action to impede the charter school from expanding enrollment to meet pupil demand.</p>	<p>Yes</p>
<p>(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information. This paragraph applies only to pupils subject to compulsory full-time education pursuant to (<i>EC</i>) Section 48200.</p>	<p>Yes</p>

Affirmation of Specified Conditions	EC Section 47605(b)(4) EC Section 47605(d) 5 CCR Section 11967.5.1(e)
Does the charter petition contain the required affirmations?	Yes

Comments:

The HTH statewide benefit charter renewal petition contains all of the required affirmations.

The 16 Charter Elements

1. Description of Educational Program	EC Section 47605(b)(5)(A) 5 CCR Section 11967.5.1(f)(1)
Evaluation Criteria	
The description of the educational program..., as required by <i>EC</i> Section 47605(b)(5)(A), at a minimum:	
(A) Indicates the proposed charter school's target student population, including, at a minimum, grade levels, approximate numbers of pupils, and specific educational interests, backgrounds, or challenges.	Yes
(B) Specifies a clear, concise school mission statement with which all elements and programs of the school are in alignment and which conveys the petitioners' definition of an "educated person" in the 21 st century, belief of how learning best occurs, and goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners.	Yes
(C) Includes a framework for instructional design that is aligned with the needs of the pupils that the charter school has identified as its target student population.	Yes
(D) Indicates the basic learning environment or environments (e.g., site-based matriculation, independent study, community-based education, technology-based education).	Yes
(E) Indicates the instructional approach or approaches the charter school will utilize, including, but not limited to, the curriculum and teaching methods (or a process for developing the curriculum and teaching methods) that will enable the school's pupils to master the content standards for the four core curriculum areas adopted by the SBE pursuant to <i>EC</i> Section 60605 and to achieve the objectives specified in the charter.	Yes
(F) Indicates how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.	Yes

1. Description of Educational Program	EC Section 47605(b)(5)(A) 5 CCR Section 11967.5.1(f)(1)	
(G) Indicates how the charter school will meet the needs of students with disabilities, EL, students achieving substantially above or below grade level expectations, and other special student populations.		Yes
(H) Specifies the charter school's special education plan, including, but not limited to, the means by which the charter school will comply with the provisions of EC Section 47641, the process to be used to identify students who qualify for special education programs and services, how the school will provide or access special education programs and services, the school's understanding of its responsibilities under law for special education pupils, and how the school intends to meet those responsibilities.		Yes
<p>If serving high school students, describes how district/charter school informs parents about:</p> <ul style="list-style-type: none"> • transferability of courses to other public high schools; and • eligibility of courses to meet college entrance requirements <p>Courses that are accredited by the Western Association of Schools (WASC) and Colleges may be considered transferable, and courses meeting the University of California (UC)/California State University (CSU) "a-g" admissions criteria may be considered to meet college entrance requirements.</p>		Yes
Does the petition overall present a reasonably comprehensive description of the educational program?		Yes

Comments:

The mission at all grade levels of HTH is to provide students with rigorous and relevant academic and workplace skills. The educational program provides students adult world connections through small schools and personalized learning. The educational theory at HTH's elementary school sites is focused on education as a shared responsibility of the school, parents, community, and the individual student. The elementary school sites will encompass kindergarten through grade five. Instruction at the elementary level will ensure basic skill acquisition, improved critical thinking, interactive learning, integrated curriculum, and incorporation of technology.

Middle schools in the HTH statewide benefit charter incorporate a pedagogy designed to provide a bridge between the elementary program and the high school program. The middle school program moves students along a continuum from basic skills acquisition to POL. The middle school model features four core courses centered on the design principles of collaboration, technology, communication, art and design, ethics and responsibility, and habits of mind.

The high school sites are small in comparison to traditional high schools. The high school teachers work in teams to create curriculum that is integrated across subjects and aligned with academic content standards. The guiding pedagogy at HTH is project-based learning. This form of education requires students to become active participants in their learning and to publicly demonstrate their learning through presentations and portfolios. HTH statewide benefit charter middle and high school sites provide written information to parents and students through the annual handbook regarding the transferability of credits to other public high schools and the eligibility of courses to meet college entrance requirements. The courses at the middle and high school levels are accredited by the WASC and approved by the UC/CSU as creditable under the “a-g” admissions criteria.

Plan for Low-Achieving Students

The HTH statewide benefit charter has developed a number of strategies to address the needs of students who are performing below standard. These support strategies include tutoring either after school, during lunch or elective time. The HTH statewide benefit charter also uses a peer tutoring approach and alumni in the area volunteer as tutors. Teachers also meet with parents, other teachers, and school directors to discuss strategies to support student learning. The HTH statewide benefit charter’s focus on small class size and project-based learning allows teachers to provide extra support on basic skills and projects. Low-achieving students have access to supplemental materials, often made available through information technology. A summer bridge program for students entering at the high school level with below-level skills in mathematics and English as well as summer school programs for current students needing additional support are offered.

Plan for High-Achieving Students

HTH statewide benefit charter teachers challenge and support each student by employing a variety of strategies including challenge assignments, which give the student an opportunity to gain a deeper understanding of course content. Beginning in the eleventh grade, students may elect an honors option in their academic core courses. Students who successfully pursue the honors option will have the course designated as honors and weighted accordingly on their transcripts.

Plan for English Learners

English learner (EL) students will receive support both inside and outside their core academic classes. Specifically Designed Academic Instruction in English methods will be incorporated in class as well as the differentiation of lessons and assessments. Students needing additional language support will be offered an optional elective of an English Language Development class. This class will occur when the other students will

be taking a Spanish language course. EL students will also be provided supplemental academic assistance including study support classes and teacher-hosted tutoring after school.

Plan for Special Education Students

To meet the needs of special education students, the HTH statewide benefit charter focuses on educational enhancement services such as assistive technology, in-class tutorial assistance, small group, and individual instruction and note-taking services in the regular education environment. Decisions on how the educational enhancement services are incorporated are the responsibility of the Individualized Education Team through a written plan with full parental consent.

2. Measureable Pupil Outcomes	<i>EC Section 47605(b)(5)(B)</i> <i>5 CCR Section 11967.5.1(f)(2)</i>	
Evaluation Criteria		
Measurable pupil outcomes, as required by <i>EC Section 47605(b)(5)(B)</i> , at a minimum:		
(A) Specify skills, knowledge, and attitudes that reflect the school's educational objectives and can be assessed, at a minimum, by objective means that are frequent and sufficiently detailed enough to determine whether pupils are making satisfactory progress. It is intended that the frequency of objective means of measuring pupil outcomes vary according to such factors as grade level, subject matter, the outcome of previous objective measurements, and information that may be collected from anecdotal sources. To be sufficiently detailed, objective means of measuring pupil outcomes must be capable of being used readily to evaluate the effectiveness of and to modify instruction for individual students and for groups of students.	Yes	
(B) Include the school's API growth target, if applicable.	Yes	
Does the petition present a reasonably comprehensive description of measurable pupil outcomes?	Yes	

Comments:

A review of data provided by the HTH statewide benefit charter outlines progress on the measurable pupil outcomes specified in the original charter petition.

- Graduate students with SAT/ACT scores. Ninety percent of HTH graduates have taken the SAT or the ACT.
- Graduate students with a transcript and portfolio that greatly increases their opportunities for admission to a college. One hundred percent of HTH graduates have developed a digital portfolio.
- One hundred percent of HTH graduates will secure admission to an institution of higher education. Eighty percent of the graduates will secure admission to a four-year institution. One hundred percent of graduated students have secured admission to post-secondary institutions. Seventy-two percent have secured admission to four-year institutions and 96 percent started college in the first semester of 2011.
- Students will complete a course of study that meets all “a-g” requirements for entry into the University of California system. All students in the first graduating class of 2011 completed the “a-g” requirements for the UC/CSU system.
- Sixty percent of HTH alumni will complete four-year college degrees within six years of graduating from HTH. This includes tracking HTM and HTE students through college. College retention data is not currently available for the graduating class of 2011. However, data from non-statewide benefit charter HTH schools indicates that 77 percent of HTH alumni are still enrolled in post-secondary education or have graduated.
- All students will achieve proficiency or above on their fifth grade, eighth grade, and twelfth grade transitional POL that summarized their learning as documented by their digital portfolio. One hundred percent of the students in grades eight and 12 demonstrated proficiency on their transitional POL.
- All students in the HTH statewide benefit charter sites will perform comparably to nearby schools with similar demographics on state level mandated assessments. Tables 4–24 in Attachment 3 show that HTH statewide benefit charter sites performed comparably to nearby schools.

The HTH statewide benefit charter petition lists the measurable pupil outcomes for the new charter term, 2012–17.

- Graduate students with SAT/ACT scores.

- Graduate students with a transcript and portfolio that greatly increases their opportunities for admission to a college.
- One hundred percent of HTH graduates will secure admission to an institution of higher education. Roughly, 75 percent of the graduates will secure admission to a four-year institution.
- Students will complete a course of study that meets all requirements for entry into the UC system.
- Sixty percent of HTH alumni will complete four-year college degrees within six years of graduating from HTH.

3. Method for Measuring Pupil Progress	EC Section 47605(b)(5)(C) 5 CCR Section 11967.5.1(f)(3)	
Evaluation Criteria The method for measuring pupil progress, as required by EC Section 47605(b)(5)(C), at a minimum:		
(A) Utilizes a variety of assessment tools that are appropriate to the skills, knowledge, or attitudes being assessed, including, at minimum, tools that employ objective means of assessment consistent with the measurable pupil outcomes.	Yes	
(B) Includes the annual assessment results from the Standardized Testing and Reporting (STAR) program.	Yes	
(C) Outlines a plan for collecting, analyzing, and reporting data on pupil achievement to school staff and to pupils' parents and guardians, and for utilizing the data continuously to monitor and improve the charter school's educational program.	Yes	
Does the petition present a reasonably comprehensive description of the method for measuring pupil progress?	Yes	

Comments:

The HTH statewide benefit charter renewal petition presents a reasonably comprehensive description of the methods to be used for measuring student progress. Key methods of measuring student progress include:

- STAR program (and California High School Exit Examination if a high school program)
- California English Language Development Test (CELDT)
- Presentations of Learning
- Digital Portfolios
- Senior Projects
- Physical Fitness Test

Results of these assessments are shared regularly with parents through the following means:

- Formal Assessment Reports
- Conferences
- Presentations of Learning
- School Accountability Report Card

4. Governance Structure	<i>EC Section 47605(b)(5)(D)</i> <i>5 CCR Section 11967.5.1(f)(4)</i>	
<p>Evaluation Criteria</p> <p>The governance structure of the school, including, but not limited to, the process...to ensure parental involvement..., as required by <i>EC Section 47605(b)(5)(D)</i>, at a minimum:</p>		
(A) Includes evidence of the charter school’s incorporation as a non-profit public benefit corporation, if applicable.	Yes	
<p>(B) Includes evidence that the organizational and technical designs of the governance structure reflect a seriousness of purpose necessary to ensure that:</p> <ol style="list-style-type: none"> 1. The charter school will become and remain a viable enterprise. 2. There will be active and effective representation of interested parties, including, but not limited to parents (guardians). 3. The educational program will be successful. 	Yes	
Does the petition present a reasonably comprehensive description of the school’s governance structure?		Yes

Comments:

The HTH statewide benefit charter renewal petition presents a reasonably comprehensive description of the HTH statewide benefit charter governance structure. The school operates as a California nonprofit public benefit corporation. The Board is comprised of at least five members of whom a majority will represent the business community. Additional board members will be selected to represent educators and the community-at-large. At least one board member will be the parent of a HTH student.

Parents are involved through participation on the board of directors. Additionally each school site will have an advisory board, which includes the school director, teachers, parents, and local community members. Each school site will also have a parent association to help build parent involvement.

5. Employee Qualifications	<i>EC Section 47605(b)(5)(E) 5 CCR Section 11967.5.1(f)(5)</i>	
Evaluation Criteria		
The qualifications (of the school’s employees), as required by <i>EC Section 47605(b)(5)(E)</i> , at a minimum:		
(A) Identify general qualifications for the various categories of employees the school anticipates (e.g., administrative, instructional, instructional support, non-instructional support). The qualifications shall be sufficient to ensure the health, and safety of the school’s faculty, staff, and pupils.		Yes
(B) Identify those positions that the charter school regards as key in each category and specify the additional qualifications expected of individuals assigned to those positions.		Yes
(C) Specify that all requirements for employment set forth in applicable provisions of law will be met, including, but not limited to credentials as necessary.		Yes
Does the petition present a reasonably comprehensive description of employee qualifications?		Yes

Comments:

The HTH statewide benefit charter renewal petition presents a reasonably comprehensive description of employee qualifications. All of HTH statewide benefit teachers of core academic subjects will be deemed highly qualified under the Elementary and Secondary Education Act. However, HTH believes that an interdisciplinary approach is important for project-based learning. Therefore, HTH may hire a teacher who is highly qualified in one of two core areas they teacher. In such cases, HTH will create a plan with the teacher to ensure compliance in that second core

area as quickly as possible by passing the required examinations or completing additional coursework.

6. Health and Safety Procedures	EC Section 47605(b)(5)(F) 5 CCR Section 11967.5.1(f)(6)
Evaluation Criteria The procedures...to ensure the health and safety of pupils and staff, as required by <i>EC</i> Section 47605(b)(5)(F), at a minimum:	
(A) Require that each employee of the school furnish the school with a criminal record summary as described in <i>EC</i> Section 44237.	Yes
(B) Include the examination of faculty and staff for tuberculosis (TB) as described in <i>EC</i> Section 49406.	Yes; Technical Amendments Needed
(C) Require immunization of pupils as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school.	Yes; Technical Amendments Needed
(D) Provide for the screening of pupils' vision and hearing and the screening of pupils for scoliosis to the same extent as would be required if the pupils attended a non-charter public school.	Yes; Technical Amendments Needed
Does the petition present a reasonably comprehensive description of health and safety procedures?	Yes; Technical Amendments Needed

Comments:

The HTH statewide benefit charter renewal petition presents a reasonably comprehensive description of health and safety procedures to be used at the school. HTH statewide benefit charter adopted and implemented a comprehensive set of policies and procedures that ensure the health and safety of staff and students.

Technical Amendments: The CDE recommends technical amendments as follows:

- A technical amendment to ensure that contractors and volunteers with prolonged contact with students submit to a TB test and period testing thereafter.

- A technical amendment, which would require after an initial TB test periodic testing thereafter as required by *EC* Section 49406.
- The petition states that health screenings will take place, however the CDE requires a technical amendment to the renewal petition to specify the health screenings of scoliosis, vision, and hearing screening in accordance with 5 *CCR* Section 11967.5.1(f)(6)(D).
- The petition states that it will comply with all pupil immunization requirements, however, the CDE requires a technical amendment to the petition to specify the requirement to provide proof of immunization for pupils upon enrollment in accordance with 5 *CCR* Section 11967.5.1(f)(6)(C).

7. Racial and Ethnic Balance	<i>EC</i> Section 47605(b)(5)(G) 5 <i>CCR</i> Section 11967.5.1(f)(7)
Evaluation Criteria Recognizing the limitations on admissions to charter schools imposed by <i>EC</i> Section 47605(d), the means by which the school(s) 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..., as required by <i>EC</i> Section 47605(b)(5)(G), shall be presumed to have been met, absent specific information to the contrary.	
Does the petition present a reasonably comprehensive description of means for achieving racial and ethnic balance?	Yes; Technical Amendments Needed

Comments:

The HTH statewide benefit charter renewal petition presents a reasonably comprehensive description of the means for achieving a racial and ethnic balance at the school. HTH statewide benefit charter currently serves students in San Diego County, California. HTH statewide benefit charter outreach activities are employed to achieve racial and ethnic balance and to be reflective of the districts where the HTH statewide benefit charter schools are located. Comparison data is reflected in Tables 4–24 of Attachment 3. HTH statewide benefit charter commits to do the following related to achieving racial and ethnic balance:

- Work cooperatively with area school districts and county offices of education to attempt to provide program information and application to all eligible applicants via direct mail.
- HTH staff members will visit school and community organizations throughout the surrounding areas to recruit applicants.

- HTH will offer public information meetings in areas of focus to aid in the achievement of socio-economic and cultural diversity.

The HTH statewide benefit charter schools sites in San Marcos (HTH NC and HTM NC) have both received funds under the federal PCSGP and thus have been required to follow the federal non-regulatory guidance which bars any charter from using preferences or weighted advantages in the admission system. As a result, students who qualified for national school lunch program did not receive a statistical advantage for the first two years each schools operation.

Technical Amendments:

The CDE requires additional information be submitted via a technical amendment and reviewed annually to ensure that the schools are reflective of the general population residing within the territorial jurisdiction of each school’s location and the means by which the school’s will annually review and revise their recruitment plans and admissions preferences to achieve the racial and ethnic balance.

8. Admission Requirements, If Applicable	EC Section 47605(b)(5)(H) 5 CCR Section 11967.5.1(f)(8)
<p>Evaluation Criteria</p> <p>To the extent admission requirements are included in keeping with <i>EC</i> Section 47605(b)(5)(H), the requirements shall be in compliance with the requirements of <i>EC</i> Section 47605(d) and any other applicable provision of law.</p>	
Does the petition present a reasonably comprehensive description of admission requirements?	Yes; Technical Amendments Needed

Comments:

The HTH statewide benefit charter renewal petition describes admission requirements to be used at the school. The HTH statewide benefit charter commits to conducting a public random drawing if more applications are received than there is capacity.

Technical Amendments: The CDE recommends technical amendments as follows:

- The petition shall remove the reference to a 10 percent cap on admissions preferences for children of employees or board members of HTH, HTH Foundation, or HTH Learning for schools not receiving the funding from the PCSGP. Schools receiving funds from this grant must continue to have the 10 percent cap on admissions preferences only for children of employees of the

school or board members of school who also receive preference as students of the district.

- The petition shall be revised to conform with the law that gives preference to students of the district before children of employees and students of other schools operated by the corporation.
- The CDE also recommends that the HTH statewide benefit charter renewal petition be amended to delineate admissions requirements between schools receiving the funding under the PCSGP and those not. Specifically, schools receiving the PCSGP funding may weight the admissions for students coming from schools in year 2, 3, 4, or 5 of PI.

9. Annual Independent Financial Audits	EC Section 47605(b)(5)(I) 5 CCR Section 11967.5.1(f)(9)	
<p>Evaluation Criteria</p> <p>The manner in which annual independent financial audits shall be conducted using generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the SBE’s satisfaction, as required by EC Section 47605(b)(5)(I), at a minimum:</p>		
(A) Specify who is responsible for contracting and overseeing the independent audit.		Yes
(B) Specify that the auditor will have experience in education finance.		Yes
(C) Outline the process of providing audit reports to the SBE, CDE, or other agency as the SBE may direct, and specifying the timeline in which audit exceptions will typically be addressed.		Yes
(D) Indicate the process that the charter school(s) will follow to address any audit findings and/or resolve any audit exceptions.		Yes
Does the petition present a reasonably comprehensive description of annual independent financial audits?		Yes

Comments:

The HTH statewide benefit charter renewal petition presents a reasonably comprehensive description of the manner in which annual independent financial audits will be conducted.

10. Suspension and Expulsion Procedures	EC Section 47605(b)(5)(J) 5 CCR Section 11967.5.1(f)(10)
<p>Evaluation Criteria</p> <p>The procedures by which pupils can be suspended or expelled, as required by <i>EC</i> Section 47605(b)(5)(J), at a minimum:</p>	
<p>(A) Identify a preliminary list, subject to later revision pursuant to subparagraph (E), of the offenses for which students in the charter school must (where non-discretionary) and may (where discretionary) be suspended and, separately, the offenses for which students in the charter school must (where non-discretionary) or may (where discretionary) be expelled, providing evidence that the petitioners' reviewed the offenses for which students must or may be suspended or expelled in non-charter public schools.</p>	<p>Yes; Technical Amendments Needed</p>
<p>(B) Identify the procedures by which pupils can be suspended or expelled.</p>	<p>Yes</p>
<p>(C) Identify the procedures by which parents, guardians, and pupils will be informed about reasons for suspension or expulsion and of their due process rights in regard to suspension or expulsion.</p>	<p>Yes</p>
<p>(D) Provide evidence that in preparing the lists of offenses specified in subparagraph (A) and the procedures specified in subparagraphs (B) and (C), the petitioners reviewed the lists of offenses and procedures that apply to students attending non-charter public schools, and provide evidence that the charter petitioners believe their proposed lists of offenses and procedures provide adequate safety for students, staff, and visitors to the school and serve the best interests the school's pupils and their parents (guardians).</p>	<p>Yes</p>

10. Suspension and Expulsion Procedures	EC Section 47605(b)(5)(J) 5 CCR Section 11967.5.1(f)(10)
<p>(E) If not otherwise covered under subparagraphs (A), (B), (C), and (D):</p> <ol style="list-style-type: none"> 1. Provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in...regard to suspension and expulsion. 2. Outline how detailed policies and procedures regarding suspension and expulsion will be developed and periodically reviewed, including, but not limited to, periodic review and (as necessary) modification of the lists of offenses for which students are subject to suspension or expulsion. 	<p>Yes</p>
<p>Does the petition present a reasonably comprehensive description of suspension and expulsion procedures?</p>	<p>Yes; Technical Amendments Needed</p>

Comments:

The HTH statewide benefit charter petition presents a reasonably comprehensive description of suspension and expulsion procedures to be used by the school. HTH statewide benefit charter commits to comprehensive due process procedures for all pupils by utilizing a suspension and expulsion policy based upon *EC* Section 48900.

Technical Amendments: The CDE recommends technical amendment that the petition present separate lists for offenses which a pupil may be either expelled or suspended pursuant to 5 *CCR* Section 11967.5.1(f)(10)(A).

11. California State Teachers Retirement System (CalSTRS), California Public Employees Retirement System (CalPERS), and Social Security Coverage	EC Section 47605(b)(5)(K) 5 CCR Section 11967.5.1(f)(11)
Evaluation Criteria The manner by which staff members of the charter schools will be covered by the CalSTRS, CalPERS, or federal social security, as required by <i>EC</i> Section 47605(b)(5)(K), at a minimum, specifies the positions to be covered under each system and the staff who will be responsible for ensuring that appropriate arrangements for that coverage have been made.	
Does the petition present a reasonably comprehensive description of CalSTRS, CalPERS, and social security coverage?	Yes; Technical Amendments Needed

Comments:

The HTH statewide benefit charter renewal petition presents a reasonably comprehensive description of the retirement programs offered by the school.

Technical Amendments: The CDE recommends technical amendment that specifies the positions to be covered under each retirement system and that designates the staff person responsible for the arrangements of coverage.

12. Public School Attendance Alternatives	EC Section 47605(b)(5)(L) 5 CCR Section 11967.5.1(f)(12)
Evaluation Criteria The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools, as required by <i>EC</i> Section 47605(b)(5)(L), at a minimum, specify that the parent or guardian of each pupil enrolled in the charter school shall be informed that the pupil has no right to admission in a particular school of any local education agency (LEA) (or program of any LEA) as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the LEA.	
Does the petition present a reasonably comprehensive description of public school attendance alternatives?	Yes

Comments:

The HTH statewide benefit charter renewal petition presents a reasonably comprehensive description of the public school alternatives.

13. Post-employment Rights of Employees	EC Section 47605(b)(5)(M) 5 CCR Section 11967.5.1(f)(13)
<p>Evaluation Criteria</p> <p>The description of the rights of any employees 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, as required by <i>EC</i> Section 47605(b)(5)(M), at a minimum, specifies that an employee of the charter school shall have the following rights:</p>	
(A) Any rights upon leaving the employment of an LEA to work in the charter school that the LEA may specify.	Yes
(B) Any rights of return to employment in an LEA after employment in the charter school as the LEA may specify.	Yes; Technical Amendments Needed
(C) Any other rights upon leaving employment to work in the charter school and any rights to return to a previous employer after working in the charter school that the SBE determines to be reasonable and not in conflict with any provisions of law that apply to the charter school or to the employer from which the employee comes to the charter school or to which the employee returns from the charter school.	Yes
Does the petition present a reasonably comprehensive description of post-employment rights of employees?	Yes; Technical Amendments Needed

Comments:

The HTH statewide benefit charter renewal petition presents a reasonably comprehensive description of the post-employment rights of employees.

Technical Amendments: The CDE recommends a technical amendment: HTH must clarify that no right exists for employees to return to their district of employment absent such a provision in the district’s policies, procedures, or collective bargaining agreements.

14. Dispute Resolution Procedures	<i>EC Section 47605(b)(5)(N)</i> <i>5 CCR Section 11967.5.1(f)(14)</i>	
Evaluation Criteria The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to the provisions of the charter, as required by <i>EC Section 47605(b)(5)(N)</i> , at a minimum:		
(A) Include any specific provisions relating to dispute resolution that the SBE determines necessary and appropriate in recognition of the fact that the SBE is not a LEA.	Yes	
(B) Describe how the costs of the dispute resolution process, if needed, would be funded.	Yes	
(C) Recognize that, because it is not a LEA, the SBE may choose resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, provided that if the State Board of Education intends to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, it must first hold a public hearing to consider arguments for and against the direct resolution of the dispute instead of pursuing the dispute resolution process specified in the charter.	Yes	
(D) Recognize that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with <i>EC Section 47604.5</i> , the matter will be addressed at the SBE's discretion in accordance with that provision of law and any regulations pertaining thereto.	Yes	
Does the petition present a reasonably comprehensive description of dispute resolution procedures?		Yes

Comments:

The HTH statewide benefit charter renewal petition reasonably describes dispute resolution procedures.

15. Exclusive Public School Employer	<i>EC Section 47605(b)(5)(O)</i> 5 CCR Section 11967.5.1(f)(15)
<p>Evaluation Criteria</p> <p>The declaration of whether or not the district shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 [commencing with Section 3540] of Division 4 of Title 1 of the <i>Government Code</i>), as required by <i>EC Section 47605(b)(5)(O)</i>, recognizes that the SBE is not an exclusive public school employer and that, therefore, the charter school must be the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (EERA).</p>	
Does the petition include the necessary declaration?	Yes

Comments:

The HTH statewide benefit charter renewal petition makes clear that the HTH shall be deemed the exclusive public school employer of charter school employees for the purposes of the EERA.

16. Closure Procedures	<i>EC Section 47605(b)(5)(P)</i> 5 CCR Section 11967.5.1(f)(15)(g)
<p>Evaluation Criteria</p> <p>A description of the procedures to be used if the charter school closes, in keeping with <i>EC Section 47605(b)(5)(P)</i>. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.</p>	
Does the petition include a reasonably comprehensive description of closure procedures?	Yes

Comments:

The HTH statewide benefit charter renewal petition includes a reasonably comprehensive description of closure procedures.

ADDITIONAL REQUIREMENTS UNDER EC SECTION 47605

Standards, Assessments, and Parent Consultation	EC Section 47605(c) 5 CCR Section 11967.5.1(f)(3)	
Evaluation Criteria		
Evidence is provided that:		
(1) The school shall meet all statewide standards and conduct the pupil assessments required pursuant to <i>EC</i> sections 60605, 60851, and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools.		Yes
(2) The school shall, on a regular basis, consult with their parents and teachers regarding the school's educational programs.		Yes
Does the petition provide evidence addressing the requirements regarding standards, assessments, and parent consultation?		Yes

Comments:

The HTH statewide benefit charter renewal petition states that HTH statewide benefit charter will meet all statewide standards and conduct all required state-mandated pupil assessments. The petition also includes a commitment to consult regularly with parents and teachers regarding the school's educational programs.

Employment is Voluntary	EC Section 47605(e) 5 CCR Section 11967.5.1(f)(13)	
Evaluation Criteria		
The governing board...shall not require any employee...to be employed in a charter school.		
Does the petition meet this criterion?		Yes

Comments:

The HTH statewide benefit charter renewal petition states that no public school district employee shall be required to work at the charter school.

Pupil Attendance is Voluntary	EC Section 47605(f) 5 CCR Section 11967.5.1(f)(12)
Evaluation Criteria	
The governing board...shall not require any pupil...to attend a charter school.	
Does the petition meet this criterion?	Yes

Comments:

The petition states that enrollment at HTH statewide benefit charter school is entirely voluntary on the part of the pupils.

Effect on Authorizer and Financial Projections	EC Section 47605(g) 5 CCR Section 11967.5.1(c)(3)(A-C)
Evaluation Criteria	
...[T]he petitioners [shall] provide information regarding the proposed operation and potential effects of the school, including, but not limited to:	
<ul style="list-style-type: none"> The facilities to be utilized by the school. The description of the facilities to be used by the charter school shall specify where the school intends to locate. 	Yes
<ul style="list-style-type: none"> The manner in which administrative services of the school are to be provided. 	Yes
<ul style="list-style-type: none"> Potential civil liability effects, if any upon the school and the SBE. 	Yes
The petitioners shall also provide financial statements that include a proposed first-year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation.	Yes
Does the petition provide the required information and financial projections?	Yes

Comments:

The HTH statewide benefit charter renewal petition demonstrates that the petitioners are likely to continue implementing the program as set forth in the charter petition. The HTH statewide benefit charter petition contains a realistic budget, consistent with previously submitted budgets, with most revenues conservatively projected and reasonable expenditures that are consistent with historic averages.

In general, each of High Tech High's statewide benefit sites has been successful in its financial operations and has consistently maintained the recommended levels of reserve that would be expected of a school district of similar size. In addition, both

enrollment and ADA trends have been strong. Overall, CDE has confidence in HTH's ability to maintain its financial stability during the next five-year renewal period.

Academically Low-Achieving Pupils	<i>EC Section 47605(h)</i> 5 CCR Section 11967.5.1(f)(1)(F–G)	
Evaluation Criteria In reviewing petitions, the charter authorizer shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioners as academically low achieving pursuant to the standards established by the State Department of Education under Section 54032 as it read prior to July 19, 2006.		
Does the petition merit preference by the SBE under this criterion?		Yes

Comments:

The HTH statewide benefit charter merits preference by the SBE under this criterion.

Teacher Credentialing	<i>EC Section 47605(l)</i> 5 CCR Section 11967.5.1(f)(5)	
Evaluation Criteria Teachers in charter schools shall be required to hold a California 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 noncore, noncollege preparatory courses.		
Does the petition meet this requirement?		Yes

Comments:

The HTH statewide benefit charter renewal petition meets this requirement.

Transmission of Audit Report	EC Section 47605(m) 5 CCR Section 11967.5.1(f)(9)
Evaluation Criteria	
A charter school shall transmit a copy of its annual independent financial audit report for the preceding fiscal year...to the chartering entity, the Controller, the county superintendent of schools of the county in which the charter is sited..., and the CDE by December 15 of each year.	
Does the petition address this requirement?	Yes

Comments:

The HTH statewide benefit charter renewal petition reasonably describes the transmission of the annual audit report.

Specific Criteria Related to Statewide Benefit Charter Petitions

Statewide Benefit	EC Section 47605.8 5 CCR Section 11967.6(b)
Evaluation Criteria	
The proposed state charter school will provide instructional services of a statewide benefit.	Yes
The instructional services of a statewide benefit cannot be provided by a charter school operating in only one school district, or only one county.	Yes
Does the charter petition satisfy these requirements?	Yes

Comments:

The HTH statewide benefit charter petition describes the benefit to pupils, communities, and the state. Although the HTH statewide benefit charter petition describes three statewide benefits, the CDE is recommending approval of only the following two statewide benefits:

1. The ability of HTH to provide model public school facilities that are integral to the success of HTH's programs and recognized for their environmental quality and cost-effective construction constitutes a statewide benefit in accordance with *EC* Section 47605.8(b) and 5 *CCR* Section 11967.6(b).

- The ability of HTH to provide model public school facilities could not be provided by a series of local charters.
2. The HTH teacher credential program, graduate school of education, and professional development program which develops highly qualified teachers with a focus on Science, Technology, Engineering and Mathematics (STEM) constitutes a statewide benefit in accordance with *EC* Section 47605.8(b) and 5 *CCR* Section 11967.6(b).
- The HTH benefit related teacher credential program, graduate school of education, and professional development program that develops highly qualified teachers with a focus on STEM could not be provided through a series of local charters.

See Attachment 4 for a detailed review of HTH's progress towards providing these statewide benefits.

Analysis of Renewal Criteria Achievement

This table summarizes the finding from all subsequent tables in this attachment.

Table 1. Renewal Criteria Summary					
Renewal Criteria from California <i>Education Code (EC) Section 47607</i> Applicable to High Tech High (HTH) Statewide Benefit Charter Schools Operating Four or More Years			Renewal Criteria from <i>EC Section 47607</i> Not Applicable To Schools Operating Less Than Four Years		
	High Tech High North County 3776471 0114694	High Tech High Chula Vista 3776471 0114678	High Tech Middle North County 3776471 0119271	High Tech Middle Chula Vista 3776471 0123042	High Tech Elementary Chula Vista 3776471 0123059
Year Opened	2007	2007	2009	2011	2011
Years in Operation	5	5	3	1	1
Criteria 1: Met Academic Performance Index (API) Growth Target	Yes	Yes	Yes	NA	NA
Criteria 2: API Statewide Rank 4–10	Yes	Yes	Yes	NA	NA
Criteria 3: API Similar Schools Rank 4–10	Yes	No	No	NA	NA
Criteria 4: Academic performance equal to public schools students would otherwise attend	Yes	Yes	Yes	NA	NA

Criteria 1: Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, or in the aggregate for the prior three years

Table 2. API Growth Target (Met Target) for First Two High Tech High Statewide Benefit School Sites Opened in 2007					
	2011 API	2010–11 Growth	2009–10 Growth	2008–09 Growth	2007–08 Growth
High Tech High North County (Opened 2007)	801	13 (Yes)	11 (Yes)	14 (Yes)	B
High Tech High Chula Vista (Opened 2007)	751	10 (Yes)	-18 (No)	21 (Yes)	B
High Tech Middle North County (Opened 2009)	842	6 (Yes)	B	NA	NA

Source: California Department of Education (CDE), DataQuest, Retrieved October 6, 2011 from the CDE DataQuest Web page at <http://dq.cde.ca.gov/dataquest/>.
“B” means the school did not have a valid Base API and will not have any growth or target information.

Met Criteria 1? Yes. The two schools to which the renewal criteria applies, as they have been in operation for four years, HTH North County and HTH Chula Vista, met their growth targets in the prior year and in two of the last three years. High Tech Middle (HTM) North County that opened in 2009 met its growth target in the prior year. HTM and High Tech Elementary (HTE) Chula Vista opened in 2011. The first reportable scores and data for these schools will be released in 2012.

Criteria 2: Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.

Criteria 3: Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years.

Table 3. Statewide and Similar Schools Rank for HTH Statewide Benefit Charter Schools (statewide/similar)				
	2011	2010	2009	2008
High Tech High North County	Data Not Available Unit Spring of 2012	8/2	8/5	8/5
High Tech High Chula Vista		5/1	7/1	6/3
High Tech Middle North County		8/2	NA	NA
Source: California Department of Education (CDE), DataQuest, Retrieved October 6, 2011 from the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/ .				

Met Criteria 2? Yes. The two schools to which the renewal criteria applies, as they have been in operation for four years, HTH North County and HTH Chula Vista, currently meet the statewide rank requirement.

Met Criteria 3? No. One of the two schools to which the renewal criteria applies, as they have been in operation for four years, HTH North County currently meets the similar school rank requirement. HTH Chula Vista does not meet the similar school rank requirement.

Criteria 4: The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school. Additionally, Pupil achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program established by Article 4 (commencing with Section 60640) for demographically similar pupil populations in the comparison schools.

High Tech High North County (Opened 2007)

Table 4. 2011 Demographic Data for Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
School Name	High Tech High North County	San Marcos High School	Mission Hills High School	Escondido High School
CDS Code	3776471 0114694	3773791 3737632	3773791 0105726	3768106 3732062
Total Enrollment	497	2,211	2,538	2,744
% Black or African American	3.0*	2.8	3.6	3.4
% American Indian or Alaska Native	0	0	0	0
% Asian	4.0*	4.9	4.6	3.5
% Filipino	2.0*	3.1	3.5	3.2
% Hispanic or Latino	19.0*	47.8	49.4	63.1
% Native Hawaiian or Pacific Islander	0	0	0	0
% White	66.0*	39.7	36.6	25.7
% Two or More Races	5.0*	0	1.0	0
% Socioeconomically Disadvantaged	21.7	41.5	44.2	61.3
% English Learners	6.4	30.5	30.5	49.4
% Special Education	14.5	5.6	5.9	9.4
<p>Source: California Longitudinal Pupil Achievement Data System (CALPADS), retrieved October 6, 2011 from the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/. *Standardized Testing and Reporting Program (STAR) demographic data used as HTH noted an error in Hispanic/Latino and White demographic data on CALPADS.</p>				

Table 5. 2011 Academic Performance Index (API) Growth Data for Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
School Name	High Tech High North County	San Marcos High School	Mission Hills High School	Escondido High School
CDS Code	3776471 0114694	3773791 3737632	3773791 0105726	3768106 3732062
Valid Scores Schoolwide	363	1563	1827	1887
Schoolwide	801 (13)	859 (29)	834 (-9)	747 (20)
Black or African American	736 (-)	851 (-)	816 (-)	770 (-)
American Indian or Alaska Native	- (-)	- (-)	905 (-)	- (-)
Asian	891 (-)	943 (-)	914 (-)	851 (-)
Filipino	-(-)	917 (-)	936 (-)	837 (-)
Hispanic or Latino	728 (8)	795 (30)	780 (-12)	704 (22)
Native Hawaiian or Pacific Islander	-(-)	- (-)	- (-)	- (-)
White	822 (19)	914 (20)	887 (-1)	837 (25)
Two or More Races	799 (-)	- (-)	838 (-)	- (-)
Socioeconomically Disadvantaged	739 (4)	No Data	No Data	701 (26)
English Learner	665 (-)	759 (51)	748 (8)	687 (19)
Students with Disabilities	674 (-)	620 (25)	585 (-37)	575 (83)
Statewide/Similar Schools Rank	8/2	9/10	9/10	5/5
Data source used, California Department of Education (CDE), DataQuest, Retrieved October 6, 2011 from the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/ .				
- The Growth API is not displayed when there are less than 11 valid scores				
(-) The student group is not numerically, significant, therefore no growth determination was made				

Table 6. Academic Performance Index (API) Growth for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
School Name	High Tech High North County	San Marcos High School	Mission Hills High School	Escondido High School
CDS Code	3776471 0114694	3773791 3737632	3773791 0105726	3768106 3732062
API Growth for 2010-11	13	No data available: school changing data		20
API Growth for 2009-10	11	25	25	-1
API Growth for 2008-09	14	28	35	-4
API Growth for 2007-08	B	39	39	13
Source: California Department of Education (CDE), DataQuest, Retrieved October 6, 2011 from the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/ .				

Table 7. 2011 Adequate Yearly Progress (AYP) Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
School Name	High Tech High North County	San Marcos High School	Mission Hills High School	Escondido High School
CDS Code	3776471 0114694	3773791 3737632	3773791 0105726	3768106 3732062
Made AYP (Criteria Met / Total Criteria)	Yes	No	No	Yes
#Criteria Met/# Criteria Applicable	(9/9)	(20/22)	(18/22)	(22/22)
2011–12 Program Improvement (PI) Status	Not Title 1	Not Title 1	Not Title 1	Not in PI
2011–12 Program Improvement (PI) Year				
Source: California Department of Education (CDE), DataQuest, Retrieved October 6, 2011 from the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/ .				

Table 8. 2011 Adequate Yearly Progress (AYP) Data: Percent Proficient in English-language arts (ELA) for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
ELA % Proficiency Target: 67.6				
School Name	High Tech High North County	San Marcos High School	Mission Hills High School	Escondido High School
CDS Code	3776471 0114694	3773791 3737632	3773791 0105726	3768106 3732062
Number of Valid Scores Schoolwide	131	499	627	673
Schoolwide (Met Target)	77.9 (Yes)	78.0(Yes)	73.0 (Yes)	57.1 (Yes)
Black or African American (Met Target)	--(--)	87.0 (--)	71.4 (--)	63.2 (--)
American Indian or Alaska Native (Met Target)	--(--)	--(--)	--(--)	--(--)
Asian (Met Target)	--(--)	95.0 (--)	96.3 (--)	85.0 (--)
Filipino (Met Target)	--(--)	95.2 (--)	96.4 (--)	60.9 (--)
Hispanic or Latino (Met Target)	63.0 (No)	61.5 (Yes)	60.3 (Yes)	47.1 (Yes)
Native Hawaiian or Pacific Islander (Met Target)	--(--)	--(--)	--(--)	--(--)
White (Met Target)	87.0 (Yes)	92.0 (Yes)	85.9 (Yes)	82.6 (Yes)
Two or More Races (Met Target)	--(--)	--(--)	--(--)	--(--)
Socioeconomically Disadvantaged (Met Target)	55.6 (--)	59.6 (No)	52.4 (No)	45.3 (Yes)
English Learner (Met Target)	--(--)	51.0 (Yes)	49.8 (Yes)	41.9 (Yes)
Students with Disabilities (Met Target)	61.5 (--)	18.9 (--)	22.2 (--)	25.9 (--)
Source: California Department of Education (CDE), DataQuest, Retrieved October 6, 2011 from the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/ . --Percent proficient is not displayed when there are less than 11 valid scores (--) The student group is not numerically, significant, therefore no AYP determination was made				

Table 9. 2011 Adequate Yearly Progress (AYP) Data: Percent Proficient in Mathematics for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
2011 AYP Percent Proficient – Mathematics – Target 66.1%				
School Name	High Tech High North County	San Marcos High School	Mission Hills High School	Escondido High School
CDS Code	3776471 0114694	3773791 3737632	3773791 0105726	3768106 3732062
Number of Valid Scores Schoolwide	131	500	629	670
Schoolwide (Met Target)	64.1 (Yes)	74.6 (Yes)	64.2 (Yes)	57.9 (Yes)
Black or African American (Met Target)	--(--)	69.6 (--)	72.7 (--)	42.1 (--)
American Indian or Alaska Native (Met Target)	--(--)	--(--)	--(--)	--(--)
Asian (Met Target)	--(--)	90.0 (--)	88.9 (--)	90.0 (--)
Filipino (Met Target)	--(--)	95.2 (--)	92.9 (--)	65.2 (--)
Hispanic or Latino (Met Target)	51.9 (--)	61.7 (Yes)	50.5 (No)	51.6 (Yes)
Native Hawaiian or Pacific Islander (Met Target)	--(--)	--(--)	--(--)	--(--)
White (Met Target)	68.8 (Yes)	86.1 (Yes)	76.5 (Yes)	74.4 (Yes)
Two or More Races (Met Target)	--(--)	--(--)	--(--)	--(--)
Socio-economically Disadvantaged (Met Target)	48.1 (--)	55.6 (NO)	41.5 (No)	49.1 (Yes)
English Learner (Met Target)	--(--)	51.0 (Yes)	40.8 (No)	48.5 (Yes)
Students with Disabilities (Met Target)	30.8 (--)	18.4 (--)	17.2 (--)	27.8 (--)
Source: California Department of Education (CDE), DataQuest, Retrieved October 6, 2011 from the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/ . --Percent proficient is not displayed when there are less than 11 valid scores (--) The student group is not numerically, significant, therefore no AYP determination was made				

Table 10. 2010–11 California High School Exit Examination (CAHSEE) and Additional Data for Surrounding Schools Where Pupils Would Otherwise be Required to Attend								
CAHSEE Grade 10 Passage Rate								
	High Tech High North County 37764710114694		San Marcos High School 37737913737632		Mission Hills High School 37737910105726		Escondido High School 37681063732062	
	ELA	Math	ELA	Math	ELA	Math	ELA	Math
Schoolwide	93	90	92	93	90	90	81	86
Hispanic	81	81	85	88	83	81	75	83
White	100	96	100	99	97	99	96	95
Economically Disadvantaged	89	89	84	86	78	74	73	83
Special Ed	85	85	59	50	46	37	49	58
English Learner	NA	NA	60	68	54	61	28	56
Additional high school level comparison data								
2011	Graduation Rate*	96**	NA	NA	NA	NA	NA	NA
	“a-g” completion	100**	NA	NA	NA	NA	NA	NA
	Truancy Rate	0.6	19.58	25.65	2.37			
	Total Suspension	3	168	112	332			
	Violence/Drugs Suspensions (Rate)	No Data	118 (5.34)	84 (3.31)	166 (6.05)			
	Total Expulsions	No Data	14	24	34			
	Violence/Drugs Expulsions (Rate)	No Data	14 (0.63)	22 (0.87)	32 (1.17)			
2010	Graduation Rate*	NA	87.1	87.3	88.7			
	“a-g” completion	NA	60	98.6	32.8			
	Adjusted Drop Out Rate 1 year	2.0	2.8	1.6	1.7			
	Adjusted Drop Out Rate 4 year	NA	15.1	6.9	6.6			
Source: California Department of Education (CDE), DataQuest, Retrieved October 6, 2011 from the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/ .								
*Cohort Graduation Rate								
**HTH NC first graduating class graduated in June 2011. State level graduation data for 2011 is not yet available. The data reported is from HTH and has not been vetted through the CDE reporting system.								

High Tech High Chula Vista (Opened 2007)

Table 11. 2010–11 Demographic Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
School Name	High Tech High Chula Vista	Hilltop Senior High School	Olympian High School	Castle Park Senior High School
CDS Code	3776471 0123042	3768411 3732849	3768411 0111831	3768411 3730801
Student Enrollment	606	2,205	1,732	1,579
% Black or African American	6.0*	1.9	7.0	2.5
% American Indian or Alaska Native	0	0	0	0
% Asian	2.0*	1.8	2.5	0
% Filipino	8.0*	2.8	21.9	1.7
% Hispanic or Latino	71.0*	76.7	53.5	89.9
% Native Hawaiian or Pacific Islander	0	0	0	0
% White	11.0*	15.1	7.7	3.6
% Two or More Races	1.0*	0	6.5	1.2
% Socioeconomically Disadvantaged	40.4	60.9	48.4	86.8
% English Learners	29.9	32.9	25.8	57.8
% Students with Disabilities	9.2	9.7	8.1	12.9
<p>Source: California Longitudinal Pupil Achievement Data System (CALPADS), retrieved October 6, 2011 from the California Department of Education DataQuest Web page at http://dq.cde.ca.gov/dataquest/. *Standardized Testing and Reporting Program (STAR) demographic data used as HTH noted an error in Hispanic/Latino and White demographic data on CALPADS.</p>				

Table 12. 2011 Growth Academic Performance Index (API) Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
School Name	High Tech High Chula Vista	Hilltop Senior High School	Olympian High School	Castle Park Senior High School
CDS Code	3776471 0123042	3768411 3732849	3768411 0111831	3768411 3730801
Valid Scores Schoolwide	447	1548	1273	1004
Schoolwide	751 (10)	783 (10)	845 (29)	798 (31)
Back or African American	708 (-)	722 (-)	807 (18)	803 (-)
American Indian or Alaska Native	- (-)	- (-)	855 (-)	- (-)
Asian	- (-)	898 (-)	871 (-)	- (-)
Filipino	835 (-)	861 (-)	902 (29)	901 (-)
Hispanic or Latino	731 (12)	768 (8)	816 (35)	793 (30)
Native Hawaiian or Pacific Islander	- (-)	810 (-)	- (-)	- (-)
White	805 (-)	830 (11)	862 (4)	822 (-)
Two or More Races	- (-)	- (-)	- (-)	- (-)
Socioeconomically Disadvantaged	730 (13)	761 (13)	804 (38)	794 (34)
English Learner	698 (-)	701 (11)	790 (70)	761 (47)
Students with Disabilities	572 (-)	565 (-3)	620 (59)	635 (66)
Statewide/Similar Schools Rank	5/1	7/8	8/9	7/10
<p>Data source used: California Department of Education (CDE), DataQuest, Retrieved October 6, 2011 from the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/.</p> <p>- The Growth API is not displayed when there are less than 11 valid scores (-) The student group is not numerically, significant, therefore no growth determination was made</p>				

Table 13. Academic Performance Index (API) Growth for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
School Name	High Tech High Chula Vista	Hilltop Senior High School	Olympian High School	Castle Park Senior High School
CDS Code	3776471 0123042	3768411 3732849	3768411 0111831	3768411 3730801
API Growth for 2010-11	10	10	29	31
API Growth for 2009-10	-18	37	23	50
API Growth for 2008-09	21	15	16	22
API Growth for 2007-08	B	30	-6	19
Data source used: California Department of Education (CDE), DataQuest, Retrieved October 6, 2011 from the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/ .				

Table 14: 2011 Adequate Yearly Progress (AYP) Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
2011 AYP				
School Name	High Tech High Chula Vista	Hilltop Senior High School	Olympian High School	Castle Park Senior High School
CDS Code	3776471 0123042	3768411 3732849	3768411 0111831	3768411 3730801
Made AYP (Criteria Met / Total Criteria)	No	No	No	No
#Criteria Met/# Criteria Applicable	10/13	18/22	21/22	17/18
2011–12 Program Improvement (PI) Status	In PI	In PI	Not in PI	In PI
2011–12 Program Improvement (PI) Year	Year 1	Year 1		Year 5
Source: California Department of Education (CDE), DataQuest, Retrieved October 6, 2011 from the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/ .				

Table 15: 2011 Adequate Yearly Progress (AYP) Data: Percent Proficient in English-language arts (ELA) for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
ELA % Proficiency Target: 66.7%				
School Name	High Tech High Chula Vista	Hilltop Senior High School	Olympian High School	Castle Park Senior High School
CDS Code	3776471 0123042	3768411 3732849	3768411 0111831	3768411 3730801
Number of Valid Scores School Wide	150	517	443	344
Schoolwide (Met Target)	62.7 (Yes)	67.1 (Yes)	76.7 (Yes)	65.4 (Yes)
Black or African American (Met Target)	--(--)	--(--)	73.8 (--)	--(--)
American Indian or Alaska Native (Met Target)	--(--)	--(--)	--(--)	--(--)
Asian (Met Target)	--(--)	81.8 (--)	85.7 (--)	--(--)
Filipino (Met Target)	--(--)	83.3 (--)	86.4 (Yes)	--(--)
Hispanic or Latino (Met Target)	56.5 (No)	63.5 (Yes)	71.9 (Yes)	63.4 (Yes)
Native Hawaiian or Pacific Islander (Met Target)	--(--)	--(--)	--(--)	--(--)
White (Met Target)	81.2 (--)	79.0 (Yes)	72.7 (--)	86.7 (--)
Two or More Races (Met Target)	--(--)	--(--)	--(--)	--(--)
Socioeconomically Disadvantaged (Met Target)	58.7 (No)	61.3 (No)	71.2 (Yes)	64.4 (No)
English Learner (Met Target)	43.8 (--)	42.1 (Yes)	60.5 (Yes)	49.4 (Yes)
Students with Disabilities (Met Target)	27.3 (--)	20.0 (--)	24.4 (--)	28.0 (--)
Source: California Department of Education (CDE), DataQuest, Retrieved October 6, 2011 from the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/ . --Percent proficient is not displayed when there are less than 11 valid scores (--) The student group is not numerically, significant, therefore no AYP determination was made				

Table 16: 2011 Adequate Yearly Progress (AYP) Data: Percent Proficient in Mathematics for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
2011 AYP Percent Proficient – Mathematics – Target 66.1%				
School Name	High Tech High Chula Vista	Hilltop Senior High School	Olympian High School	Castle Park Senior High School
CDS Code	3776471 0123042	3768411 3732849	3768411 0111831	3768411 3730801
Number of Valid Scores Schoolwide	149	516	444	343
Schoolwide (Met Target)	65.1 (Yes)	62.0 (No)	74.8 (Yes)	80.8 (Yes)
Black or African American (Met Target)	--(--)	--(--)	78.6 (--)	--(--)
American Indian or Alaska Native (Met Target)	--(--)	--(--)	--(--)	--(--)
Asian (Met Target)	--(--)	90.9 (--)	92.9 (--)	--(--)
Filipino (Met Target)	--(--)	77.8 (--)	85.6 (Yes)	--(--)
Hispanic	59.8 (Yes)	59.6 (No)	66.8 (Yes)	79.6 (Yes)
Native Hawaiian or Pacific Islander (Met Target)	--(--)	--(--)	--(--)	--(--)
White	75.0 (--)	65.4 (Yes)	81.8 (--)	85.7 (--)
Two or More Races (Met Target)	--(--)	--(--)	--(--)	--(--)
Socioeconomically Disadvantaged	58.7(No)	57.4 (No)	67.9 (Yes)	82.3 (Yes)
English Learner	57.4 (--)	46.1 (Yes)	58.8 (No)	73.3 (Yes)
Students with Disabilities	27.3 (--)	26.0 (--)	24.4 (--)	30.6 (--)
Source: California Department of Education (CDE), DataQuest, Retrieved October 6, 2011 from the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/ . --Percent proficient is not displayed when there are less than 11 valid scores (--) The student group is not numerically, significant, therefore no AYP determination was made				

Table 17. 2010–11 California High School Exit Examination (CAHSEE) and Additional Data for High Tech High Chula Vista and Nearest Public Schools Pupils are Likely to Otherwise Attend in Sweetwater Union High School District								
CAHSEE Grade 10 Passage Rate								
	High Tech High Chula Vista 37764710123042		Hilltop Senior High School 37684113732849		Olympian High School 37684110111831		Castle Park Senior High School 37684113730801	
	ELA	Math	ELA	Math	ELA	Math	ELA	Math
Schoolwide	88	88	87	87	94	94	84	91
Hispanic	87	86	86	85	92	93	84	90
White	100	100	88	94	92	92	94	94
Economically Disadvantaged	88	83	83	83	91	92	84	92
Special Ed	45	55	44	53	57	60	49	60
English Learner	42	58	35	52	71	80	59	78
Additional high school level comparison data								
2011	Graduation Rate*	96**	NA	NA	NA	NA	NA	NA
	“a-g” completion	100**	NA	NA	NA	NA	NA	NA
	Truancy Rate	0.5	40.14	33.72	60.73			
	Total Suspension	No Data	143	135	99			
	Violence/Drugs Suspensions (Rate)	No Data	86 (3.90)	58 (3.35)	23 (1.46)			
	Total Expulsions	No Data	4	9	1			
	Violence/Drugs Expulsions (Rate)	No Data	4 (0.18)	9 (0.52)	No Data			
2010	Graduation Rate*	NA	86.8	90.5	77.3			
	“a-g” completion	NA	40.1	52.7	34.4			
	Adjusted Drop Out Rate 1 year	1.1	0.3	0.4	0.5			
	Adjusted Drop Out Rate 4 year	NA	1.2	1.8	2.0			
Source: California Department of Education (CDE), DataQuest, retrieved October 6, 2011 from the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/ .								
*Cohort Graduation Rate								
**HTH CV first graduating class graduated in June 2011. State level graduation data for 2011 is not yet available. The data reported is from HTH and has not been vetted through the CDE reporting system.								

High Tech Middle North County (Opened 2009)

Table 18. 2010–2011 Demographic Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
School Name	High Tech Middle North County	San Marcos Middle School	Woodland Park Middle School	Rincon Middle School
CDS Code	3776471 0119271	3773791 6039093	3773791 6095061	3768098 6105944
Student Enrollment	320	1,295	1,340	1,243
% Black or African American	2.0*	3.5	2.7	3.0
% American Indian or Alaska Native	0	0	0	0
%Asian	3.0*	2.2	3.5	3.2
% Filipino	2.0*	3.6	2.4	2.7
% Hispanic or Latino	29*	76.6	48.7	55.4
% Native Hawaiian or Pacific Islander	0	0	0	0
% White	60.0*	13.4	41.0	27.0
% Two or More Races	4.0*	0	0	1.1
%Socioeconomically Disadvantaged	30.3	67.9	47.2	59.1
% English Learners	6.9	66.8	35.6	41.2
% Special Education	13.1	8.7	7.5	10.9
Source: California Longitudinal Pupil Achievement Data System (CALPADS), retrieved October 6, 2011 from the California Department of Education DataQuest Web page at http://dq.cde.ca.gov/dataquest/ .				
*Standardized Testing and Reporting Program (STAR) demographic data used as HTH noted an error in Hispanic/Latinoand White demographic data on CALPADS.				

Table 19. 2011 Growth Academic Performance Index (API) Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
School Name	High Tech Middle North County	San Marcos Middle School	Woodland Park Middle School	Rincon Middle School
CDS Code	3776471 0119271	3773791 6039093	3773791 6095061	3768098 6105944
Valid Scores Schoolwide	311	1213	1297	1188
Schoolwide	842 (6)	803 (27)	872 (6)	784 (15)
Black or African American	-(-)	833(-)	854(-)	754(-)
American Indian or Alaska Native	-(-)	-(-)	-(-)	-(-)
Asian	810(-)	906(-)	989(-)	941(-)
Filipino	-(-)	942(-)	966(-)	887(-)
Hispanic or Latino	777 (30)	775 (29)	825 (6)	743 (27)
Native Hawaiian or Pacific Islander	-(-)	-(-)	887(-)	-(-)
White	872 (9)	900 (6)	915 (-3)	836 (-2)
Two or More Races	874(-)	-(-)	-(-)	-(-)
Socioeconomically Disadvantaged	779 (16)	No Scores	No Scores	737 (24)
English Learner	701(-)	768 (27)	815 (9)	708 (37)
Students with Disabilities	676(-)	586 (3)	665 (1)	586 (14)
<p>Data source used: California Department of Education (CDE), DataQuest, Retrieved October 6, 2011 from the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/.</p> <p>- The Growth API is not displayed when there are less than 11 valid scores (-) The student group is not numerically significant, therefore no growth determination was made</p>				

Table 20. Academic Performance Index (API) Growth for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
School Name	High Tech Middle North County	San Marcos Middle School	Woodland Park Middle School	Rincon Middle School
CDS Code	3776471 0119271	3773791 6039093	3773791 6095061	3768098 6105944
API Growth for 2010-11	6	These schools are currently changing data. Their API is scheduled for release in October 2011.		15
API Growth for 2009-10	B	3	28	-8
API Growth for 2008-09	NA	18	12	2
API Growth for 2007-08	Na	32	22	6
Data source used: California Department of Education (CDE), DataQuest, Retrieved October 6, 2011 from the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/ .				

Table 21: 2011 Adequate Yearly Progress (AYP) Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
2011 AYP				
School Name	High Tech Middle North County	San Marcos Middle School	Woodland Park Middle School	Rincon Middle School
CDS Code	3776471 0119271	3773791 6039093	3773791 6095061	3768098 6105944
Made AYP (Criteria Met / Total Criteria)	No	No	No	No
#Criteria Met/# Criteria Applicable	14/17	20/25	19/25	16/25
2011-12 Program Improvement (PI) Status	In PI	Not Title 1	Not Title 1	Not Title 1
2011-12 Program Improvement (PI) Year	Year 1			
Source: California Department of Education (CDE), DataQuest, Retrieved October 6, 2011 from the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/ .				

Table 22: 2011 Adequate Yearly Progress (AYP) Data: Percent Proficient in English-Language Arts (ELA) for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
ELA % Proficiency Target: 66.7%				
School Name	High Tech Middle North County	San Marcos Middle School	Woodland Park Middle School	Rincon Middle School
CDS Code	3776471 0119271	3773791 6039093	3773791 6095061	3768098 6105944
Number of Valid Scores Schoolwide	311	1213	1297	1188
Schoolwide (Met Target)	74.3 (Yes)	55.4 (Yes)	74.0 (Yes)	55.0 (No)
Black or African American (Met Target)	--(--)	69.2(--)	58.8	57.1 (--)
American Indian or Alaska Native (Met Target)	--(--)	--(--)	--(--)	--(--)
Asian (Met Target)	72.7(--)	85.2(--)	95.3 (--)	82.5 (--)
Filipino (Met Target)	--(--)	87.0 (--)	96.9 (--)	76.3 (--)
Hispanic or Latino (Met Target)	60.0 (Yes)	48.5 (Yes)	64.1 (No)	44.9 (No)
Native Hawaiian or Pacific Islander	--(--)	--(--)	84.6 (--)	--(--)
White (Met Target)	82.3 (Yes)	77.8 (Yes)	83.8 (Yes)	68.4 (Yes)
Two or More Races	75.0(--)	--(--)	--(--)	--(--)
Socioeconomically Disadvantaged (Met Target)	63.4 (Yes)	47.8 (No)	58.3 (No)	44.8 (No)
English Learners (Met Target)	36.8(--)	47.7 (Yes)	60.5 (No)	38.1 (Yes)
Students with Disabilities (Met Target)	52.5(--)	20.5 (No)	43.0 (No)	35.9 (Yes)
Source: California Department of Education (CDE), DataQuest, Retrieved October 6, 2011 from the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/ . --Percent proficient is not displayed when there are less than 11 valid scores (--) The student group is not numerically, significant, therefore no AYP determination was made				

Table 23: 2011 Adequate Yearly Progress (AYP) Data: Percent Proficient in Mathematics for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
Mathematics % Proficiency Target: 68.5				
School Name	High Tech Middle North County	San Marcos Middle School	Woodland Park Middle School	Rincon Middle School
CDS Code	3776471 0119271	3773791 6039093	3773791 6095061	3768098 6105944
Number of Valid Scores Schoolwide	311	1213	1187	1294
Schoolwide (Met Target)	57.2 (No)	52.6 (No)	72.5 (Yes)	47.1 (No)
Black or African American (Met Target)	--(--)	46.2 (--)	62.5 (--)	34.7 (--)
American Indian or Alaska Native (Met Target)	--(--)	--(--)	--(--)	--(--)
Asian (Met Target)	45.5 (--)	77.8 (--)	100 (--)	85.0 (--)
Filipino (Met Target)	--(--)	80.4 (--)	90.6 (--)	60.5 (--)
Hispanic or Latino (Met Target)	37.8 No)	47.8 (Yes)	63.4 (Yes)	37.8 (No)
Native Hawaiian or Pacific Islander (Met Target)	--(--)	--(--)	76.9 (--)	--(--)
White(Met Target)	66.7(Yes)	69.5 (Yes)	80.8 (yes)	61.0 (No)
Two or More Races (Met Target)	75.0 (--)	--(--)	--(--)	--(--)
Socioeconomically Disadvantaged (Met Target)	35.5 (No)	44.2 (No)	59.6 (No)	37.8 (No)
English Learners (Met Target)	26.3 (--)	47.0 (Yes)	62.4 (Yes)	31.8 (No)
Students with Disabilities (Met Target)	32.5 (--)	19.5 (No)	40.1 (No)	23.9 (No)
<p>Source: California Department of Education (CDE), DataQuest, Retrieved October 6, 2011 from the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/. --Percent proficient is not displayed when there are less than 11 valid scores (--) The student group is not numerically, significant, therefore no AYP determination was made</p>				

Table 24. 2011 Truancy, Suspension, and Expulsion Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
School Name	High Tech Middle North County	San Marcos Middle School	Woodland Park Middle School	Rincon Middle School
CDS Code	3776471 0119271	3773791 6039093	3773791 6095061	3768098 6105944
Truancy Rate	0.6	12.4	14.0	20.6
2010–11 Total Suspension	No Data	161	145	288
2010–11 Violence/ Drugs Suspensions (Rate)	No Data	95 (7.3)	91 (6.7)	159 (12.7)
2010–11 Total Expulsions	No Data	18	8	3
2010–11 Violence/ Drugs Expulsions (Rate)	No Data	13 (1)	7 (0.5)	3 (0.2)
Source: California Department of Education (CDE), DataQuest, Retrieved October 6, 2011 from the CDE DataQuest Web page at http://dq.cde.ca.gov/dataquest/ .				

High Tech Middle (HTM) and High Tech Elementary (HTE) Chula Vista Opened in 2011. The first reportable scores and data for these schools will be released in 2012.

Met Criteria 2? Yes. The two schools to which the renewal criteria applies, as they have been in operation for four years, HTH North County and HTH Chula Vista, have academic performance in the areas of CAHSEE results, graduation rates, “a-g” course completion as well as truancy data and suspension and expulsion rates that meets or exceeds that of the surrounding schools where the pupils would otherwise be required to attend.

Evidence Submitted by High Tech High Supporting Statewide Benefit Provisions

In 2006, the State Board of Education approved three statewide benefits for the High Tech High (HTH) statewide benefit charter petition. HTH provided the California Department of Education with the following data regarding the progress made on the three statewide benefits.

Statewide Benefit Number 1: Providing model public school facilities that are integral to the success of HTH's programs and recognized for their environmental quality and cost-effective construction.

The HTH SBC has allowed HTH to finance and develop model public school facilities and learning environments that uniquely complement project-based learning and academically rigorous career technical education, and that serve as inspiration for future school design.

- To offer students all of the instructional innovations contained within the HTH model requires that HTH develop facilities that are conducive to our program. Building such facilities, ones that meet all HTH architectural design specifications, is an expensive undertaking. HTH estimates that it invests approximately \$9 million in each new high school facility. Because HTH seeks to locate sites in areas eligible for New Markets Tax Credits (NMTCs), HTH estimates that under this Statewide Charter School approximately \$90 million in modern school facilities will be located in communities identified by the federal government to be low-income areas.
- To take on the challenge of financing such a large-scale initiative to locate innovative school facilities in low-income areas of California, HTH is assisting in the development of a Community Development Enterprise (CDE), which will apply for NMTCs. The investment strategies and parameters of the CDE are being specifically written to support the establishment of innovative small schools in the State of California. Because CDE applications for NMTCs are highly competitive, it is crucial that CDE be able to show to those evaluating the NMTC application that HTH has the authority to open many sites in different low-income areas across California. That may only be demonstrated through approval of this Statewide Charter School Application. Short of fundraising \$4-5 million per facility – an impractical amount of fundraising – HTH is not aware of another method that would allow for the financing of HTH facilities. As such, the only way that HTH can accomplish its goal of locating many new schools within low-income areas in California is to do so within the context of this Statewide Charter School Application.

During the initial term of HTH's statewide benefit charter, three facilities were designed and built to house four SBC schools; a fourth facility will break ground in December

2011. Each of these facilities has been designed to reflect the HTH particular pedagogical approach as well as to meet the highest environmental standards. Currently, all HTH SBC schools have earned or are pending certification for LEED Gold or Platinum, as well as CHPS Verification and EPA Energy Stars. The HTH SBC schools are the only ones in the State of California to have earned these combinations of credentials.

HTH's ability to deliver the statewide benefits of modeling innovative public school design that is well integrated to all aspects of the instructional programs has been made possible by the statewide benefit charter. Indeed, the statewide benefit charter has permitted HTH to deliver on this statewide benefit in a manner that would not have been readily accessible through locally authorized charters.

More specifically, the statewide benefit charter has been instrumental in achieving this record of success for these reasons:

- Investors look to institutional capacity. Even though the financing we seek may be for a particular project, investors and rating agencies are interested in the entire institution's financial strength and stability. Being accountable to a single authorizer for this group of schools rather than three or more different authorizers has impressed investors who might otherwise shy away from charter school projects not knowing whether one or more authorizers could become unfriendly to the charter's presence and potentially cause not only one loan to be threatened, but all loans as they contain cross-default provisions.
- Having an authorized charter in place that allows for additional schools permits HTH to act quickly when unique financing opportunities come along.
- Investors are looking for a record of success. The steady growth of HTH's statewide benefit charter is evidence of our commitment to responsible growth.
- Certain financing, such as the Qualified School Construction Bonds used to finance our newest projects would not have been available to HTH without its statewide benefit charter in place (charter school allocations were conditioned upon three years of operating history – a new stand alone charter operated by HTH would have been denied access).

Statewide Benefit Number 2: Developing highly qualified Science, Technology, Engineering and Mathematics (STEM) teachers.

The HTH SBC has increased the reach of HTH's credentialing program which, in conjunction with the HTH Graduate School of Education, is preparing academic leaders and teachers throughout the State of California.

In its original statewide benefit charter petition, HTH noted that as one of the statewide benefits it would: Address the State's Critical Shortage of Highly Qualified Teachers

- The State of California is clearly challenged by No Child Left Behind to recruit and train Highly Qualified Teachers. HTH, as the first charter school organization authorized to operate its own teacher credentialing program, is doing its part to address California's critical teacher shortage. By drawing into the public school system – many times directly from industry or from graduate-level programs in highly reputable universities – large numbers of high achieving individuals with deep content knowledge, especially in the areas of math and science, HTH is credentialing a new generation of teachers who are having a profound impact on students. As we know from our own interviews with newly hired teachers, HTH is able to recruit such talented people precisely because we offer a credentialing program that is inexpensive to the participants, convenient, and of great relevance because it is implemented within the context of our highly successful schools.
- Currently, on an ongoing basis, approximately 1 in 5 HTH teachers are enrolled in our teacher credentialing program. Under this Statewide Charter School Application, HTH estimates that it will employ over 250 additional teachers at HTH sites across California. If the current percentage of HTH teachers participate in the program going forward, HTH will provide 50 new highly qualified teachers annually to different communities across the state of California.
- To have the capacity to operate the teacher credentialing program at the scale described above, HTH will have to make significant investments in its California Commission on Teacher Credentialing (CTC) approved program, including investing in information technology to enable remote learning and hiring highly trained and talented staff to support the program. For HTH to make such investments, it must know with certainty that it has the authorization to open programs at the scale described in this Statewide Charter School Application. As such, the only way that HTH can make the kind of contribution described above regarding California's teacher shortage is to do so within the context of this Statewide Charter School Application.

The influence and benefit of HTH's credentialing work goes beyond the HTH schools and reaches out statewide. Currently, 66% of teachers in the educator training programs work at schools outside of the HTH network. Teachers involved in the program are located in multiple schools throughout California including Los Angeles and the Bay Area. Accordingly, the training offered by HTH is having positive effects throughout the state. In addition, HTH will soon be engaged in doing credentialing work for the 17 districts of the Desert Mountain SELPA which covers a territory of approximately 28,000 square miles in California.

To date, HTH has worked with almost 400 teachers from the state of California through the HTH Credentialing Programs and the Graduate School of Education. Thus far, HTH has worked with 303 teachers via its teacher credentialing programs plus an additional 79 educators through its graduate school programs. 40% of the teachers earning a credential have earned a credential in the STEM fields and 8% have earned a credential in special education.

The HTH SBC continues to be a critical component to HTH's efforts to contribute in the development of highly qualified teachers in the areas of STEM and special education. There is a shortage of highly qualified science, technology, engineering, and math teachers in California. The promise of HTH's success in addressing this demand is in its ability to attract advanced degree scientists, engineers, and mathematicians into the teaching profession and then in integrating technical education more fully with academic education. Most notably, HTH develops students 21st century skills through the engaging pedagogy of engineering design that is experiential, integrated, situated, expeditionary, team-taught and group learned, and applied. Thus, HTH has very tangible assets – from its program to its staffing, and from its facilities to its fully immersed in K-12 schools credentialing programs - to benefit outcomes for California's K-12 students and for postsecondary teacher preparation.

Statewide Benefit Number 3: Providing leadership in preparing students for college and career.

HTH provides a model for instruction that facilitates completion of University of California A-G requirements by all students, prepares all students for college entrance, and enhances interest among students in economically critical STEM career paths.

In its initial statewide benefit charter petition, HTH noted that as one of the statewide benefits it would: Graduate Students with the Skills Necessary to Meet the Workforce Needs of the 21st Century

- Only a small percentage of students attending California public schools are graduating prepared to be successful in institutions of higher learning and the workforce. By creating a Statewide Benefit Charter School ... HTH will be able to graduate more than a 1,000 students annually who will have completed all A-G requirements and who will enroll in and be prepared to be successful in institutions of higher learning.
- A constant refrain heard from the major employers of the State of California is that our education system is not producing workers with the ability to solve real-world problems using knowledge-based skills. High Tech High's project-based, multi-disciplinary instructional approach was designed specifically to address this problem. In addition, by situating a significant portion of student learning in an adult/professional milieu, our students are developing a better

understanding of how their learning in school has direct application to real-world problems.

As is evidenced by a number of key metrics, HTH is able to provide all students with a successful path to college, particularly with respect to students for whom college has traditionally seemed out of reach. This success can be measured by the percentage of HTH students who graduate with 100% of the coursework required for UC admission, the percentage of students who take the SAT (90%), and the percentage of graduates who are college bound (96%). Further, 77% of all HTH alums have graduated from college or are still enrolled.

HTH's pedagogical approach includes several key features that are now being replicated in schools around the state. HTH aims to merge academic and technical education so that all students are skilled in using both their hands and their minds. Students work on projects to produce work, which they present to a real audience. Students learn to work collaboratively in groups while still being held accountable for individual performance. Students learn to act like scientists, engineers, and mathematicians in posing and exploring their own research questions as well as engaging in projects involving designing and building. All students complete academic internships as part of their school day in their junior and senior year. All of these elements work in tandem to help graduates to succeed in college, in the workplace, and in life.

**Analysis of High Tech High Statewide Benefit Charter:
 Compliance with the State Board of Education Conditions Prior to Opening and
 Operation (2009)¹**

Conditions

Condition 1: As a condition for opening additional schools, each of the first two elementary, middle and high schools opened under the statewide benefit petition shall demonstrate academic achievement on the Academic Performance Index (API) of either:

- A statewide API ranking of 7 or better and a similar schools ranking of 6 or better; or
- A statewide API ranking of 6 or better and a similar schools ranking of 7 or better.

State/Similar Schools Rank				
	2008	2009	2010	2011
High School 1: High Tech High Chula Vista (HTH CV)	6/3	7/1	5/1	Data not available until spring of 2012
High School 2: High Tech High North County (HTH NC)	8/5	8/5	8/2	
Middle School 1: High Tech Middle North County (HTM NC)	NA	NA	8/2	

Met Condition? Not Applicable; HTH statewide benefit has not asked to expand beyond the original schools outlined in their petition.

¹ These conditions were approved by the State Board of Education (SBE) at the time of the (High Tech High) HTH material revision in March 2009, and are not the original conditions from January 2006.

Condition 2A. The first two high school sites shall be located in different school districts and/or different counties and shall be located in areas where most neighboring public schools serving the same grade levels are in program improvement (PI).

School 1: HTH North County		School 2: HTH Chula Vista	
Neighboring School	In PI in 2006-2007	Neighboring School	In PI in 2006-2007
Mission Hills High	Not Title 1	Castle Park Senior High	Year 3
San Marcos High	Not Title 1	Hilltop Senior High	Not Title 1
Escondido High	Not in PI	Olympian High	Not Title 1

Met Condition? Partially

HTH CV:

- Sweetwater Union High School District (Sweetwater UHSD) had 15 high schools on the local educational agency (LEA) List of Schools for the 2006–07 school year Accountability Progress Reporting (APR) report.
 - 7 of these high schools did not receive Title 1 funds
 - 8 schools received Title 1 funding
 - 3 were not in PI
 - 5 were in years 3–5 of PI
- Sweetwater UHSD had 11 middle schools on the LEA List of Schools for the 2006–07 school year APR report.
 - 3 of these middle schools did not receive Title 1 funds
 - 8 schools received Title 1 funding
 - 5 were not in PI
 - 3 were in PI year 4 or 5
- Chula Vista Elementary School District (Chula Vista ESD) had 44 elementary schools on the LEA List of Schools for the 2006–07 school year APR report.
 - 16 of these schools did not receive Title 1 funds
 - 28 schools did receive Title 1 funding
 - 23 were not in PI
 - 5 were in PI years 1 or year 3

HTH NC:

- San Marcos Unified School District (San Marcos USD) had three high schools on the LEA List of Schools for the 2006–07 school year APR report.
 - None of these high schools received Title 1 funds
- Escondido Union High School District (Escondido UHSD) had five high schools on the LEA List of Schools for the 2006–07 school year APR report.
 - 2 of these high schools did not receive Title 1 funds
 - 3 schools received Title 1 funding, and none were in PI
- San Marcos USD had three middle schools on the LEA List of Schools for the 2006–07 school year APR report.
 - None of these middle schools received Title 1 funds
- Escondido USD had five middle schools on the LEA List of Schools for the 2006–07 school year APR report.
 - 4 of these middle schools did not receive Title 1 funds
 - One school received Title 1 funding and was in PI year 5
- The San Marcos USD had 10 elementary schools on the LEA List of Schools for the 2006–07 school year APR report.
 - 4 of these elementary schools did not receive Title 1 funds
 - 6 schools did receive Title 1 funding
 - 5 were not in PI
 - 1 was in PI year 1
- The Escondido USD had 19 elementary schools on the LEA List of Schools for the 2006–07 school year APR report.
 - Nine of these elementary schools did not receive Title 1 funds.
 - 10 schools received Title 1 funding
 - 5 were not in PI
 - 4 were in PI years 2 or 3

Condition 2B: Plan to open at least one of the first two elementary sites and one of the first two middle school sites shall be located at the sites of the Chula Vista and San Marcos high school sites.

Met Condition? Yes

High Tech Middle North County (HTM NC) opened in September 2009, located at the HTH NC site in San Marcos.

High Tech Middle (HTM CV) and High Tech Elementary (HTE CV), opened in September 2011, located at the HTH CV site in Chula Vista.

Condition 2C: After the first two elementary, middle school, and high school sites have each operated for two years, and provided the first two sites achieve at least the API rankings specified above, one or more sites may be opened each year. Each additional site shall be located in areas where most neighboring public schools serving the same grade levels are in PI and shall be opened only with prior approval of the CDE, which shall notify the SBE of the location of the additional site(s). In addition, all existing HTH school sites must maintain no less than a 7/6 or 6/7 and must be meeting their API growth targets for school wide and for subgroups.

Met Condition? Not applicable

HTH has not completed the opening of two elementary school sites. One elementary site opened in September 2011.

Condition 3: The charter petition shall be amended to delete any requirement on the part of the SBE pertaining to Regional Occupational Program (ROP) funding. HTH must have ROP programmatic and fiscal details resolved before any school sites open.

Met Condition?: Yes

Condition 4: Deleted by SBE as recommended by ACCS.

Condition 5: All CDE final findings and recommendations must be addressed in the specified time lines and to the satisfaction of the CDE and SBE staff before HTH is authorized by the CDE to open any individual elementary or middle school sites under the statewide benefit charter.

Met Condition? Yes

HTH met this condition with the exception of changes in the Student Admission Policies and Procedures as guidance from the United States Department of Education was pending.

Condition 6: For each school opened under the HTH statewide benefit charter, a target of at least 40 percent shall be established for the portion of the school's student body who are socioeconomically disadvantaged students by the end of the third year of operation. HTH may, at its discretion, apply the target to either its entering grade level population at each school site, or to the whole school population. For purposes of determining whether HTH has met the target, HTH may use either the number of students eligible for free and reduced price meals or the API socioeconomic status calculation. In the event HTH fails to meet the target at each site by the end of the third year of operation, the CDE will place an item before the ACCS and SBE to consider an appropriate course of action. Each school site shall implement student recruitment efforts and establish admission preferences, as permitted by law, to achieve the target.

School	Met 40 percent threshold
HTH NC	No
HTH CV	Yes

Met Condition? Partially

Only HTH CV met this requirement. HTH schools sites in San Marcos (HTH NC and HTM NC) have both received funds under the federal Public Charter Schools Grant Fund and thus have been required to follow the federal non-regulatory guidance which bars any charter from using preferences or weighted advantages in the admission system. As a result, students who qualified for national school lunch program (NSLP) did not receive a statistical advantage for the first two years of each schools operation.

Condition 7: Prior to the opening of any schools, a memorandum of understanding (MOU) shall be developed between HTH and the CDE that covers essential elements of the schools' operation that are pertinent to effective state oversight and that are not incorporated in the charter itself.

Met Condition? Yes

Condition 8: In the annual report, HTH submits to the SBE on the statewide benefit charter, HTH will provide detailed information regarding student achievement at each school site, with particular emphasis on core subjects, as may be specified by the CDE and SBE staff.

Met Condition? Yes

Analysis of High Tech High Progress Towards Statewide Benefit Charter Goals Established in 2006

A review of data provided by High Tech High (HTH) statewide benefit charter outlines progress on the measurable pupil outcomes specified in the original charter petition.

- Graduate students with Scholastic Aptitude Test/American College Testing (SAT/ACT) scores.
 - Ninety percent of the HTH graduates have taken the SAT or the ACT.
- Graduate students with a transcript and portfolio that greatly increases their opportunities for admission to a college.
 - One hundred percent of HTH graduates have developed a digital portfolio.
- One hundred percent of HTH graduates will secure admission to an institution of higher education. Eighty percent of the graduates will secure admission to a four-year institution.
 - Ninety-six percent of graduated students have secured admission to post-secondary institutions. Seventy-two percent have secured admission to four-year institutions and 64 percent began the first semester of 2011 at a four-year institution.
- Students will complete a course of study that meets all “a-g” requirements for entry into the University of California system.
 - All students in the first graduating class of 2011 completed the “a-g” requirements for the University of California/California State University system.
- Sixty percent of HTH alumni will complete four-year college degrees within six years of graduating from HTH. This includes tracking HTM and HTE students through college.
 - College retention data is not currently available for the graduating class of 2011. However, data from non-statewide benefit charter HTH schools indicates that 77 percent of HTH alumni are still enrolled in post-secondary education or have graduated.
- All students will achieve proficiency or above on their fifth grade, eighth grade, and twelfth grade transitional Presentations of Learning (POL) that summarized their learning as documented by their digital portfolio.
 - One hundred percent of the students in grades eight and twelve demonstrated proficiency on their transitional POL.

- All students in the HTH SBC sites will perform comparably to nearby schools with similar demographics on state level mandated assessments.
 - Tables 4–24 in Attachment 3 show that HTH statewide benefit charter sites performed comparably to nearby schools.

High Tech High Letter to SBE Regarding Statewide Benefit Charter

12/2/2011

Via E-Mail and Certified Mail

Michael Kirst, President, State Board of Education
Susan Burr, Executive Director, State Board of Education
Members, State Board of Education
California State Board of Education
1430 N Street, Suite 5111
Sacramento, CA 95814

Re: Renewal of High Tech High Statewide Benefit Charter

Dear President Kirst and Members of the California State Board of Education:

High Tech High (HTH) appreciates the opportunity to submit this letter as an overview of its application for the renewal of its Statewide Benefit Charter originally granted on January 12, 2006 and amended on April 24, 2008 (HTH SBC). HTH respectfully submits this letter in conjunction with its Statewide Benefit Charter Petition for Renewal. We have valued the unique opportunities offered by the statewide benefit charter to date, and we look forward to continuing our contributions to public education in California under the HTH SBC.

The Five HTH Schools Currently Operating Under the HTH SBC

On January 12, 2006, the State Board of Education (SBE) granted HTH the first Statewide Benefit Charter under The California Charter Schools Act of 1992. Subsequently, the California Department of Education (CDE) and HTH entered into a Memorandum of Understanding designed to provide additional guidance in the course of administering the HTH SBC (HTH MOU).

To date, HTH has opened five schools under the HTH SBC¹. In August 2007, HTH opened its first two statewide benefit charter sites, HTH North County and HTH Chula Vista. Based on the performance of its two initial Statewide Benefit Charter schools and to provide access to students on the full K-12 continuum, the charter was amended in 2008 to include K-8 school sites. With this approval, HTH opened High Tech Middle North County in August 2009 on the property adjacent to HTH North County. In

¹ Since the granting of the HTH SBC, HTH has opened schools under its Statewide Benefit Charter exclusively. In addition to the five schools operated under the HTH SBC, there are another 5 schools operated by HTH and one school operated by a HTH affiliate that were locally authorized prior to the granting of the HTH SBC.

addition, in September 2011, HTH opened High Tech Elementary Chula Vista and High Tech Middle Chula Vista on the property adjacent to HTH Chula Vista.

In total, between the locally authorized schools and those opened under the HTH SBC, HTH serves over 4,600 public school students across 11 schools.

The Standard for Renewal

The test applied to a charter on a renewal application is codified in the California Charters School Act of 1992 at Section 47607. Specifically, Section 47607 (b) provides that in order for a charter to be renewed, a charter school shall meet at least one of the following criteria:

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

HTH schools operating under the HTH SBC meet the above-noted Criterion One for renewal because each HTH SBC School met its API growth target last year. Additionally, HTH meets Criterion Two because each HTH SBC School achieved a statewide school ranking above a 4 last year. HTH also meets Criterion Four based on UC A-G course completion rates (100% of graduates) and college going data (96% of graduates).

The Statewide Benefits Offered by HTH

In the course of its original petition for the Statewide Benefit Charter², HTH submitted documentary evidence and testimony of the statewide benefits it offered. Moreover, HTH's materials provided substantial evidence that the statewide benefits offered by HTH could not be offered by way of locally authorized charters. Based on the evidence and testimony submitted, the SBE found that HTH met the standards for a Statewide Benefit Charter and thus granted the same.

² HTH refers to and incorporates the records of the various SBE meetings where its initial Statewide Benefit Charter Petition was considered and approved including, but not limited to, meetings held in September 2005, November 2005 and January 2006.

In order to familiarize the new members of the CDE staff and the new members of the SBE with the HTH SBC, HTH presents the following update on the statewide benefits offered under the unique structure of the statewide benefit charter and articulated at the time of the initial grant. More specifically, HTH reiterates the statewide benefits the SBE entertained and accepted in the course of the proceedings on the HTH SBC.

Statewide Benefit No. 1:

Providing model public school facilities that are integral to the success of HTH's programs and recognized for their environmental quality and cost-effective construction.

The HTH SBC has allowed HTH to finance and develop model public school facilities and learning environments that uniquely complement project-based learning and academically rigorous career technical education, and that serve as inspiration for future school design.

In its original statewide benefit charter petition, HTH noted that its facilities development would provide a statewide benefit:

Specifically, we believe that the following aspects of our program, each providing benefit to the pupils, communities and the state as well as to the HTH organization itself, would only be possible through the establishment of this Statewide Charter School.

* * *

- *To offer students all of the instructional innovations contained within the HTH model requires that HTH develop facilities that are conducive to our program. Building such facilities, ones that meet all HTH architectural design specifications, is an expensive undertaking. HTH estimates that it invests approximately \$9 million in each new high school facility. Because HTH seeks to locate sites in areas eligible for New Markets Tax Credits (NMTCs), HTH estimates that under this Statewide Charter School approximately \$90 million in modern school facilities will be located in communities identified by the federal government to be low-income areas.*
- *To take on the challenge of financing such a large-scale initiative to locate innovative school facilities in low-income areas of California, HTH is assisting in the development of a Community Development Enterprise (CDE), which will apply for NMTCs. The investment strategies and parameters of the CDE are being specifically written to support the establishment of innovative small schools in the State of California. Because CDE applications for NMTCs are highly competitive, it is crucial that CDE be able to show to those evaluating*

the NMTC application that HTH has the authority to open many sites in different low-income areas across California. That may only be demonstrated through approval of this Statewide Charter School Application. Short of fundraising \$4-5 million per facility – an impractical amount of fundraising – HTH is not aware of another method that would allow for the financing of HTH facilities. As such, the only way that HTH can accomplish its goal of locating many new schools within low-income areas in California is to do so within the context of this Statewide Charter School Application.

During the initial term of HTH's statewide benefit charter, three facilities were designed and built to house four SBC schools; a fourth facility will break ground in December 2011. Each of these facilities has been designed to reflect the HTH particular pedagogical approach as well as to meet the highest environmental standards. Currently, all HTH SBC schools have earned or are pending certification for LEED Gold or Platinum, as well as CHPS Verification and EPA Energy Stars. The HTH SBC schools are the only ones in the State of California to have earned these combinations of credentials.

Countless visitors from around the globe have come to HTH since 2009 for the purpose of studying these facilities as models for their own schools. These visitors have come from throughout California, across the U.S. and from foreign countries. Visitors uniformly express keen interest in how HTH has been able to deliver so much for such a relatively small investment.

HTH's ability to deliver the statewide benefits of modeling innovative public school design that is well integrated to all aspects of the instructional programs³ has been made possible by the statewide benefit charter. Indeed, the statewide benefit charter has permitted HTH to deliver on this statewide benefit in a manner that would not have been readily accessible through locally authorized charters.

More specifically, the statewide benefit charter has been instrumental in achieving this record of success for these reasons:

- Investors look to institutional capacity. Even though the financing we seek may be for a particular project, investors and rating agencies are interested in the entire institution's financial strength and stability. Being accountable to a single authorizer for this group of schools rather than three or more different authorizers has impressed investors who might otherwise shy away from charter school projects not knowing whether one or more authorizers could become unfriendly to the charter's presence and potentially cause not only one loan to be threatened, but all loans as they contain cross-default provisions.

³ Please see the attached excerpt regarding HTH's Facilities Design Principles as found on HTH's website.

- Having an authorized charter in place that allows for additional schools permits HTH to act quickly when unique financing opportunities come along.
- Investors are looking for a record of success. The steady growth of HTH's statewide benefit charter is evidence of our commitment to responsible growth.
- Certain financing, such as the Qualified School Construction Bonds used to finance our newest projects would not have been available to HTH without its statewide benefit charter in place (charter school allocations were conditioned upon three years of operating history – a new stand alone charter operated by HTH would have been denied access).

Traditional, local authorizing timelines do not facilitate the action necessary to seize upon time-sensitive opportunities essential to cost-effective facility development. In spite of dramatic reductions to per student funding that have occurred since 2008, HTH has been able to expand its capacity by acting quickly when opportunities arise. That ability to spontaneously mobilize has come as a direct result of having prior authorization to open additional schools through the statewide benefit charter. Under traditional authorization timelines, such opportunities would have at best been delayed by at least one complete school year, and at worst, lost altogether. Moreover, developing added facility capacity entails significant upfront costs and risks to be incurred that precede actual loan funding by months. Having its statewide benefit charter already in place and pre-authorization for additional sites has allowed HTH to commit necessary resources when financing and/or property opportunities are present. Under traditional, local authorization pathways, it would be irresponsible to make such substantial commitments without first going through a potentially lengthy process to be awarded a new charter for each new school.

Although financing and development activities are extremely challenging in today's economy, HTH continues to look for opportunities that will expand student capacity while maintaining a responsible financial profile. Having the HTH SBC in place that allows for expansion permits HTH to rapidly transition into an active financing and development mode when an opportunity is present.

**Statewide Benefit No. 2:
Developing highly qualified STEM teachers.**

The HTH SBC has increased the reach of HTH's credentialing program which, in conjunction with the HTH Graduate School of Education, is preparing academic leaders and teachers throughout the State of California.

In its original statewide benefit charter petition, HTH noted that as one of the statewide benefits it would:

Address the State's Critical Shortage of Highly Qualified Teachers

- *The State of California is clearly challenged by No Child Left Behind to recruit and train Highly Qualified Teachers. HTH, as the first charter school organization authorized to operate its own teacher credentialing program, is*

doing its part to address California's critical teacher shortage. By drawing into the public school system – many times directly from industry or from graduate- level programs in highly reputable universities – large numbers of high achieving individuals with deep content knowledge, especially in the areas of math and science, HTH is credentialing a new generation of teachers who are having a profound impact on students. As we know from our own interviews with newly hired teachers, HTH is able to recruit such talented people precisely because we offer a credentialing program that is inexpensive to the participants, convenient, and of great relevance because it is implemented within the context of our highly successful schools.

- *Currently, on an ongoing basis, approximately 1 in 5 HTH teachers are enrolled in our teacher credentialing program. Under this Statewide Charter School Application, HTH estimates that it will employ over 250 additional teachers at HTH sites across California. If the current percentage of HTH teachers participate in the program going forward, HTH will provide 50 new highly qualified teachers annually to different communities across the state of California.*

* * *

- *To have the capacity to operate the teacher credentialing program at the scale described above, HTH will have to make significant investments in its CTC approved program, including investing in information technology to enable remote learning and hiring highly trained and talented staff to support the program. For HTH to make such investments, it must know with certainty that it has the authorization to open programs at the scale described in this Statewide Charter School Application. As such, the only way that HTH can make the kind of contribution described above regarding California's teacher shortage is to do so within the context of this Statewide Charter School Application. (HTH Original Statewide Benefit Charter Petition pp. 9-12.)*

Through its district intern preliminary credential program, its teacher credential induction program, and its graduate school of education, HTH continues to be committed to developing highly qualified teachers, particularly in the hard to staff areas of STEM and special education. Rather than depend upon tapping the limited supply of teachers who already hold those credentials, HTH is able to broaden its pool of prospects by looking to those with industry experience and those with college or private school teaching experience, but needing a K-12 credential.

HTH teacher education programs begin with the belief that educational theory must be grounded in practice. Thus, all educators participate in practicum based education and have constant opportunities to “put to practice” what they are learning in coursework. This approach is consistent with recent recommendations from the National Council for Accreditation for Teacher Education⁴, including that “credentialing programs need to be

⁴ <http://www.ncate.org/Public/Newsroom/NCATENewsPressReleases/tabid/669/EntryId/125/Panel-Calls-for-Turning-Teacher-Education-Upside-Down-Centering-Curricula-around-Classroom-Ready-Training-and-Increasing-Oversight-and-Expectations.aspx>

turned upside down” so that programs “are fully grounded in clinical practice and interwoven with academic content and professional courses,” and that “clinical preparation is integrated through every facet of teacher education in a dynamic way.” HTH’s model of teacher education is being looked to across the state and nation as a better way to prepare teachers for classroom practice.

Since the start of its statewide benefit charter, HTH has expanded its teacher development programs well beyond its own staff to include new teachers from districts and charters beyond San Diego County. During the past four years, budget reductions have resulted in contraction or elimination of many district operated intern and induction programs causing a significant decline in the avenues for credentialing in the areas of STEM and special education. During this same period of time, despite a 20% reduction in funding from the state for this purpose, HTH has expanded its capacity to serve more teachers. This growth has been facilitated by the expansion of schools operating under the statewide benefit charter. Without this internal growth, it would have been difficult for HTH to maintain, much less grow, its teacher preparation programs.

The influence and benefit of HTH’s credentialing work goes beyond the HTH schools and reaches out statewide. Currently, 66% of teachers in the educator training programs work at schools outside of the HTH network. Teachers involved in the program are located in multiple schools throughout California including Los Angeles and the Bay Area. Accordingly, the training offered by HTH is having positive effects throughout the state. In addition, HTH will soon be engaged in doing credentialing work for the 17 districts of the Desert Mountain SELPA which covers a territory of approximately 28,000 square miles in California.

To date, HTH has worked with almost 400 teachers from the state of California through the HTH Credentialing Programs and the Graduate School of Education. Thus far, HTH has worked with 303 teachers via its teacher credentialing programs plus an additional 79 educators through its graduate school programs. 40% of the teachers earning a credential have earned a credential in the STEM fields and 8% have earned a credential in special education.

The HTH SBC continues to be a critical component to HTH’s efforts to contribute in the development of highly qualified teachers in the areas of STEM and special education. There is a shortage of highly qualified science, technology, engineering, and math teachers in California. The promise of HTH’s success in addressing this demand is in its ability to attract advanced degree scientists, engineers, and mathematicians into the teaching profession and then in integrating technical education more fully with academic education. Most notably, HTH develops students 21st century skills through the engaging pedagogy of engineering design that is experiential, integrated, situated, expeditionary, team-taught and group learned, and applied. Thus, HTH has very tangible assets – from its program to its staffing, and from its facilities to its fully immersed in K-12 schools credentialing programs - to benefit outcomes for California’s K-12 students and for postsecondary teacher preparation.

Statewide Benefit No. 3:

Providing leadership in preparing students for college and career.

HTH provides a model for instruction that facilitates completion of University of California A-G requirements by all students, prepares all students for college entrance, and enhances interest among students in economically critical STEM career paths.

In its initial statewide benefit charter petition, HTH noted that as one of the statewide benefits it would:

Graduate Students with the Skills Necessary to Meet the Workforce Needs of the 21st Century

- *[O]nly a small percentage of students attending California public schools are graduating prepared to be successful in institutions of higher learning and the workforce. By creating a Statewide Benefit Charter School ... HTH will be able to graduate more than a 1,000 students annually who will have completed all A-G requirements and who will enroll in and be prepared to be successful in institutions of higher learning.*
- *A constant refrain being heard from the major employers of the State of California is that our education system is not producing workers with the ability to solve real-world problems using knowledge-based skills. High Tech High's project-based, multi-disciplinary instructional approach was designed specifically to address this problem. In addition, by situating a significant portion of student learning in an adult/professional milieu, our students are developing a better understanding for how their learning in school has direct application to real-world problems.*

As is evidenced by a number of key metrics, HTH is able to provide all students with a successful path to college, particularly with respect to students for whom college has traditionally seemed out of reach. This success can be measured by the percentage of HTH students who graduate with 100% of the coursework required for UC admission, the percentage of students who take the SAT (90%), and the percentage of graduates who are college bound (96%). Further, 77% of all HTH alums have graduated from college or are still enrolled.

HTH's pedagogical approach includes several key features that are now being replicated in schools around the state. HTH aims to merge academic and technical education so that all students are skilled in using both their hands and their minds. Students work on projects to produce work which they present to a real audience. Students learn to work collaboratively in groups while still being held accountable for individual performance. Students learn to act like scientists, engineers, and mathematicians in posing and exploring their own research questions as well as engaging in projects involving designing and building. All students complete academic internships as part of their school day in the junior and senior year. All of these

elements work in tandem to help graduates to succeed in college, in the workplace, and in life.

In addition to directly serving students in HTH schools to better prepare students for college and the 21st century workforce, through visitors and formal educator training programs, HTH aims to share its vision of teaching and learning around the state, nation, and world. HTH hosts roughly 2000 visitors every year both for school tours and to participate in 2-3 day educator residencies. An example of the impact of this educator training was recently described by [edutopia.org](http://www.edutopia.org) in its series "Schools that work:" <http://www.edutopia.org/stw-replicating-pbl>

Concluding Remarks

HTH looks forward to continuing the work it has begun under the HTH SBC and respectfully submits the accompanying Petition in support of its renewal. HTH also may request the opportunity to supplement the record in support of its petition. In the meantime, if we can be of any assistance in answering any questions or addressing any comments about the materials submitted on behalf of HTH, please feel free to contact us.

Respectfully submitted,

Larry Rosenstock
Chief Executive Officer
High Tech High

Relevant California *Education Code* and *California Code of Regulations*

California *Education Code* Section 47605.8: Petition for Operation of State Charter School; Submission to State Board; Notice; Approval Authority of Board; Approval Authority of Board; Requirements and Conditions for Approval

(a) A petition for the operation of a state charter school may be submitted directly to the state board, and the state board shall have the authority to approve a charter for the operation of a state charter school that may operate at multiple sites throughout the state. The State Board of Education shall adopt regulations, pursuant to the Administrative Procedure Act (Chapter 5--commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code) for the implementation of this section. Regulations adopted pursuant to this section shall ensure that a charter school approved pursuant to this section meets all requirements otherwise imposed on charter schools pursuant to this part, except that a state charter school approved pursuant to this section shall not be subject to the geographic and site limitations otherwise imposed on charter schools. The petitioner shall submit a copy of the petition, for notification purposes, to the county superintendent of schools of each county in which the petitioner proposes to operate the state charter school. The petitioner also shall ensure that the governing board of each school district in which a site is proposed to be located is notified no later than 120 days prior to the commencement of instruction at each site, as applicable.

(b) The state board shall not approve a petition for the operation of a state charter school pursuant to this section unless the state board makes a finding, based on substantial evidence, that the proposed state charter school will provide instructional services of statewide benefit that cannot be provided by a charter school operating in only one school district, or only in one county. The finding of the state board in this regard shall be made part of the public record of the proceedings of the state board and shall precede the approval of the charter.

(c) The state board, as a condition of charter petition approval, may enter into an agreement with a third party, at the expense of the charter school, to oversee, monitor, and report on, the operations of the state charter school. The state board may prescribe the aspects of the operations of the state charter school to be monitored by the third party and may prescribe appropriate requirements regarding the reporting of information concerning the operations of the state charter school to the state board.

(d) The state board shall not be required to approve a petition for the operation of a state charter school, and may deny approval based on any of the reasons set forth in subdivision (b) of Section 47605.6.

California Code of Regulations, Title 5, Section 11967.6: Submission of Statewide Benefit Charter School Petitions and Amendments to the State Board of Education.

(a) A petition to establish a statewide benefit charter school pursuant to Education Code section 47605.8 shall:

(1) Comply with all statutory requirements otherwise applicable to charter schools, except those relating to geographic and site limitations (See Education Code section 47605.8).

(2) If applicable, comply with all requirements of law relative to the provision of independent study.

(A) A charter that does not expressly provide for independent study shall not be interpreted as allowing independent study beyond that which is incidental and required to address the temporary needs of particular students.

(B) If the independent study (nonclassroom-based instruction) exceeds the percentage specified in Education Code section 47612.5, it shall be funded only in keeping with a determination of funding approved pursuant to Education Code section 47634.2.

(3) Describe how an annual independent audit of the statewide benefit charter school will be conducted in keeping with applicable statute and regulation and indicate how the statewide benefit charter school's individual schools will be appropriately included in the audit process.

(4) Incorporate a plan that provides for initial commencement of instruction in at least two schools, which shall be in at least two different school districts or two different counties. The plan for instruction shall describe how the instructional services will provide a statewide benefit, as specified in section 11967.6(b) that cannot be provided by a charter school operating in only one school district, or only in one county. Existing charter schools previously approved by a charter authorizer may not be included in a petition to establish a statewide benefit charter school.

(5) Include an assurance that the instructional services for similar student populations described in the charter will be essentially similar at each school and, thus, that each pupil's educational experience will be reasonably the same with regard to instructional methods, instructional materials, staffing configuration, personnel requirements, course offerings, and class schedules.

(6) Describe how the statewide benefit charter school will participate as a member of a special education local plan area, and ensure a coordinated structure for the provision of necessary programs and services specific to students with individualized education programs (IEPs).

(7) Demonstrate success in operating charter schools previously approved in California as evidenced by improved pupil academic performance and annual financial audits with no audit findings or exceptions. Data that shall be considered in determining the likelihood of a charter operator to successfully operate a statewide benefit charter school include, but are not limited to, a statewide or similar schools ranking of 8 or higher on the Academic Performance Index, evidence of having met growth targets over time, and other alternative indicators of success as defined in the alternative accountability system pursuant to subdivision (h) of Education Code section 52052.

(8) Describe how local community input for each school included in the plan was solicited (or will be solicited). Satisfaction of this paragraph shall involve the holding of at least one publicly noticed meeting for each school, with a summary of the input received at the meeting(s) being provided to the State Board of Education (SBE).

(9) Contain sufficient signatures either of parents, guardians, or of teachers in keeping with Education Code section 47605(a)(1) for each school proposed in the first year.

(10) Address all charter elements specified in Education Code section 47605 adapted appropriately for application at the statewide level. Contain or address any provisions or conditions specified by the SBE at the time of charter approval.

(11) Contain or address any provisions or conditions specified by the SBE at the time of charter approval.

(12) Contain a plan for operations of the statewide benefit charter school that describes the distinction between centralized and individual school level responsibilities and includes a staffing plan to implement the activities at the designated level. This plan shall be a part of the petition as initially approved by the SBE. If amendments to the plan are proposed, these amendments must be submitted to the SBE for approval. The plan shall address statewide benefit charter school operations including, but not limited to:

- (A) Academic program,
- (B) Facilities and school operations,
- (C) Legal and programmatic compliance,
- (D) Financial administration,
- (E) Governance, and
- (F) Decision-making authority.

(13) Provide a list that includes each school the statewide benefit charter school proposes to operate. This list shall be a part of the petition as initially approved by the SBE. This list shall include:

- (A) A timeline for the commencement of instruction at each school. Commencement of instruction must begin during the term of the charter.

(B) The general location of each school and the school district and county in which each school is to be located.

(C) A description of the potential facilities to be used at each school.

(D) The approximate number of pupils that can safely be accommodated by each school facility.

(b) "Instructional services of a statewide benefit", as referenced in Education Code section 47605.8(b), shall include, but not be limited to, the following factors:

(1) Unique factors and circumstances related to the statewide benefit charter school's educational program that can only be accomplished as a statewide benefit charter and not as a single district- or single county-authorized charter, including specific benefits to each of the following:

(A) The pupils who would attend the statewide benefit charter school,

(B) The communities (including the school districts and the counties) in which the individual schools would be located (e.g., in terms of pupil demographics and performance),

(C) The state, to the extent applicable, and

(D) The statewide benefit charter school itself (e.g., in fund raising, community partnerships, or relationships with institutions of higher education).

(2) Neither an administrative benefit to a charter operator, nor a desire by a charter operator to provide services in more than one district and county, shall be considered sufficient in and of itself to constitute a statewide benefit.

(c) A statewide benefit charter school, regardless of the number of individual schools, is treated as a school district for all purposes, including but not limited to, compliance monitoring, data reporting and collection, student performance data, oversight, and apportionments. For purposes of compliance, monitoring and oversight, the SBE, in its review, will look at each individual school's independent progress in meeting federal and state growth targets.

(d) Following its submission, a petition to establish a statewide benefit charter school may be modified or new schools added that were not included in the original petition only with the approval of the SBE.

(e) Each statewide benefit charter school shall provide an annual report to the SBE reflecting student achievement data, performance benchmarks, and other pertinent data supporting stated charter goals.

Note: Authority cited: Sections 33031 and 47605.8, Education Code. Reference: Sections 47605, 47605.8, 47612.5 and 47634.2, Education Code.

California Code of Regulations, Title 5, Section 11967.6.1: Notification of Statewide Benefit Charter School Petitions and Amendments to Counties and School Districts.

(a) (1) Prior to submitting a petition for a statewide benefit charter school to the SBE, the petitioner shall submit an identical copy of the petition to the county superintendent of schools of each county where the petitioner proposes to locate a school site.

(2) The petitioner shall, with its original petition, submit a written assurance to the SBE that a copy of the petition has been provided to the appropriate county superintendent(s) of school(s).

(b) (1) Prior to submitting a petition for a statewide benefit charter school to the SBE, and no later than 120 days prior to the commencement of instruction, the petitioner shall provide a written notice to the governing board of each school district where the petitioner proposes to locate a school site.

(2) The petitioner shall, with its original petition, submit a written assurance to the SBE that written notice has been provided to the governing board of each school district where the petitioner plans to locate a school site.

(c) (1) Prior to submitting an amendment to the SBE pursuant to section 11967.6(a)(13), adding new schools to the statewide benefit charter school's list of schools, the charter school shall submit an identical copy of the proposed amendment(s) to the county superintendent of schools of each county where the petitioning charter school proposes to locate a new school site and a written notice to the governing board of each school district where the charter school proposes to locate a new school site.

(2) The charter school shall, with its amendment, submit a written assurance to the SBE that a copy of the proposed amendment(s) has been provided to the appropriate county superintendent(s) of schools and that a written notice has been provided to the governing board of each school district where the charter school proposes to locate a new school site.

(d) When the meeting date for the SBE's consideration of an original petition under subdivisions (a) and (b), or a petition to amend under subdivision (c) becomes publicly available, the petitioner shall submit a written notice of the meeting date to the county superintendent of schools of each county where the petitioner proposes to locate a school site, and to the governing board of each school district where the petitioner plans to locate a school site.

Note: Authority cited: Sections 33031 and 47605.8, Education Code. Reference: Sections 47605 and 47605.8, Education Code.

California Education Code Section 47607: Charter Term; Renewal; Criteria; Material Revision of Charter; Revocation; Notice; Appeals

(a) (1) A charter may be granted pursuant to Sections 47605, 47605.5, and 47606 for a period not to exceed five years. A charter granted by a school district governing board, a county board of education or the state board, may be granted one or more subsequent renewals by that entity. Each renewal shall be for a period of five years. A material revision of the provisions of a charter petition may be made only with the approval of the authority that granted the charter. The authority that granted the charter may inspect or observe any part of the charter school at any time.

(2) Renewals and material revisions of charters are governed by the standards and criteria in Section 47605, and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.

(b) Commencing on January 1, 2005, or after a charter school has been in operation for four years, whichever date occurs later, a charter school shall meet at least one of the following criteria prior to receiving a charter renewal pursuant to paragraph (1) of subdivision (a):

(1) Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, or in the aggregate for the prior three years.

(2) Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.

(3) Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years.

(4) (A) The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.

(B) The determination made pursuant to this paragraph shall be based upon all of the following:

- i. Documented and clear and convincing data.
- ii. Pupil achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program established by Article 4 (commencing with Section 60640) for demographically similar pupil populations in the comparison schools.
- iii. Information submitted by the charter school.

(C) A chartering authority shall submit to the Superintendent copies of supporting documentation and a written summary of the basis for any determination made pursuant to this paragraph. The Superintendent shall review the materials and make recommendations to the chartering authority based on that review. The review may be the basis for a recommendation made pursuant to Section 47604.5.

(D) A charter renewal may not be granted to a charter school prior to 30 days after that charter school submits materials pursuant to this paragraph.

(5) Has qualified for an alternative accountability system pursuant to subdivision (h) of Section 52052.

(c) A charter may be revoked by the authority that granted the charter under this chapter if the authority finds, through a showing of substantial evidence, that the charter school did any of the following:

(1) Committed a material violation of any of the conditions, standards, or procedures set forth in the charter.

(2) Failed to meet or pursue any of the pupil outcomes identified in the charter.

(3) Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.

(4) Violated any provision of law.

(d) Prior to revocation, the authority that granted the charter shall notify the charter public school of any violation of this section and give the school a reasonable opportunity to remedy the violation, unless the authority determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils.

(e) Prior to revoking a charter for failure to remedy a violation pursuant to subdivision (d), and after expiration of the school's reasonable opportunity to remedy without successfully remedying the violation, the chartering authority shall provide a written notice of intent to revoke and notice of facts in support of revocation to the charter school. No later than 30 days after providing the notice of intent to revoke a charter, the chartering authority shall hold a public hearing, in the normal course of business, on the issue of whether evidence exists to revoke the charter. No later than 30 days after the public hearing, the chartering authority shall issue a final decision to revoke or decline to revoke the charter, unless the chartering authority and the charter school agree to extend the issuance of the decision by an additional 30 days. The chartering authority shall not revoke a charter, unless it makes written factual findings supported by substantial evidence, specific to the charter school, that support its findings.

(f) (1) If a school district is the chartering authority and it revokes a charter pursuant to this section, the charter school may appeal the revocation to the county board of education within 30 days following the final decision of the chartering authority.

(2) The county board may reverse the revocation decision if the county board determines that the findings made by the chartering authority under subdivision (e) are not supported by substantial evidence. The school district may appeal the reversal to the state board.

(3) If the county board does not issue a decision on the appeal within 90 days of receipt, or the county board upholds the revocation, the charter school may appeal the revocation to the state board.

(4) The state board may reverse the revocation decision if the state board determines that the findings made by the chartering authority under subdivision (e) are not supported by substantial evidence. The state board may uphold the revocation decision of the school district if the state board determines that the findings made by the chartering authority under subdivision (e) are supported by substantial evidence.

(g) (1) If a county office of education is the chartering authority and the county board revokes a charter pursuant to this section, the charter school may appeal the revocation to the state board within 30 days following the decision of the chartering authority.

(2) The state board may reverse the revocation decision if the state board determines that the findings made by the chartering authority under subdivision (e) are not supported by substantial evidence.

(h) If the revocation decision of the chartering authority is reversed on appeal, the agency that granted the charter shall continue to be regarded as the chartering authority.

(i) During the pendency of an appeal filed under this section, a charter school, whose revocation proceedings are based on paragraph (1) or (2) of subdivision (c), shall continue to qualify as a charter school for funding and for all other purposes of this part, and may continue to hold all existing grants, resources, and facilities, in order to ensure that the education of pupils enrolled in the school is not disrupted.

(j) Immediately following the decision of a county board to reverse a decision of a school district to revoke a charter, the following shall apply:

(1) The charter school shall qualify as a charter school for funding and for all other purposes of this part.

(2) The charter school may continue to hold all existing grants, resources, and facilities.

(3) Any funding, grants, resources, and facilities that had been withheld from the charter school, or that the charter school had otherwise been deprived of use, as a result of the revocation of the charter shall be immediately reinstated or returned.

(k) A final decision of a revocation or appeal of a revocation pursuant to subdivision (c) shall be reported to the chartering authority, the county board, and the department.

California Education Code Section 47605: Petition process to establish charter school; public hearing to review petition; grounds for grant or denial; statewide standards and pupil assessments; requirements for school relating to programs, admissions, practices and operations; information required of petitioners; preferences given to petitioners; notice of approval; denial of petition; criteria for review; oversight responsibilities; teacher qualifications; financial audit report.

(a) (1) Except as set forth in paragraph (2), a petition for the establishment of a charter school within a school district may be circulated by one or more persons seeking to establish the charter school. A petition for the establishment of a charter school shall identify a single charter school that will operate within the geographic boundaries of that school district. A charter school may propose to operate at multiple sites within the school district, as long as each location is identified in the charter school petition. The petition may be submitted to the governing board of the school district for review after either of the following conditions are met:

(A) The petition has been signed by a number of parents or legal guardians of pupils that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the school for its first year of operation.

(B) The petition has been signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation.

(2) A petition that proposes to convert an existing public school to a charter school that would not be eligible for a loan pursuant to subdivision (b) of Section 41365 may be circulated by one or more persons seeking to establish the charter school. The petition may be submitted to the governing board of the school district for review after the petition has been signed by not less than 50 percent of the permanent status teachers currently employed at the public school to be converted.

(3) A petition shall include a prominent statement that a signature on the petition means that the parent or legal guardian is meaningfully interested in having his or her child or ward attend the charter school, or in the case of a teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition.

(4) After receiving approval of its petition, a charter school that proposes to establish operations at one or more additional sites shall request a material revision to its charter and shall notify the authority that granted its charter of those additional locations. The authority that granted its charter shall consider whether to approve those additional locations at an open, public meeting. If the additional locations are approved, they shall be a material revision to the charter school's charter.

(5) A charter school that is unable to locate within the jurisdiction of the chartering school district may establish one site outside the boundaries of the school district, but within the county in which that school district is located, if the school district within the jurisdiction of which the charter school proposes to operate is notified in

advance of the charter petition approval, the county superintendent of schools and the Superintendent are notified of the location of the charter school before it commences operations, and either of the following circumstances exist:

- (A) The school has attempted to locate a single site or facility to house the entire program, but a site or facility is unavailable in the area in which the school chooses to locate.
- (B) The site is needed for temporary use during a construction or expansion project.

(6) Commencing January 1, 2003, a petition to establish a charter school may not be approved to serve pupils in a grade level that is not served by the school district of the governing board considering the petition, unless the petition proposes to serve pupils in all of the grade levels served by that school district.

(b) No later than 30 days after receiving a petition, in accordance with subdivision (a), the governing board of the school district shall hold a public hearing on the provisions of the charter, at which time the governing board of the school district shall consider the level of support for the petition by teachers employed by the district, other employees of the district, and parents. Following review of the petition and the public hearing, the governing board of the school district shall either grant or deny the charter within 60 days of receipt of the petition, provided, however, that the date may be extended by an additional 30 days if both parties agree to the extension. In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged. The governing board of the school district shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

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

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

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

(B) The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program.

(C) The method by which pupil progress in meeting those pupil outcomes is to be measured.

(D) The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement.

(E) The qualifications to be met by individuals to be employed by the school.

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

(G) The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.

(H) Admission requirements, if applicable.

(I) 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.

(J) The procedures by which pupils can be suspended or expelled.

(K) 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.

(L) The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.

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

(N) The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.

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

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

(c) (1) Charter schools shall meet all statewide standards and conduct the pupil assessments required pursuant to Sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in noncharter public schools.

(2) Charter schools shall, on a regular basis, consult with their parents, legal guardians, and teachers regarding the school's educational programs.

(d) (1) In addition to any other requirement imposed under this part, a charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of the characteristics listed in Section 220. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school.

(2) (A) A charter school shall admit all pupils who wish to attend the school.

(B) However, if the number of pupils who wish to attend the charter school exceeds the school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the district

except as provided for in Section 47614.5. Other preferences may be permitted by the chartering authority on an individual school basis and only if consistent with the law.

(C) In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and in no event shall take any action to impede the charter school from expanding enrollment to meet pupil demand.

(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information. This paragraph applies only to pupils subject to compulsory full-time education pursuant to Section 48200.

(e) The governing board of a school district shall not require any employee of the school district to be employed in a charter school.

(f) The governing board of a school district shall not require any pupil enrolled in the school district to attend a charter school.

(g) The governing board of a school district shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the school, including, but not limited to, the facilities to be utilized by the school, the manner in which administrative services of the school are to be provided, and potential civil liability effects, if any, upon the school and upon the school district. The description of the facilities to be used by the charter school shall specify where the school intends to locate. The petitioner or petitioners shall also be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation.

(h) In reviewing petitions for the establishment of charter schools within the school district, the governing board of the school district shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioner or petitioners as academically low achieving pursuant to the standards established by the department under Section 54032 as it read prior to July 19, 2006.

(i) Upon the approval of the petition by the governing board of the school district, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the applicable county superintendent of schools, the department, and the state board.

(j) (1) If the governing board of a school district denies a petition, the petitioner may elect to submit the petition for the establishment of a charter school to the county board of education. The county board of education shall review the petition pursuant to

subdivision (b). If the petitioner elects to submit a petition for establishment of a charter school to the county board of education and the county board of education denies the petition, the petitioner may file a petition for establishment of a charter school with the state board, and the state board may approve the petition, in accordance with subdivision (b). A charter school that receives approval of its petition from a county board of education or from the state board on appeal shall be subject to the same requirements concerning geographic location to which it would otherwise be subject if it received approval from the entity to which it originally submitted its petition. A charter petition that is submitted to either a county board of education or to the state board shall meet all otherwise applicable petition requirements, including the identification of the proposed site or sites where the charter school will operate.

(2) In assuming its role as a chartering agency, the state board shall develop criteria to be used for the review and approval of charter school petitions presented to the state board. The criteria shall address all elements required for charter approval, as identified in subdivision (b) and shall define "reasonably comprehensive" as used in paragraph (5) of subdivision (b) in a way that is consistent with the intent of this part. Upon satisfactory completion of the criteria, the state board shall adopt the criteria on or before June 30, 2001.

(3) A charter school for which a charter is granted by either the county board of education or the state board based on an appeal pursuant to this subdivision shall qualify fully as a charter school for all funding and other purposes of this part.

(4) If either the county board of education or the state board fails to act on a petition within 120 days of receipt, the decision of the governing board of the school district to deny a petition shall, thereafter, be subject to judicial review.

(5) The state board shall adopt regulations implementing this subdivision.

(6) Upon the approval of the petition by the county board of education, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition to the department and the state board.

(k) (1) The state board may, by mutual agreement, designate its supervisory and oversight responsibilities for a charter school approved by the state board to any local educational agency in the county in which the charter school is located or to the governing board of the school district that first denied the petition.

(2) The designated local educational agency shall have all monitoring and supervising authority of a chartering agency, including, but not limited to, powers and duties set forth in Section 47607, except the power of revocation, which shall remain with the state board.

(3) A charter school that has been granted its charter through an appeal to the state board and elects to seek renewal of its charter shall, prior to expiration of the charter, submit its petition for renewal to the governing board of the school district that initially denied the charter. If the governing board of the school district denies

the school's petition for renewal, the school may petition the state board for renewal of its charter.

(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. These documents shall be maintained on file at the charter school and are subject to periodic inspection by the chartering authority. It is the intent of the Legislature that charter schools be given flexibility with regard to noncore, noncollege preparatory courses.

(m) A charter school shall transmit a copy of its annual, independent financial audit report for the preceding fiscal year, as described in subparagraph (l) of paragraph (5) of subdivision (b), to its chartering entity, the Controller, the county superintendent of schools of the county in which the charter school is sited, unless the county board of education of the county in which the charter school is sited is the chartering entity, and the department by December 15 of each year. This subdivision does not apply if the audit of the charter school is encompassed in the audit of the chartering entity pursuant to Section 41020.

California Code of Regulations, Title 5, Section 11967.5.1: Criteria for the Review and Approval of Charter School Petitions by the State Board of Education.

(a) For purposes of Education Code section 47605(b), a charter petition shall be “consistent with sound educational practice” if, in the SBE's judgment, it is likely to be of educational benefit to pupils who attend. A charter school need not be designed or intended to meet the educational needs of every student who might possibly seek to enroll in order for the charter to be granted by the SBE.

(b) For purposes of Education Code section 47605(b)(1), a charter petition shall be “an unsound educational program” if it is any of the following:

(1) A program that involves activities that the SBE determines would present the likelihood of physical, educational, or psychological harm to the affected pupils.

(2) A program that the SBE determines not to be likely to be of educational benefit to the pupils who attend.

(3) If the petition is for renewal of a charter school, and either the charter school has not met the standards for renewal pursuant to Education Code section 47607(b), as applicable, or the charter school has not met the measurable pupil outcomes as described in its charter.

(c) For purposes of Education Code section 47605(b)(2), the SBE shall take the following factors into consideration in determining whether charter petitioners are “demonstrably unlikely to successfully implement the program.”

(1) If the petitioners have a past history of involvement in charter schools or other education agencies (public or private), the history is one that the SBE regards as unsuccessful, e.g., the petitioners have been associated with a charter school of which the charter has been revoked or a private school that has ceased operation for reasons within the petitioners' control.

(2) The petitioners are unfamiliar in the SBE's judgment with the content of the petition or the requirements of law that would apply to the proposed charter school.

(3) The petitioners have presented an unrealistic financial and operational plan for the proposed charter school. An unrealistic financial and operational plan is one to which any or all of the following applies:

(A) In the area of administrative services, the charter or supporting documents do not adequately:

(1) Describe the structure for providing administrative services, including, at a minimum, personnel transactions, accounting and payroll that reflects an understanding of school business practices and expertise to carry out the necessary administrative services, or a reasonable plan and time line to

develop and assemble such practices and expertise.

- (2) For any contract services, describe criteria for the selection of a contractor or contractors that demonstrate necessary expertise and the procedure for selection of the contractor or contractors.

(B) In the area of financial administration, the charter or supporting documents do not adequately:

- (1) Include, at a minimum, the first-year operational budget, start-up costs, and cash flow, and financial projections for the first three years.

- (2) Include in the operational budget reasonable estimates of all anticipated revenues and expenditures necessary to operate the school, including, but not limited to, special education, based, when possible, on historical data from schools or school districts of similar type, size, and location.

- (3) Include budget notes that clearly describe assumptions on revenue estimates, including, but not limited to, the basis for average daily attendance estimates and staffing levels.

- (4) Present a budget that in its totality appears viable and over a period of no less than two years of operations provides for the amassing of a reserve equivalent to that required by law for a school district of similar size to the proposed charter school.

- (5) Demonstrate an understanding of the timing of the receipt of various revenues and their relative relationship to timing of expenditures that are within reasonable parameters, based, when possible, on historical data from schools or school districts of similar type, size, and location.

(C) In the area of insurance, the charter and supporting documents do not adequately provide for the acquisition of and budgeting for general liability, workers compensations, and other necessary insurance of the type and in the amounts required for an enterprise of similar purpose and circumstance.

(D) In the area of facilities, the charter and supporting documents do not adequately:

- (1) Describe the types and potential location of facilities needed to operate the size and scope of educational program proposed in the charter.

- (2) In the event a specific facility has not been secured, provide evidence of the type and projected cost of the facilities that may be available in the location of the proposed charter school.

- (3) Reflect reasonable costs for the acquisition or leasing of facilities to house the charter school, taking into account the facilities the charter school may be allocated under the provisions of Education Code section 47614.
- (4) The petitioners personally lack the necessary background in the following areas critical to the charter school's success, and the petitioners do not have a plan to secure the services of individuals who have the necessary background in these areas:
- (A) Curriculum, instruction, and assessment.
 - (B) Finance and business management.
- (d) For purposes of Education Code section 47605(b)(3), a charter petition that “does not contain the number of signatures required by subdivision (a)” of Education Code section 47605 shall be a petition that did not contain the requisite number of signatures at the time of the submission of the original charter to a school district governing board pursuant to Education Code section 47605(a). The SBE shall not disregard signatures that may be purported to have been withdrawn or to have been determined to be invalid after the petition was denied by the school district. The signature requirement set forth in Education Code section 47605(a) is not applicable to a petition for renewal.
- (e) For purposes of Education Code section 47605(b)(4), a charter petition that “does not contain an affirmation of each of the conditions described in subdivision (d)” of Education Code section 47605 shall be a petition that fails to include a clear, unequivocal affirmation of each such condition, not a general statement of intention to comply. Neither the charter nor any of the supporting documents shall include any evidence that the charter will fail to comply with the conditions described in Education Code section 47605(d).
- (f) For purposes of Education Code section 47605(b)(5), the SBE shall take the following factors into consideration in determining whether a charter petition does not contain a “reasonably comprehensive” description of each of the specified elements.
- (1) The description of the educational program of the school, as required by Education Code section 47605(b)(5)(A), at a minimum:
- (A) Indicates the proposed charter school's target student population, including, at a minimum, grade levels, approximate numbers of pupils, and specific educational interests, backgrounds, or challenges.
 - (B) Specifies a clear, concise school mission statement with which all elements and programs of the school are in alignment and which conveys the petitioners' definition of an “educated person” in the 21st century, belief of how learning best occurs, and goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners.

(C) Includes a framework for instructional design that is aligned with the needs of the pupils that the charter school has identified as its target student population.

(D) Indicates the basic learning environment or environments (e.g., site-based matriculation, independent study, community-based education, or technology-based education).

(E) Indicates the instructional approach or approaches the charter school will utilize, including, but not limited to, the curriculum and teaching methods (or a process for developing the curriculum and teaching methods) that will enable the school's pupils to master the content standards for the four core curriculum areas adopted by the SBE pursuant to Education Code section 60605 and to achieve the objectives specified in the charter.

(F) Indicates how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.

(G) Indicates how the charter school will meet the needs of students with disabilities, English learners, students achieving substantially above or below grade level expectations, and other special student populations.

(H) Specifies the charter school's special education plan, including, but not limited to, the means by which the charter school will comply with the provisions of Education Code section 47641, the process to be used to identify students who qualify for special education programs and services, how the school will provide or access special education programs and services, the school's understanding of its responsibilities under law for special education pupils, and how the school intends to meet those responsibilities.

(2) Measurable pupil outcomes, as required by Education Code section 47605(b)(5)(B), at a minimum:

(A) Specify skills, knowledge, and attitudes that reflect the school's educational objectives and can be assessed, at a minimum, by objective means that are frequent and sufficiently detailed enough to determine whether pupils are making satisfactory progress. It is intended that the frequency of objective means of measuring pupil outcomes vary according to such factors as grade level, subject matter, the outcome of previous objective measurements, and information that may be collected from anecdotal sources. To be sufficiently detailed, objective means of measuring pupil outcomes must be capable of being used readily to evaluate the effectiveness of and to modify instruction for individual students and for groups of students.

(B) Include the school's Academic Performance Index growth target, if applicable.

(3) The method by which pupil progress is to be measured, as required by Education Code section 47605(b)(5)(C), at a minimum:

(A) Utilizes a variety of assessment tools that are appropriate to the skills, knowledge, or attitudes being assessed, including, at a minimum, tools that employ objective means of assessment consistent with paragraph (2)(A) of subdivision (f) of this section.

(B) Includes the annual assessment results from the Statewide Testing and Reporting (STAR) program.

(C) Outlines a plan for collecting, analyzing, and reporting data on pupil achievement to school staff and to pupils' parents and guardians, and for utilizing the data continuously to monitor and improve the charter school's educational program.

(4) The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement in supporting the school's effort on behalf of the school's pupils, as required by Education Code section 47605(b)(5)(D), at a minimum:

(A) Includes evidence of the charter school's incorporation as a non-profit public benefit corporation, if applicable.

(B) Includes evidence that the organizational and technical designs of the governance structure reflect a seriousness of purpose necessary to ensure that:

(1) The charter school will become and remain a viable enterprise.

(2) There will be active and effective representation of interested parties, including, but not limited to parents (guardians).

(3) The educational program will be successful.

(5) The qualifications to be met by individuals to be employed by the school, as required by Education Code section 47605(b)(5)(E), at a minimum:

(A) Identify general qualifications for the various categories of employees the school anticipates (e.g., administrative, instructional, instructional support, non-instructional support). The qualifications shall be sufficient to ensure the health, and safety of the school's faculty, staff, and pupils.

(B) Identify those positions that the charter school regards as key in each category and specify the additional qualifications expected of individuals assigned to those positions.

(C) Specify that the requirements for employment set forth in applicable provisions of law will be met, including, but not limited to credentials as necessary.

(6) The procedures that the school will follow to ensure the health and safety of pupils and staff, as required by Education Code section 47605(b)(5)(F), at a minimum:

(A) Require that each employee of the school furnish the school with a criminal record summary as described in Education Code section 44237.

(B) Include the examination of faculty and staff for tuberculosis as described in Education Code section 49406.

(C) Require immunization of pupils as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school.

(D) Provide for the screening of pupils' vision and hearing and the screening of pupils for scoliosis to the same extent as would be required if the pupils attended a non-charter public school.

(7) Recognizing the limitations on admissions to charter schools imposed by Education Code section 47605(d), the means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted, as required by Education Code section 47605(b)(5)(G), shall be presumed to have been met, absent specific information to the contrary.

(8) To the extent admission requirements are included in keeping with Education Code section 47605(b)(5)(H), the requirements shall be in compliance with the requirements of Education Code section 47605(d) and any other applicable provision of law.

(9) 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, as required by Education Code section 47605(b)(5)(I), at a minimum:

(A) Specify who is responsible for contracting and overseeing the independent audit.

(B) Specify that the auditor will have experience in education finance.

(C) Outline the process of providing audit reports to the SBE, California Department of Education, or other agency as the SBE may direct, and specifying the time line in which audit exceptions will typically be addressed.

(D) Indicate the process that the charter school will follow to address any audit findings and/or resolve any audit exceptions.

(10) The procedures by which pupils can be suspended or expelled, as required by Education Code section 47605(b)(5)(J), at a minimum:

(A) Identify a preliminary list, subject to later revision pursuant to subparagraph (E), of the offenses for which students in the charter school must (where non-discretionary) and may (where discretionary) be suspended and, separately, the offenses for which students in the charter school must (where non-discretionary) or may (where discretionary) be expelled, providing evidence that the petitioners' reviewed the offenses for which students must or may be suspended or expelled in non-charter public schools.

(B) Identify the procedures by which pupils can be suspended or expelled.

(C) Identify the procedures by which parents, guardians, and pupils will be informed about reasons for suspension or expulsion and of their due process rights in regard to suspension or expulsion.

(D) Provide evidence that in preparing the lists of offenses specified in subparagraph (A) and the procedures specified in subparagraphs (B) and (C), the petitioners reviewed the lists of offenses and procedures that apply to students attending non-charter public schools, and provide evidence that the charter petitioners believe their proposed lists of offenses and procedures provide adequate safety for students, staff, and visitors to the school and serve the best interests the school's pupils and their parents (guardians).

(E) If not otherwise covered under subparagraphs (A), (B), (C), and (D):

(1) Provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in regard to suspension and expulsion.

(2) Outline how detailed policies and procedures regarding suspension and expulsion will be developed and periodically reviewed, including, but not limited to, periodic review and (as necessary) modification of the lists of offenses for which students are subject to suspension or expulsion.

(11) 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, as required by Education Code section 47605(b)(5)(K), at a minimum, specifies the positions to be covered under each system and the staff who will be responsible for ensuring that appropriate arrangements for that coverage have been made.

(12) The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools, as required by Education Code section 47605(b)(5)(L), at a minimum, specify that the parent or guardian of each pupil enrolled in the charter school shall be informed that the pupils has no right to admission in a particular school of any local educational agency (LEA) (or program of any LEA) as a consequence of enrollment in the charter school, except to the

extent that such a right is extended by the LEA.

(13) The description of the rights of any employees 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, as required by Education Code section 47605(b)(5)(M), at a minimum, specifies that an employee of the charter school shall have the following rights:

(A) Any rights upon leaving the employment of an LEA to work in the charter school that the LEA may specify.

(B) Any rights of return to employment in an LEA after employment in the charter school as the LEA may specify.

(C) Any other rights upon leaving employment to work in the charter school and any rights to return to a previous employer after working in the charter school that the SBE determines to be reasonable and not in conflict with any provisions of law that apply to the charter school or to the employer from which the employee comes to the charter school or to which the employee returns from the charter school.

(14) The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter, as required by Education Code section 47605(b)(5)(N), at a minimum:

(A) Include any specific provisions relating to dispute resolution that the SBE determines necessary and appropriate in recognition of the fact that the SBE is not an LEA.

(B) Describe how the costs of the dispute resolution process, if needed, would be funded.

(C) Recognize that, because it is not an LEA, the SBE may choose to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, provided that if the SBE intends to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, it must first hold a public hearing to consider arguments for and against the direct resolution of the dispute instead of pursuing the dispute resolution process specified in the charter.

(D) Recognize that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with Education Code section 47604.5, the matter will be addressed at the SBE's discretion in accordance with that provision of law and any regulations pertaining thereto.

(15) The declaration of whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the

purposes of the Educational Employment Relations Act. Education Code section 47605(b)(5)(O) recognizes that the SBE is not an exclusive public school employer. Therefore, the charter school must be the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (commencing with Government Code section 3540).

(g) A “reasonably comprehensive” description, within the meaning subdivision (f) of this section and Education Code section 47605(b)(5) shall include, but not be limited to, information that:

- (1) Is substantive and is not, for example, a listing of topics with little elaboration.
- (2) For elements that have multiple aspects, addresses essentially all aspects the elements, not just selected aspects.
- (3) Is specific to the charter petition being proposed, not to charter schools or charter petitions generally.
- (4) Describes, as applicable among the different elements, how the charter school will:
 - (A) Improve pupil learning.
 - (B) Increase learning opportunities for its pupils, particularly pupils who have been identified as academically low achieving.
 - (C) Provide parents, guardians, and pupils with expanded educational opportunities.
 - (D) Hold itself accountable for measurable, performance-based pupil outcomes.
 - (E) Provide vigorous competition with other public school options available to parents, guardians, and students.

Note: Authority cited: Sections 33031 and 47605, Education Code. Reference: Section 47605, Education Code.

History of Statewide Benefit Charter School Legislation

Assembly Bill 1994 (Chapter 1058, Statutes of 2002) added California *Education Code (EC)* Section 47605.8, which provides for the creation of statewide benefit charter schools to operate at multiple sites throughout the state. Statewide benefit charter petitions are submitted directly to the State Board of Education (SBE), in contrast to individual charter petitions that are presented to the SBE because the petitions have been denied (for initial approval or renewal) at the local level.

In November 2004, the SBE adopted the Title 5 regulations called for in AB 1994 to implement *EC* Section 47605.8, and the regulations took effect in June 2005.

Court Decision on Statewide Benefit Charters

The California School Boards Association, the California Teachers Association, and others brought legal action against the SBE, in *California School Boards Association, et al. v. California State Board of Education and Aspire Public Schools, Inc.*, Case No. A122485 (CSBA), challenging the SBE's approval of the Aspire Public Schools (APS) statewide benefit charter. In July 2010, the California Court of Appeal held that the SBE, in making its determination to approve the APS statewide benefit charter in January 2007, was required to make the following two separate findings regarding the approval of a statewide benefit charter under *EC* Section 47605.8, and that there was no evidence in the record that the SBE made the second of these findings:

- (1) The charter provides "instructional services of a statewide benefit," and
- (2) These instructional services of a statewide benefit cannot be provided by a series of locally-approved charter schools.

State Board of Education Actions and Relevant Attachments: Final Minutes, State Board of Education, September 2005, January 2006, and March 2009; Last Minute Memorandum, January 2006; California Department of Education Memorandum to the Advisory Commission on Charter Schools, October 2008; and October 2010 Information Memoranda

**Final Minutes
State Board of Education
Wednesday, September 7, 2005**

ITEM 32	Request by High Tech High Learning to Become a Statewide Benefit Charter School Under the Oversight of the State Board of Education.	INFORMATION ACTION PUBLIC HEARING
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Ms. Green informed the Board that they would hear the item today but put the decision over until November when High Tech High (HTH) would come back to the Board.

Marta Reyes, Director, Charter Schools Division, introduced Deborah Connelly who would present the item. Ms. Connelly reported that the High Tech High Petition is the first Statewide Benefit charter petition. She indicated that the Advisory Committee for Charter Schools heard the petition in May, and recommended approval to the Board with conditions listed on page 2 of the agenda item. She noted that Statewide Benefit charter schools must demonstrate a statewide instructional benefit that could not occur with one charter school at a time, and that HTH had described a benefit in their proposal. In addition, she reported that HTH had demonstrated success with their high performing charter schools in San Diego and that the Charter Schools Office was recommending approval with conditions.

Board Member Johnson asked Ms. Connelly to summarize what the statewide benefit would be. Ms. Connelly suggested that there was a benefit to students through innovative learning opportunities, a rigorous college prep program with real world learning experiences in a small setting, and an alumni program that supports the students' postsecondary education. HTH has been approved by CTC for teacher preparation. They have a good handle on various funding initiatives available and have catalyzed redevelopment in some of the areas and are able to work with redevelopment agencies to re-vitalize areas and combine that with a charter school. Ms. Reyes added that the statewide benefit is that they have some incredible programs and are showing improved achievement with a variety of students. They are willing to take what they have learned and go into hard to serve areas. The statewide benefit would be to provide some choices in these difficult areas.

Ms. Reyes reminded the Board that regulations had been approved for Statewide Benefit charter schools and that we would need a new memorandum of understanding for oversight which could be developed between now and the 2006 opening date.

Mr. Nuñez asked why this group couldn't just go through the regular approval process as a regular charter. Ms. Reyes responded that as a Statewide Benefit charter they could propel excellent programs more quickly across the State, targeting those areas most in need of assistance. The CDE wanted someone with a gold standard for the Board to consider as the first Statewide Benefit charter.

Ms. Green asked about subgroup growth for low SES students. Ms. Connelly replied that HTH serves roughly 10% low SES, not enough for a subgroup score on the API. She indicated that Hispanic students did constitute a significant group and they met their targets.

President Green questioned the efficacy of the plan with regard to helping underperforming students develop foundational skills in reading, writing and numeracy. She commented that programs such as summer bridging, project-based learning and before and after school tutorials do not speak to this. She suggested that the model needed to show how the basic educational plan would meet those needs rather than their being addressed in after school programs. She also asked whether the MOU should be developed prior to initial approval, whether it was better to approve a plan and then work out the details, or better to ask for certain measurable outcomes in the initial proposal. Ms. Reyes responded that the CDE is willing to work with the Board in either approach.

President Green asked about new market tax credits on page 12 where it says that it is crucial that the community development enterprise be able to show the ability to open many sites across California. She indicated that even if the Board granted the statewide charter, the opening of additional schools would be predicated on the existing schools maintaining an API rank of 7 or higher and similar schools rank of 6 or higher, and so it was not guaranteed that many sites would be opened across California.

Ms. Chan said that she was very excited to see a new model and that having a good model can accelerate the scaling up of more effective schools. She asked if we could assume that the Title 1 count of 22% - 36% is the low SES group on the handout showing enrollment figures. If so, then HTH is serving 22-36% low SES count. The consensus was that this was correct.

President Green asked if these schools are ones that HTH operates now. The answer was yes, but the reason they do not have test scores is that either they do not have sufficient number of students in the subgroup or they just opened this year. Ms. Reyes noted that HTH is raising the number of low SES from 22 to 36%

Dr. Larry Rosenstock, CEO of HTH introduced Rod Parker, director of Special Education for High Tech High and a number of other HTH staff.

Dr. Rosenstock explained that the range of reported percentage of SES is due to the difference between what students report and what parents report. Also, these are all small schools of 400 students each, and on the STAR test you need a minimum of 100 students in a sub group to generate a subgroup score. He suggested that what is really significant is that HTH has 100% of students going to college and succeeding.

Dr. Rosenstock gave a history of HTH, which was started by a group of 40 educators in San Diego interested in offering a tuition free, autonomous school designed to attract a diverse population of students. Last year they had 2400 applications for 400 slots and ended up opening more schools. Presently they have one elementary charter that feeds 2 middle school charters and 3 high school charters, with a total of 2,000 students for \$12M.

Dr. Rosenstock outlined the reasons for seeking to become a Statewide Benefit Charter utilizing a Charter Management Organization (CMO): 1) Financial. It is cheaper to have a central organization for small schools. 2) Saturation. They don't want to reject 2000 students per year. 3) Impact. The district broke down larger high schools into smaller ones to look more like HTH and educators from the district went through HTH trainings. 4) New Market Tax Credits. These allow organizations to apply for low interest rate loans for schools in areas of poverty. 5) Teacher Development. HTH can hire more qualified teachers because it has become an engine for training more teachers in mathematics and science. This is a statewide benefit. 6) Jobs for graduates. HTH provides jobs to student alumni. As they go into college; they work as tutors in HTH schools. All of these things could be done as individual charter schools but are streamlined as a Statewide Benefit charter.

Mr. Noonan said that he was impressed with the quality of the program and the well-earned reputation. He asked how many schools would be opened and in what areas. He also asked how the State Board would monitor what HTH has committed to do.

Dr. Rosenstock answered that approximately two schools would open each year for the next five years.

Ms. Chan commented on the strong team and expressed her confidence in HTH. She asked, as they scale up to 5,000 kids over 5 years, how much contribution financially would be necessary in terms of overhead to support these small schools, and whether there would be adequate resources for these small schools for things such as technology and lower class size. She asked if the 1% going to CDE would give CDE adequate support to monitor the schools. Finally, she asked HTH to talk about their SELPA.

Dr. Rosenstock's response was that the CMO serves as a support to the schools. They charge a 5-8% indirect cost rate, but reduce this cost if necessary. Regarding special education, they now have a slightly higher percentage of special education students than the local district, because it has become known that HTH will serve special

education pupils. They partnered with the Desert Mountain SELPA in San Bernardino County whose innovative staff is experienced with outreach, travel and distance learning. The SELPA provides oversight, support and training, and monitor to make sure HTH is serving its students. HTH provides the services. HTH serves 8 of the 13 handicapping conditions and 2 of the 3 low incidence conditions. They have picked up students from the public schools at a savings to those districts. They have special day class kids, but they individualize all services in the least restrictive environment.

President Green thanked the group for the presentation and suggested that they come back in November and address the timeline, new market tax credits, measurable goals, oversight, and subgroup information.

No action was taken.

**FINAL MINUTES
State Board of Education
January 12, 2006**

ITEM 5	Petition by High Tech High to establish a Statewide Benefit Charter School under the oversight of the State Board of Education: Hold Public Hearing and Approve	ACTION INFORMATION PUBLIC HEARING
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Mr. Bersin recused himself from the discussion and vote on this item.

Public Hearing: Opened 10:45 a.m.

Ms. Green opened the Public Hearing and asked for a staff report. Marta Reyes, Director, Charter Schools Division, provided background on the item. She reviewed the evaluation/review process completed by staff in her division and reported that the Advisory Commission on Charter Schools had recommended that the Board approve the High Tech High (HTH) petition. She reminded the Board that they had discussed the HTH petition to become a Statewide Benefit Charter School during previous Board meetings.

Ms. Reyes indicated that there were several conditions that had not yet been completed to the CDE's satisfaction. Those areas are the identification of a fiscal agent for the charter school, identification of a SELPA, clarifying how teachers will satisfy the highly qualified teacher requirement of No Child Left Behind, and what the criteria would be for priority admission to the charter schools. Ms. Reyes stated that she believed approval of the HTH petition would allow the school to act as an accelerant to close the achievement gap between student subgroups.

Ms. Reyes introduced Larry Rosenstock, Chief Executive Officer of HTH, and Jed Wallace, Chief Financial Officer of HTH, who described the history of HTH and the petition before the Board.

Public Comments from Proponents:

Chris Nelson, Pisces Foundation
Caprice Young, CEO, California Charter School Association

Public Comments from Opponents:

George Martinez, California Federation of Teachers
Stephanie Farland, California School Boards Association
Curtis Washington, California Teachers Association and former member of the State Board of Education
Ken Burt, California Teachers Association
Don Iglesias, Superintendent, San Jose Unified School District
Bill Erlendson, Assistant Superintendent, San Jose Unified School District
Linda Gubman, Assistant Superintendent of Instructional Services, East Side Unified School District
Laura Walker Jeffries, Association of California School Administrators

Public Hearing: Closed at 11:30 a.m.

The Board had an in-depth discussion of the definition of statewide benefit and whether the High Tech High petition met the definition. The Board also considered whether it could approve a charter petition before all conditions had been met. Ms. Reyes reported that, since the September 2005, meeting, HTH had modified the petition in response to Board's concerns and that the Board had previously approved petitions of charter schools before all conditions had been satisfied. Ms. Green commented that her understanding was that a charter school could not open before all conditions had been met, but that it could be authorized.

➤ **ACTION:** Mr. Nuñez moved to postpone consideration of the Petition by High Tech High to establish a Statewide Benefit Charter School under the oversight of the State Board of Education. Mr. Noonan seconded the motion. The motion did not pass by a vote of 3-6. Members Bloom, Noonan, and Nuñez voted in support of the motion. Members Williams, Gardner, Chan, Green, Johnson, and Reiss voted in opposition to the motion. Mr. Bersin recused himself from the discussion and vote.

➤ **ACTION:** Ms. Bloom moved:

- First, that the Board make a finding regarding statewide benefit as described in the staff recommendation in the Last Minute Memorandum, and
- Second, that the Board approve with conditions the HTH petition, as described in the staff recommendation in the Last Minute Memorandum, with the additional conditions that no more than two sites be opened each year,

that the SBE establish a liaison to the charter program for oversight of SBE-authorized charter schools, and that the CDE report to the SBE how the state-wide benefit charter schools are meeting their conditions.

The motion was seconded by Mr. Williams. The motion was approved by a vote of 8-1. Ms. Green, Ms. Johnson, Ms. Chan, Ms. Bloom, Ms. Reiss, Mr. Noonan, Mr. Williams, and Mr. Gardner voted in favor of the motion. Mr. Nuñez opposed the motion. Mr. Bersin recused himself from the discussion and vote.

Last Minute Memorandum January 10, 2006

The California Department of Education (CDE) offers the following revised RECOMMENDATION section for greater specificity and technical clarity.

The substance of the agenda item is unchanged.

The CDE recommends that the SBE hold a public hearing on the High Tech High (HTH) petition to establish a statewide benefit charter.

Following the public hearing, two actions would be in order:

1. Make a finding, pursuant to Education Code Section 47605.8(b), that the proposed charter schools will provide instructional services of statewide benefit that cannot be provided by a charter school operating in only one school district, or only in one county.
2. Conditionally approve the HTH petition to establish a statewide benefit charter, subject to the staff's recommended conditions, assigning it charter number 756, for a five-year period as follows:
 - The five-year term of the charter shall be from July 1, 2006, to June 30, 2011, if the first two schools open between July 1 and September 30, 2006.
 - The five-year term of the charter shall be from July 1, 2007, to June 30, 2012, if the first two schools open between July 1 and September 30, 2007.

If the first two schools do not open on or before September 30, 2007, approval of the HTH statewide benefit charter will be terminated.

Recommended Conditions January 2006

Based upon the review and discussion of this petition by the ACCS and continuing discussion with (and guidance from) representatives of the ACCS and SBE, the CDE recommends the following conditions be imposed if the SBE chooses to approve the HTH statewide benefit charter petition:

3. As a condition for the opening of additional schools, each of the first two schools opened under the statewide benefit petition shall demonstrate student academic achievement on the API of either:
 - A schoolwide API ranking of 7 or better and a similar schools ranking of 6 or better (7/6); or

- A schoolwide API ranking of 6 or better and a similar schools ranking of 7 or better (6/7).
4. HTH shall present a plan for the opening of each new school site with a copy sent to the SBE charter liaisons. The plan shall be considered part of the statewide benefit charter, and any material revision of it shall require the SBE's approval. The plan shall have the following elements:
 - The first two sites shall be located in different school districts and/or different counties and shall be located in areas where most neighboring public schools serving the same grade levels are in Program Improvement
 - After the first two sites have operated for two years, and provided the first two sites achieve at least the API rankings specified above, one or more sites may be opened each year. Each additional site shall be located in areas where most neighboring public schools serving the same grade levels are in Program Improvement and shall be opened only with prior approval of the CDE, which shall notify the SBE of the location of the additional site(s). In addition, all existing HTH school sites must maintain no less than a 7/6 or 6/7 (schoolwide and similar schools, respectively) and must be meeting their API growth targets for schoolwide and for subgroups.
 - The SBE will consider accelerating by one year the schedule for opening additional sites (as a material revision to the plan) upon a showing by HTH of outstanding student achievement at all existing statewide charter school sites.
 - Each site shall initially open between July 1 and September 30.
 - The specific location of each site shall be identified to the CDE in the January immediately preceding its opening
 5. The petition shall be amended to delete any requirement on the part of the SBE pertaining to Regional Occupational Program (ROP) funding. HTH must have ROP programmatic and fiscal details resolved before any school sites open.
 6. Through legal review, the CDE and SBE staff shall ensure that the first two HTH schools to be opened under the statewide benefit charter are not currently authorized by a school district or county office of education (e.g., Bayshore and Media Arts).
 7. All CDE final findings and recommendations must be addressed in the specified timelines and to the satisfaction of the CDE and SBE staff before HTH is authorized by the CDE to open any individual school under the statewide benefit charter.

8. For each school opened under the HTH statewide benefit charter, a target of at least 40 percent shall be established for the portion of the school's student body who are socioeconomically disadvantaged students (for API purposes). Each school site shall implement student recruitment efforts and establish admission preferences, as permitted by law, to achieve the target.
9. Prior to the opening of any schools, a memorandum of understanding (MOU) shall be developed between HTH and the CDE that covers essential elements of the schools' operation that are pertinent to effective state oversight and that are not incorporated in the charter itself.
10. In the annual report HTH submits to the SBE on the statewide benefit charter, HTH will provide detailed information regarding student achievement at each school site, with particular emphasis on core subjects, as may be specified by the CDE and SBE staff.

**California Department of Education
M e m o r a n d u m**

Date: July 18, 2008
To: Advisory Commission on Charter Schools
via: Carol Barkley, Director
Charter Schools Division
From: Deborah Domitrovich

**Subject: High Tech High Statewide Benefit Charter: Material
Amendment to Charter to Serve Grades K-12**

The Charter Schools Division (CSD) received a proposed amendment to the High Tech High (HTH) Statewide Benefit Charter to expand grade levels served from 9-12 to K-12 and to allow HTH to begin opening new elementary and middle schools in the same manner and under the same conditions as the initial two high schools that opened in 2007-08 under the statewide benefit charter school statutes (*Education Code* Section 47605.8). CSD staff recommends the proposed amendments to the charter be recommended for approval with conditions by the Advisory Commission on Charter Schools (ACCS) to the State Board of Education (SBE). The CSD analysis and specific recommendations are provided below.

Background

High Tech High was granted a statewide benefit charter by the SBE in January 2006 with conditions placed on it that were in addition to the standard conditions of opening and operation required by the SBE. The additional conditions were as follows:

1. As a condition for the opening of additional schools, each of the first two schools opened under the statewide benefit petition shall demonstrate student academic achievement on the API of either:
 - A schoolwide API ranking of 7 or better and a similar schools ranking of 6 or better (7/6); or
 - A schoolwide API ranking of 6 or better and a similar schools ranking of 7 or better (6/7).
2. HTH shall present a plan for the opening of each new school site with a copy sent to the SBE charter liaisons. The plan shall be considered part of the CDE

statewide benefit charter, and any material revision of it shall require the SBE's approval. The plan shall have the following elements:

- The first two sites shall be located in different school districts and/or different counties and shall be located in areas where most neighboring public schools serving the same grade levels are in Program Improvement.
 - After the first two sites have operated for two years, and provided the first two sites achieve at least the API rankings specified above, one or more sites may be opened each year. Each additional site shall be located in areas where most neighboring public schools serving the same grade levels are in Program Improvement and shall be opened only with prior approval of the CDE, which shall notify the SBE of the location of the additional site(s). In addition, all existing HTH school sites must maintain no less than a 7/6 or 6/7 and must be meeting their API growth targets for schoolwide and for subgroups.
 - The SBE will consider accelerating by one year the schedule for opening additional sites (as a material revision to the plan) upon a showing by HTH of outstanding student achievement at all existing statewide charter school sites.
 - Each site shall initially open between July 1 and September 30.
 - The specific location of each site shall be identified to the CDE in the January immediately preceding its opening.
3. The petition shall be amended to delete any requirement on the part of the SBE pertaining to Regional Occupational Program (ROP) funding. HTH must have ROP programmatic and fiscal details resolved before any school sites open.
 4. Through legal review, the CDE and SBE staff shall ensure that the first two HTH schools to be opened under the statewide benefit charter are not currently authorized by a school district or county office of education (e.g., Bayshore and Media Arts).
 5. All CDE final findings and recommendations must be addressed in the specified timelines and to the satisfaction of the CDE and SBE staff before HTH is authorized by the CDE to open any individual school under the statewide benefit charter.
 6. For each school opened under the HTH statewide benefit charter, a target of at least 40 percent shall be established for the portion of the school's student body who are socioeconomically disadvantaged students (for API purposes). Each school site shall implement student recruitment efforts and establish admission preferences, as permitted by law, to achieve the target.

7. Prior to the opening of any schools, a memorandum of understanding (MOU) shall be developed between HTH and the CDE that covers essential elements of the schools' operation that are pertinent to effective state oversight and that are not incorporated in the charter itself.
8. In the annual report HTH submits to the SBE on the statewide benefit charter, HTH will provide detailed information regarding student achievement at each school site, with particular emphasis on core subjects, as may be specified by the CDE and SBE staff.

In fall 2007, HTH opened its first two statewide benefit charter campuses in San Marcos and Chula Vista in San Diego County. During 2007-08, the San Marcos campus reported serving 137 ninth graders (35 percent non-white), while the Chula Vista campus reported serving 155 ninth graders (85 percent non-white). STAR test scores are not yet available for the first two campuses; however, the HTH organization has historically produced a reasonably solid record of academic achievement, as shown below.

School	Enrollment / %Non-White	2007 Base API	2007 Rankings	2008 Growth API	Growth Target	2007 AYP
Explorer Elementary	317 / 31%	925	10 / 10	August 2008	NA	Yes
HTH San Diego	540 / 53%	807	9 / 10	August 2008	NA	Yes
HTH International	387 / 51%	783	9 / 10	August 2008	5	Yes
HTH Media Arts	376 / 54%	717	6 / 2	August 2008	5	Yes
High Tech Middle	320 / 56%	847	9 / 8	August 2008	NA	Yes
High Tech Middle Media Arts	319 / 56%	840	9 / 9	August 2008	NA	Yes

CDE Recommendation

Charter Schools Division staff recommends that the ACCS recommend approval of HTH's request for a material amendment (with CDE recommended modifications) to its statewide benefit charter to allow HTH to expand grade levels served to K-12, provided the first two high schools opened under the statewide benefit charter achieve statewide and similar schools rankings of 7/6 or 6/7, or better, and subject to modification of the original conditions to incorporate the addition of elementary and middle school campuses, and to reflect the passage of time and the fact that the first two school

campuses have been operational for one year. CSD staff proposes the following modified conditions (modifications are in italics):

1. As a condition for the opening of additional schools, each of the first two elementary, middle, and high schools opened under the statewide benefit petition shall demonstrate student academic achievement on the API of either:
 - A schoolwide API ranking of 7 or better and a similar schools ranking of 6 or better (7/6); or
 - A schoolwide API ranking of 6 or better and a similar schools ranking of 7 or better (6/7).
2. HTH shall present a plan for the opening of each new school site with a copy sent to the SBE charter liaisons. The plan shall be considered part of the CDE statewide benefit charter, and any material revision of it shall require the SBE's approval. The plan shall have the following elements:
 - The first two high school sites shall be located in different school districts and/or different counties and shall be located in areas where most neighboring public schools serving the same grade levels are in Program Improvement.
 - At least one of the first two elementary sites and one of the first two middle school sites shall be located at the sites of the Chula Vista and San Marcos high school sites.
 - After the first two elementary, middle school and high school sites have operated for two years, and provided the first two sites achieve at least the API rankings specified above, one or more sites may be opened each year. Each additional site shall be located in areas where most neighboring public schools serving the same grade levels are in Program Improvement and shall be opened only with prior approval of the CDE, which shall notify the SBE of the location of the additional site(s). In addition, all existing HTH school sites must maintain no less than a 7/6 or 6/7 and must be meeting their API growth targets for schoolwide and for subgroups.
 - The SBE will consider accelerating by one year the schedule for opening additional sites (as a material revision to the plan) upon a showing by HTH of outstanding student achievement at all existing statewide charter school sites.
 - Each site shall initially open between July 1 and September 30.
 - The specific location of each site shall be identified to the CDE in the January immediately preceding its opening.

3. The petition shall be amended to delete any requirement on the part of the SBE pertaining to Regional Occupational Program (ROP) funding. HTH must have ROP programmatic and fiscal details resolved before any school sites open.
4. ~~Through legal review, the CDE and SBE staff shall ensure that the first two HTH schools to be opened under the statewide benefit charter are not currently authorized by a school district or county office of education (e.g., Bayshore and Media Arts).~~
5. All CDE final findings and recommendations must be addressed in the specified timelines and to the satisfaction of the CDE and SBE staff before HTH is authorized by the CDE to open any individual *elementary or middle* school under the statewide benefit charter.
6. For each school opened under the HTH statewide benefit charter, a target of at least 40 percent shall be established for the portion of the school's student body who are socioeconomically disadvantaged students by the *beginning of the third year of operation* (for API purposes). Each school site shall implement student recruitment efforts and establish admission preferences, as permitted by law, to achieve the target.
7. Prior to the opening of any schools, a memorandum of understanding (MOU) shall be developed between HTH and the CDE that covers essential elements of the schools' operation that are pertinent to effective state oversight and that are not incorporated in the charter itself.
8. In the annual report HTH submits to the SBE on the statewide benefit charter, HTH will provide detailed information regarding student achievement at each school site, with particular emphasis on core subjects, as may be specified by the CDE and SBE staff.

Review of Elements of Proposed Material Amendment to the Charter

HTH proposes to amend its charter to serve grades K-8 in addition to grades 9-12 for which HTH currently has authority under the statewide benefit charter. HTH proposes to establish a number of "villages" that would consist of a mix of up to eight elementary, middle and high schools. Each of the elementary schools would serve approximately 320-500 students in grades K-5. These schools would feed into middle schools serving about 300-420 students in grades 6-8. The middle schools would feed into high schools serving 480-560 students in grades 9-12.

HTH proposes that the first two elementary and middle schools be opened within villages and under timelines of HTH's choosing. The proposed charter includes a list and locations of the potential elementary, middle and high schools HTH intends to build over the next several years. The list reflects the build out of eight villages of six schools

each, primarily within San Diego County. However, the list does include potential “villages” in Orange, San Mateo and Santa Clara counties

The list of schools seems to indicate that the first elementary and middle schools to be built would be at the sites of the first two high schools (in Chula Vista and San Marcos). However, language on page 7 of the charter indicates that the new elementary and middle schools “could be opened within villages and under time lines of HTH’s choosing.” *CSD staff recommends that as a condition of approval, HTH provide a definitive schedule for the location of schools it intends to open in 2009, and commit to opening the first elementary and middle school sites in Chula Vista and San Marcos to complete K-12 villages at already existing statewide benefit charter sites.*

The rationale for this recommendation is threefold: (1) HTH has indicated that the village concept and feeder patterns are important to the way HTH organizes and operates its schools; (2) HTH stated that New Markets Tax Credits may be lost for the middle school in San Marcos if it is not part of the statewide benefit charter; and (3) it would be desirable for the statewide benefit charter complex to be fully built out to observe how the model works, rather than to see statewide benefit campuses built piecemeal around the state. This would allow the SBE to gain a clear sense sooner of how the village model operates and whether it appears to be more beneficial for students than a traditional feeder pattern

Proposed language in the charter on page 8 states that before HTH could open any additional elementary and middle schools beyond the initial two elementary and two middle schools, these first schools would have to produce two years of student achievement data demonstrating that the schools are meeting the API ranking requirements that the SBE requires of the first two high schools. *This language is consistent with conditions placed on the initial two high schools and CSD staff recommends condition #1 also apply to the first two elementary and first two middle schools.*

Charter Elements

Generally, the revised charter follows the structure of the existing charter with updates to reflect the passage of time and to reflect the addition of grades K-8. The charter provides samples of middle and elementary school curriculums that would be used. Additional recommended changes to the various charter sections are presented below:

Diversity of Student Population – among the conditions placed on the first two HTH statewide benefit campuses was that for each school opened, a target of at least 40 percent was established for the portion of the school’s student body who are socioeconomically disadvantaged students (for API purposes), and that each school site implement student recruitment efforts and establish admission preferences, as permitted by law, to achieve the target. While we do not have API data for the first two statewide benefit schools yet, HTH’s own data, based on the percentage of students participating in the Free and Reduced Lunch Program, indicates that the schools did not

meet the target. Twenty percent of students at HTH North County (San Marcos) and 29 percent of students at the Chula Vista site participated in the program.

The revised charter, on page 19, proposes that each school will “strive to seek a student body consisting of a minimum of 40% participation in the National School Lunch Program.” HTH provided an overview of the proposed expansion of grade levels to the ACCS at its May meeting, at which time the Chief Operating Officer of HTH stated that he believed that HTH would be able to increase the percentage of socioeconomically disadvantaged students over time. Based on the original condition (# 6) placed on HTH that at least 40% of students must fall in that category, HTH has substantially fallen short of meeting the target. It may be unrealistic to expect all statewide benefit campuses to meet the target the first year of operation. *However, CSD staff recommends that language in the charter be strengthened to require HTH to meet (not strive to meet) the 40% target by the end of the third year of operation.* *Regional Occupational Programs (ROP) language* – the proposed amendments to the charter contain language stating that the HTH statewide benefit charter school pledges to “work cooperatively with the SBE to develop a method by which the school may access an equitable share of ROP funding.” One of the original conditions of approval (#3) of the statewide benefit charter petition required the petition to be amended to delete any requirement on the part of the SBE pertaining to Regional Occupational Program (ROP) funding. HTH was required to have ROP programmatic and fiscal details resolved before any school sites opened. CSD staff believes this requirement is still relevant. *The language on page 36 should have been deleted from the petition as originally approved. CSD staff recommends that it be deleted from the amended petition.* The issue of charter school access to ROP funds must be considered within the larger context within which the program operates. It is not the SBE’s role to advocate for one specific school on this issue.

Student Admission Policies and Procedures – HTH proposes to amend the charter to significantly expand admission preferences to include:

1. Returning or existing students in good standing (currently in approved charter).
2. Children of employees or governing board members of HTH, HTH Foundation, HTH Learning, and members of school site advisory bodies (approved charter limited preference to children of instructional staff and founders not to exceed 10% of enrollment).
3. Students being promoted or transferring from another HTH site.
4. Siblings of students currently attending any HTH site as long as it doesn’t result in overrepresentation in any zip code area for middle and high schools.
5. All other students permitted by law (currently in approved charter).

It is unclear how expanding the number of preferences without limitation would help improve HTH's ability to serve students who are socioeconomically disadvantaged or who would otherwise attend Program Improvement schools, which was one of the State Board's purposes in approving statewide benefit charters. *CSD staff recommends that proposed preference #2 not be approved. The language that was originally approved in the charter is consistent with Federal non-regulatory guidance for charter schools. Staff also recommends proposed preferences #3 and #4 be modified give preference to students and siblings of students transferring from other HTH sites within the same village, if such a change is approved by the federal government.* The preferences as proposed appear overly broad.

It is not clear that a change in admission preferences is included as part of HTH's request to change the lottery methodology (described below). If a change in admissions preferences is included in the request and approved by the federal government, HTH may amend the charter at that time to add the preferences proposed in these amendments.

If HTH makes a determination not to apply for PCSGP grant funds for any of the statewide benefit charter school campuses, CSD staff recommends that the SBE, as the charter authorizer, direct HTH to amend the stated preferences as follows:

1. Returning or existing students in good standing.
2. Children of employees of the school and governing board members of HTH, not to exceed 10% of enrollment.
3. Students being promoted or transferring from another HTH site within the same village.
4. Siblings of students currently attending the HTH site as long as it doesn't result in overrepresentation in any zip code area for middle and high schools.
5. All other students permitted by law (currently in approved charter).

Random Lottery – the charter amendments provide the methodology HTH would like to use for its lottery for admissions. The lottery methodology uses a weighting system based on United States Census data that is designed to encourage socioeconomic diversity and uses zip code clusters. CSD staff understands that HTH has submitted a letter to the federal government seeking approval for the methodology HTH uses to conduct the random lottery. The ACCS may want to request HTH to explain its current lottery system and how it would change if the request is approved by the federal government. *However, until such time as the request is approved, CSD staff recommends that charter language regarding the lottery be amended to comply with federal nonregulatory guidance which allows preferences through a weighted lottery generally only when necessary to comply with federal Title VI, Title IX, Section 504, and the Equal Protection Clause of the Constitution.*

Internal Dispute Resolution – HTH proposes on page 67 of the charter to add language limiting the SBE’s ability to intervene in internal disputes without the consent of HTH. *CSD staff recommends language in bullet 2 on this page be eliminated since the charter is not an appropriate document in which to place limitations on the SBE’s oversight authority.*

Charter Revisions – language on page 68 of the charter requires the SBE to consider material revisions to the HTH charter within 60 days of submission or within a time mutually agreed to. *CSD recommends language that requires the SBE to act within a specific time period on material revisions be eliminated. It is not appropriate for the HTH charter to limit the authority of the SBE.*

Budget – based on a review of the proposed sample budgets for elementary and middle schools, CSD staff has identified a few concerns that staff believe deserve greater explanation from HTH

- Under general assumptions, neither elementary nor middle grades projections reflect the schools reaching a target of 40 percent of students participating in the free and reduced lunch program until 8-10 years out. This is contrary to the original intent of the SBE in approving the statewide benefit charter school and, in our recommendations; CSD staff has suggested amending the original conditions of approval to require HTH to reach the target by the beginning of the third year for all of its statewide benefit campuses.
- It appears that the Revenue budgeted for the Principal Apportionment for the elementary schools may be overstated by approximately \$168,000 since it is not clear how the rate for “ADA” is calculated. The result of this overstatement would be a negative ending fund balance in each year.
- “Other Fundraising” in Year 1 totals \$600,000, which reflects approximately 26 percent of annual revenue, for the elementary campus budget and \$932,500, which reflects approximately 32 percent of annual revenue, for the middle grades campus. ACCS members may want to inquire about the source of these funds, whether they have been received, the timing of receipt of funds, etc.
- No increases are budgeted for facilities expenses from one year to the next in either budget. It is unclear how HTH allocates facilities and/or mortgage costs to new campuses.
- Instructional materials are budgeted for annual cost-of-living adjustment (COLA) increases; however, it is not clear whether the cost of replacement textbooks is included.

The CMO Management fee of 7 percent in years 4 – 7 for the elementary school budget seems high. The annual cost reflects approximately \$213,729 to \$234,221, respectively.

The middle school budget reflects a fee of 5 percent. It is clear this fee is a percentage, but it is unclear to what this percentage is applied. Further explanation regarding the difference in management fees between school types would be useful

**State Board of Education
Regular Board Meeting
California Department of Education Board Room
Final Minutes
March 11-12, 2009**

Item 8: High Tech High (HTH) Statewide Benefit Charter: Material Amendment to Expand Grades Served from Ninth through Twelfth Grade to Kindergarten through Twelfth Grade.

Presenter: Carol Barkley, Director, Charter Schools Division, CDE, introduced on this item.

Deborah Domitrovich, Charter Schools Division, CDE, informed the board that the school district requested an amendment to an already existing statewide benefit charter school petition, therefore, the board must first adopt the findings.

President Mitchell opened the public hearing.

There were no speakers in opposition to the agenda item.

Larry Rosenstock, CEO, High Tech High School, informed the board that his charter school had a strong focus on science. Mr. Rosenstock explained that while approximately 16 percent of students enroll in math and science at a national level, High Tech High School reported that nearly 32 percent of its students were enrolled in the same coursework. Ben Daley, Chief Operating Officer, High Tech High School, informed the board that a majority of their students graduate, and attend and ultimately graduate from a four-year college.

Ken Burt asked that Member Belisle recuse herself from the vote given her past vote on the matter with the ACCS. Chief Counsel Donna Neville advised that Ms. Belisle's previous participation in this issue while serving on the ACCS would not prohibit her from participating as an SBE member under the state's conflict on interest laws.

Colin Miller from the CCSA spoke in support of the CDE staff recommendation.

President Mitchell closed the public hearing.

Member Aschwanden asked for clarification regarding the number of schools that could be opened per year. Mr. Rosenstock explained that opening two charter schools a year was initially a requirement the SBE placed on the charter schools in 2006. The second requirement stipulated that the charter school couldn't open two additional schools of the same grade level until data was made available regarding the initial two schools. In 2009, when he could have done so, Mr. Rosenstock indicated that he did not ask for additional schools.

Member Aschwanden expressed his concerns regarding the question of whether this school was compellingly unique. President Mitchell stated for the record that the threshold does not require that a charter school be compellingly unique in order for the board to approve.

ACTION: Member Williams moved to adopt the finding required by EC 47605.8(b), the proposed findings were provided in Attachment 5. Member Noonan seconded the motion. The board voted, by roll call, 7-1 to adopt the findings.

Member Williams moved to approve the amendments to the HTH charter to expand to a K-12 statewide benefit charter school subject to both of the following:

- HTH complies with the conditions for the opening and operation of school sites as set forth on pages 2 to 4 of this agenda item and the standard conditions of approval reflected in Attachment 4.
- HTH charter is modified to incorporate the additions and changes proposed by the ACCS and the CDE in Attachment 1.

Member Chan seconded the motion. The board voted, by roll call, 7-1 to approve the motion.

**State Charter Finding and Evidence in Support of Finding
For High Tech High Statewide Benefit Charter School
March 2009**

Legal Requirement that the State Board Make a Finding Supported by Substantial Evidence

The Charter Schools Act of 1992 (“charter schools act”) allows a petition for the operation of a state charter school to be submitted directly to the state board and gives the state board authority to approve a charter for the operation of a state charter school that may operate at multiple sites throughout the state (Ed. Code § 47605.8 (a)). The charter schools act further requires the state board to adopt regulations that implement that authority (Id). Those regulations are found at Title 5 of the California Code of Regulations sections 11967.6 to 11967.8, incl.

The charter schools act prohibits the state board from approving a petition for the operation of a state charter school unless it first makes a finding, based on substantial evidence that,

“the proposed state charter school will provide instructional services of a statewide benefit that cannot be provided by a charter school operating in only one school district, or in only one county.” (Ed. Code § 47605.8 (b)).

This finding must be made a part of the public record of the proceedings of the state board and must precede approval of the charter (Ed. Code § 47605.8 (b)).

The “Proposed Findings for Adoption by the State Board” contained in this document, along with the evidence referenced in this document, upon adoption by the SBE, is intended to fulfill that requirement.

The board originally approved the petition for the operation of the High Tech high (HTH) state charter school in January of 2006. At that meeting, the state board made the required finding that the proposed charter would provide instructional services of a statewide benefit that cannot be provided by a charter school operating in only one school district, or in one county (Meeting Minutes, State Board of Education, January 12, 2006, pp.5-6).

If the state board wishes to approve the proposed material revision to the petition, it must first vote to approve the “Proposed Findings for Adoption by the State Board” contained in this document and should then vote to approve the staff recommendation to approve the material revision to the HTH charter school petition. Thus, approval is a two-step process: first, approval of the findings and second, approval of the material revision to the state charter school petition.

Proposed Findings for Adoption by the State Board

Finding: The State Board of Education finds that the proposed amendments to the High Tech High State Charter School further the instructional services of a statewide benefit that cannot be provided by a charter school operating in only one school district or in one county, as originally approved by the SBE at its January 2006 meeting.

The State Board of Education further finds that the proposed amendment to the HTH petition would enhance HTH’s ability to provide the instructional services of statewide benefit previously identified to the SBE.; namely providing innovative learning opportunities that combine academic rigor with real world experience in a small school setting that is demographically diverse; sponsoring an alumni program that supports former students while they attend college and university; serving as a catalyst for redevelopment and other civic initiatives in low-income communities because of HTH’s involvement with community-based organizations, universities, and city leadership and because of its effective use of New Markets Tax Credits.

Moreover, these instructional services of statewide benefit above cannot be achieved by a charter school that operates in only one school district or in one county. By their very nature, these statewide benefits are such that they may only be accomplished if HTH is allowed to operate in multiple locations. In order for HTH’s program to be successful it must be replicated consistently in low income communities throughout the state. If HTH were limited to operating in only one school district or in one county it could not achieve these benefits on a statewide basis.

**Recommended Modification of Conditions
Related to Grade Level Expansion
March 2009**

1. As a condition for the opening of additional schools, *each of the first two elementary, middle, and high* schools opened under the statewide benefit petition shall demonstrate student academic achievement on the Academic Performance Index (API) of either:
 - A school wide API ranking of 7 or better and a similar schools ranking of 6 or better (7/6); or
 - A school wide API ranking of 6 or better and a similar schools ranking of 7 or better (6/7).

2. HTH shall present a plan to the CDE for the opening of each new school site with a copy sent to the SBE charter liaisons. The plan shall be considered part of the CDE statewide benefit charter, and any material revision of it shall require the SBE's approval. The plan shall have the following elements:
 - The first two **high school** sites shall be located in different school districts and/or different counties and shall be located in areas where most neighboring public schools serving the same grade levels are in Program Improvement.
 - **At least one of the first two elementary sites and one of the first two middle school sites shall be located at the sites of the Chula Vista and San Marcos high school sites.**
 - After the first two *elementary, middle school, and high school sites have each* operated for two years, and provided the first two sites achieve at least the API rankings specified above, one or more sites may be opened each year. Each additional site shall be located in areas where most neighboring public schools serving the same grade levels are in Program Improvement and shall be opened only with prior approval of the CDE, which shall notify the SBE of the location of the additional site(s). In addition, all existing HTH school sites must maintain no less than a 7/6 or 6/7 and must be meeting their API growth targets for school wide and for subgroups.
 - The SBE will consider accelerating, by one year, the schedule for opening additional sites (as a material revision to the plan) upon a showing by HTH of outstanding student achievement at all existing statewide charter school sites.
 - Each site shall initially open between July 1 and September 30.

- The specific location of each site shall be identified to the CDE in the January immediately preceding its opening.
3. The charter petition shall be amended to delete any requirement on the part of the SBE pertaining to Regional Occupational Program (ROP) funding. HTH must have ROP programmatic and fiscal details resolved before any school sites open.
 4. ~~Through legal review, the CDE and SBE staff shall ensure that the first two HTH schools to be opened under the statewide benefit charter are not currently authorized by a school district or county office of education (e.g., Bayshore and Media Arts)~~ **The ACCS recommends that this condition be deleted from the charter.**
 5. All CDE final findings and recommendations (*reflected in Attachment 1: Memorandum to the Advisory Commission on Charter Schools from the Charter Schools Division*) must be addressed in the specified time lines and to the satisfaction of the CDE and SBE staff before HTH is authorized by the CDE to open any individual **elementary or middle school** sites under the statewide benefit charter.
 6. For each school opened under the HTH statewide benefit charter, a target of at least 40 percent shall be established for the portion of the school's student body who are socioeconomically disadvantaged students **by the end of the third year of operation. HTH may, at its discretion, apply the target to either its entering grade level population at each school site, or to the whole school population. For purposes of determining whether HTH has met the target, HTH may use either the number of students eligible for free and reduced price meals or the API socioeconomic status calculation. In the event HTH fails to meet the target at each site by the end of the third year of operation, the CDE will place an item before the ACCS and SBE to consider an appropriate course of action.** Each school site shall implement student recruitment efforts and establish admission preferences, as permitted by law, to achieve the target.
 7. Prior to the opening of any schools, a memorandum of understanding (MOU) shall be developed between HTH and the CDE that covers essential elements of the schools' operation that are pertinent to effective state oversight and that are not incorporated in the charter itself.
 8. In the annual report HTH submits to the SBE on the statewide benefit charter, HTH will provide detailed information regarding student achievement at each school site, with particular emphasis on core subjects, as may be specified by the CDE and SBE staff.

October 2010 Information Memoranda

SUBJECT: High Tech High Statewide Benefit Charter Intent to Operate Two New Schools in the 2011–12 School Year.

Summary of Key Issues

The purpose of this memorandum is to inform the State Board of Education (SBE) that High Tech High (HTH), one of three statewide benefit charters authorized by the SBE, plans to operate two new charter schools in the 2011–12 school year as allowed under the terms of its charter.

HTH currently operates the following three schools under its statewide benefit charter: High Tech High Chula Vista, High Tech Middle North County, and High Tech High North County. At the March 2009 SBE meeting, the SBE approved a material revision to the HTH charter to allow it to expand from serving pupils in grades nine through twelve to serving pupils in grades kindergarten through twelve. The agenda and minutes for this meeting can be found on the California Department of Education (CDE) SBE Meeting Agendas Web page at <http://www.cde.ca.gov/be/ag/ag/main0309.asp>. In its approval action, the SBE approved the condition that “at least one of the first two elementary sites and one of the first two middle school sites shall be located at the sites of the Chula Vista and San Marcos high school sites.”

HTH notified the CDE that it plans to open an elementary school and a middle school on the Chula Vista campus under the conditions specified at the March 2009 SBE meeting. Each school will have its own administrator and will operate as an independent site. HTH plans to serve approximately 380 pupils in the elementary school and 324 pupils in the middle school in addition to approximately 300 students currently served at the high school.

In addition, as stipulated at the March 2009 SBE meeting, each new HTH site must set an enrollment target of at least 40 percent socioeconomically disadvantaged students, either schoolwide or for incoming students to be met by the end of the school’s third year of operation. HTH currently meets this threshold for its students at the Chula Vista site. According to 2009–10 Standardized Testing and Reporting data, 41.7 percent of the High Tech High Chula Vista incoming freshmen were economically disadvantaged.

High Tech High

**A PROPOSAL AND PETITION TO RENEW
THE STATEWIDE BENEFIT CHARTER SCHOOL FOR HIGH TECH HIGH**

Original Petition Approved: January 12, 2006

Petition Amended: April 24, 2008

Renewal Petition Submitted: December 1, 2011

For Presentation to the

State Board of Education

Contents

INTRODUCTION	1
HISTORY OF THE HTH STATEWIDE BENEFIT CHARTER	2
Statewide Benefit No. 1:.....	2
Statewide Benefit No. 2:.....	6
Statewide Benefit No. 3:.....	9
HTH MEETS TERMS FOR RENEWAL	12
PROGRESS TOWARD CHARTER OUTCOMES	18
OTHER ACHIEVEMENT RESULTS.....	21
PLAN FOR ACHIEVING ACADEMIC SUCCESS	28
BACKGROUND TO THE CHARTER	31
STUDENT POPULATION.....	33
DECLARATIONS.....	33
SIXTEEN REQUIRED CHARTER ELEMENTS (A-P)	34
Element One (A) – Educational Program.....	34
Design Principles	34
Elementary School Sites	35
Middle School Sites	42
High School Sites	46
Aspects of the Instructional Program that Apply to All Schools –	50
<i>Plan for Students Who Are Low Achieving</i>	51
<i>Plan for Students Who Are High Achieving</i>	51
<i>Plan for English Learners</i>	52
<i>Plan for Special Education</i>	53
<i>Transferability of Credits</i>	56
<i>Independent Study</i>	56
Element Two (B)– Measurable Pupil Outcomes	56
Element Three (C) – Method of Measuring of Pupil Progress.....	57
Element Four (D) – Governance	62
Element Five (E) – Human Resources.....	63
Element Six (F) – Health and Safety Procedures.....	65
Element Seven (G) – Non- Discrimination	65
Element Eight (H) – Student Admissions and Attendance	65
Element Nine (I) - Annual Audits	68
Element Ten (J) - Student Suspensions and Expulsions	68
Element Eleven (K) – Compensation and Benefits.....	70
Element Twelve (L) – Attendance Alternatives	70
Element Thirteen (M) – Rights of School District Employees.....	71
Element Fourteen (N) – Dispute Resolution Process	71
Element Fifteen (O) – Employee Representation	71

Element Sixteen (P) – School Closeout.....	71
OTHER CHARTER PROVISIONS	72
17. Preferred County Office of Education for Administrative Support.....	72
18. Delineation of Site-based and Central Responsibilities Including Administrative Responsibilities	72
19. Financial Reporting.....	74
20. Insurance.....	75
21. Facilities and Transportation	75
22. Internal Dispute Resolution	76
23. Liability of Authorizer	76
24. Charter Term	76
25. Charter Revisions.....	76
26. Criteria for Creating New Schools	77
27. Severability.....	79
28. Information Exchange.....	79
29. Signatures.....	79
APPENDICES	81

INTRODUCTION TO HIGH TECH HIGH STATEWIDE BENEFIT CHARTER PETITION FOR RENEWAL

Launched by a coalition of San Diego civic leaders and educators in September 2000, High Tech High began as a small public charter school serving 530 students. It has evolved into an integrated network of schools spanning grades K-12, housing a comprehensive teacher certification program and a new, innovative Graduate School of Education. The schools aim to combat the twin issues of student disengagement and low academic achievement by creating personalized, project-based learning environments where students are known well and are challenged to meet high expectations.

At HTH, all students use technology to engage in scientific, mathematical, literary, historical, and artistic pursuits. The curriculum is rigorous, providing the foundation for entry and success at the University of California and elsewhere. Assessment is performance-based: students develop projects, solve problems, and present findings to community panels. The learning environment extends to the community beyond school: all students must complete academic internships in local businesses or non-profit organizations. Over the past ten years, HTH students have completed over 2000 academic internships in 300 non-profit and for profit organizations.

The mission of all HTH schools, whether at the elementary, middle or high school level, is to provide students with rigorous and relevant academic and workplace skills, preparing its graduates for post secondary success and productive citizenship. The primary goals of HTH are:

- To integrate technical and academic education in schools that prepare students for post-secondary education and for leadership in the high technology industry.
- To increase the number of educationally disadvantaged students in math and engineering who succeed in high school and post-secondary education and become productive members and leaders in the new economy.
- To provide all HTH students with an extraordinary education, and to graduate students who will be thoughtful, engaged citizens prepared to take on the difficult leadership challenges of the 21st century.
- To improve public education in California by training and preparing educators to teach in and lead innovative small public schools.

HISTORY OF THE HTH STATEWIDE BENEFIT CHARTER

On January 12, 2006, the State Board of Education (SBE) granted HTH the first Statewide benefit charter (HTH SBC) under the California Charter Schools Act of 1992 (Charter Schools Act). To date, HTH has opened five schools under the HTH SBC.¹ In August 2007, HTH opened its first two statewide benefit charter sites, HTH North County and HTH Chula Vista. Based on the performance of its two initial statewide benefit charter schools and to provide access to students on the full K-12 continuum, the charter was amended in 2008 to include K-8 school sites. With this approval, HTH opened High Tech Middle North County in August 2009 on the property adjacent to HTH North County. Moreover, in September 2011, HTH opened High Tech Elementary Chula Vista and High Tech Middle Chula Vista on the property adjacent to HTH Chula Vista. In total, between the locally authorized schools and those opened under the HTH SBC, HTH serves over 4,600 public school students across 11 schools. In addition, HTH operates the High Tech High Graduate School of Education offering Master's degrees in Education and the High Tech High Teacher Credential Program (a California Commission approved District Intern program and Induction Program).

HTH has been delivering statewide benefits as articulated in its initial petition for a statewide benefit charter since the time the SBE granted the HTH SBC.

Statewide Benefit No. 1:

Providing model public school facilities that are integral to the success of HTH's programs and recognized for their environmental quality and cost-effective construction.

As a result of having a SBC, HTH has been able to finance and develop model public school facilities and learning environments that uniquely complement project-based learning and academically rigorous career technical education, and that serve as inspiration for future school design.

In its original statewide benefit charter petition, HTH noted that its facilities development would provide a statewide benefit:

Specifically, we believe that the following aspects of our program, each providing benefit to the pupils, communities and the state as well as to the HTH organization itself, would only be possible through the establishment of this Statewide Charter School.

¹ Since the granting of the HTH SBC, HTH has opened schools under its Statewide Benefit Charter exclusively. In addition to the five schools operated under the HTH SBC, there are another 5 schools operated by High Tech High and one school operated by a High Tech High affiliate that were locally authorized prior to the granting of the HTH SBC.

Locating HTH sites where they may serve students who would otherwise be required to attend California's failing schools

- *HTH is doing its part to address California's critical need to provide students currently attending Program Improvement schools other enrollment alternatives. By adopting a lottery system based upon zip codes that creates ample enrollment slots for students from Program Improvement schools, by heavily recruiting in neighborhoods with high numbers of Program Improvement schools, and by locating our sites in low income areas with close proximity to many Program Improvement schools, the HTH Statewide Benefit Charter School is ensuring that many students who would otherwise be required to attend Program Improvement Schools in many different communities across California will have improved enrollment alternatives.*
- *To offer students all of the instructional innovations contained within the HTH model requires that HTH develop facilities that are conducive to our program. Building such facilities, ones that meet all HTH architectural design specifications, is an expensive undertaking. HTH estimates that it invests approximately \$9 million in each new high school facility. Because HTH seeks to locate sites in areas eligible for New Markets Tax Credits (NMTCs), HTH estimates that under this Statewide Charter School approximately \$90 million in modern school facilities will be located in communities identified by the federal government to be low-income areas.*
- *To take on the challenge of financing such a large-scale initiative to locate innovative school facilities in low income areas of California, HTH is assisting in the development of a Community Development Enterprise (CDE), which will apply for NMTCs. The investment strategies and parameters of the CDE are being specifically written to support the establishment of innovative small schools in the State of California. Because CDE applications for NMTCs are highly competitive, it is crucial that CDE be able to show to those evaluating the NMTC application that HTH has the authority to open many sites in different low income areas across California. That may only be demonstrated through approval of this Statewide Charter School Application. Short of fundraising \$4-5 million per facility – an impractical amount of fundraising – HTH is not aware of another method that would allow for the financing of HTH facilities. As such, the only way that HTH can accomplish its goal of locating many new schools within low-income areas in California is to do so within the context of this Statewide Charter School Application.*

During the initial term of HTH's statewide benefit charter, three facilities were designed and built to house four SBC schools; a fourth facility will break ground in December 2011. Each of these facilities has been designed to reflect the HTH particular pedagogical approach as well as to meet the highest environmental standards. Currently, all HTH SBC schools have earned or are pending certification for LEED Gold or Platinum, as well as CHPS Verification and EPA Energy Stars. The HTH SBC schools are the only ones in the State of California to have earned these combinations of credentials.

Currently, all HTH SBC schools have earned or are pending certification for LEED Gold or Platinum, as well as CHPS Verification and EPA Energy Stars. The HTH SBC schools are the only ones in the State of California to have earned these combinations of credentials. Countless visitors from around the globe have come to HTH since 2009 for the purpose of studying these facilities as models for their own schools. These visitors have come from throughout California, across the U.S. and from foreign countries. Visitors uniformly express keen interest in how HTH has been able to deliver so much for such a relatively small investment.

HTH's ability to deliver the statewide benefits of modeling innovative public school design that is well integrated to all aspects of the instructional program has been made possible by the statewide benefit charter. Indeed, the statewide benefit charter has permitted HTH to deliver on this statewide benefit in a manner that would not have been readily accessible through locally authorized charters.

More specifically, the statewide benefit charter has been instrumental in achieving this record of success for these reasons:

- Investors look to institutional capacity. Even though the financing we seek may be for a particular project, investors and rating agencies are interested in the entire institution's financial strength and stability. Being accountable to a single authorizer for this group of schools rather than three or more different authorizers has impressed investors who might otherwise shy away from charter school projects not knowing whether one or more authorizers could become unfriendly to the charter's presence and potentially cause not only one loan to be threatened, but all loans as they contain cross-default provisions.
- Having an authorized charter in place that allows for additional schools permits HTH to act quickly when unique financing opportunities come along.
- Investors are looking for a record of success. The steady growth of HTH's statewide benefit charter is evidence of our commitment to responsible growth.
- Certain financing, such as the Qualified School Construction Bonds used to finance our newest projects would not have been available to HTH without its statewide benefit charter in place (charter school allocations were conditioned upon three years of operating history – a new stand alone charter operated by HTH would have been denied access).

Traditional, local authorizing timelines do not facilitate the action necessary to seize upon time-sensitive opportunities essential to cost-effective facility development. In spite of dramatic reductions to per student funding that have occurred since 2008, HTH has been able to expand its capacity by acting quickly when opportunities arise. That ability to spontaneously mobilize has come as a direct result of having prior authorization to open additional schools through the statewide benefit charter. Under traditional authorization timelines, such opportunities would have at best been delayed by at least one complete school year, and at worst, lost altogether.

Moreover, developing added facility capacity entails significant upfront costs and risks to be incurred that precede actual loan funding by months. Having its statewide benefit charter already in place and pre-authorization for additional sites has allowed HTH to commit necessary resources when financing and/or property opportunities are present. Under traditional, local authorization pathways, it would be irresponsible to make such substantial commitments without first going through a potentially lengthy process to be awarded a new charter for each new school.

Although financing and development activities are extremely challenging in today's economy, HTH continues to look for opportunities that will expand student capacity while maintaining a responsible financial profile. Having the HTH SBC charter in place that allows for expansion permits HTH to rapidly transition into an active financing and development mode when an opportunity is present.

As a result of the statewide benefit charter, HTH has:

- Partnered in the establishment of an entity that was awarded \$35M in New Markets Tax Credits from the United States Treasury to secure new property and facilities.
- Secured a lease of 10 acres of land, with an option to acquire an additional 6 acres, from the City of Chula Vista for purposes of developing HTH Chula Vista and eventually a village of HTH schools on this property
- Acquired 5.2 acres of land in San Marcos that is identified by the federal government to be located in a low income community, making the property eligible for below market financing through the New Markets Tax Credits program.
- Secured sufficient tax exempt bond financing to complete the development of a \$17.3M high school facility for HTH Chula Vista.
- Secured sufficient New Markets Tax Credits financing to complete the development of a \$21.0M high school facility for HTH North County
- HTH Chula Vista has received the following awards and recognitions for its state of the art building: American Institute of Architects/Committee on the Environment (AIA/COTE) Top Ten Green Project, US Green Building Council (USGBC) LEED for Schools Gold, Los Angeles Architectural Foundation Design Green Honor, San Diego Architectural Foundation Orchid Modular Building Institute Best In Show and Collaborative for High Performance Schools Verified Environmental Protection Agency Energy Star.
- HTHNC is in the process of earning: USGBC LEED Gold, Collaborative for High Performance Schools (CHPS) Verification, and US Environmental Protection Agency (EPA) Energy Star Rating.
- Financed construction of permanent home for High Tech Middle North County in 2011 - \$3.95 million financed through issuance of Qualified School Construction Bonds with credit enhancement from City National Bank and the Federal Home Loan Bank - bonds issued with AAA rating. \$4.5 million in private gifts were also received to complete the \$8.45 million project.

- Since opening, the City of Chula Vista has shown tremendous support for HTH by providing over 10 acres of city-owned land on which to construct school facilities that currently house High Tech High Chula Vista and as of September 2011, High Tech Elementary Chula Vista and High Tech Middle Chula Vista. HTH's school facilities are the cornerstone for the city's future University Park development. Under the terms of the long-term leases, HTH is obligated to construct and operate its schools on the property in exchange for a rent-free lease.
- High Tech Elementary Chula Vista is on track to earn LEED Platinum, CHPS Verified, EPA Energy Star ratings.
- As an organization HTH has won the "2010 SDG&E Energy Champion Award" for our outstanding energy efficiency efforts organization-wide as well as the "2011 SDG&E Sustainable Communities Champion Award" for the deep integration of sustainable design principles into all of our SBC schools, addressing issues of site selection, water, energy, indoor environmental quality, and operations.

Statewide Benefit No. 2:

Developing highly qualified STEM teachers.

The HTH SBC has increased the reach of HTH's credentialing program which, in conjunction with the HTH Graduate School of Education, is preparing academic leaders and teachers throughout the State of California

In its original statewide benefit charter petition, HTH noted that as one of the statewide benefits it would:

Address the State's Critical Shortage of Highly Qualified Teachers

- *The State of California is clearly challenged by No Child Left Behind to recruit and train Highly Qualified Teachers. HTH, as the first charter school organization authorized to operate its own teacher credentialing program, is doing its part to address California's critical teacher shortage. By drawing into the public school system – many times directly from industry or from graduate-level programs in highly reputable universities – large numbers of high achieving individuals with deep content knowledge, especially in the areas of math and science, HTH is credentialing a new generation of teachers who are having a profound impact on students. As we know from our own interviews with newly hired teachers, HTH is able to recruit such talented people precisely because we offer a credentialing program that is inexpensive to the participants, convenient, and of great relevance because it is implemented within the context of our highly successful schools.*
- *Currently, on an ongoing basis, approximately 1 in 5 HTH teachers are enrolled in our teacher credentialing program. Under this Statewide Charter School Application, HTH estimates that it will employ over 250 additional teachers at HTH sites across California. If the current percentages of HTH teachers participate in the program going forward, HTH will provide 50 new highly-qualified teachers annually to different communities across the state of California.*

* * *

- *To have the capacity to operate the teacher credentialing program at the scale described above, HTH will have to make significant investments in its CTC approved program, including investing in information technology to enable remote learning and hiring highly trained and talented staff to support the program. For HTH to make such investments, it must know with certainty that it has the authorization to open programs at the scale described in this Statewide Charter School Application. As such, the only way that HTH can make the kind of contribution described above regarding California’s teacher shortage is to do so within the context of this Statewide Charter School Application. (HTH Original Statewide Benefit Charter Petition at pp. 9-12.)*

The HTH SBC continues to be a critical component to HTH’s efforts to contribute in the development of highly qualified teachers in the areas of STEM and special education. There is a shortage of highly qualified science, technology, engineering, and math teachers in California. The promise of High Tech High’s success in addressing this demand is in its ability to attract advanced degree scientists, engineers, and mathematicians into the teaching profession and then in integrating technical education more fully with academic education. Most notably, High Tech High develops students 21st century skills through the engaging pedagogy of engineering design that is experiential, integrated, situated, expeditionary, team taught and group learned, and applied. Thus, High Tech High has very tangible assets – from its program to its staffing, and from its facilities to its fully immersed in K-12 schools credentialing programs - to benefit outcomes for California’s K-12 students and for postsecondary teacher preparation.

High Tech High teacher education programs begin with the belief that educational theory must be grounded in practice. Thus, all educators participate in practicum based education and have constant opportunities to “put to practice” what they are learning in coursework. This approach is consistent with recent recommendations from the National Council for Accreditation for Teacher Education¹, including that “credentialing programs need to be turned upside down” so that programs “are fully grounded in clinical practice and interwoven with academic content and professional courses,” and that “clinical preparation is integrated through every facet of teacher education in a dynamic way.” High Tech High’s model of teacher education is being looked to across the state and nation as a better way to prepare teachers for classroom practice.

Collectively the Credential program and the HTH Graduate School of Education have made significant gains in preparing high quality science, technology, engineering and math teachers for the state of California. These are teachers who not only earn a credential but who are able to improve their practice through the Induction program and transform the

¹ <http://www.ncate.org/Public/Newsroom/NCATENewsPressReleases/tabid/669/EntryId/125/Panel-Calls-for-Turning-Teacher-Education-Upside-Down-Centering-Curricula-around-Classroom-Ready-Training-and-Increasing-Oversight-and-Expectations.aspx>

practice of other teachers through the Graduate School of Education. Each program's impact is detailed below.

Teacher Credentialing and Induction

The California Commission on Teacher Credentialing (CCTC) approved HTH to operate a District Intern Program in 2004. Later in 2007, HTH was approved to operate an Induction Program for teachers across the state of California. HTH offers three types of teaching credentials: Single Subject, Multiple Subjects, and Education Specialist, Mild/Moderate (Note: Education Specialist, a.k.a. Special Education was approved in 2010). HTH has recommended credentials for teachers from across the San Diego region, from the San Francisco region, and Los Angeles. 50% (43) of these teachers have earned a Preliminary credential in the STEM fields and 8% (7) have earned a preliminary credential as an Education Specialist. By the spring of 2012, a total of 77 teachers will have cleared a STEM credential, and five plan to clear their Education Specialist credential.

The HTH Induction Program serves teachers in California with preliminary credentials and teachers new to California. The HTH Induction program experienced significant growth in fall of 2010 when local districts in San Diego cut their Induction programs due to the ongoing budget crisis in California. In addition, local Charter schools too small to offer their own Induction programs without state funding were welcomed into the HTH program. Teachers involved in the program are located in schools throughout Southern California. Currently, 66% of teachers in this program work at schools outside of the HTH network. Additionally, HTH will soon be engaged in doing credentialing work for the 17 districts of the Desert Mountain SELPA which covers a territory of approximately 28,000 square miles in California. To date, the HTH Induction Program has worked with 201 teachers coming from more than 20 area schools and districts. Currently, HTH is supporting 105 teachers in its 2011-2012 Induction Program including teachers from the San Diego region and Los Angeles. 25 of these 105 will be pursuing Clear Professional credentials in math and science.

As a result of the both the Credential and Induction programs, HTH SBC has trained 303 teachers with 113 of these candidates working in external sites. Over 40% have pursued or are pursuing their credentials in science, technology, engineering or mathematics and 8% are pursuing credentials in special education.

HTH Graduate School of Education

In December of 2006, HTH received authority from the Bureau for Private Postsecondary and Vocational Education to operate the High Tech High Graduate School of Education (GSE). Since opening in 2007, the GSE has applied to the Western Association for Schools and Colleges for accreditation and full accreditation is expected in 2014. The GSE offers Master's in Education in School Leadership and Teacher Leadership. Like the HTH K-12 schools, the HTH GSE is committed to providing its students with learning experiences that are personalized, authentic,

and relevant. To date the HTH GSE has had 41 graduates. 46% were external teachers and 29% specialized in STEM.

Lastly, HTH SBC's impact beyond serving K12 students is evident in ongoing professional development offerings. In 2010, HTH had 650 teachers/administrators from 29 states and eight foreign countries attend residencies/institutes on site at HTH. At the annual HTH Summer Institute alone, HTH worked with 12 school districts from as far as Sacramento and as close as neighboring charter schools. Additionally, HTH ran customized workshops for 620 participants from five states (CA, HI, GA, KY, and IA) and two foreign countries (Israel, UK). Since opening in 2000, over 20,000 educators have visited the schools to learn about HTH practices.

The demand for further professional development and the improvements in distance learning opportunities have allowed HTH to develop a hybrid program, the Leading Schools Program. This one-year hybrid program blends residencies at HTH in San Diego, partnerships with HTH critical friends, and on-line collegial conversations. The on-line collegial conversations served over 180 teachers from around the world during the 2010-2011 school year and the Leading Schools Program graduated its first cohort in 2011 with educators from Hawaii and Toronto. In 2011-12, the Leading Schools Program will work with teachers from Canada and Spain.

Statewide Benefit No. 3:

Providing leadership in preparing students for college and career.

In its initial statewide benefit charter petition, HTH noted that as one of the statewide benefits it would:

Graduate Students with the Skills Necessary to Meet the Workforce Needs of the 21st Century

- *As was quoted above, only a small percentage of students attending California public schools are graduating prepared to be successful in institutions of higher learning and the workforce. By creating a Statewide Benefit Charter School that will ultimately serve approximately 4,500 to 4,700 students in communities across California, HTH will be able to graduate more than a 1,000 students annually who will have completed all A-G requirements and who will enroll in and be prepared to be successful in institutions of higher learning.*
- *A constant refrain being heard from the major employers of the State of California is that our education system is not producing workers with the ability to solve real-world problems using knowledge-based skills. High Tech High's project-based, multi-disciplinary instructional approach was designed specifically to address this problem. In addition, by situating a significant portion of student learning in an adult/professional milieu, our students are developing a better understanding for how their learning in school has direct application to real-world problems.*

As is evidenced by a number of key metrics, HTH is able to provide all students with a successful path to college, particularly with respect to students for whom college has traditionally seemed out of reach. This success can be measured by the percentage of HTH students who graduate with 100% of the coursework required for UC admission, the percentage of students who take the SAT (90%), and the percentage of graduates who are college bound (96%). Further, 77% of all HTH alums have graduated from college or are still enrolled.

High Tech High aims to merge academic and technical education so that all students are skilled in using both their hands and their minds. Students work on projects to produce work which they present to a real audience. Students learn to work collaboratively in groups while still being held accountable for individual performance. Students learn to act like scientists, engineers, and mathematicians in posing and exploring their own research questions as well as engaging in projects involving designing and building. All students complete academic internships as part of their school day in the junior and senior year. All of these elements work in tandem to help graduates to succeed in college, in the workplace, and in life.

Preparing for College

HTH holds the view that every student should be prepared for both the world of college and meaningful careers when they graduate from high school. Thus, all students participate in a rigorous, college-preparatory curriculum and real-world work experiences that prepares them to be successful citizens in 21st century America.

- To date, 100% of HTH graduates meet the UC/CSU A-G requirements compared to fewer than 40% of students in state. In addition, over 100% of HTH SBC students earned admittance to college with over 64% of students enrolling in four-year institutions compared to 20% of students statewide.²

HTH also believes that student work should be shown to the world. Similar to universities and the workplace, work is presented publicly to professionals, community members and other students.

- To date, HTH Statewide benefit sites have held over 30 public exhibitions of learning with a total attendance by the public of over 5000 people.

HTH believes that one way to address the California-wide challenge of low-performing high schools is to create integrated learning environments, which bring together students from different neighborhoods. The outreach and admissions procedures used by the HTH SBC School are designed to achieve, a student body within each site that represents the demography of the larger surrounding area, allowing for a level of integration that is not commonly found in California's public schools.

²

<http://www.cpec.ca.gov/StudentData/CACGRDistrict.asp?House=>

- As a result of this belief, HTH SBC has schools where 45% of students are Hispanic/Latino, 7% are African American, 13% qualify for special education services and approximately 40% qualify for the National School Lunch Program. Students represent the vastness of San Diego traveling up to two hours one-way to travel to school.

HTH also holds the view that it is imperative to avoid intra-school racial and socioeconomic segregation that is commonly found within traditional public schools that group students by ability. Sites of the HTH SBC School do not group students by ability but instead maintain a common intellectual mission where students of all demographic groups are provided the same college preparatory curriculum and where all students are expected upon graduation to enroll in an institution of higher learning.

- As a result of this belief, First Generation students (first in their families to go to college) are attending college at same rates of those students whose parents have college degrees. Moreover data from our original site indicates that First Generation and students who qualified for the National School Lunch Program are staying in the college at approximately the same rate as all HTH students.

Preparing Students for Careers

HTH believes that the integration of academic and vocational programs best prepares students to succeed in an economy that requires workers to not only have the book smarts necessary to solve complex problems, but to have the hands-on skills necessary to apply learning to real-world situations. Lastly, all HTH students complete an academic internship at an area business or non-profit.

- Among the locations HTH students have interned at include: San Diego Zoo, QUALCOMM, SPAWAR, the Office of the Mayor of Chula Vista and over 300 other area businesses. Many of the sites of the HTH SBC School have established relationships with local community based organizations that wanted to increase their support for public education.
- To date, over 35 local business work directly with HTH statewide sites to support the learning of students via projects, teacher professional development and more.

Finally, HTH believes that low-achieving students benefit greatly from the “gift of time” in order to ensure that they graduate from their K-12 experience prepared for success in college. As such, HTH has created “Villages” of elementary, middle and high schools, where students have a longer runway so as to maximize the likelihood of ensuring high levels of achievement among all HTH students. The above combined approaches have resulted in:

- Significantly higher first time Math and English Arts CAHSEE pass rate for special education, socioeconomically disadvantaged students and English Learners. The first time pass rate for HTH students has on average exceeded the state pass rates by over 30%.
- 94% of graduates who are considered First Generation are planning to attend college next year.

Benefit to students beyond HTH

High Tech High's pedagogical approach includes several key features that are now being replicated in schools around the state. In addition to directly serving students in HTH schools to better prepare students for college and the 21st century workforce, through visitors and formal educator training programs, High Tech High aims to share its vision of teaching and learning around the state, nation, and world. High Tech High hosts roughly 2000 visitors every year both for school tours and to participate in 2-3 day educator residencies. An example of the impact of this educator training was recently described by edutopia.org in its series "Schools that work:" <http://www.edutopia.org/stw-replicating-pbl>

HTH MEETS TERMS FOR RENEWAL

According to the California Charters School Act, section 47607, for a charter to be renewed, a "charter school shall meet at least one of the following criteria:"

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

Based on the criteria above, the HTH SBC sites have met more than one of the terms of renewal by meeting criteria one, two and four. The below four sections explain in detail how the HTH SBC sites has met these criteria. Data for High Tech High Elementary Chula Vista and High Tech Middle Chula Vista is not shown because state level data is not yet available for these sites; however we are confident that these new sites will meet these criteria based on the performance of our existing middle and elementary site.

HTH Meets Criteria One for Renewal:

HTH SBC sites have attained their Academic Performance Index (API) growth targets in the prior year or in two of the last three years, or in the aggregate for the prior three years.

Each HTH SBC site has met criteria one for renewal. Each HTH SBC site met and exceeded the API Growth target schoolwide in 2011. HTMNC and HTHCV met its API subgroup growth target as well in 2011. HTHNC did not meet its subgroup growth target in 2011; however the school has met the subgroup growth target in two of the last year three years. The chart listed below shows how each site met the API Growth Targets schoolwide and for the subgroups for the last four years.

School Year	2008	2009		2010		2011	
		State	Subgroup	State	Subgroup	State	Subgroup
High Tech High North County	Baseline	Yes	Yes	Yes	Yes	Yes	No
High Tech High Chula Vista	Baseline	Yes	Yes	No	No	Yes	Yes
High Tech Middle North County	NA	NA		B	B	Yes	Yes

HTH Meets Criteria Two for Renewal:

HTH SBC schools ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.

Each HTH has met criteria two for renewal because each site has achieved a statewide ranking above a four in the last three years as well within the previous school year. The chart below lists the statewide ranking for the last three years. Based simply on this criterion alone, HTH SBC sites are eligible for renewal.

School Year	2008	2009	2010
High Tech High North County	8	8	8
High Tech High Chula Vista	6	7	5
High Tech Middle North County	NA	NA	8

HTH Meets Criteria Three for Renewal:

HTH SBC schools have ranked in deciles 4 to 10, inclusive, on the API for demographically comparable schools in the prior year or in two of the last three years.

HTH SBC did not meet this criterion for renewal in the last three years or in the previous years. Much of the reason behind this is due to the comparable schools that HTH SBC sites were compared against. Many of the schools HTH SBC sites were compared against did not have

comparable racial demographics nor are they schools with the same free and reduced lunch rates. For example, a school that received a 10 in the listing of similar schools has only a 7% free and reduced lunch rate. In another example, High Tech High Chula Vista, with 70% Latino students is being compared to schools with under 5% Latino students. Regardless, HTH SBC sites are committed to increasing this ranking in the coming renewal period.

School Year	2008	2009	2010
High Tech High North County	5	5	2
High Tech High Chula Vista	3	3	1
High Tech Middle North County	NA	NA	2

HTH Meets Criteria Four for Renewal:

The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is taking into account the composition of the pupil population that is served at the charter school.

HTH has met criterion four based on the performance of high school students on college going metrics.

HTH is committed to having every student gain access to a high quality postsecondary education. For that reason, we examine the performance of our students on the following metrics:

- College Persistence and Matriculation Data
- UC/CSU A-G Course Completion
- Graduation Rates
- SAT Participation and Performance
- College Acceptances

College Persistence and Matriculation rates

Since 2008, HTH has partnered with the National Student Clearinghouse to examine the college completion rates for each of its students. In 2011, National Student Clearinghouse data indicated that 77% of HTH alumni are still enrolled or have graduated from a post-secondary institution with 25% of the college graduates earning degrees in science, technology, engineering, or mathematics (STEM). By way of comparison, fewer than 30%³ of adults in their 20s in California have a college degree according to data from the U.S Census Bureau and only 17%⁴ of college students earn degrees in the STEM fields. The data also showed that 69% of First Generation students (first in their families to go to college), 67% of the students who qualified for the National School Lunch Program, 69% of African American and Hispanic students and 73% of students with special needs have graduated from college or are still enrolled in higher education.

A-G Requirements, Graduation Rate, SAT Participation and Performance

At HTH, 100% of its students have completed the necessary courses (UC A-G) to gain entry into post-secondary education. High Tech High North County and High Tech High Chula Vista graduated its first classes in June 2011. From these classes, 96% of these graduates are college-bound, 72% secured entry to four-year universities and 64% are headed to four-year universities. This high level of acceptance and attendance is in part to due to the high percentages of students taking the required courses to gain entry to the University of California system; additionally, all HTH students are encouraged to take the SAT. By way of comparison, 100% of HTH students have met the A-G requirements and 90% have taken the SAT compared to lower numbers of students in neighboring schools. Additionally, 100% of HTH graduates took the PSAT compared to 36% of student in the state. The table below shows the percentage of HTH students meeting the A-G requirements, graduation rates, and the SAT participation and performance for HTH statewide sites, the neighboring schools and districts, and the state. HTH schools draw students from all over San Diego County and beyond. Comparison schools were chosen by taking schools from the surrounding district with the most comparable student demographics to HTH schools. Even with significantly higher rates of participation on the SAT, HTH students performed at or above students in local schools (typically only the strongest students take the SAT).

3 <http://chronicle.com/article/Adults-With-College-Degrees-in/125995>

4 <http://www.fas.org/sgp/crs/misc/RL33434.pdf>

Site	% Qualifying for free/reduced lunch ⁵	Meeting UC A-G Course Requirements	Graduation Rate	SAT Participation	Average SAT Reasoning (out of 2400 possible points)
High Tech High North County, 2011	19%	100%	96%	80%	1612
San Marcos High School, 2010	22%	60%	96%	52%	1505
Mission Hills High School (San Marcos School District), 2010	23%	98%	95%	47%	1528
San Marcos Unified HS district, 2010	23%	76%	87%	59%	1487
High Tech High Chula Vista, 2011	39%	100%	95%	96%	1424
Hilltop High School, 2010	44%	40%	95%	36%	1456
Olympian High School, 2010	32%	52%	95%	51%	1460
Sweetwater Union High School District Class of 2010	51%	27%	87%	27%	1418
State of California HS, 2010	50%	36%	80%	33%	1512

*Throughout this report HTHNC is compared to San Marcos High, Mission Hills and San Marcos Unified School District. HTHCV is compared to Olympian High School, Hilltop High School and Sweetwater Union High School District. HTHMNC is compared to San Marcos Middle, Rincon Middle and San Marcos Unified School District. These schools represent similar demographics and are schools HTH students would have attended had they not attended HTH.

⁵ Based on 2011 STAR data

College Acceptances

As a result of these participation rates and performance, HTH students at the statewide sites sent in 1360 applications to universities around the world achieving an average acceptance rate of 50%. Moreover, 38% of the graduates are the first in their families to attend college. 96% of HTH statewide benefit site graduates are headed to college. At HTHCV and at HTHNC, 95% of the First Generation students are college bound as well. The chart below shows the rate of HTH students attending the UC and CSU schools compared to the rate in the state of California. In fall 2011, 40% of the HTH statewide sites students will be attending a UC or CSU school compared to 24 % of California students.

	Attending UC Schools	Attending CSU schools
High Tech High North County	22%	20%
High Tech High Chula Vista	18%	18%
State of California	8%	16%

In addition to UC/CSU schools, HTH graduates will attend other four-year schools in and out of the state. Other notable universities the students have been accepted to include: University of Pennsylvania, Yale, Cornell, Johns Hopkins, UCLA, UC Berkeley, Reed, USC, California Poly Technical San Louis Obispo, Oberlin and many others.

PROGRESS TOWARD CHARTER OUTCOMES

MEETING ELEMENT TWO: MEASURABLE STUDENT OUTCOMES

As stated in the initial charter application in element two, “The HTH Statewide Benefit Charter School intends to graduate its students with SAT/ACT scores, a transcript, and a portfolio that greatly increase opportunities for admission to a college, CSU, UC, or other notable institutions, e.g., the Ivy League. Other measurable outcomes include:

- An expectation that 100% of HTH graduates will secure admission to an institution of higher education. We expect roughly 80% of those graduates to secure admission to a four-year institution.
- Students completing a course of study that meets all requirements for entry into the University of California system.
- An expectation that 60% of HTH alumni will complete 4-year college degrees within 6 years of graduating from HTH

HTH has achieved the following results:

- 90% of the HTH graduates have taken the SAT or ACT.
- 100% of HTH graduates developed a digital portfolio which shows an archive of their work.
- 100% of graduated students have secured admission to a post-secondary. 72% have secured admissions to a four-year institution and 96% are off to college in the fall.
- 100% of the graduated have completed the A-G requirements for the University of California system.

Although college retention data on the class of 2011 is not yet available; data from the existing schools indicate that 77% of HTH alumni are still enrolled in post-secondary education or have graduated. 25% of the HTH college graduates have earned STEM degrees (Math, Science, Technology or Engineering).

Other goals stated in the initial charter included that each site “maintain minimum statewide/similar schools API decile rankings of 6/7 or 7/6 beginning with base API reporting in the second year of operation. In addition, each HTH site will meet all Adequate Yearly Progress (AYP) targets.” The progress toward this goal has varied as the state and similar school rankings have been below a 6 at two of our sites and adequate yearly progress was not met last year at two sites. It is the intention of HTH to improve these results in the next charter term.

High Tech High North County	2008	2009	2010
State Rankings	8	8	8
Similar School Rankings	5	5	2
AYP	Yes	Yes	Yes
High Tech High Chula Vista	2008	2009	2010
State Rankings	6	7	5
Similar School Rankings	3	1	1
AYP	No	Yes	No
High Tech Middle North County	2008	2009	2010
State Rankings	NA	NA	8
Similar School Rankings	NA	NA	2
AYP	NA	NA	No

Other Significant Developments

In terms of admissions, HTH continues to receive far more applications than spaces available, with applications outnumbering available slots by a ratio of roughly 5:1, suggesting community support for renewal of this charter. In 2011, HTH received over 7500 applications for 1600 slots across eleven schools. HTH received over 2000 applications for High Tech Elementary Chula Vista and over 1300 applications for High Tech Middle Chula Vista. In total, these developments have allowed HTH to grow the flagship high school into three “Villages” of small schools serving approximately 4000 students in grades K-12 during the 2011-2012 school year.

While HTH has grown to serve a higher number of students and a broader range of grades, the organization has simultaneously sought to break new ground in California’s charter school movement:

- In July of 2004, HTH schools became among the first charter schools in California to be admitted as LEAs within an out of area SELPA. HTH’s arrangement with the Desert/Mountain SELPA has been widely recognized and has led to other charter schools and SELPAs across the state adopting similar arrangements.
- HTH has always used annual student survey data to adjust the curriculum and instruction in the sites to meet the needs and perceptions of students. This past year, HTH also participated in a nationally administered survey called [Youth Truth](#), a project dedicated to quantitatively measuring student engagement. This year 23 districts participated from across the country representing 60,000 students from public and

charter schools. On almost every indicator, HTH statewide sites scored in the top quartile for its ability to build connections with students, prepare students for future aspirations, counsel students about college going options, and deliver rigorous instruction.

- HTH believes that authentic, student-created work is another measure of a student's academic achievement and that a digital portfolio of one's work is a key element in analyzing performance. For this reason, every HTH student has a digital portfolio that includes examples of student work products and authentic student reflection. Digital portfolios are examined each year and are an integral part of each student's bi-annual presentation of learning, wherein students present to professionals, peers, and teachers about the work they accomplished that year. Both the projects and digital portfolios from the HTH sites have been cited by educational researchers and professionals as exemplary models for 21st century learning. Example of projects and digital portfolios can be found online at: <http://www.hightechhigh.org/projects/> and http://www.hightechhigh.org/digital_portfolios.php.

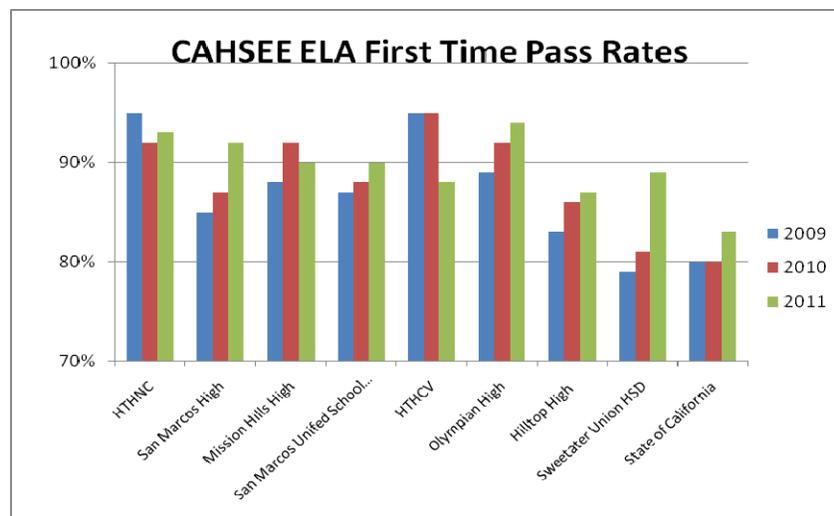
OTHER ACHIEVEMENT RESULTS

As outlined in State Superintendent Torlakson’s *Blueprint for Great Schools*, accountability and school improvement needs a “robust system of indicators to give students, teachers, and parents a more complete picture of school performance, including broader measures of growth and learning that better assess 21st century skills; measures of school capacity and student opportunities to learn; and measures of resources connected to opportunity-to-learn standards.”⁶ Since opening in 2000, High Tech High has believed that all graduates need to be ready for the 21st century workforce and for post-secondary education.

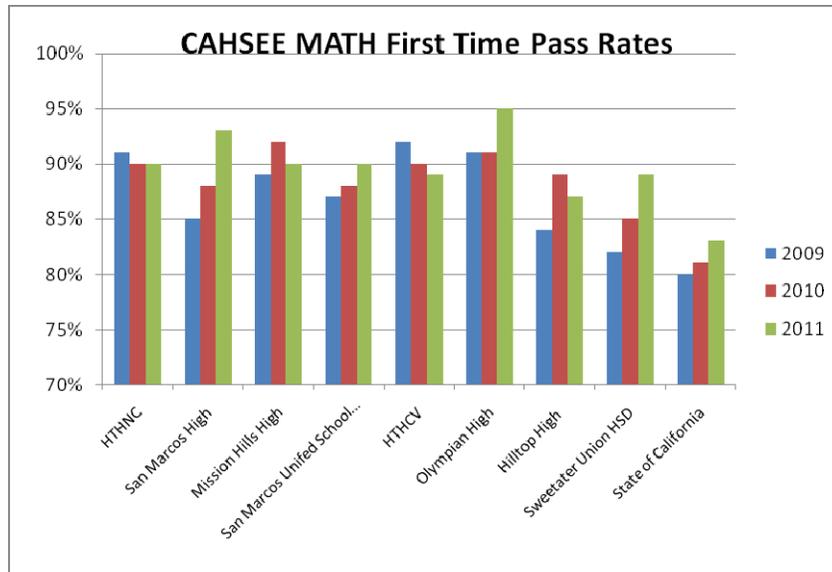
To that end, HTH has long held the view that multiple measures of assessment data, including quantitative and qualitative results, are needed to assess the performance of schools and students. High Tech High does not believe that results on multiple choice tests are the only “outcomes” that matter and has placed much greater emphasis on achieving on other measures. Among these include SAT participation and results, UC A-G course taking, college applications, college acceptances, college matriculation, college retention, student survey data, student portfolios and public exhibitions of student work. High Tech High also looks at results on state standardized multiple choice tests, such as CAHSEE and STAR. Performance on the CAHSEE and the CST/STAR tests as well as the state and federal accountability metrics are detailed below.

CAHSEE Performance

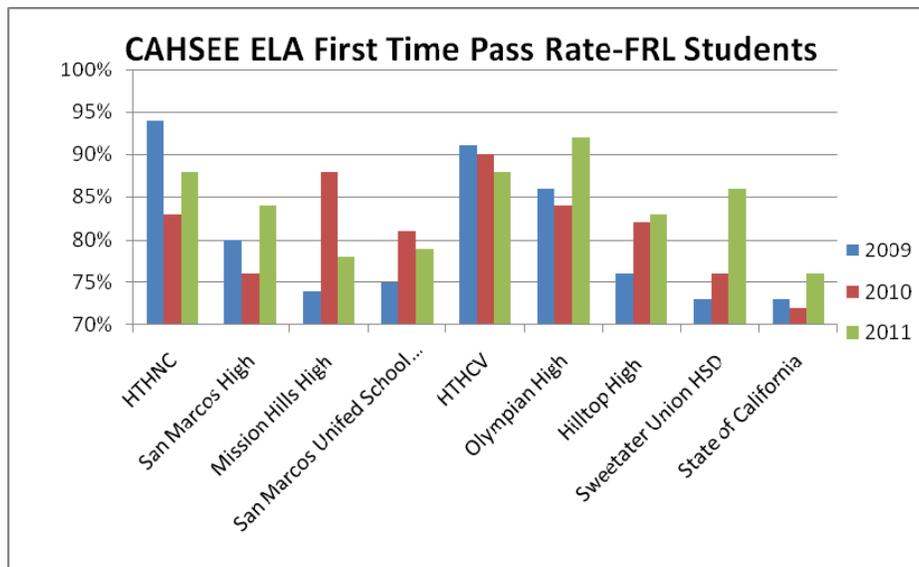
At the school-wide level, the first time pass-rate on the CAHSEE for HTH statewide students meets or exceeds the pass rates of students in the neighboring schools and districts for ELA and meets or in some cases are below pass rates for students in neighboring schools in math. HTH is taking steps to improve math test scores.

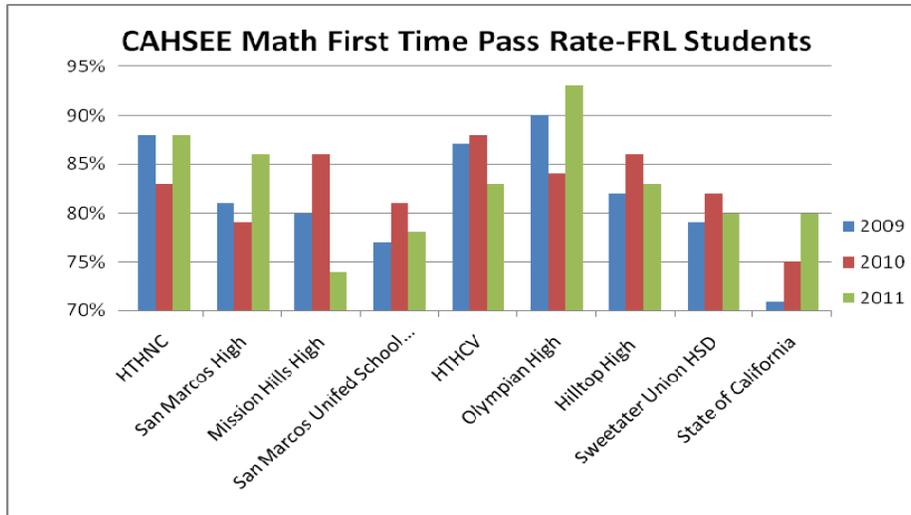


⁶ <http://www.cde.ca.gov/eo/in/bp/bpsummary.asp>



Data for the first time pass rate for students who qualify for free and reduced lunch further indicates that students attending HTHCV and HTHNC are doing well compared to peers in comparable schools. The below tables show the first time CAHSEE pass rates for free and reduced lunch students from 2009-2011 at HTH sites and comparable schools.

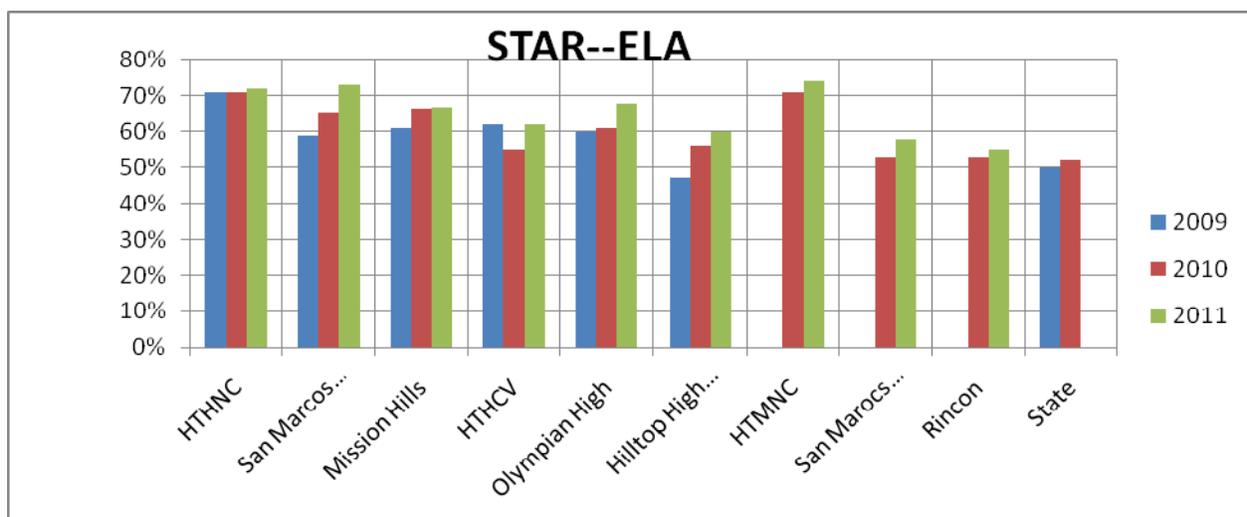


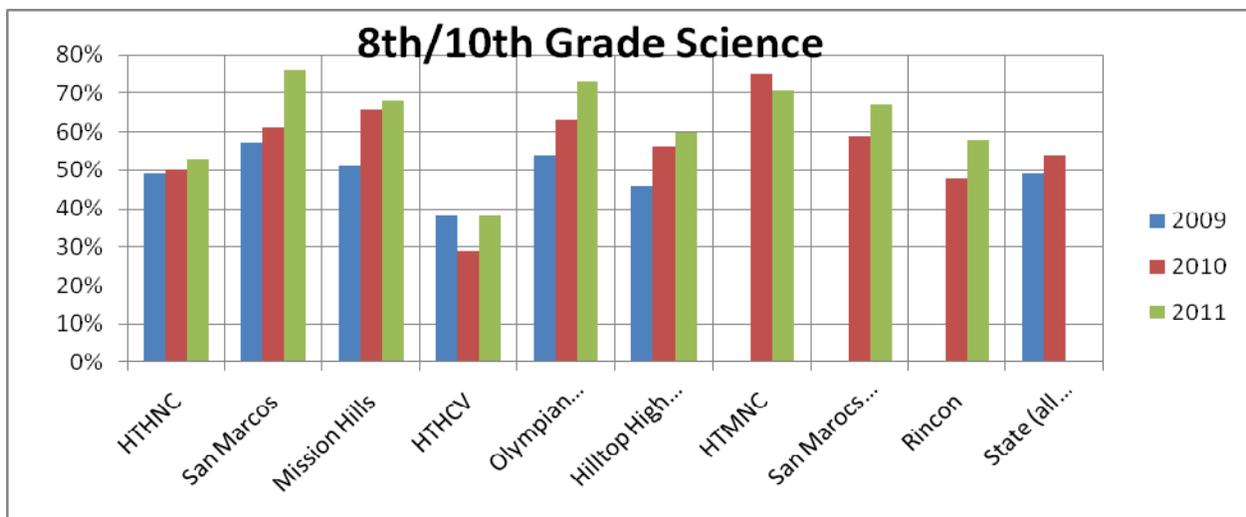
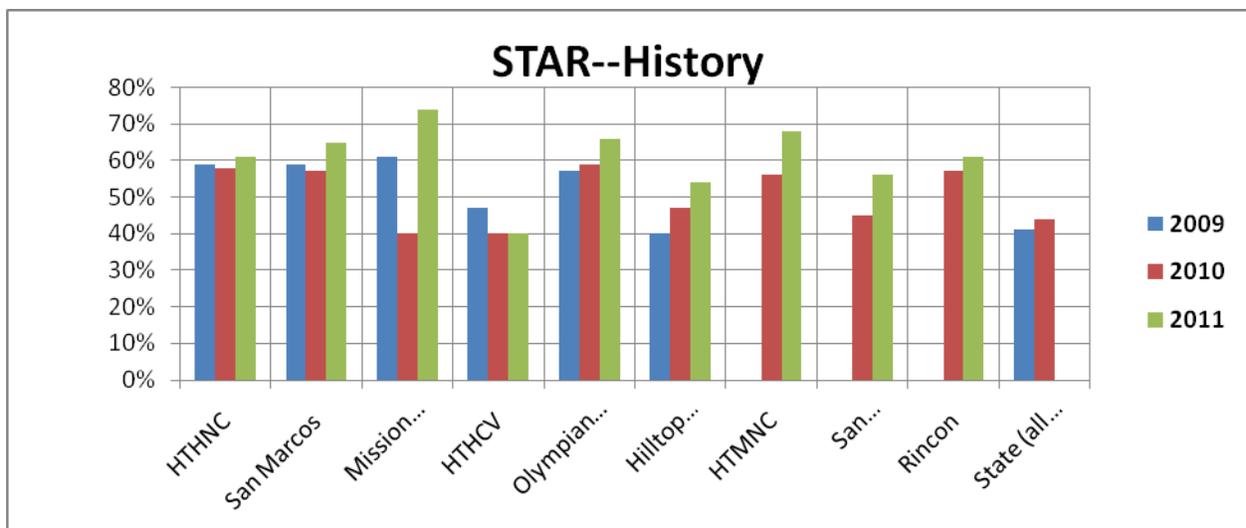
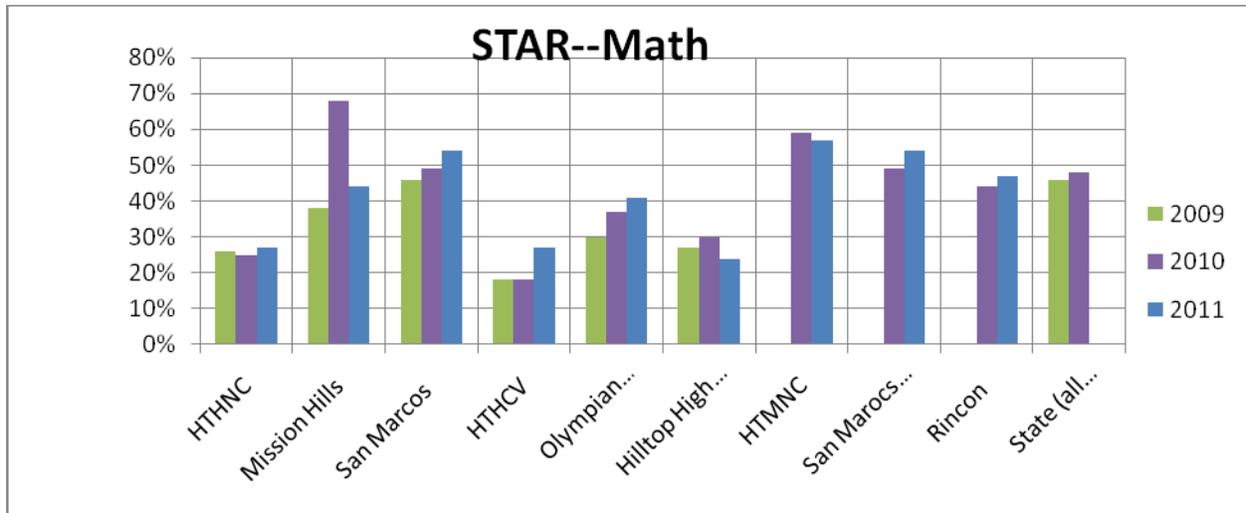


STAR Performance

HTH also considers state-level standardized test data as another metric to ensure each student meets the state performance standards. Most notable among these include STAR test data and the annual API/AYP performance.

While HTHNC and HTMNC continue to do well on this assessment as compared to comparable sites, scores at HTHCV have varied for math and science. It is the desire of the HTH sites to improve these outcomes for all students. However it is worth mentioning that participation rates in the HTH sites for advanced math and science courses is higher than those at comparable schools. 100% of HTH students take physics, chemistry and algebra two while many fewer students in the comparable North County and Chula Vista schools took these courses in 2011. The charts below show the STAR performance since 2009 at the HTH sites and comparable schools.





Note that the 10th grade science test is in biology, although HTH schools teach biology in 11th grade.

The next chart shows the participation and performance in the end of course science exams. While HTH scores are lower than comparable schools, HTH enrolls all students in these upper level science courses. For example 97% of HTH students took the physics test in the last two years yet fewer than 20% of students in the comparable schools took this test.

Physics	2010		2011	
	Participation	Percent Proficient	Participation	Percent Proficient
HTHNC (9th grade)	97%	26%	97%	27%
San Marcos (11th grade)	7%	78%	4%	94%
Mission Hills (11th grade)	3%	88%	5%	69%
HTHCV (9th grade)	97%	8%	100%	7%
Olympian High (11th grade)	5%	58%	4%	89%
Hilltop High School (11th grade)	20%	34%	26%	46%
Chemistry	2010		2011	
	Participation	Percent Proficient	Participation	Percent Proficient
HTHNC (10th grade)	95%	14%	94%	18%
San Marcos (10th grade)	33%	78%	36%	88%
Mission Hills (10th grade)	33%	34%	30%	73%
HTHCV (10th grade)	99%	13%	96%	11%
Olympian High (10th grade)	27%	68%	27%	55%
Hilltop High School (10th grade)	24%	36%	34%	38%
Biology	2010		2011	
	Participation	Percent Proficient	Participation	Percent Proficient
HTHNC (11th grade)	97%	71%	95%	73%
San Marcos (9th grade)	84%	70%	77%	76%
Mission Hills (9th grade)	88%	63%	80%	69%
HTHCV (11th grade)	99%	71%	98%	65%
Olympian High (9th grade)	40%	83%	42%	89%
Hilltop High School (9th grade)	45%	60%	48%	69%

API Comparative Performance

In 2010 and 2011 API scores for HTH for subgroups on average exceeds that of the states' for grades 7 and 8 and grades 9-12. The 2010 API scores for Latino, African American, socioeconomically disadvantaged, and students with disabilities at HTH Statewide Benefit sites exceed that of the state average. And in 2011, API scores for student with disabilities significantly exceeded the average for students within the state. Two years of API subgroup scores are listed below.

2010 Growth API Performance			
Group	Statewide Performance for grades 7 and 8	Statewide Performance for grades 9-11	HTH Statewide Benefit sites
Overall	765	729	781
Black or African American	676	639	715
Asian	905	857	862
Filipino	863	812	839
Hispanic or Latino	706	673	723
White	842	801	825
Two or More Races	813	747	782
Socioeconomically Disadvantaged	701	669	733
English Learners	667	627	658
Students with Disabilities	544	493	625
2011 Growth API Performance			
Group	Statewide Performance for grades 7 and 8	Statewide Performance for grades 9-11	HTH Statewide Benefit sites
Overall	778	742	790
Black or African American	692	650	732
Asian	913	866	858
Filipino	871	824	830
Hispanic or Latino	724	688	738
White	850	810	838
Two or More Races	837	786	827
Socioeconomically Disadvantaged	719	684	743
English Learners	680	640	694
Students with Disabilities	566	501	641

While the performance on the API is not as high as HTH would like it to be, HTH SBC sites are committed to improving this ranking. Below shows the performance of HTH sites compared to the neighboring schools.

	2008 Growth API	2009 Growth API	2010 Growth API	2011 Growth API
High Tech High North County	764	768	788	801
San Marcos High School	773	801	829	859
Mission Hills High School	777	812	839	834
High Tech High Chula Vista	737	758	740	751
Hilltop High School	719	734	772	783
Olympian High School	772	789	815	845
High Tech Middle North County	NA	NA	836	841
San Marcos Middle	NA	NA	776	803
Rincon Middle School	NA	NA	769	784

Adequate Yearly Progress (AYP)

Adequate Yearly Progress is a federal requirement that states that students should be proficient by the year 2014. As the cut score increases each year, it has been difficult to maintain this requirement at each of the HTH sites. However, HTH is committed to working with each student to ensure high levels of academic performance are met. The table below states if the school made AYP for the past three school years in comparison to the neighboring schools.

	2008	2009	2010	2011
High Tech High North County	Yes	Yes	Yes	Yes
San Marcos High School	Yes	No	No	No
Mission Hills High School	Yes	No	Yes	No
High Tech High Chula Vista	No	Yes	No	No
Hilltop High School	Yes	No	No	No
Olympian High School	Yes	Yes	No	No
High Tech Middle North County	NA	NA	No	No
San Marcos Middle	NA	NA	No	No
Rincon Middle School	NA	NA	No	No

PLAN FOR ACHIEVING ACADEMIC SUCCESS

Existing Locations

Even though HTH is more focused on measures other than multiple choice test scores, HTH recognizes the need to improve on these measures as well as others. Thus, HTH has created an inclusive *Network Achievement Plan* for existing locations. The goals of the *Network Achievement Plan* are to maintain high levels of college-going data and to improve state-level test data. Specific goals include:

- **Maintain A-G course requirements**

All core academic courses at the HTH high schools sites have been approved by the California UC system. 100% of HTH graduates have completed the UC A-G courses. Because the organization has grown, HTH has invested in *Pearson Inform*, a student information analysis system to give teachers real-time data analysis and an overview of credit completion to ensure that all graduates continue to complete all UC A-G courses.

- **Maintain high levels of College Acceptance and College-Going Rates**

Each of the high schools has a full time college advisor who is dedicated to working with each student on his or her college application. The college advisors start working with students in their first year and provide a wealth of information on which college to attend and the scholarships available. College Advisors also spend a significant time recruiting colleges to visit the campus to meet the students. In the past year, over 200 colleges visited HTH. HTH is committed to maintaining this number. HTH sites will also continue to partner with the National Student Clearinghouse to measure the college persistence and graduation rates of its students.

- **Maintain high levels of SAT Participation**

HTH is committed to ensuring that all students have access to taking the SAT or ACT. Because the SAT is a test that has significant impact on students' futures, HTH has focused its test preparation on the SAT as opposed to other multiple-choice tests. HTH will also continue to offer the PSAT to every student in the fall of their 10th grade year. By offering the PSAT during the school day, students are provided exposure to the SAT and as a result are more likely to take the test in the spring.

- **Increased API and AYP**

It is the goal of HTH that every school meet the growth targets each year set for API. To achieve this goal we expect that 100% of students will participate in the state-level required testing.

Increased Mathematics on CAHSEE and STAR

HTH aims to improve math test scores. HTH will continue to enroll students in high level math courses while at the same time provide supports for individual students via online adaptive math programs and in-class academic coaches. HTH believes these supports along with an alignment to the Common Core Standards will improve mathematics

scores across all sites. Utilization of *Person Inform*, which gives detailed item-based test analysis, as well as resources from the Khan academy will be strategies used to achieve this goal.

- **Increased English Language Arts Performance on STAR, CAHSEE**

HTH aims to improve ELA STAR and CAHSEE scores. HTH will continue to enroll students in English every year and provide supports for individual students in-class academic coaches. Utilization of *Person Inform*, which gives detailed item-based test analysis as well as *Writer Express*, will be used to achieve this goal. HTH believes these supports along an alignment to the Common Core Standards will improve English Language Arts scores across all sites.

The Network Achievement Plan aligns directly to each sites' *Student Achievement Plan*. While each plan is site specific, HTH sites rely on one another to try and implement successful strategies that improve student achievement. Among the strategies included in the Student Achievement Plans are:

- The implementation of aleks.com software in all mathematics classes.
- The use of Accelerated Reader for struggling students.
- The use of Khan Academy materials.
- The implementation and use of *Person Inform*, a student-centered data analysis system.
- The implementation of the Writers Express Program for English Language Learners.
- The piloting of Revolution Prep for ACT and SAT math performance.
- Morning meetings dedicated to assessment analysis and curriculum development.
- The use of academic coaches to provide one on one and small group instruction in mathematics to struggling students.
- Alignment of projects to CA state standards and the Common Core Standards.

HTH considers it a primary challenge to the organization to work to improve state multiple choice test scores in the context of achieving its primary goal: getting students to and through college.

New Sites

It can be challenging for a new school to reach certain academic levels in its first years; therefore, HTH has established a support plan to ensure each of its new locations will achieve academic success. HTH has set forth the following expectations for each of its new sites:

- New schools will perform at or above the comparable local schools on the state-mandated assessments by the second year of operation.

To achieve these results, HTH will support the new sites by offering the following strategies

- Conducting a three week back to school training for teachers to the HTH system prior to the start of the school;
- Train teachers on the use of *Person Inform*;
- Conduct classroom observations of all teachers
- Administer subject specific benchmark assessments in each course tested on the state level examine to determine areas of growth; and
- Offer ongoing professional development to teachers via weekly morning meeting to examine curriculum and instructional technique.

This list does not represent the entirety of the supports offered to the new sites. HTH considers that its primary obligation is to support the students in new schools and will be regularly evaluating the strategies in place to ensure appropriate support mechanisms are in place.

BACKGROUND TO THE CHARTER

HTH was originally conceived by a group of about 40 civic leaders, high tech industry leaders and educators in San Diego, assembled by the Economic Development Corporation and the Business Roundtable. This group met regularly in 1995-96 to discuss the challenge of finding qualified individuals for the high-tech work force, particularly women and people of color. By 1997, as the group grew less optimistic about the capacity of the local schools to graduate students with basic skills and problem-solving abilities, members began to consider starting a school. Gary Jacobs, Director of Education Programs at Qualcomm, and Kay Davis, Director of the Business Roundtable, were key participants in this discussion.

In 1998, the HTH founding group hired Larry Rosenstock to develop and implement a new small high school to address this need. The founding group was clear about its intent: to create a school where students would be passionate about learning and would acquire the basic skills of work and citizenship. Rosenstock, a former carpentry teacher, lawyer, and educator who had recently directed the U.S. Department of Education's New Urban High School project, brought to the project a vision and a sense of the design principles by which this mission might be accomplished. From January 1998 to the opening of HTH in September of 2000, Rosenstock and the founding group, led by Gary Jacobs, worked in tandem, Rosenstock locating a site, preparing the charter application, hiring staff, and overseeing the development of the program, while Jacobs and the business community took the lead in addressing issues of financing and facilities development. Rosenstock was supported in these efforts by two other educators from the New Urban High School project: Rob Riordan, an expert in project-based learning and bridging academic content with vocational education methodologies, and David Stephen, an architect and graphic designer with extensive experience designing educational environments. Riordan and Stephen continue to work with HTH and support expansion efforts.

The Gary and Jerri-Ann Jacobs HTH, the flagship HTH school, opened in 2000 and rapidly demonstrated the success of this educational model for a diverse population of students. As demand has grown, the organization opened a middle school, High Tech Middle, in 2003 and a second high school, High Tech High International, in 2004. In 2005 the organization opened a second middle school, High Tech Middle Media Arts, and a third high school, High Tech High Media Arts. It also included Explorer Elementary Charter School within the portfolio of schools operated by the organization. On January 12, 2006, the State Board of Education (SBE) granted HTH the first Statewide benefit charter (HTH SBC) under the California Charter Schools Act of 1992 (Charter Schools Act). To date, HTH has opened five schools under the HTH SBC. In August 2007, HTH opened its first two statewide benefit charter sites, HTH North County and HTH Chula Vista. Based on the performance of its two initial statewide benefit charter schools and to provide access to students on the full K-12 continuum, the charter was amended in 2008 to include K-8 school sites. With this approval, HTH opened High Tech Middle North County in August 2009 on the property adjacent to HTH North County. Moreover, in September 2011, HTH opened High Tech Elementary Chula Vista and High Tech Middle Chula Vista on the property adjacent to HTH Chula Vista. In total, between the locally authorized schools and those opened under the HTH SBC, HTH serves over 4,600 public school students across 11 schools. In addition, HTH operates the High Tech High Graduate School of Education offering Master's degrees in

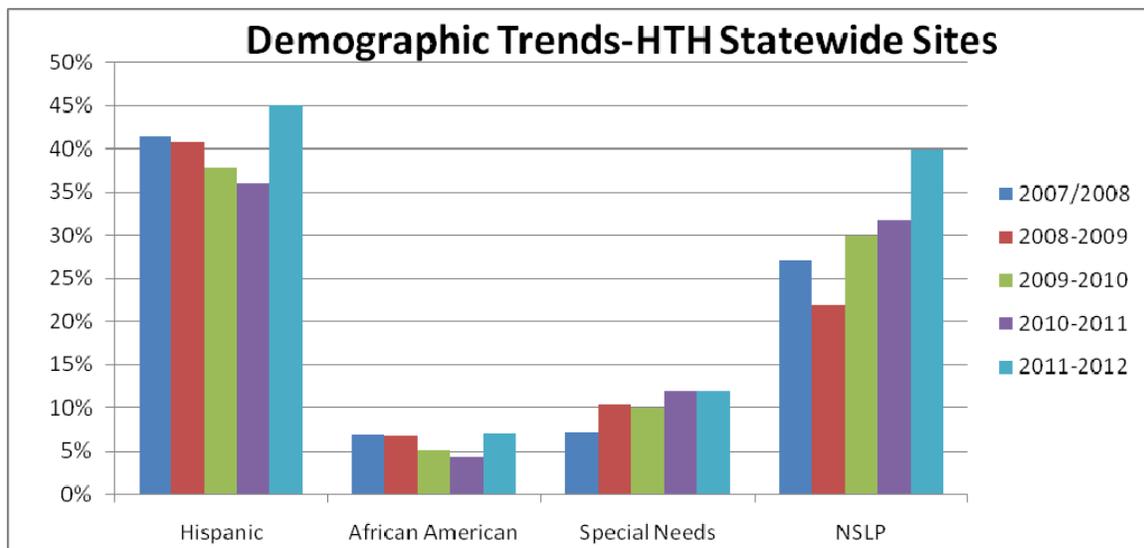
Education and the High Tech High Teacher Credential Program (a California Commission approved District Intern program and Induction Program).

HTH takes a “mitochondria” approach to new school development, an assumption that school replications efforts are more likely to be successful when there is a core of teachers within a startup school who have already experienced success as teachers within previously opened HTH schools. HTH also insists that school leaders at HTH schools have first shown that they can be successful HTH teachers. As a general rule, then, HTH ensures that a team of 6-8 “mitochondria” teachers and an experienced HTH leader are assigned to each new startup school.

STUDENT POPULATION

HTH schools established under the Statewide Benefit Charter will be a combination of elementary, middle and high schools. The elementary schools will serve approximately 320-500 students in grades K-5. The elementary schools will feed into middle schools serving approximately 300-420 students in grades 6-8. The middle schools will feed into high schools serving approximately 480-560 students in grades 9-12.

HTH Statewide Charter School sites will strive to serve a population of students that represents the racial, ethnic and socioeconomic diversity of the local community. The target composition for each school will differ depending on the community, but HTH will seek a high degree of student diversity. Each school will strive to seek a student body consisting of a minimum of 40% participation in the National School Lunch Program. In 2010-2011 the HTH Statewide sites served over 1400 students in grades 6-12 where roughly 30% qualified for NSLP and 12% were considered special education students. In the coming year, HTH statewide sites are estimated to serve over 2000 students where 40% of the students who have been accepted qualify for the NSLP. The chart below shows the trends of key subgroups at HTH.



DECLARATIONS

Sites established under the HTH SBC shall be nonsectarian and nondiscriminatory in its programs, admissions policies, employment practices and all other operations, shall not charge tuition and shall not discriminate on the basis of ethnicity, race, creed, color, national origin, age, gender, disability or on the basis of the characteristics listed in Section 220.

Admission to HTH schools shall not be determined according to the place of residence of the pupil within California, or of his or her parent or guardian, save for admission preferences stipulated in Element Eight (H) Admission Requirements, below.

SIXTEEN REQUIRED CHARTER ELEMENTS (A-P)

Element One (A) – Educational Program

The mission of all HTH schools, whether at the elementary, middle or high school level, is to provide students with rigorous and relevant academic and workplace skills, preparing its graduates for postsecondary success and productive citizenship. The primary goals of HTH schools are:

- To integrate technical and academic education in schools that prepare students for post-secondary education and for leadership in the high technology industry.
- To increase the number of educationally disadvantaged students in math and engineering who succeed in high school and post-secondary education and become productive members and leaders in the new economy, particularly in California.
- To provide all HTH students with an extraordinary education, and to graduate students who will be thoughtful, engaged citizens prepared to take on the difficult leadership challenges of the 21st century.

Design Principles

HTH is guided by three design principles:

Personalization: HTH personalizes learning to the unique needs of individual students by operating small schools wherein all students are known well by multiple adults in the school. An emphasis on project-based learning affords teachers the opportunity to encourage students to explore their personal interests and to customize learning to the unique abilities of all students. In addition, as students progress into grade 6 and beyond, their work finds personalized, unique expression in the form of personal digital portfolios containing many work samples and reflections on learning.

Adult World Connection: At all levels, HTH schools strive to make permeable the walls separating students from the adult world they are preparing to enter. This includes creating opportunities to imbed student learning in adult contexts outside school and encouraging community members to come into HTH schools to help students with projects and provide authentic assessment of their work. HTH students engage in real world projects that enable them to learn while working on problems of interest and concern to the larger community. All students in 11th grade engage in off-site, semester-long, academic internships. Younger students prepare for this experience through worksite visits and “power lunches” at the school, where adults from the community discuss their work lives and choices.

Common Intellectual Mission: Committed to the notion that students learn best when all within the school community believe that all students are on the path to college attendance and future success, HTH schools avoid “tracking” and other forms of ability grouping whenever possible.

These design elements find different manifestation in elementary, middle and high schools. Each is described separately below.

Elementary School Sites

The elementary school sites operated under the HTH SBC will be patterned after the successful practices developed at Explorer Elementary Charter School, which opened in September of 2000 and officially joined the HTH family of schools in July of 2005. The first statewide elementary school site is expected to open in September 2011 on the Chula Vista campus.

The educational theory of Explorer and the theory to be employed at all HTH SBC elementary sites is largely drawn from the works of Howard Gardner, Jean Piaget, John Dewey and Alfie Kohn. Among other priorities, these researchers stress the belief that education is a shared responsibility of the school, parents, community and the individual student. This belief is entirely consistent with HTH's commitment to maintaining an **Adult-World Connection** within all schools.

Consistent with the design principle of **Personalization**, K-5 sites maintain small class sizes, with all K-3 classrooms meeting class-size reduction requirements and grades 4 and 5 maintaining class sizes of 25 or fewer. The educational program emphasizes enabling students to become self-motivated, lifelong learners who think critically in a sensitive and fair-minded way. The school sees parents as partners and provides them with rich opportunities for involvement in their children's education. For example, a parent meeting is offered weekly by the Social Emotional Literacy Coordinator where parents may discuss how to support and extend the socio-emotional program offered in the school. There is also a vital and active Parent Council and a multitude of volunteer possibilities in the school.

The elementary sites operated under this Statewide Benefit Charter will be schools serving 320 – 500 students in grades K-5. A typical enrollment pattern would call for each site to contain three classrooms per grade with 20 students in each K-3 class and 24 students in grades 4 and 5, resulting in a total enrollment of 384 students. HTH reserves the right to offer four classes per grade level, which would result in an enrollment of approximately 500 students. Each site will typically have specialized teachers providing enrichment in the areas of science, music and physical education.

Students in HTH Statewide Benefit elementary sites will be provided a strong foundation of skills, which will prepare them for success in HTH middle schools, or any other academically rigorous middle schools. Those skills include:

Basic Skills

- Reading
- Writing, Listening and Speaking
- English Proficiency
- Mathematics
- Scientific Method
- Social Studies/Geography

- Independent Study
- Technology Skills

Thinking Skills

- Critical Thinking
- Creative Thinking
- Decision Making
- Logic and Problem Solving
- Knowing how to Learn
- Quantitative Reasoning

Personal Qualities

- Responsibility
- Self-esteem
- Empathy
- Integrity
- Self-motivation
- Interpersonal Skills
- Intrapersonal Skills

In order to ensure that students acquire the skills listed above, HTH Statewide Benefit elementary sites will offer a range of pedagogical approaches designed to meet the needs of students with varied learning styles. Those approaches include:

1. Direct Instruction
2. Discussion groups
3. Literature circles
4. Field trips
5. Cooperative learning groups
6. Interest learning groups
7. Skill-based groups
8. Small groups
9. Whole class instruction
10. Flexible scheduling
11. Flexible grouping
12. Individual instruction
13. On-going assessment
14. Student demonstration
15. Technology-enabled learning
16. Interdisciplinary thematic curriculum integration
17. Differentiated curriculum

The program will maintain a child-centered and content-centered curriculum in which there will be a balance maintained among children's abilities and interests, learning styles and the State Content standards. Curriculum development will be collaborative and ongoing. The program will focus on developmentally appropriate curriculum. Developmental appropriateness refers to research that speaks to the predictable and universal sequences of growth and change that occur in children, and to each child's developing abilities that emerge at different ages. A major premise of developmentally appropriate practice is that each child is unique and has an individual pattern and timing of growth, as well as an individual personality, learning style and family background. The statewide sites will provide a learning environment that is responsive to this research.

The following educational strategies support the educational theory of the elementary school program and address the needs of all students including gifted, English language learners and those requiring special education services.

Strategy 1. Create rigorous instructional practices that will ensure basic skill acquisition while improving students' critical thinking.

The educational program and pupil outcomes will align with statewide standards. This will ensure that students meet statewide standards as required by the Charter Schools Act, section 47695 (c).

1. The program will make available quality learning materials in all core disciplines including math, reading, social science and science. Basic skill acquisition will be supported with such materials as Mountain Math and Mountain Language.
2. Leveled reading materials will be available in classroom libraries and in a school-wide library.
3. Reading skills will be taught using a variety of approaches, including phonics, decoding, and learning to use contextual clues.
4. Comprehension will be reinforced through use of integrated thematic units where students will have a greater likelihood of understanding the contexts within which challenging reading assignments are offered.
5. Writing will be infused throughout the school day, with an expectation that students will be asked to generate written material at least three times daily. That may include writing in a journal, revising projects at different stages of the writing process, working on letters or other correspondence or working on grammar.
6. The writing process will be stressed in all classrooms. Some minor variation is found across classrooms, but in general all students are walked through the process of a) pre-writing, b) first draft, c) editing (including spelling and grammar), d) gathering comments from peers and self-reflecting, e) second draft and e) publishing.
7. Assessment and evaluation procedures focus on each child's continuous progress. Performance-based assessment, teacher observation, standardized testing, reading, math, social-emotional and writing assessments are ongoing.

8. Assessment of learning occurs constantly with inadequate progress resulting in nearly immediate conferences with parents where strategies for supporting student learning are shared.
9. Math is similarly taught, using a blend of approaches ensuring basic skill acquisition. A common scope and sequence of math skills has been developed and is constantly updated. It is used as a guide for all students, and if students are not acquiring skills as envisioned, a conference with other teachers, the principal and parents is called.
10. Math is supported through the use of a variety of manipulatives so that math concepts are comprehended and applied as computational and other basic skills are developed.
11. Basic skill acquisition is enriched with project-based learning and thematic teaching. Curriculum areas are integrated to construct higher meaning. Learning is collaborative and, whenever possible, is connected to adult-world problems.
12. The program regularly features Exhibition Nights where students demonstrate their learning in the presence of their parents, their peers and members of the community. Such presentations demonstrate students' mastery of the basic communication skills of writing and public speaking – skills that are emphasized within HTH's middle schools.
13. While leveled materials are available in all classes, the program resists grouping students by ability wherever possible, allowing peer-effect learning benefits to accrue to all students.
14. Science and music instruction is supplemented with programs offered in separate classrooms taught by additional teachers. Students will typically rotate through these specials twice weekly.
15. Technology is utilized to facilitate thinking and learning, to access information, improve communication and increase student proficiency. IT preparation at the elementary level prepares students to be successful in the IT-rich environments offered in HTH middle schools.
16. Physical education and art are seen as integral parts of the educational program.

Strategy 2 – Create classroom environments that facilitate learning as an interactive process.

1. At the elementary school level, HTH has learned through extensive experience developed implementing the Explorer model, that the physical space that students learn within must be infused with materials and exhibits that support student learning. In HTH elementary school classrooms, as is found in Explorer classrooms, students encounter vibrant, rich learning environments that provide skill acquisition support, inspire students' natural curiosities and celebrate students learning and other successes.
2. All homerooms feature libraries with leveled reading materials.
3. Word walls and other visuals to develop vocabulary and support students learning of spelling are found in classrooms across the school.
4. Learning centers through which students rotate in small groups daily are used by all teachers and are easily visible in all classrooms.

5. Student work is showcased across the school inside classrooms and in specially designed exhibits in hallways and commons areas.
6. Classrooms feature listening centers, multi-media materials and tactile learning aids so that multi-sensory learning opportunities are available to support students whatever their optimal learning modality may be.
7. Supplemental spaces allow for learning environments to be developed that are customized to the subject being taught. Science labs feature science equipment and reading materials. Temporary exhibits such as tide pools or mock excavation sites are often used in the science lab. The music lab features a variety of instruments and materials meant to engage students in music lessons that reinforce basic language acquisition skills.

Strategy 3 – Foster an academic community that is dedicated to academic excellence.

The faculty and parents will:

1. Support and facilitate student learning.
2. Enhance internal motivation of students and positive attitudes toward learning.
3. Work collaboratively to develop curriculum and assessment.
4. Maintain open communication.
5. Work together to implement research-based and innovative approaches to instruction and learning.
6. Plan for ongoing professional development.

Strategy 4 – Incorporate a technology program that enhances the academic experience of students.

HTH recognizes that access to and utilization of current technology is essential to preparing students for future education as well as for success in the professional world. For these reasons, the elementary sites of the HTH SBC will incorporate a Technology Plan that includes the following:

1. Appropriate software, hardware and access to the Internet to supplement the core curriculum and promote the practice of higher level thinking skills and collaborative learning.
2. Integration of technology into the classroom curriculum.
3. Collaboration with other schools to increase opportunities for education.
4. Maintenance of technologically current records to assist teachers in providing support for student's academic and health needs.
5. Application of appropriate safeguards to insure access to educational information only.
6. Educational opportunities for the faculty to enhance literacy in technology.

Strategy 5 – Integrate a school-wide social curriculum.

Evidence supports that children who interact positively with peers and have problem solving skills are more successful in school: their academic achievement is higher than that of their peers. Explorer Elementary Charter School has a social curriculum within every classroom, kindergarten through fifth grade, and all elementary school sites operated within the HTH SBC will implement it. Children have many opportunities to practice effective communication, problem solving, and build empathy and compassion for others. The curriculum, “Second Step” is taught by the classroom teacher and is woven into interactions throughout the School. A Social Emotional Literacy Coordinator oversees this instruction. The Coordinator runs weekly parent meetings to educate the parent community as well as meeting weekly with the faculty. In this way a consistent community based on social justice, respect and responsibility is created within the School.

1. The social curriculum is integrated throughout the School program and activities.
2. Teachers teach “Second Step” grades kindergarten through fifth which is based on social curriculum
3. The social curriculum teaches empathy, communication skills and problem solving based in respect for diversity and the needs and feelings of others.
4. Students are involved in community service projects.
5. Development of social intelligence is a cooperative effort between the School and its families.
6. Assessment of social skills in the classroom and on the play yard is done annually to indicate student growth in this area.

The development of social intelligence helps children form values and morals that influence academic decisions and equip them with qualities to succeed.

Cross-Walking Projects to Standards

The elementary school programs offered under this Statewide Benefit Charter will be in alignment with California content standards. All teachers follow a thematic planning guide to align projects to standards and to develop thematic interdisciplinary units. As California develops the Common Core Standards, HTH Elementary sites will align its curriculum to these new requirements. Examples of how specific subject matter is systematically shown to align with state standards are demonstrated below:

PROJECT TITLE	SUBJECT/GRADE	STANDARDS ADDRESSED
Sunflower Buddies	1 st grade History and Science	CA Science Standards: Life Science: 2: a, b, c, e; Investigation and Experimentation:4: a, b, e ; CA Historical and Social Science Analysis Skills: Chronological and Spatial Thinking: 1, 2, 3, 5.
Poetry Anthology	5 th grade English Language Arts	CA English Language Arts Standards: Reading: Word Analysis, Fluency and Systemic Vocabulary Development: 1.2, 1.3, 1.5; Literary Response and Analysis: 3.1; Writing: 1.3, 1.4, 1.5; 2.1.b; Written and Oral Conventions: 1.1-1.4
Folktale Unit	4 th grade English Language Arts	CA English Language Arts Standards: Word Analysis, Fluency and Systemic Vocabulary Development: 1.1. 1.3, 1.4, 1.6; Literary Response and Analysis: 3.1-3.5; Writing: 1.1, 1.2 a-e, 1.3, 1.4, Writing Applications: 2.1 a, b, c, d; Written and Oral Conventions: 1.1-1.5
Photographic Literacy Project	3 rd grade English Language Arts, Visual Arts	CA English Language Arts Standards: Writing Strategies: 2.1, 2.2 a-c, Written and Oral Language Conventions: 1.1-1.8, CA Visual and Performing Arts Standards: Artistic Perception: 1.1, Creative Expression: 2.4; Historical and Culture Context: 3.5,
California, Here we Come	5 th Grade Math and History	CA Historical and Social Science Analysis Skills: Chronological and Spatial Thinking: 1, 2, 3, 5. Research and Evidence: 2,3; CA History and Social Studies Standards: 5.1.1, 5.1.2, 5.1.2.3; 5.8.1-6; 5.9; CA Math Content Standards: Number Sense: 1.1, 1.2, 1.5, 2.1, 2.2, 2.3, 2.4, 2.5; Algebra and Functions: 1.1, 1.2; Statistics, Data Analysis and Probability: 1.2, 1.3: Mathematical Reasoning: 1.1, 1.2 2.3. CA English Language Arts Standards: Writing: 1.3, 1.4, 1.6; Writing Applications: 2.3 a-c, Written and Oral Language Conventions: 1.1-1.5,

Accountability mechanisms in place to ensure that teachers are covering state standards are as follows:

- Required teacher posting of syllabi showing year-long approach to meeting standards
- Administrative observation in classrooms to verify that teachers, within the context of project-based learning, are covering the content specified in their syllabi.
- Required teacher posting of sample projects in the HTH online project archive with evidence of cross walking to standards.
- Administrative observation to ensure that student work addresses content standards during Presentations of Learning (POLs), Exhibitions and other public displays of student work
- Regular faculty meetings where in the context of discussing student work teachers address how projects and assignments connect to standards
- Libraries of text books, primary source material, and other resources available to all schools to assist teachers in teaching to standards
- Annual review of teachers where coverage of standards is an established criteria

Middle School Sites

HTH opened its first middle school site, High Tech Middle North County in August of 2009, adjacent to HTH North County. High Tech Middle North County served 324 students in 2010-2011 and achieved a first time API score of 836. Its first time statewide school ranking was an 8. Over 70% were proficient in English Language Arts and over 59% were proficient in mathematics. The middle school sites operated under the HTH SBC were patterned after the successful practices developed at High Tech Middle, which opened in September of 2003, and High Tech Middle Media Arts, which opened in September of 2005. A new statewide middle school site is opening in September of 2011 on the Chula Vista location.

The pedagogy employed in the middle school sites is designed to provide a bridge between the elementary program focused on basic skill acquisition and socio-emotional development and the high school program which features a growing emphasis on project based learning as a means of ensuring high levels of student engagement.

As students make the transition to middle school, they begin to follow more of the expectations that are followed in HTH high school sites. Student work becomes evaluated more frequently using Presentations of Learning (POLs) and all students are expected to develop a digital portfolio. Students in middle school sites are also assigned to advisory groups – an approach that is also followed in HTH high school sites. HTH’s experience has been that introducing these approaches to learning in middle school prepares students to be successful in HTH’s innovative high school program.

The middle school sites feature 4 core courses of 25-27 students in grades 6-8 resulting in a total enrollment of 300-324 students. HTH reserves the right to offer 6 core courses per grade which could result in a total enrollment of approximately 420 students.

Expectations in Six Learning Areas

Using HTH's three program design principles, middle school sites of the HTH SBC will expect students to achieve competency in six learning areas: collaboration, technology, communication, art and design, ethics and responsibility, and habits of mind.

Collaboration (How do I work with others?) Many HTH middle school projects will require students to work together to draw upon their collective thinking and experience. When students work in teams on projects, their collaboration is an explicit focus for assessment and an explicit extension of the socio-emotional curriculum employed in HTH elementary school sites.

Technology (How do I use technology?) Students will develop expertise with both computer hardware and software. Faculty in HTH middle school sites will also encourage students to discuss the various technologies that they use in their projects - how they use the technology, what problems they meet, how they might improve it, and what steps they will take next with it.

Communication (How do I take in and express information?) HTH middle school faculty, peers, and community members will encourage students' oral and written communication skills in classroom discussions, group work, and advisory groups. End-of-term POLs will provide students opportunities to demonstrate learning as well as to receive feedback from peers, teachers, and community members.

Art and Design (How do I give shape and form to my ideas?) HTH middle school students will study four basic elements of art: history, production, aesthetics, and criticism. They will learn how to communicate new ideas through self-expression and will develop an artistic understanding of the world. Students will learn digital painting, drawing and sculpture media.

Ethics and Responsibility (How do my beliefs inform my actions?) Students will routinely be asked to explore ethical issues in class meetings, in social studies, in science, in advisory groups, and in community meetings.

Habits of Mind (How do I think critically?) In approaching texts and developing projects, staff and students will practice asking these critical questions:

- Perspective: What is the viewpoint?
- Evidence: How do we know?
- Relevance: Why does this matter?
- Connection: How does this connect to other things?
- Supposition: What if things were different?

It has been HTH’s experience that grounding students in these Habits of Mind at the middle school level is perhaps the most key ingredient to ensuring that students are prepared to be successful at the high school level.

Cross-Walking Projects to Standards

As HTH middle school teachers develop interdisciplinary classroom projects they are mindful of California State Content Standards for grades 6-8. The general approach is to first find projects that are engaging for students, as it is HTH’s experience that student interest in coursework is a key ingredient for ensuring that students master content. Once engagement/interest is achieved, HTH middle school teachers carefully ensure that projects are infused with lessons that adhere to standards. As California develops the Common Core Standards, HTH middle sites will align its curriculum to these new requirements.

Below are examples of HTH middle school interdisciplinary projects mapped to California standards.

[These are presented for illustrative purposes only]

PROJECT TITLE	SUBJECT/ GRADE	STANDARDS ADDRESSED
Magic Mystery	7 th grade Math/ Science/ English	CA 7 th Grade Science Standards: Genetics: 7.2 c-e; Physical Principles of Living Systems: 7.6.d; Investigation and Experimentation: 7.7 a-e; CA 7 th Grade Math Standards: Number Sense: 1.2,1.3, 1.4, 1.6; 2.2, 2.3; Measurement and Geometry: 1.1-1.3, 2.1, 2.2; Statistics, Data Analysis: 1.1; Mathematical Reasoning: 1.1, 1.2, 2.1, 2.2, 2.4; 7 th Grade CA English Language Arts Standards: Written and Oral Language Conventions: Listening and Speaking: 1.1-1.6, 2.4 a-b
Ancient Egypt Museum Project	6 th grade Humanities	CA History and Social Science Analysis Skills: Chronological and Spatial Thinking: 1, 2, 3; Research, Evidence and Point of View 1-6; CA 6 th Grade History-Social Science Standards: 6.2.1.-9; English Language Arts Standards: Reading: 1.1, 1.3, Reading Comprehension: 2.1, 2.3, 2.4; Writing:1.2a-c, 1.4, 1.5, 1.6, 2.3 a-c, Written and Oral Communication: 1.1-1.5, Listening and Speaking: 1.4-1.7, 2.2a,b
Launch—The Rocket Project	6 th grade Math/ Science	6 th Grade Science Standards: Focus on Earth Science: 3.a, b, c, Investigation and Experimentation: 7a-e; 6 th Grade Math Standards: Number Sense; 1.1, 1.2, 2.1, 2.2, Algebra and Functions: 1.3, 1.4, 2.2, 2.3; Statistics, Data Analysis and Probability: 1.1, 1.2, 1.3, 1.4, 2.1, 2.5. 3.1, 3.2.

Resilience Cafe	8 th grade: Humanities/ Visual Arts	CA History and Social Science Analysis Skills: Chorological and Spatial Thinking: 1, 2, 3; Research, Evidence and Point of View: 1-5; Historical Interpretation: 1-5; 8 th Grade History and Social-Science Standards: United States History: Growth and Conflict: 8.6.4, 8.7.1-4, 8.9.1-6, 8.10.1-7, 8.11.1-5; 8 th Grade English Language Arts Standards: Reading: 2.3, 2.4, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6; Writing: 1.1, 1.3, 1.6, 2.1a-c, 2.2 a-d; Written and Oral English Conventions: 1.1, 1.4, 1.5, 1.6 Listening and Speaking: 1.1-1.9, 2.1 a-c, 2.5; 8 th Grade Visual and Performing Arts Standards: Artistic Interpretation: 1.1-1.3; Creative Expression: 2.3, 2.5; Historical and Cultural Context: 3.1, 3.3
My Legacy, My Destiny	8 th Grade English/ Math	CA English Language Arts Standards: Writing: 1.1-1.6, 2.1 a-c, 2.5a, 2.6b,c; Written and Oral Conventions: 1.1-1.6; Listening and Speaking: 1.3-1.7, 2.1 a-c; CA 8 th Grade Algebra Standards: 1.0, 5.0, 10.0, 15.0, 25.1

Coursework at HTM Sites

Students at HTH middle school sites typically complete the following sequence of courses:

6th grade

- Humanities (English and Ancient World History)
- Integrated Math-Earth Science
- Art (one semester)
- Drama/other at discretion of teaching team (one semester)

7th grade

- Humanities (English and Modern World History),
- Integrated Math-Life Sciences
- Spanish (one semester)
- Drama/other at discretion of teaching team (one semester)

8th grade

- Humanities (English and United States History)
- Integrated Math – Physical Sciences
- Spanish (one semester)
- Art (one semester)

High School Sites

HTH opened two high school statewide sites in September of 2007, High Tech High Chula Vista and High Tech High North County. Both sites have earned API scores over 740 and have achieved statewide school rankings of 5 and 8 in 2011 respectively. The high schools operated under the HTH SBC were patterned after the successful practices developed at the Gary and Jerri Ann Jacobs High Tech High, which opened in September of 2000, High Tech High International, which opened in September of 2004 and High Tech High Media Arts, which opened in September of 2005.

All core courses offered by the high schools of the HTH SBC will be approved by the University of California. Courses offered at all HTH schools are as transferable as those of a traditional district high school to other schools, and are recognized as such by colleges and universities. Both high schools have received their six-year accreditation by WASC, and HTH will continue to support all HTH Statewide Charter School sites to achieve full accreditation as well. Student transcripts take a standard form for universal acceptance. HTH routinely informs prospective parents and students of such matters in public meetings and school publications, including recruiting materials, the parent and student handbook, website text and occasional newsletters.

High school sites typically feature 6 core courses per grade level resulting in an enrollment of approximately 120-150 per grade and approximately 480-560 total enrollment per site.

Curriculum and Instructional Design

HTH teachers work in teams to create curriculum that is integrated across subjects and aligned with California's academic content standards. The guiding pedagogy at HTH schools is project-based learning, an approach which transforms teaching from "teachers telling" to "students doing." More specifically, project-based learning can be defined as:

- Engaging learning experiences that involve students in complex, real-world projects through which they develop and apply skills and knowledge
- A strategy that recognizes that significant learning taps students' inherent drive to learn, capability to do work, and need to be taken seriously
- Learning in which curricular outcomes can be identified up front, but in which the outcomes of the student's learning process are neither predetermined nor fully predictable
- Learning that requires students to draw from many information sources and disciplines in order to solve problems
- Experiences through which students learn to manage and allocate resources such as time and materials⁷.

⁷

Definition from Autodesk Foundation. See <http://www.k12reform.org/foundation/pbl/pbl.htm>.

At HTH, project-based learning is a key ingredient to serving a diverse population of students. HTH students become active participants in their learning and are required to publicly demonstrate their learning through presentations and portfolios, introducing an additional and arguably more authentic element of accountability for quality work. HTH works diligently to provide exemplars of outstanding project-based instruction to its teachers so that all teachers may achieve base mastery in HTH teaching practices. An ever-growing archive of projects demonstrating HTH instructional methodologies may be found at <http://projects.hightechhigh.org/>.

Cross-Walking Projects to Standards

As HTH teachers develop projects that engage student interests, they are mindful of California State Content Standards for grades 9-12. For example, a HTH chemistry teacher may have each student create a documentary about the harmful effects of illicit drugs on the human body. The unit addresses many state standards in chemistry, such as functional groups, bonding, the periodic table, and molecular structures. At the same time, however, such a project integrates well with math and humanities and achieves real-world relevance as students use technology to create educational videos that can be shared with other schools as part of a broader drug and alcohol abuse prevention initiative. As California develops the Common Core Standards, HTH high sites will align its curriculum to these new requirements. Below are examples of HTH interdisciplinary projects mapped to California standards.

Examples of Projects Mapped to Standards

[these are presented for illustrative purposes only]

PROJECT TITLE	SUBJECT/GRADE	STANDARDS ADDRESSED
Mock Trials in the Humanities Classroom	11 th grade History and English	CA History Standards 11.1, 11.3, CA E/LA Standards: Reading (1.0, 1.1, 2.0, 2.1, 2.3, 2.4, 2.5), Expository Critique 2.6, Listening and Speaking 1.0, Comprehension 1.1, 1.2, 1.3, Organization and Delivery of Oral Communication (1.4, 1.5, 1.6, 1.7, 1.8, 1.9, 1.10), Analysis and Critique of Oral and Media Communication 1.11, 1.12
UV Radiation Project	10 th grade Chemistry	CA Chemistry Standards (4a, 4c, 4e, 4f, 4g, 9b); Investigation and Experimentation Standards (1a, 1b, 1m)
This New House (Environmentally Sustainable Dream House)	10th grade Math, Chemistry	CA Geometry Standards (5.0, 7.0, 8.0, 9.0, 10.0, 11.0, 15.0, 18.0, 19.0, 20.0); CA Chemistry Standards (3a, 3b, 3c, 3d, 4a, 4b, 4c, 4e, 4f, 4g, 4h, 4i, 7a)
Rock Climbing Project (learn the physics and write a	11 th grade Math, English,	CA E/LA Standards: Writing (1.1, 1.4, 1.5, 1.8, 2.3), Written and Oral Language Conventions (1.1, 1.3) CA Physics Standards (1a, 1b, 1e, 2c, 2h);

guidebook)	Multimedia	Trigonometry Standards (12.0, 14.0, 19.0); Algebra Standards 14.0, 19.0
Drug Project	10 th grade Humanities, Science (Chemistry and Biology), Statistics, Multimedia	CA E/LA Standards: Reading Comprehension (2.1, 2.3, 2.4, 2.5, 2.6, 2.8); Literary Response and Analysis (3.2, 3.5, 3.12), Writing (1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, 1.9); Writing Applications (2.2, 2.3); Mathematics: Probability and Statistics (5.0, 6.0, 7.0, 8.0); World History, Culture, and Geography (10.4), Biology (1b), Physiology (9a, b, c, d, e, i); Conservation of Matter and Stoichiometry (3a, b, c, d, e, f, g); Acids and Bases (5a, 5b, 5c, 5d, 5e, 5f, 5g); Organic Chemistry and Biochemistry (10a, 10e); Investigation and Experimentation (1a, 1b, 1c, 1d, 1j, 1l, 1m)
Virtual Museum	10 th grade Humanities, Multimedia	CA History-Social Science Standards 10.1, 10.4

At HTH schools, teachers work in teaching teams, grade level teams, and disciplines to align and articulate standards coverage within and across courses and grades. Accountability mechanisms in place to ensure that HTH teachers are covering state standards are as follows:

- Required teacher posting of syllabi showing year-long approach to meeting standards
- Administrative observation in classrooms to verify that teachers, within the context of project-based learning, are covering the content specified in their syllabi
- Required teacher posting of sample projects in the HTH online project archive with evidence of cross-walking to standards
- Administrative observation to ensure that student work addresses content standards during Presentations of Learning (POLs), Exhibitions and other public displays of student work
- Regular morning meetings where in the context of discussing student work teachers address how projects and assignments connect to standards
- Libraries of text books, primary source material, and other resources available to all schools to assist teachers in teaching to standards
- Annual review of teachers where coverage of standards is an established criteria

Coursework at HTH Sites

Students at HTH schools typically complete the following sequence of courses:

9th grade

- Humanities (English and Ancient World History)
- Integrated Math-Physics
- Spanish (one semester)
- Graphic Arts (one quarter),
- Inventions (Business, one quarter)

10th grade

- Humanities (English and Modern World History),
- Integrated Math-Chemistry
- Spanish (one semester)
- Graphic Arts (one quarter)
- Robotics/Inventions/Other, at discretion of teaching team (one quarter)

11th grade

- Humanities
- Biology
- Math
- Internship (one semester)
- Principles of Engineering (one semester)
- Elective

12th grade

- English
- Science
- Math
- Senior Concentration
- Senior Project
- Other courses to fill graduation requirements and student schedule

Graduation Requirements:

At HTH schools, graduation requirements are aligned with the minimum entry requirements of the University of California/California State University systems. In addition, in order to graduate, students must complete a semester-long academic internship, must complete a substantive senior project, and must complete a successful transitional POL during the 12th grade year.

GRADUATION REQUIREMENTS

SUBJECT AREA	REQUIREMENT
English	4 years
History	3 years
Mathematics	4 years
Lab Science	4 years
Language other than English	2 years (of the same language)
Visual and Performing Arts	1 year (of the same art course)
College Preparatory Elective	1 year
[In addition, at HTH:]	1 semester
Principles of Engineering	1 semester
Academic Internship	1 semester
Senior Project	Project completion

Minimum Grade Requirements for Core Courses

HTH requires that students receive a C- or higher in all core academic courses. Students not receiving a C- or better in all core courses have the option of attending summer school or repeating the grade in order to achieve the minimum grade requirement for core courses.

Regional Occupation Programs (ROP)

HTH has developed a reputation for implementing a successful hands-on, vocationally oriented ROP program within the structure of an academically rigorous, college preparatory curriculum. The HTH schools in Point Loma have participated in a successful partnership with the San Diego Unified ROP program since inception. Examples of ROP courses taught at HTH include:

- Engineering Principles, Engineering Design and Development
- Multimedia Production
- Digital Art and Mixed Media, Computerized Graphic Design
- Biotechnology

The HTH SBC School pledges to work collaboratively with the SBE to develop a method by which the SBE schools may access an equitable share of ROP funding.

**Aspects of the Instructional Program that Apply to All Schools –
 Elementary, Middle and High Schools**

Assurance of Similarity of Instructional Services Across HTH Schools

Within the elementary, middle and high school models, all HTH Statewide Charter School sites will offer reasonably the same instructional program. Where the schools may differ is in the thematic focus of the curriculum. An elementary, middle or high school may take on a theme to ground the school in a local context or benefit from local partners who may provide critical supplemental support to instruction. At the flagship HTH, for example, a teacher in chemistry may address state standards by having each student create a video documentary about the

harmful effects of drugs on the human body. In contrast, at a HTH site with an environmental focus, the chemistry teacher would address the same standards, but the project and resulting videos might be about the components of hazardous waste and its effects on the environment. The standards are the same, and the process may be identical, but the specific curricular focus may vary.

Plan for Students Who Are Low Achieving

HTH has developed a number of strategies to address the needs of students with a wide range of prior experience and achievement.

1. HTH provides support to students both in all instructional areas. This may take the form of after school tutoring or tutoring during lunch or elective time. HTH has an active peer tutoring program at HTH and HTH alumni who remain in the local area often return to the school to volunteer.
2. When students are identified to not be learning at a satisfactory rate, conferences with other teachers, school directors and parents are called where strategies for supporting student learning are discussed.
3. Because of HTH's focus on project-based learning and small class size, teachers are able to spend time with students needing extra support on both projects and basic skills.
4. Supplemental learning materials are often made available to low achieving students. These materials are often made available through information technology in school.
5. HTH offers a summer bridge program for students entering HTH schools with below-level skills in math and English and summer school programs for current students needing additional support.

Plan for Students Who Are High Achieving

HTH schools do not track students. Rather, within each class HTH teachers challenge and support each student to aim for their personal best, employing a variety of strategies for inspiring and recognizing high achievement:

- Alternative "challenge" assignments for reading, writing, problem solving, and inquiry are routinely offered to all students to give them the opportunity to gain a deeper understanding of course content. Any student may choose to pursue any, all, or none of these "challenge" assignments during the course of the term.
- Students may elect at the beginning of the term to pursue an honors option in academic core courses beginning in 11th grade by preparing a separate portfolio of cumulative "honors work" in addition to the regular course work. Requirements and performance standards for the honors option are set and announced by the course instructor.
- Juniors and seniors who successfully pursue the honors option in a course have that course designated as an honors course and weighted accordingly on their transcript.

Plan for English Learners

The HTH SBC School will meet all requirements of federal and state law relative to equal access to the curriculum for English language learners. The goal is to develop high quality instructional programs and services for English learners that allow them, within a reasonable amount of time, to achieve the same challenging grade level and graduation standards as native-English speaking students.

At HTH schools, linguistic and cultural diversity are seen as assets for teaching and learning. English proficiency is a goal for all students, regardless of linguistic background. In order to best serve the needs of English Language Learner (EL) students and comply with federal statutes and regulations defined by the US Department of Education's Office of Civil Rights (OCR), HTH schools follow the five-step language support plan described below.⁸ All faculty share responsibility for implementation of this plan, coordinated as appropriate by the EL Coordinator. All EL students are fully integrated into core classes and required activities and receive one-on-one or small group coaching based on their language needs.

Five Step Language Support Program

Identification. All students, regardless of racial or ethnic background, complete a Home Language Survey (HLS). The purpose of the survey is to identify students who come from homes in which a language other than English is spoken.

Assessment. If the HLS indicates that a language other than English is spoken at home, HTH sites are responsible for assessing the student's English language proficiency in the areas of speaking, reading, writing, and comprehension of English. As required by California law, HTH sites will administer the California English Language Development Test (CELDT) to all new students with a home language other than English and to all English Learners annually to determine each student's individual proficiency level and to reclassify students to Fluent English Proficient (FEP) where appropriate.

Services. HTH sites provide language support to all students qualifying as EL. The Coordinator works individually with each EL student, along with the student's family and advisor, to determine the most appropriate support strategies.

Transitioning/Exiting. As EL students are working toward English proficiency, they are still expected to practice and learn the skills and content as required in their core academic courses. HTH sites will outline specific skills for transitioning from language support services so that students and the school have a clear sense of goals and accomplishment.

Monitoring. Students who no longer need language support services are monitored by their advisor to make sure they are performing adequately across their classes.

As part of the *placement and services*, individual and group coaching for EL students will take place one or more times a week during X Block classes, or during the time that their peers are taking Spanish. By using these times for additional English-language study, EL students remain fully involved in their core classes, and HTH sites maintain their inclusive environment while meeting the specific needs of students learning English. The following strategies will also be implemented to ensure academic success and language progress for EL students.

⁸

Adapted from guidelines provided by the US Department of Education's Office for Civil Rights (OCR)

Comprehensive Assessment: The EL Coordinator and Curriculum Coordinator, as appropriate, will be responsible for coordinating teacher evaluations of the student's classroom performance, family/student interviews and collection of a case history, as well as language proficiency testing. The results of these assessments will be used to determine the need for tutoring and other types of extra support. Once an English Learner is identified, a conference will be scheduled with the parent to outline the instructional program, the teacher's role in implementation, and the teacher's, parents' and school's role in providing support. At least twice each semester, the instructional program will be reviewed and discussed.

Professional Development: All HTH teachers will receive professional development in research-based language and literacy instruction strategies for English Language Learners, including contextualized curriculum, group work, appropriate teacher discourse, and differentiated instruction.

Personal Learning Plans: Advisors work individually with every student to develop student goals and pinpoint strengths, needs, personal interests, and special accommodations. Advisors use the Personal Learning Plan to assess each student's progress and make necessary adjustments along the way. The PLPs are directly informed by the Comprehensive Assessments coordinated by the EL Coordinator. Advisors work closely with the EL Coordinator to ensure that the goals and special accommodations within the PLP are appropriate as well as communicated to the classroom teachers.

Plans for Tutoring: EL students receive support both inside and outside their core academic classes. Within the class, lessons and assessments are differentiated and incorporate SDAIE strategies. EL students scoring at intermediate proficiency or below remain enrolled in all core classes with other students and are offered an optional x-block ELD class. EL students are also provided a system of supplemental academic assistance including study support classes (to receive assistance with homework and class assignments), and teacher-hosted tutoring after school. Additionally, HTH also has a Spanish-Speaking Parent Organization that meets monthly to discuss school issues and to plan ways to support students.

Community Outreach: Administration and faculty will work closely with family, community, and local organizations to support EL students and their families. Translators at school meetings and functions, mentoring and tutoring from community members, guest speakers, and specific workshops for parents in supporting their children's learning are provided.

Plan for Special Education

As required by federal and state statutes and regulations, each special education student eligible under the Individuals with Disabilities Education Act will be provided a free, appropriate public education in the least restrictive environment. To meet students' needs, HTH focuses on the provision of educational enhancement services such as assistive technology, in-class tutorial assistance, small group and individual instruction and note-taking services in the regular education environment rather than a more restrictive special education non-inclusive learning environment. Decisions regarding the above are the responsibility of the Individualized Education Team, as formulated in a written plan and with full parental consent. While HTH fully supports the federal and state statute and regulatory provisions that require special education

services be provided in the least restrictive environment, it is cognizant of the need to craft the delivery of such services “appropriately.”

The delivery of special education services to HTH students shall be provided by a credentialed special education teacher. The teacher shall also serve as the case manager for each special education student and oversee the provisions of all services included within each IEP. HTH shall contract with independent service providers for any required element of special education support such as psychological services, speech therapy and other related services necessary for the provision of a free appropriate public education. Further, HTH shall pursue the development of contracts with neighboring school districts and county offices of education for educational services beyond the expertise of its special education teaching staff.

The primary method of identifying students eligible for special education services is through the registration process, after a student has been accepted for enrollment. Students are also eligible for special education identification and eligibility determination through a “child find” process. Instructional staff are instructed about the characteristics of special education handicapping conditions and referral procedures. HTH provides psycho-educational diagnostic services to assess students for each of the 13 disabilities as defined by federal law.

SELPA Membership Plan

The HTH SBC School shall participate as an LEA member of the Desert/Mountain SELPA Local Plan Area (D/M SELPA). As a member of the D/M SELPA, HTH will require all affiliated schools to make the following assurances through their governing board:

FREE APPROPRIATE PUBLIC EDUCATION

Each affiliate site shall assure that a free appropriate public education will be provided to all enrolled students including children with disabilities who have been suspended or expelled from school.

FULL EDUCATIONAL OPPORTUNITY

Each affiliate site shall assure that all students with disabilities have access to the variety of educational programs and services available to non-disabled students.

CHILD FIND

Each affiliate site shall assure that all students with disabilities are identified, located and evaluated.

INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Each affiliate site shall assure that an IEP is developed, reviewed and revised for each child with a disability who is eligible for special education services.

LEAST RESTRICTIVE ENVIRONMENT

Each affiliate site shall assure that, to the maximum extent appropriate, students with disabilities are educated with students who are not disabled. Placements in the least restrictive

environment shall be pursued for students with disabilities through the utilization of supplementary aids and services in the general education learning environment.

PROCEDURAL SAFEGUARDS

Each affiliate site shall assure that children with disabilities and their parents shall be provided with safeguards through the identification, evaluation, and placement process and provisions for a free appropriate public education.

ANNUAL/TRIENNIAL ASSESSMENT

Each affiliate site shall assure that an IEP review shall be conducted on at least an annual basis. Additionally, a reassessment shall be conducted at least once every three years or more often if conditions warrant, or requested by the student's parent or teacher.

CONFIDENTIALITY

Each affiliate site shall assure that the confidentiality of personally identifiable data shall be protected at collection, storage, disclosure and destruction.

PERSONNEL STANDARDS

Each affiliate site shall assure that it will make good faith efforts to recruit and hire appropriately and adequately trained personnel to provide special education and related services to children with disabilities.

PARTICIPATION IN ASSESSMENTS

Each affiliate site shall assure that students with disabilities are included in general State and District-wide assessment programs with appropriate accommodations, when necessary.

Further, each approved site will be required to comply with the D/M SELPA Local Plan [see Appendix for a copy of this plan] and perform all corrective actions deemed necessary by HTH charter school managers and/or the SELPA. The oversight of the special education programs at HTH affiliate sites will be provided by HTH's special education director who has extensive administrative experience in the area of special education service delivery and state and federal statutes and regulations. Additionally, each affiliate site will be required to demonstrate an adequate capacity to provide special education students with a free and appropriate public education. Working in close collaboration with HTH staff, each affiliate will develop an annual special education budget, hire necessary personnel, contract for appropriate services and document the qualifications and competency of site administrative staff to meet special education quality and compliance requirements.

The Special Education director for HTH will be accessible to the sites through personal school site visits/reviews as well as video and telephone conferencing. The Desert/Mountain SELPA currently has the technological resources to engage in distance learning through the use of interactive video conferencing. This activity is also enhanced by regularly scheduled personal visits to all participating LEA's from a team of highly qualified Resource Specialists. As additional staff is hired, HTH will pursue the development of a mentor teacher program which

will provide pedagogical support to affiliate sites. Specific and targeted staff development opportunities will also be provided by HTH staff and the Desert/Mountain SELPA during the Annual Summer Institute sponsored by HTH.

Additionally, the California Special Education Management Information System (CASEMIS) information will be reviewed by HTH's Special Education Director at least monthly for each affiliate school site to insure compliance with state and federal statutes, reporting requirements, and timelines. Periodic staff development will also be provided to affiliate schools to address local needs, review changes in the law, and introduce promising educational interventions.

Transferability of Credits

Within the parent and student handbook distributed annually, the sites of the HTH Statewide Charter School will provide written information about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. As middle and high school courses offered by the sites of the HTH Statewide Charter School are accredited by the Western Association of Schools and Colleges and approved by the University of California or the California State University as creditable under the "A" to "G" admissions criteria, written notification to parents shall state that such accredited courses and approved courses are considered transferable.

Independent Study

To the extent independent study is provided, the HTH SBC School will comply with state laws relating to independent study as set forth in Education Code § 47612.5.

Element Two (B)– Measurable Pupil Outcomes

The HTH SBC School intends to graduate its students with SAT/ACT scores, a transcript, and a portfolio that greatly increase opportunities for admission to college.

Other measurable outcomes include:

- An expectation that 100% of HTH graduates will secure admission to an institution of higher education. HTH expects roughly 75% of those graduates to secure admission to a four-year institution.
- All students completing a course of study that meets all requirements for entry into the University of California system.
- An expectation that 60% of HTH alumni will complete 4-year college degrees within 6 years of graduating from HTH, which includes the tracking of the HTH elementary and middle school students through college.
- All students will achieve proficiency or above on their 5th, 8th, and 12th grade transitional presentation of learning that summarizes their learning as documented by their digital portfolio.
- An expectation that all students in the statewide benefits site will perform comparably to nearby schools with similar demographics on state level mandated assessments.

Finally, HTH is eager to work with the State Board of Education on a comprehensive and thoughtful measure of school success indicators that measure a broad array of student outcomes consistent with HTH philosophy and current state accountability legislation.

Element Three (C) – Method of Measuring of Pupil Progress

Unlike many traditional public schools, where students progress simply by putting in class time and passing multiple choice tests, HTH schools implement a wide assortment of ongoing authentic assessments. At the elementary school level, sites will use multiple measures of assessments to maintain a balanced assessment system. The assessments are linked to the standards for literacy, mathematics, science, history-social science, and applied learning. The goal of assessment is to provide information for:

1. Curriculum planning, determining and planning instructional practices.
2. Special needs and interests of students.
3. Feedback to students regarding their individual progress.
4. Program evaluation and accountability.
5. Students to be self-assessors of their own work.
6. Communication to parents and the larger community.

In addition to Standardized Testing the following assessments are used:

- Performance-Based Assessment –HTH SBC sites implement performance-based assessments in ways that enable children to demonstrate what they know and what they are able to do in meeting the statewide standards. Performance-based assessments include, but are not limited to:
 - Exhibits, Demonstrations and Presentations: These projects represent a culmination of the student’s learning in curricular areas; they may be written or oral. They may also reflect interdisciplinary themes applied to core curriculum.
 - Calendared Classroom Assessments: Teachers assess children regularly in reading, writing and mathematics. The faculty meets together to rubric score writing and math prompts as well as the social curriculum.
 - Teacher Prepared Assessment Instruments - Teachers design appropriate tasks that measure understandings and mastery of classroom work.
 - Student Journals – Students keep journals in writing, science and interdisciplinary thematic curriculum. These reflect their understanding and thinking skills.
 - Formal Assessment Reports to Parents – A formal progress report to parents is sent home two times per year. Students are assessed in all academic areas as well as in social-emotional development. Many curricular areas are assessed based on rubric scoring.
 - Conferences – A variety of conferences are conducted throughout the school year and include:

- Student Led Conference: These are scheduled two times per year. At these conferences students share their goals and expectations for the year. Parents share any concerns they have about their child. Goals are set at the first conference. The teacher reports academic as well as social progress.
- Child/Teacher Conferences: Meetings are scheduled with the child and teacher to discuss and evaluate a child's progress.
- Other Conferences – These are scheduled as needed to ensure that the program is meeting the student's needs.

At the middle and high school level student success requires producing real work products, solving problems, and making oral and written presentations. Teachers, industry experts, community members, parents, and peers review these efforts. In addition, HTH schools have instituted "Transitional Presentations of Learning" (tPOLs) at the end of each grade to ensure that all students make adequate yearly progress before moving on to the next grade level. Resources for HTH teachers implementing the alternative forms of assessment practiced at all HTH sites are constantly being refined and made available within High Tech High's On-line Resource Center – <http://www.hightechhigh.org/resource-center/> and within the online Project Archive – <http://projects.hightechhigh.org/>.

Presentations of Learning (POLs)

A Presentation of Learning is a formal presentation given by a student to a panel of peers, community members, administration, teachers, and parents at the end of the first semester each year, delivered in one of the following formats (determined by the teaching team).

1. Community Event POL
2. Reflective Portfolio POL
3. Project Specific POL
4. Personal Growth POL

Before the POL, students practice their presentations in advisory. Advisories focus on presentation skills and give feedback to each student on how they can revise and improve their POL before the final presentation. Each type of POL must incorporate a reflective piece regarding the learning goals.

For the second semester POL, teaching teams conduct transitional POLs to determine whether students are ready to advance to the next grade. This is a 15-25 minute individual, formal presentation based on the student's digital portfolio, during which the students must demonstrate their mastery of grade level standards and their readiness to proceed to the next grade.

Digital Portfolios

Every HTH middle and high school student is required to create a personal digital portfolio. Although students may take creative license in the design of their portfolio, each portfolio must

include a project section and a career/educational section that is presented each year during the Transitional Presentation of Learning (tPOL). The portfolio includes the following:

- Career/Educational – A career and educational objective, a web-based resume and a standard, printable resume
- Projects – Samples of best work accompanied by reflections on the learning embedded therein
- Art and Design – A simple, easily navigable design.

At the end of each school year, HTH middle and high school students present their “Transitional Presentation of Learning,” or tPOL. The requirements for the tPOL are grade-level specific, but include an oral presentation, use of the student’s digital portfolio, artifacts from standards-bearing project work in the humanities, math and science, and elective courses. TPOL panels will consist of faculty from the students’ current and proximate grade level, students, parents, and community members. Each grade level will use a common rubric to evaluate tPOLs and determine each student’s readiness to advance to the next grade. Students who attempt but do not pass the tPOL will be given at least one additional opportunity to present once they have revised their work based on input from the review panel. Students who do not pass the tPOL are not promoted to the next grade.

Senior Project

Every HTH senior must complete a senior project in a focus area, such as graphic design or engineering. They present their senior projects in a final Transitional Presentation of Learning. Teachers, parents, administrators, and community members sit on the senior presentation panels.

Grades and Testing

HTH students earn traditional grades on a four point scale as well as honors options for core academic classes such as math, humanities, language, and science. They also participate in standardized exams such as the California Standards Tests, California High School Exit Exam, and Physical Fitness tests. To assess what students know and can do as a result of their project work, HTH uses additional assessments, including the Digital Portfolio, Presentations of Learning (POLs), Academic Internship Standards, Senior Projects, and grade level Transitional Presentations of Learning (tPOLs) as described above.

The following table outlines the assessments used at HTH schools and the timing of each. All of these methods are employed and reviewed throughout the year inform the curriculum. Because HTH schools are small, they can make changes quickly. For example, when they noticed a dip in math scores, teachers at the flagship HTH met to examine the scores disaggregated by grade level and subtest area and then refined the HTH math content guide for teachers. The downward trend in the math scores has been reversed.

Assessments Administered at HTH Schools

NAME OF ASSESSMENT	WHEN ADMINISTERED	PURPOSE FOR ADMINISTERING
California High School Exit Exam (CAHSEE)	Winter/Spring	State and graduation requirement to assess whether or not students are prepared with basic skills.
"A-G" college requirements	Throughout the school year	Prepare students for college entry with rigorous curriculum.
CELDT	Fall and as needed for new students	To assess English Language proficiency
Presentations of Learning	Fall and Spring	To ensure learning goals are met for each individual student.
School-wide Exhibition	Spring	Demonstrate presentations of learning to teachers, parents, and community.
CA Fitness Test	Spring	Required by the Federal Government to ensure students are physically fit.
Parent and student survey	Spring	Solicit specific feedback to gauge parent and student satisfaction with learning outcomes and program design of school.
California Standards Test	Spring	Tests student knowledge of the California State Standards
California Alternate Performance Assessment	Spring	Students with Significant Cognitive Disabilities which prevents them from taking the CST or CMA.

Use and Reporting of Data

The Sites of the HTH Charter School will make regular use of student performance data to inform instructional practices and will regularly report achievement to school staff, parents and guardians. In the context of weekly staff meetings at HTH sites, staff routinely review student work and discuss how practices may be adjusted to meet the individual needs of students. It is

in these weekly “Looking at Student Work” discussions that teachers receive support from one another to assist students in achieving the standards required. Teachers give advice to the presenting teacher so that they may go back to their classroom and provide additional support. Often these discussions are broadened to include parents and the students themselves so that coordinated intervention and support services can be offered to improve the students’ learning. As such, this powerful staff development protocol ensures that the real-time analysis of daily student performance data is informing refinement of practice in the classroom, is providing a basis for regular communication with parents and students and is supporting student achievement and high expectations.

At the classroom level, HTH teachers use a variety of strategies to monitor student understanding and progress on a daily and weekly basis. These include quizzes, weekly student reflections, and daily “check-ins,” e.g., asking students at the end of a class session to write and submit a quick reflection on a 3 x 5 card. In addition, HTH teachers have established protocols for weekly reviews of student work including using learning logs or journals, and using weekly check-ins to gauge progress on long-term projects.

HTH sites also issue regular progress reports and grade-status updates to students’ advisors who are then responsible for intervening to support students who may be in danger of not receiving passing grades. Such intervention includes the hosting of meetings with students’ parents to assess what additional supports need to be made available to assist the students with their learning. HTH sites also provide parents up-to-the-minute information about students’ grades via web-enabled password access to the HTH Student Information System.

All HTH sites will participate in the School Quality Review Process (SQR) that all HTH schools undertake in order to demonstrate successful implementation of HTH design principles and achievement of HTH quality standards. The SQR process consists of a self-study that sites undertake in the spring of each year, an onsite evaluation from central HTH staff involving interviews with all stakeholder groups at the school, the submission and review of stakeholder surveys regarding implementation of various aspects of the HTH model, and the submission and review of student achievement data as demonstrated by performance on state-mandated tests. The final SQR report is made available to all stakeholders at HTH sites and is posted on sites’ web pages. Both site-based staff and HTH central staff use sites’ final SQR reports as planning tools for improving instruction and student outcomes in the following year.

HTH will also regularly collect and report student achievement data through participation in state-mandated testing programs and through publishing of data in sites’ School Accountability Report Cards.

Alumni Program

HTH will operate an alumni program that will keep in contact with graduates of HTH sites and monitor their progress through institutions of higher education so that HTH may measure the extent to which it achieves its goals regarding college completion rates. HTH currently partners with National Student Clearinghouse and Naviance to track alumni.

Element Four (D) – Governance

The HTH SBC School will be governed by the Board of Directors of High Tech High, a duly constituted California nonprofit public benefit corporation designed to provide governance over all HTH schools operated in the State of California. The Board of HTH will have legal and fiduciary responsibility for the wellbeing of all sites operated under the HTH SBC School. The school will be a direct-funded charter school and will purchase administrative services from HTH's central organization. The HTH board will meet at least quarterly and will hold its meetings in accordance with the Brown Act. The HTH board will have at least five members, a majority of whom shall represent the business community. Additional board members will be selected to represent educators and the community-at-large. At least one board member will be the parent of a HTH student. At the option of the SBE, the SBE may appoint a representative to HTH's board.

All potential board members will be screened to ensure that they possess the skills and experience necessary to fulfill the responsibilities entrusted to HTH board members. Terms will be from one to three years and will be staggered so as to ensure orderly succession. Training will be provided annually regarding the legal and fiduciary responsibilities of HTH board members.

In order to secure local participation in decision-making at the local level, sites of the HTH SBC School will form an advisory board consisting of at least five members, which will provide input regarding issues of importance to sites, including the use of categorical funding. The advisory board will consist of the school director, teachers, parents and local community members.

Parent Involvement

Each HTH Statewide Charter School site will feature active parental involvement, as parent involvement is a key factor in student academic achievement. Each site will have a parent association, based on the vision that "through effective communication, school community activities, and classroom support, we will build parent involvement and contribute to student achievement." Activities that the Parent Associations may undertake include, but are not limited to:

- Creating and distributing a Parent Association Newsletter
- Creating and maintaining a Parent Association Website
- Sending regular Parent Association "E-mail blasts"
- Preparing and publishing the student directory
- Meeting regularly (twice monthly on average) and serving as a liaison to other school stakeholder groups such as the Associated Student Body, school governance boards, extended services staff
- Sponsoring/supporting community-building activities throughout the school year (orientations, school photos, socials, special fundraising events, community service activities)

- Supporting classrooms directly (Room/Team Parent coordination, teacher wish lists, chaperoning)
- Coordinating school-wide fundraising (book fairs, eScrip, other fundraising partnerships with local businesses)

Element Five (E) – Human Resources

Qualifications of School Employees

HTH is committed to hiring talented, knowledgeable, passionate teachers. HTH does this by holding hiring fairs, working with Schools of Education, and networking with people in industry. Upon review of resumes, HTH conducts initial phone interviews which, if successful, are followed by a rigorous full-day process during which candidates teach a class (and are evaluated by students), have a luncheon interview with students, and interview with teachers and administrators.

Teachers at HTH represent a range of experiences. Some are former biotech engineers, community college professors, or graphic designers; others are veteran teachers or recent university graduates. In August 2004 HTH was the first charter school to receive approval from the California Commission on Teacher Credentialing (CTC) to offer single-subject credentials. The organization is now seeking authority from the CTC to offer a multi-subject intern program for teachers in elementary schools. Through these programs, and in collaboration with local colleges and universities, HTH is well on its way to full compliance with NCLB requirements. HTH teachers are required to hold a Commission of Teacher Credentialing certificate, permit, or other document equivalent to that which any public school teacher is required to hold. As provided by law, the school may exercise flexibility with regard to those teaching non-core, non-college preparatory courses.

HTH recognizes that charter school teachers of core academic subjects, as defined in federal law, must meet NCLB requirements. HTH supports the spirit of the NCLB regulations – which all students are taught by high quality teachers. HTH also believes that an interdisciplinary structure is an important component of its project based learning approach. The HTH goal is to hire teachers who are highly qualified per NCLB requirements; however, in some cases, HTH may hire a teacher who is HQ in one of two core areas they teach. In such cases, HTH will create a plan with the teacher to ensure compliance in that second core area as quickly as possible by passing the required examinations or completing additional coursework.

Within the provisions of the law, HTH reserves the right to recruit, interview and hire the best qualified person to fill any of its position vacancies.

Any paraprofessional educators that may be employed by HTH will meet at least the minimum qualifications established by NCLB.

HTH does not discriminate against any applicant or employee on the basis of race, creed, color, national origin, age, gender, disability, or other basis prohibited by law.

Professional Development

Professional Development at the HTH SBC School consists of an ever-changing, ever-improving mix of site-based and centrally-hosted learning opportunities. By design, professional development at HTH sites is largely contextual, integrated into teachers' day-to-day work and addressing issues that emerge therein. Indeed, the whole purpose of the contractual requirement that teachers arrive at school one hour before the students each day is to reserve time during teachers' regular work day for planning and development. This contractual hour is used for staff to meet in various configurations to accomplish planning and development goals. Although the precise details may vary at each HTH site, the typical pattern for morning meetings is:

- one full faculty meeting, where staff discuss of school issues, receive training for collegial coaching, and look at student work together
- two team meetings, where teachers who share the same students meet to plan integrated activities and to discuss the needs of individual students
- one meeting by academic discipline (humanities, science, math, language, etc.)
- one meeting of study groups: self-selected groups that address program issues (presentations of learning, digital portfolio requirements, assessment, the HTH approach to writing instruction, promotion policies, etc.). These study groups are proposed and formed in the overall faculty meeting, and they make policy and action recommendations to the faculty

In practice, these morning meetings serve as a theoretical context for veteran and new teachers to reflect on and refine day-to-day practice at HTH sites. They provide the occasion for powerful and productive discussion of the issues and needs that teachers identify in their work.

Morning meetings are also used to allow for discussions of student work. HTH sites have long emphasized close collective scrutiny of student work products as a key to program and professional development. Much of this work takes place at faculty meetings, where teachers bring in samples of student work examination and response, following a protocol adapted from the work of Harvard University's Project Zero and others.

Collegial Coaching has also become an important part of HTH's professional development process. Starting at first with observation and consultation by HTH central staff, the program has evolved to engage peers in classroom observation and feedback. Teachers within HTH schools now have long experience in collegial coaching and have worked in the context of study groups to coordinate and develop materials for this program across HTH sites.

In addition to professional development happening in the context of site-based morning meetings, centrally-sponsored trainings are offered to the teachers and directors. Those trainings include teacher residencies at the HTH flagship village in San Diego, college advising and internship program institutes, teacher ambassador programs where experienced teachers from existing HTH schools visit and support teachers in newly opened HTH sites, and the HTH Summer Institute, an annual conference that attracts participants from across the United States to discuss refinement of implementation strategies for the design elements of HTH.

Element Six (F) – Health and Safety Procedures

All sites of the HTH SBC School HTH will comply with all applicable safety laws. The school will require that each employee of the school furnish the school with a criminal record summary as described in Section 44237 of the Education Code including the requirement that, as a condition of employment, each new employee not possessing a valid California Teaching Credential must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The School shall also ensure that all mandated tuberculosis screening of employees, pupil immunization and pupil health screenings are completed.

Sites will develop further health, safety, and risk management policies in consultation with its insurance carriers and risk management experts. HTH will assess its school buildings for structural safety, using the existing state, county and city standards for independent and parochial schools. HTH, at its own cost and expense, will be responsible for obtaining appropriate permits from the local public entity with jurisdiction over the issuance of such permits, including building permits, occupancy permits, fire/life safety inspections and conditional use permits, all as may be required to ensure a safe school and facilities for staff and students.

Element Seven (G) – Non- Discrimination

Sites established under the HTH SBC shall be nonsectarian and nondiscriminatory in its programs, admissions policies, employment practices and all other operations, shall not charge tuition and shall not discriminate on the basis of ethnicity, race, creed, color, national origin, age, gender, disability or on the basis of the characteristics listed in Section 220.

Element Eight (H) – Student Admissions and Attendance

Student Recruitment

The HTH Statewide Charter seeks to serve student bodies that reflect the full socio-economic and cultural diversity of the local areas where its sites operate. HTH grade 9-12 sites may consider any student who satisfactorily completes a course of study offered by a grade 6-8 site operated by HTH as qualifying for admission. Grade 6-8 sites may consider any student who satisfactorily completes a course of study offered by a K-5 site operated by HTH or Explorer Elementary Charter School as qualifying for admission. Sites may also consider any transfer student in good standing from any site operated by HTH or Explorer Elementary Charter School.

HTH sites will work cooperatively with area school districts and county offices of education to attempt to provide program information and applications to all eligible applicants via direct mail. Staff members will visit school and community organizations throughout the surrounding area to recruit applicants. Public information meetings will be held about each site. Special emphasis will be placed on holding such meetings in communities where site staff feel additional focus is needed to achieve socio-economic and cultural diversity. Program descriptions and student recruitment information will be presented in a variety of languages in order to access a broader group of students and parents. Additionally, HTH will post on each

site's website information about the admissions process and timeline along with an application form. Sites' websites may be accessed through www.hightechhigh.org.

Any student who satisfactorily completes a course of study offered by any K-5 site operated by HTH or Explorer Elementary Charter School may be considered as qualified for admission and may be offered a seat by any HTH Grade 6-8 site. Sites also may consider any transfer applicant in good standing from any site operated by HTH or Explorer Elementary Charter School at HTH Village. "Performing satisfactorily" means that the student passed the courses he/she took in the previous grade. For example, a student who fails their 8th grade courses would not be considered for a 9th grade seat, as that student is still an 8th grader.

Other Applicants

For other applicants to qualify for admission:

- The student and a parent or guardian should together attend one complete orientation session. These sessions will be held at convenient times. They will detail what HTH expects of the student and his or her family as well as what the student and family should expect of HTH.
- A parent or guardian must complete and return a simple, non-discriminatory application by a published deadline before the ending of the open enrollment period.
- The student and a parent or guardian must sign a statement that they are familiar with and agree to abide by all policies and procedures set forth in the Parent and Student Handbook.

Admissions Priorities

If more students apply and qualify than can be admitted, priority for admissions shall be assigned in the following order:

1. Returning or existing students in good standing.
2. Children of employees or board members of HTH, Explorer Elementary Charter School, High Tech High Foundation, or HTH Learning. This priority is capped at 10% in accordance with the California Department of Education guidelines on charter school admissions policies.
3. Students being promoted from or transferring from another school that is operated by HTH or Explorer Elementary Charter School at HTH Village (who also complete the application process in a timely fashion).
4. Siblings of students currently attending schools operated by HTH at HTH Village, if there is space available within the applicant's zip code cluster (see below).
5. All other students permitted by law.

Admissions Lottery

If HTH receives more applications than there are spaces available, a public, computerized lottery will be held to assist in determining admissions. Notification of the lottery date will be

made to the public and all members of the public will be able to witness the lottery computerized process. Within the context of this admission process, HTH seeks to deliver on the spirit and intent of *Brown vs. Board of Education* by using legally- permissible means to enroll a profile of students representative of the racial, ethnic and socioeconomic diversity of the regions where it operates schools. In this regard, HTH employs certain weighting mechanisms in relation to its computerized lottery that foster diversity and that fit squarely within acceptable admissions protocols. Weightings for geography, SES and gender are employed as described below. These weightings are adjusted to account for the numbers of students from a particular zip code cluster that have been admitted from returning, promoting and transferring students, sibling preferences and board member or employee preferences.

GEOGRAPHIC WEIGHTING TO ENSURE IN-DISTRICT ATTENDANCE

In order to meet the requirement that preference for admission be offered to in-district students, HTH will ensure that approximately 85% of slots for admission will be allocated to in-district zip codes. Specifically, a weighting mechanism is employed to ensure that approximately 85% of school enrollment comes from the San Diego Unified School District, resulting in approximately 15% of enrollment coming from outside the District.

In relation to the village of schools operated by HTH at Liberty Station in Point Loma, HTH identifies attendance regions consisting of several contiguous zip code areas or “clusters.” Using United States Census data, HTH determines the percentage of school-aged students residing within each zip code cluster and provides weighting within the lotteries designed to encourage a corresponding level of enrollment from each zip code cluster. Because weighting is based upon census data, HTH ensures that each applicant has an equal opportunity to gain admission to the school.

THE USE OF WEIGHTING TO ENSURE SOCIO-ECONOMIC STATUS DIVERSITY

Similar to the zip code weightings, weightings are implemented to encourage socioeconomic status (SES) diversity.

Weightings for SES are designed to ensure that approximately 40% of enrolled students are receiving free and reduced price meals under the National School Lunch Program (NSLP) – a number roughly approximating the percentage of school-aged children in California who receive free or reduced price meals under NSLP.

ACCEPTANCE, NOTIFICATION AND WAITING POOL

Once the initial openings have been filled using the procedures described above, HTH will notify chosen applicants and inform them of their option to enroll in the school. Applicants who have not been chosen will have their names maintained within the applicant waiting pool. As additional openings become available after the initial stage of drawing names, names will be drawn from the waiting pool in keeping with HTH’s admissions policies as delineated above. When names are drawn, HTH will notify the applicants that they have the option of enrolling in the school. Notifications will give applicants at least three full business days to inform the school of the applicant's intentions. In the absence of an affirmative and timely response by

phone, letter or email, HTH will eliminate the applicant from consideration and draw another name from the waiting pool. The applicant waiting pool expires annually at the end of the formal academic year, or as otherwise determined by the Board of Directors of HTH.

Element Nine (I) - Annual Audits

HTH will contract with an independent auditor, from the Certified Public Accountants Directory published by the State Controller's Office, for an annual financial audit that will be conducted pursuant to Education Code Section 41020, the Standards and Procedures for Audits of California K-12 Local Educational Agencies, and in accordance with generally accepted accounting principles applicable to the school. 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. HTH will transmit a copy of the audit to the county office of education, the State Controller's Office, the CDE Charter Schools Division and the CDE Audit Resolution Unit by December 15 of each year.

Should the audit note any exceptions or deficiencies, the School will follow a procedure whereby the School:

- Informs in writing all audit recipients of any exception and/or deficiency the School disputes or believes it has already corrected by the time of submitting the audit, along with supporting documentation;
- Informs all audit recipients in writing of a proposed timetable with benchmarks for the correction of each exception and/or deficiency still outstanding at time of audit submission; and
- Resolves all outstanding or disputed exceptions and/or deficiencies to the mutual satisfaction of the State Board of Education and the School by no later than the following June 30th or other time as may be mutually agreed to.

HTH will avail itself of the well-tested plans and systems used to support its existing schools in order to ensure the successful completion of the independent audit.

HTH will:

- Prepare and file with the CDE a preliminary budget on or before July 1, an interim financial report on or before December 15, a second interim financial report on or before March 15, and a final unaudited report for the full prior year on or before September 15 (Education Code section 47604.33).

Element Ten (J) - Student Suspensions and Expulsions

Sites of the HTH Statewide Charter School will regard suspension and expulsion as a last resort. Criteria for suspension and expulsion of students will be consistent with all applicable federal statutes and state constitutional provisions. Students will be afforded due process, including a hearing and right of appeal, as described below. A student identified as an individual with disabilities or for whom there is a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Act ("IDEA") or who is qualified for services under Section 504 of

the Rehabilitation Act of 1973 (Section 504) is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal law or SELPA policies require additional or different procedures.

The following offenses represent grounds for mandatory expulsion:

- The causation or attempted causation of physical injury to another person, including sexual assault.
- Possession of a weapon (e.g., firearms, knives or explosives) or possession of a replica firearm.
- Unlawful possession, use, sale, or offer of any controlled substance, alcoholic beverage or any intoxicant, or being under the influence thereof.

The following offenses represent grounds that may result in suspension or expulsion:

- The threat of physical injury to another person, including sexual assault.
- Obscene or offensive acts or habitual profanity or vulgarity.
- Disruption of school activities or willful defiance of valid school authorities.
- Robbery or attempted robbery of school or private property.
- Destruction or attempted destruction of school or private property.
- Extortion.
- Violation of a policy or procedure by a student and/or parent as set forth in the parent and student handbook.

These grounds for suspension and expulsion were generated after reviewing Education Code 48915 and after reviewing grounds for suspension and expulsion at other public charter schools. In general, HTH's suspension and expulsion standards are consistent with Education Code 48915, although in some instances, HTH's grounds reflect an expectation of higher student accountability for behavior. HTH believes that such an expectation ensures the creation of a respectful learning environment where all students are allowed to achieve to their full potential. The HTH Board of Directors will review and revise, as necessary, the grounds for mandatory expulsion and the grounds that may result in suspension or expulsion. The current list will be communicated through the annually-updated parent and student handbook.

A student suspension or expulsion will only be enacted with the approval of the Site Director. Before enacting a suspension or expulsion, the Site Director will conduct an investigation of the circumstances, including consulting the student and affected parties. The Site Director will consider whether alternatives to suspension or expulsion may be appropriate. If a student is suspended or expelled, the parents and/or guardians will be informed in writing about the reasons for suspension or expulsion and about due process rights in regard to suspension or expulsion.

A suspension or expulsion decision by the Site Director may be appealed to a committee consisting of one member of the HTH Board of Directors, one member of the school's local advisory board and the CEO of HTH. The committee shall have the right to rescind or modify the

suspension or expulsion. The committee members appointed will be knowledgeable about the Statewide Benefit School's bases for suspension and expulsion and the procedures regarding suspension and expulsion. To ensure impartiality, committee members will not be relatives or friends of any party involved. The parents or guardians of the student (or, if at least 18 years of age, the student) will have ten days from the suspension or expulsion to declare in writing their request for an appeal. The committee shall convene a hearing within ten days of receipt of a timely request for an appeal. At the hearing, the student shall have the right to counsel and the right to present evidence. The committee will consider evidence and/or testimony as appropriate and will render a written decision that shall be in the best interests of the student and the school. That decision shall be final.

Element Eleven (K) – Compensation and Benefits

HTH SBC School sites will attempt to offer compensation benchmarked to the district pay scales of the revenue limit districts nearest to where the schools are located.

The School will participate in STRS and PERS. The following positions will be offered participation in STRS:

- All Teachers including Special Education Teachers
- The School Director
- The Dean of Students
- The College Advisor
- The Academic Internship Coordinator

The following positions will be offered participation in PERS:

- Office Manager
- Attendance Clerk
- Associate IT Director
- Custodial Staff, if any

Teachers and other persons working at HTH will retain all previously vested rights in their respective retirement systems, including but not limited to STRS, PERS and Social Security. The HTH board may establish retirement plans for employees that may include, but will not be limited to, establishment of a section 403(b) plan, a 457 plan or other supplemental benefits as deemed appropriate.

Element Twelve (L) – Attendance Alternatives

HTH Statewide Charter School sites will be sites of choice. No student is required to attend. Students choosing not to attend a HTH site may attend other public schools within their home school district.

The sites of the HTH Charter School pledge to work cooperatively with the SBE, with appropriate county offices of education, with local school districts and with other local charter schools as necessary to expeditiously provide and receive student information as may be necessary when students transfer between sites of the HTH Charter School and other public school alternatives.

Element Thirteen (M) – Rights of School District Employees

The right to leave a district and take employment at a HTH school, as well as the right to return to the district for HTH employees who were previously district employees, will be as specified in district policies, procedures or collective bargaining agreements addressing this issue with respect to charter schools operated as nonprofit public benefit corporations under Education Code section 47604.

Element Fourteen (N) – Dispute Resolution Process

Because the SBE is not a local education agency, it may choose to independently settle disputes in lieu of engaging in a dispute resolution process. If the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with EC Section 47607, the matter will be addressed accordingly by the SBE.

Element Fifteen (O) – Employee Representation

For the purposes of the Educational Employment Relations Act, HTH, the duly constituted nonprofit governing the HTH SBC School, shall serve as the exclusive public school employer of record for the employees of sites to be operated under the statewide benefit charter school. HTH shall establish its own lawful procedures for discipline and dismissal.

Element Sixteen (P) – School Closeout

If the HTH Statewide Charter School or any of its individual sites should require dissolution and winding up for any reason, assets remaining after payment of all debts and liabilities and a final audit will be distributed as follows: (1) All assets and property of the site and/or School will be distributed first to HTH if it is still operating, then to HTH Foundation, for the benefit of other charter schools established by the foundation, and if neither organization is operating, to the SBE. (2) All other assets and property will be distributed to a nonprofit fund, foundation or association in accordance with state law. Further, HTH will notify parents, students, the California Department of Education, and districts affected by the closure and will transfer all pupil records as appropriate. Finally, HTH will produce a final audit for the charter-granting agency that determines the disposition of all assets and liabilities.

OTHER CHARTER PROVISIONS

17. Preferred County Office of Education for Administrative Support

HTH identifies San Diego County as the county that will serve as the location of its business records and operations. The San Diego County Office of Education will establish the appropriate funds or accounts in the country treasury for the HTH Statewide Charter School.

18. Delineation of Site-based and Central Responsibilities Including Administrative Responsibilities

The HTH SBC School features a high level of coordination and cooperation between site-based staff and central staff in order to ensure that each site achieves the quality standards of HTH.

At the site level, sites maintain a mix of administrative and teaching personnel to perform site-based activities. The Director of each site maintains the authority to make adjustments to the default HTH site staffing model as necessary to meet local needs, but in general, each site shall have the following administrative staff:

- Director – responsible for overseeing all aspects of the site’s local operations including responsibility for ensuring that the site’s instructional program features full implementation of HTH Design Principles and delivers the measurable outcomes expected of HTH schools. The Director is responsible for hiring all site-based staff and, working in collaboration with HTH central staff, for preparing a budget for approval by the site’s local board.
- Dean of Students – works in close partnership with the Director to ensure that student safety is maintained at all times and that a culture and standard of discipline conducive to student learning is supported by all site students and parents.
- College Advisor (only at high school level) – ensuring that all students in the site have the support needed to earn acceptance to and enroll in an institution of higher learning.
- IT Director – working closely with HTH central staff to ensure that HTH IT systems architecture is fully implemented at the site level, providing the site’s students, parents and staff full access to the array of IT services that support teaching, learning and site operations at HTH schools. The IT Director also ensures that the site’s webpage is maintained in a manner that supports the mission of the school
- Administrative Assistant – working closely with the site Director to ensure that administrative, clerical and front office functions are performed at the site level and working closely with the HTH central staff to make sure that timely information flows from the site to HTH regarding compliance matters and fiscal control.
- Custodian – ensuring that the site’s facility is maintained in a manner that supports teaching and learning.

HTH is keenly aware that its schools operate in a manner that is very different from most other public and private schools, and HTH understands that in order to ensure successful replication

of HTH practices; HTH must staff new schools with directors and teachers who are intimately familiar with the operations of HTH schools. As such, HTH has an expectation that each new site will have at least three staff members on site who have worked in an existing HTH site. In most cases HTH can identify teacher and director candidates who are willing to move from existing schools to staff startup sites. In those instances where HTH cannot find such staff, HTH recruits local talent to receive extensive training in San Diego prior to the new site opening.

At the central level, HTH offers a comprehensive suite of back office and other services to the sites of the HTH SBC School. As a guiding principle, HTH central staff attempt to perform all of the bureaucratic and other compliance related activities that would otherwise distract site-based staff from their primary mission, which is to support student learning. Services include:

- Charter Development, Grant Generation and Initial Community Engagement
- Property/Facilities Acquisition and Financing
- Facilities Design, Renovation and Maintenance
- HR Support
- IT Services
- Curriculum Development Support
- Teacher Credentialing
- Professional Development for Principals and Teachers
- Program Monitoring, Compliance and Quality Assurance
- Special Education Services
- Fundraising
- General Counsel
- Administrative Services

HTH has developed a proven track record of being able to provide high quality administrative services to sites, as is demonstrated by HTH's successful management of the sites which are already affiliates of HTH. Administrative functions performed include:

- Pupil Accounting – Prepare and submit P1, P2 and Final attendance reports to the CDE
- Budgeting and forecasting, including developing annual budgets for submission to chartering authorities as required by statute
- Accounting services including:
 - Maintain schools general ledgers per the State Standardized Account Code Structure
 - Provide monthly reconciliations of balance sheet items
- Accounts Payable – process vendor invoices for payments and post accounting entries
- Process employee reimbursements
- Fiscal reporting including

- Provide to school monthly financial reports including balance sheet and actual vs. budget
- Prepare SACS budget report including budget summary, ADA report cash flow report and break-out of revenue detail
- Twice a year, prepare SACS Interim Financial Reports and submit to chartering authority
- Prepare annually Unaudited Actuals Report
- Prepare state and federal payroll tax filing reports quarterly and annually
- Payroll Processing
- Maintain employee files and database
- Process payroll for all school employees
- Reconcile payroll checks to general ledger
- Process federal and state tax payments as required by statute
- Prepare W-2's and 1099's
- Purchasing
- Perform all activities necessary to secure appropriate health and retirement benefits for employees including vendor selection, employee sign-up, informing staff about benefits options and acting as an intermediary between school and provider
- Oversee all activities related to securing appropriate liability insurance including making application for bids, processing renewal applications and ensuring prudent levels of coverage
- Oversee selection of food service vendors
- Establish relationships with vendors to achieve bulk-purchase pricing benefits for textbooks, office supplies, janitorial supplies, etc.
- HR Compliance
- Monitor and review all Worker's Comp and Unemployment claims
- Maintain duplicate copies of employment records for school including documentation verifying eligibility for employment
- Perform new hire processing including reference and background check, eligibility for employment, medical clearance, fingerprinting
- Perform exit interview and complete exit paperwork for employees leaving the school

19. Financial Reporting

HTH will:

- Prepare and file with the CDE a preliminary budget on or before July 1, an interim financial report on or before December 15, a second interim financial report on or before March 15, and a final unaudited report for the full prior year on or before September 15 (Education Code section 47604.33).

20. Insurance

HTH sites, at their own expense and risk will secure and maintain appropriate workers compensation, as well as liability coverage, providing for, among other things, insurance for operation and procedures, personal injury, and property, fire, and theft. The SBE will be named as “other named insured.” Supplementary coverage will cover the after-hours and weekend activities of HTH site programs.

At minimum, coverage will include:

- Workers’ Compensation with limits of \$1,000,000 per accident as required by the Labor Code of the State of California and Employers’ Liability.
- Comprehensive Bodily Injury and Property Damage Liability for the combined single limit coverage of not less than \$5,000,000 per single occurrence.
- Commercial Crime including Fidelity Bond coverage for blanket employee theft, disappearance, destruction, and dishonesty in the amount of at least \$50,000 per occurrence with no self-insured retention.

HTH may also purchase coverage for the following:

- Directors and Officers for wrongful acts (including coverage for employment practices) of at least \$2,000,000 each claim with an extended reporting period of not less than one year following termination of the charter.
- Professional Liability (E & O) for defense and damages for errors and omissions with a limit of \$1,000,000 each incident if health care services such as medical, nursing, and/or counseling are provided to students.
- Commercial All Risk Property for buildings and contents for full replacement cost.
- Student Accident Insurance with a limit of no less than \$10,000 per accident and a zero deductible.

21. Facilities and Transportation

All sites within the HTH Statewide Charter will incorporate the “look and feel” of the original schools at HTH Village in Point Loma. That look and feel will include both the functionality of the space as well as the aesthetic design elements that distinguish HTH. The sites shall be housed in buildings consisting of a size sufficient to serve the sites’ projected student enrollment.

HTH will seek fee-simple ownership of all buildings housing HTH Statewide Charter School sites but reserves the option of leasing facilities where appropriate. HTH will secure facilities on behalf of Statewide Charter School sites and will sublease those sites to schools at cost. Locations will be chosen that allow HTH sites to attract a student bodies that are representative of the surrounding socio-economic and cultural diversity. HTH shall attempt to locate sites within areas eligible for New Market Tax Credits but reserves the right to locate in other areas. HTH shall notify the CDE within 60 days of proposed commencement of instruction of each site.

Transportation

Except for those students who may be entitled to transportation under IDEA, transportation is a parental responsibility for students attending sites of the HTH Statewide Charter School.

22. Internal Dispute Resolution

Except those disputes between the SBE and HTH relating to provisions of this charter, all disputes involving sites within the HTH Statewide Charter School will be resolved by HTH according to HTH policies. Complaints to the SBE relating to the operation of the school and not to the terms of this charter or other issue regarding the School's and the SBE's relationship will be resolved as set forth below:

- HTH sites will adopt policies and processes for airing and resolving disputes.
- The SBE agrees to refer all complaints regarding operations of HTH Statewide Charter sites to HTH's chief executive officer for resolution in accordance with the site's adopted policies. In the event that the site's adopted policies and processes fail to resolve the dispute, the SBE agrees not to intervene in the dispute without the consent of HTH unless the matter directly relates to one of the reasons specified in law for which a charter may be revoked. Notwithstanding the above, the SBE will have the ability to intervene in and respond to complaints about the operation of HTH as is required by law.

23. Liability of Authorizer

The HTH Charter School shall hold harmless, defend and indemnify the SBE, its officers and employees, from every liability, claim or demand which may be made by reason of: (a) any injury to person or property sustained by School, its officers, employees or authorized volunteers; and (b) any injury to person or property sustained by any person, firm or corporation caused by any act, neglect, default, or omission of School, its officers, employees or agents. In cases of such liabilities, claims or demands, the HTH Statewide Charter School at its own expense and risk shall defend all legal proceedings which may be brought against the SBE, its officers and employees, and satisfy any resulting judgments up to the required amounts that may be rendered against any of them.

24. Charter Term

The petitioners request the State Board of Education approve a term of this charter that shall begin for a five-year period on July 1, 2012 and end June 30, 2017.

The SBE shall not allow the charter to expire, without renewal, through lack of timely consideration by the SBE if the School submits the charter for renewal at least nine months prior to expiration.

25. Charter Revisions

Material revisions to the charter must be approved by the SBE. However, any proposed revisions to the charter will be presented to the SBE for a determination as to whether it is a material revision that must be approved by the SBE. The SBE will make its determination and, if required, the SBE will consider the revision for approval within 60 days of submission by the School or within a time mutually agreed to.

26. Criteria for Creating New Schools

As approved in the amended charter in 2008 HTH is able to “operate up to 8 villages of schools in communities across California consisting of a mix of up to 8 elementary, middle and high schools.” Should HTH choose to do so, HTH SBC will meet the following conditions prior to the opening and operation of school sites. These conditions are to be incorporated in a Memorandum of Understanding (MOU) between HTH and the State Board of Education (SBE). The proposed conditions are:

1. The CDE is to be provided information by the HTH sufficient to update the SBE on the organization’s progress in implementing the charter and the MOU (and prior to the opening of any schools under the charter). It is the intent of the CDE, unless circumstances otherwise dictate, to include this information in the standing item for updates on SBE-chartered schools.
2. As a condition for the opening of additional schools, HTH will meet the following requirements:
 - To open another high school; each existing high school under the SBC shall demonstrate the following:
 - In year one, each high school is expected to establish a baseline API score schoolwide and for each numerically significant subgroup.
 - In subsequent years, each high school, schoolwide and all numerically significant subgroups must meet or exceed double the state API growth target or earn an API score at or above 800 in the previous school year or in two out of three previous school years.
 - To open another middle school; each existing high school under the SBC shall demonstrate the following:
 - In year one, each middle school is expected to establish a baseline API score schoolwide and for each numerically significant subgroup.
 - In subsequent years, each middle school, schoolwide and all numerically significant subgroups must meet or exceed double the state API growth target or earn an API score at or above 800 in the previous school year or in two out of three previous school years.
 - To open another elementary school; each existing high school under the SBC shall demonstrate the following:
 - In year one, each elementary school is expected to establish a baseline API score schoolwide and for each numerically significant subgroup.
 - In subsequent years, each elementary school, schoolwide and all numerically significant subgroups must meet or exceed double the state API growth target or

earn an API score at or above 800 in the previous school year or in two out of three previous school years.

3. HTH will work with CDE staff to determine appropriate locations for schools.
4. HTH shall present a specific plan for the opening of any new school. The plan shall be submitted to the CDE and the SBE Executive Director for review and approval. The plan shall include the following elements:
 - Financial data that includes the following elements:
 - Budget assumptions
 - Three-year budget and cash flow
 - Three-year profit and loss statement
 - Proposed school level data including:
 - A grade level build-out plan.
 - Demographic information about the community in which the school location is planned.
 - Comparison school performance data which includes PI participation.
 - Enrollment targets for each year of operation until the school incorporates all grade levels proposed.
 - Each site shall initially open between July 1 and September 30.
 - The specific location of each school (within the districts indicated in the charter) shall be identified to the CDE and SBE in the January immediately preceding its opening.
5. The CDE and SBE staff shall consider any application by HTH to incorporate pre-existing HTH schools under the HTH SBC.
6. All CDE final findings and recommendations must be addressed in the specified time lines and to the satisfaction of the CDE and SBE before the SBC school is authorized by the CDE to open any individual school under the charter.
7. Prior to the opening of any schools, a memorandum of understanding (MOU) shall be developed between the SBC school and the CDE that covers essential elements of the school sites' operation that are pertinent to effective state oversight and that are not incorporated in the charter itself.
 - Legal Issues: In the final SBC, HTH SBC will resolve any legal issues that may be identified by the SBE's Chief Counsel or the CDE's General Counsel.
8. In the annual report, the statewide benefit charter school submits to the SBE, the SBC school will provide detailed information regarding student achievement at each school

site, with particular emphasis on core subjects, as may be specified by the CDE and SBE staff.

27. Severability

The terms of this charter are severable. In the event that any of the provisions are determined to be unenforceable or invalid for any reason, the remainder of the charter shall remain in effect, unless mutually agreed otherwise by the SBE and HTH SBC School. The SBE and HTH SBC School agree to meet to discuss and resolve any issue or differences relating to invalidated provisions in a timely and proactive fashion.

28. Information Exchange

HTH agrees to permit the SBE and/or its designees to inspect and receive copies of all records relating to the operation of the HTH Statewide Charter School, including financial, personnel, and pupil records. HTH shall promptly comply with all reasonable written requests for information pertaining to the operations of the School and shall provide the SBE regular access to all sites operated under this SBC School.

29. Signatures

HTH will also gather and submit to the SBE the necessary signatures of parents/guardians and/or prospective teachers for future sites to be opened under this Statewide benefit charter School.

ASSURANCES

As the authorized representative of the applicant, I hereby certify that the information submitted in this application for a Statewide benefit charter School for HTH to be located in communities identified in this charter application is true to the best of my knowledge and belief; I also certify that this application does not constitute the conversion of a private school to the status of a public charter school; and further I understand that if awarded a charter, each of the sites of the HTH Statewide Charter School:

1. Will meet all statewide standards and conduct the student assessments required, pursuant to Education Code 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non charter public schools.
2. Will be nonsectarian in its programs, admissions, policies, employment practices, and all other operations.
3. Will not charge tuition.
4. Will admit all students who wish to attend the school, and who submit a timely application, unless the school receives a greater number of applications than there are spaces for students, in which case each applicant will be given equal chance of admission through a random lottery process.
5. Will not discriminate against any student on the basis of ethnic background, national origin, gender, or disability or on the basis of the characteristics listed in Section 220
6. Will adhere to all provisions of federal law relating to students with disabilities, including the IDEA, Section 504 of the Rehabilitation Act of 1974, and Title II of the Americans with Disabilities Act of 1990, that are applicable to it.
7. Will meet all requirements for employment set forth in applicable provisions of law, including but not limited to credentials, as necessary.
8. Will ensure that teachers in the school hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which teachers in other public schools are required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers.
9. Will at all times maintain all necessary and appropriate insurance coverage.
10. Will follow any and all other federal, state, and local laws and regulations that pertain to the applicant or the operation of the charter school.
11. Will provide an annual report to the SBE reflecting student achievement data, performance benchmarks, and other pertinent data supporting state charter goals.
12. Will notify the CDE within 60 days of proposed commencement of instruction of each site

_____ (Authorized Signature)

_____ (Date)

APPENDICES

- **Appendix One: Financial statements**
- **Appendix Two: Board Members**
- **Appendix Three: Sample Projects from HTH Students**

Appendix Two: High Tech High (HTH) Board Members

Kay Davis – Founder of HTH and Former Trustee, SD Unified School District

Gary Jacobs- Founder of HTH and CEO- Jacobs Investment Company, LLC

Rod Dammeyer – President of CAC, LLC and former Managing Director of Equity Group Corporate Investments.

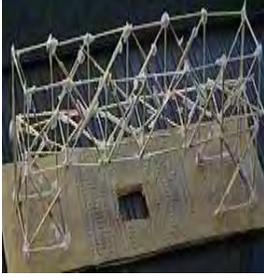
Mike McCraw – President/CEO Sempra Energy

Julie Umansky – Vice President Legal Advocacy, California Charter School Association

Appendix Three: Sample Projects from HTH Statewide Benefit Students

 <p>Cultural Solutions In Nature</p>	<p>In this project, students investigated biomimicry—the quest for solutions to human problems by mimicking processes in nature—through a scientific and cultural lens. They researched existing examples of biomimicry, such as scientists’ learning from spider webs how to create material strong enough for bulletproof vests, and using models of bats’ echolocation in darkness to develop a “smart” cane for the visually impaired. They also researched an indigenous culture and used concepts from biomimicry to design an innovation that addressed a need within that culture. Each student created an interactive display addressing the physics concepts involved in their innovation, as well as a fable that suggested solutions to cultural sustainability issues through the use of their innovation. The fables were shared at exhibition, published in a book, and sold to raise money for people from indigenous regions around the world.</p>
 <p>Writing on the Walls</p>	<p>Through this multidisciplinary project, students at HTH North County will explore and address an issue of concern in their community: the prevalence of tagging and graffiti. Students will research the history and lasting influence of gangs in California, conduct an ethnographic study of tagging and graffiti in the city, maintain video blogs as a form of on-going reflection, and create photo essays of their experience. They will study the difference between tagging as vandalism and graffiti as an art form--putting their learning into service by painting over tags that have damaged property and by creating their own graffiti-style art for a gallery show at the Escondido Arts Partnership museum</p>
 <p>I Am an Artist</p>	<p>Students explored dimensions of their identity and created a double-sided canvas that visually expressed two sides of their selves. On the front of the canvas, they painted an acrylic self-portrait that represented their outer self--how they present themselves to others. On the back side of the canvas, students produced a collage that represented their personal vision and the things that make them unique.</p>

 <p>The Creative Masters (Los Maestros Creativos) Project</p>	<p>In The Creative Masters Project, students select a creative Spanish-speaker from any walk of life. They research the cultural and historical forces that shaped the Master and his/her work. Then they re-create or re-express the work in their own way--creative writing, spoken word, digital presentation, sculpture, etc. A written reflection accompanies the project as well, all in the target language.</p>
 <p>Chemical Identity Masks</p>	<p>In this interdisciplinary project, student created a two-sided identity mask. On one side they represented their personal identity, as it has been formed through their socialization by family, friends, and the media. On the other side they represented a chemical element that they felt best symbolized their personality.</p>
 <p>Geometric Mural Project</p>	<p>Students experienced the beauty of math by creating murals using specific geometric shapes. They prepared a proposal, including a blueprint, a to-scale colored miniature, a business letter describing their work, and an estimated budget. Student groups presented their work to a selection committee at Qualcomm, Inc. Qualcomm then chose the winning mural designs, which the students painted at full scale as a class.</p>
 <p>Artist Happy Un-Birthday Project</p>	<p>Students spent one week studying an artist whose work has influenced contemporary art. Artists varied by gender, culture, time period, political views, artistic medium and content. Students then paid homage to their artist by creating an Un-Birthday present and accompanying gift box. The gifts were displayed at an Artist Happy Un-Birthday Party on exhibition night, complete with a birthday cake and decorations. The event was a cacophony of color, paint, and imagination that paid tribute both to Judy Chicago's famous "Dinner Party" art piece and to Lewis Carroll's Mad Hatter's Tea Party in Alice in Wonderland.</p>

 <p>Gender Secrets Project</p>	<p>This project was designed for students to demonstrate their beliefs on gender stereotypes and give multiple audiences a glimpse into the minds of teens and how they view stereotypes in their daily lives.</p>
 <p>HTHCV Summer Bridge</p>	<p>Summer Bridge is a week-long program designed to welcome and introduce incoming students to High Tech High Chula Vista and its structure as a project-based learning community.</p>
 <p>La Lliga: Border Project</p>	<p>Students explore the reasons why people choose to risk their lives in the attempt to enter the United States illegally. Students assume the role of one of those individuals and create a fictionalized account of their journey to the United States.</p>
 <p>Family Math</p>	<p>This project emphasizes collaborative learning where students actively co-construct knowledge. Family Math home activities build a rich, social learning experience that extends the collaborative learning done in class into the home environment. Each week students are provided with a packet that includes an open-ended math problem. They are expected to share the problem with a parent or other mentor, discuss possible solutions, and then check back to explain their solution after they've completed the problem.</p>
 <p>ToothPick Bridge:</p>	<p>Bridges are complex structures that rely on physics to support their weight. Students will construct a bridge of their own design using estimates of spatial configurations, money, measuring using graph paper, ruler, and manipulatives; and understanding the concepts of stress, reaction points and supports, the law of gravity, and the strength of various geometrical shapes.</p>

Videos:	<ul style="list-style-type: none">• HTMNC: Classterpieces-Andy Warhol Group: Students from HTMNC share their Classterpiece based on the Andy Warhol images.• Anatomy News: Circulatory system Seventh grade science/multimedia project• HTHCV Avant-Garde News Network - 2010-09-08 : The 1st broadcast of HTHCV's Avant-Garde News Network (ANN)• HTHCV students: Comments from students at High Tech High Chula Vista.• Mind Collisions: HTMMA, HTHCV & WiLDCOAST: HTMMA, HTHCV & WiLDCOAST collaborated in projects based on technology from HP in their Innovations in Education Grant. This video documents some of the results.
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HTH
Statement of Activities - BUDGET PRESENTATION
SBC - SBC-High Tech High
12 - HTH Chula Vista

From 7/1/2011 Through 6/30/2012
(In Whole Numbers)

	Unrestricted Funds	Special Education	Other Restricted	Total
Revenues				
Charter Principal Apportionment				
Charter Block Grant	3,290,112	0	0	3,290,112
Property Tax ADA	0	0	0	0
Other	0	0	0	0
Total Charter Principal Apportionment	<u>3,290,112</u>	<u>0</u>	<u>0</u>	<u>3,290,112</u>
Federal Revenues				
No Child Left Behind	0	0	307,593	307,593
No Child Left Behind Prior Yr	0	0	71,234	71,234
IDEA	0	0	0	0
IDEA Prior Yr	0	0	0	0
ARRA	0	0	0	0
Total Federal Revenues	<u>0</u>	<u>0</u>	<u>378,827</u>	<u>378,827</u>
Other State Revenues				
Categorical Block Grant	266,784	0	0	266,784
Special Education AB602	0	273,664	0	273,664
AB602 Prior Yr	0	40,000	0	40,000
Lottery Revenues	62,208	0	6,912	69,120
All Other State Resources	12,164	0	0	12,164
Total Other State Revenues	<u>341,156</u>	<u>313,664</u>	<u>6,912</u>	<u>661,732</u>
Other Local Income				
Annual Campaign	67,500	0	0	67,500
Other Grants and Donations	0	0	0	0
Restricted Grants and Donations	0	0	0	0
Parent Association Support	25,000	0	0	25,000
Grant from HTH Learning	500,000	0	0	500,000
Interest Earned	0	0	0	0
Other Local Income	9,748	0	0	9,748
Total Other Local Income	<u>602,248</u>	<u>0</u>	<u>0</u>	<u>602,248</u>
Total Revenues	<u>4,233,516</u>	<u>313,664</u>	<u>385,739</u>	<u>4,932,919</u>
Expenditures				
Certificated Salaries				
Teacher's Salaries	1,397,887	108,955	57,824	1,564,666
Certificated Pupil Support Salaries	137,990	0	0	137,990
Certificated Supervisors and Admini...	75,000	19,250	0	94,250
Total Certificated Salaries	<u>1,610,877</u>	<u>128,205</u>	<u>57,824</u>	<u>1,796,906</u>
Non-Certificated Salaries				
Instructional Aides Salaries	0	105,000	166,800	271,800
Clerical and Office Salaries	130,000	4,623	0	134,623
Total Non-Certificated Salaries	<u>130,000</u>	<u>109,623</u>	<u>166,800</u>	<u>406,423</u>
Employee Benefits				
STRS	115,969	14,575	15,161	145,705
PERS	11,687	1,468	1,528	14,683
OASDI/Medicare	46,025	5,788	6,017	57,830
Health and Welfare	161,975	20,362	21,176	203,513
Unemployment Insurance	28,028	3,522	3,665	35,215
Workers Comp	15,842	1,994	2,066	19,902
Other Employee Benefits	5,223	657	682	6,562
Total Employee Benefits	<u>384,749</u>	<u>48,366</u>	<u>50,295</u>	<u>483,410</u>
Books and Supplies				
Books	1,000	0	0	1,000
Instructional Supplies	9,750	1,950	40,300	52,000
Office Supplies	13,000	0	0	13,000

HTH
Statement of Activities - BUDGET PRESENTATION
SBC - SBC-High Tech High
12 - HTH Chula Vista
From 7/1/2011 Through 6/30/2012
(In Whole Numbers)

	Unrestricted Funds	Special Education	Other Restricted	Total
Noncapitalized Equipment	8,000	0	2,000	10,000
Total Books and Supplies	31,750	1,950	42,300	76,000
Facility Expenses				
Facility Lease	1,248,000	0	0	1,248,000
CAM	0	0	0	0
Property Tax	250	0	0	250
Facility Fees	179,400	0	0	179,400
Property Insurance	32,632	0	0	32,632
Utilities	57,000	0	0	57,000
Contract Maintenance	0	0	0	0
Total Facility Expenses	1,517,282	0	0	1,517,282
Services and Other Operating Expend...				
Instructional Services	0	4,000	0	4,000
NPA Services via SELPA	0	5,000	0	5,000
Bus Passes	0	0	22,770	22,770
WASC Expense	0	0	0	0
Other Consultant Services	0	0	0	0
Travel and Conference	0	250	4,750	5,000
Student Travel	5,000	0	0	5,000
Dues and Memberships	0	0	0	0
Mileage	0	0	0	0
Non-Property Insurance	15,144	0	0	15,144
Management Fees	285,525	15,683	0	301,208
Auditing and Legal	4,500	0	0	4,500
Marketing and Advertising	0	0	0	0
Catering and Hospitality	0	0	0	0
New Hire Costs	0	0	0	0
Printing and Duplicating	0	0	0	0
Fund-Raising Expense	0	0	0	0
Equipment Lease	5,084	0	0	5,084
Bank Fees	0	0	0	0
Software Licensing	0	0	18,000	18,000
Professional/Consulting Services an...	32,073	0	23,000	55,073
Fees to Authorizing Agency	42,683	0	0	42,683
Interest Expense	0	0	0	0
Communications	11,000	0	0	11,000
Total Services and Other Operating E...	401,009	24,933	68,520	494,462
Internal Transfers				
Affiliate Contrib to Operating Expense	0	0	0	0
Other Outlay				
Depreciation	9,385	0	0	9,385
Sub-Grants - External	0	0	0	0
Total Other Outlay	9,385	0	0	9,385
Contingency	148,464	587	0	149,051
Indirect Cost	0	0	0	0
Total Expenditures	4,233,516	313,664	385,739	4,932,919
Net Revenues Over Expense	0	0	0	0

HTH
Statement of Activities - BUDGET PRESENTATION
SBC - SBC-High Tech High
13 - HTH North County

From 7/1/2011 Through 6/30/2012
(In Whole Numbers)

	Unrestricted Funds	Special Education	Other Restricted	Total
Revenues				
Charter Principal Apportionment				
Charter Block Grant	2,922,520	0	0	2,922,520
Property Tax ADA	0	0	0	0
Other	0	0	0	0
Total Charter Principal Apportionment	2,922,520	0	0	2,922,520
Federal Revenues				
No Child Left Behind	0	0	3,327	3,327
No Child Left Behind Prior Yr	0	0	75,453	75,453
IDEA	0	114,600	0	114,600
IDEA Prior Yr	0	0	0	0
ARRA	0	0	0	0
Total Federal Revenues	0	114,600	78,780	193,380
Other State Revenues				
Categorical Block Grant	222,222	0	0	222,222
Special Education AB602	0	215,320	0	215,320
AB602 Prior Yr	0	20,960	0	20,960
Lottery Revenues	54,806	0	6,090	60,896
All Other State Resources	20,296	0	0	20,296
Total Other State Revenues	297,324	236,280	6,090	539,694
Other Local Income				
Annual Campaign	50,275	0	0	50,275
Other Grants and Donations	0	0	0	0
Restricted Grants and Donations	0	0	0	0
Parent Association Support	26,850	0	0	26,850
Grant from HTH Learning	500,000	0	0	500,000
Fund-Raising Events	0	0	0	0
Other Fund-Raising	17,500	0	0	17,500
Interest Earned	0	0	0	0
Other Local Income	4,500	0	0	4,500
Total Other Local Income	599,125	0	0	599,125
Total Revenues	3,818,969	350,880	84,870	4,254,719
Expenditures				
Certificated Salaries				
Teacher's Salaries	1,305,621	114,321	57,316	1,477,258
Certificated Pupil Support Salaries	118,800	0	0	118,800
Certificated Supervisors and Admini...	80,000	18,480	0	98,480
Total Certificated Salaries	1,504,421	132,801	57,316	1,694,538
Non-Certificated Salaries				
Instructional Aides Salaries	3,600	104,000	0	107,600
Clerical and Office Salaries	84,640	4,536	0	89,176
Total Non-Certificated Salaries	88,240	108,536	0	196,776
Employee Benefits				
STRS	118,061	16,360	5,377	139,798
PERS	7,900	1,095	360	9,355
OASDI/Medicare	33,463	4,637	1,524	39,624
Health and Welfare	147,789	20,480	6,731	175,000
Unemployment Insurance	30,347	4,205	1,382	35,934
Workers Comp	14,535	2,014	662	17,211
Other Employee Benefits	4,792	664	218	5,674
Total Employee Benefits	356,887	49,455	16,254	422,596
Books and Supplies				
Books	0	0	0	0

HTH
Statement of Activities - BUDGET PRESENTATION
SBC - SBC-High Tech High
13 - HTH North County

From 7/1/2011 Through 6/30/2012
(In Whole Numbers)

	Unrestricted Funds	Special Education	Other Restricted	Total
Instructional Supplies	30,300	2,500	7,500	40,300
Office Supplies	9,700	0	0	9,700
Noncapitalized Equipment	0	0	0	0
Total Books and Supplies	40,000	2,500	7,500	50,000
Facility Expenses				
Facility Lease	1,100,000	0	0	1,100,000
CAM	0	0	0	0
Property Tax	5,200	0	0	5,200
Facility Fees	160,563	0	0	160,563
Property Insurance	28,273	0	0	28,273
Utilities	66,000	0	0	66,000
Contract Maintenance	0	0	0	0
Total Facility Expenses	1,360,036	0	0	1,360,036
Services and Other Operating Expend...				
Instructional Services	7,984	12,016	0	20,000
NPA Services via SELPA	0	28,000	0	28,000
Bus Passes	8,000	0	0	8,000
WASC Expense	0	0	0	0
Other Consultant Services	0	0	0	0
Travel and Conference	0	28	3,800	3,828
Student Travel	0	0	0	0
Dues and Memberships	0	0	0	0
Mileage	0	0	0	0
Non-Property Insurance	13,121	0	0	13,121
Management Fees	193,556	17,544	0	211,100
Auditing and Legal	4,250	0	0	4,250
Marketing and Advertising	0	0	0	0
Catering and Hospitality	0	0	0	0
New Hire Costs	0	0	0	0
Printing and Duplicating	0	0	0	0
Equipment Lease	5,000	0	0	5,000
Bank Fees	0	0	0	0
Software Licensing	0	0	0	0
Professional/Consulting Services an...	63,595	0	0	63,595
Fees to Authorizing Agency	37,737	0	0	37,737
Communications	8,500	0	0	8,500
Total Services and Other Operating E...	341,743	57,588	3,800	403,131
Other Outlay				
Depreciation	10,000	0	0	10,000
Contingency	127,642	0	0	127,642
Indirect Cost	0	0	0	0
Total Expenditures	3,828,969	350,880	84,870	4,264,719
Net Revenues Over Expense	(10,000)	0	0	(10,000)

HTH
Statement of Activities - BUDGET PRESENTATION
SBC - SBC-High Tech High
62 - High Tech Middle Chula Vista
From 7/1/2011 Through 6/30/2012
(In Whole Numbers)

	Unrestricted Funds	Special Education	Other Restricted	Total
Revenues				
Charter Principal Apportionment				
Charter Block Grant	1,555,887	0	0	1,555,887
Total Charter Principal Apportionment	1,555,887	0	0	1,555,887
Federal Revenues				
No Child Left Behind	0	0	188,500	188,500
IDEA	0	48,000	0	48,000
Total Federal Revenues	0	48,000	188,500	236,500
Other State Revenues				
Categorical Block Grant	155,872	0	0	155,872
Special Education AB602	0	147,081	0	147,081
AB602 Prior Yr	0	0	0	0
Lottery Revenues	37,346	0	4,150	41,496
All Other State Resources	40,538	0	0	40,538
Total Other State Revenues	233,756	147,081	4,150	384,987
Other Local Income				
Annual Campaign	30,000	0	0	30,000
Parent Association Support	12,000	0	0	12,000
Other Local Income	85,000	0	0	85,000
Total Other Local Income	127,000	0	0	127,000
Total Revenues	1,916,643	195,081	192,650	2,304,374
Expenditures				
Certificated Salaries				
Teacher's Salaries	740,680	58,500	6,000	805,180
Certificated Supervisors and Admini...	61,500	7,784	13,500	82,784
Total Certificated Salaries	802,180	66,284	19,500	887,964
Non-Certificated Salaries				
Instructional Aides Salaries	72,500	53,000	27,000	152,500
Clerical and Office Salaries	64,500	4,000	12,100	80,600
Total Non-Certificated Salaries	137,000	57,000	39,100	233,100
Employee Benefits				
STRS	60,065	8,710	4,482	73,257
PERS	9,367	1,360	703	11,430
OASDI/Medicare	25,178	3,653	1,876	30,707
Health and Welfare	79,944	11,588	5,964	97,496
Unemployment Insurance	17,460	2,531	1,309	21,300
Workers Comp	8,364	1,218	631	10,213
Other Employee Benefits	2,753	398	202	3,353
Total Employee Benefits	203,131	29,458	15,167	247,756
Books and Supplies				
Books	0	0	38,000	38,000
Instructional Supplies	58,000	4,000	32,000	94,000
Office Supplies	6,000	0	0	6,000
Noncapitalized Equipment	0	8,333	20,000	28,333
Total Books and Supplies	64,000	12,333	90,000	166,333
Facility Expenses				
Facility Lease	185,700	0	0	185,700
Facility Fees	100,464	0	0	100,464
Property Insurance	18,000	0	0	18,000
Utilities	40,000	0	0	40,000
Total Facility Expenses	344,164	0	0	344,164
Services and Other Operating Expend...				
Instructional Services	0	4,500	0	4,500

HTH
Statement of Activities - BUDGET PRESENTATION
SBC - SBC-High Tech High
62 - High Tech Middle Chula Vista
From 7/1/2011 Through 6/30/2012
(In Whole Numbers)

	Unrestricted Funds	Special Education	Other Restricted	Total
NPA Services via SELPA	0	15,000	0	15,000
Bus Passes	12,000	0	3,000	15,000
Travel and Conference	0	450	8,550	9,000
Student Travel	0	0	0	0
Non-Property Insurance	8,100	0	0	8,100
Management Fees	71,752	9,752	0	81,504
Auditing and Legal	4,000	0	0	4,000
Marketing and Advertising	0	0	0	0
Catering and Hospitality	0	0	0	0
New Hire Costs	0	0	0	0
Printing and Duplicating	0	0	0	0
Equipment Lease	1,500	0	0	1,500
Software Licensing	0	0	15,400	15,400
Professional/Consulting Services an...	40,520	0	0	40,520
Fees to Authorizing Agency	20,541	0	0	20,541
Communications	10,000	0	0	10,000
Total Services and Other Operating E...	168,413	29,702	26,950	225,065
Contingency	197,755	304	1,933	199,992
Total Expenditures	1,916,643	195,081	192,650	2,304,374
Net Revenues Over Expense	0	0	0	0

HTH
Statement of Activities - BUDGET PRESENTATION
SBC - SBC-High Tech High
63 - High Tech Middle North County
From 7/1/2011 Through 6/30/2012
(In Whole Numbers)

	Unrestricted Funds	Special Education	Other Restricted	Total
Revenues				
Charter Principal Apportionment				
Charter Block Grant	1,565,898	0	0	1,565,898
Property Tax ADA	0	0	0	0
Other	0	0	0	0
Total Charter Principal Apportionment	1,565,898	0	0	1,565,898
Federal Revenues				
No Child Left Behind	0	0	23,006	23,006
No Child Left Behind Prior Yr	0	0	70,100	70,100
IDEA	0	75,284	0	75,284
ARRA	0	0	0	0
Total Federal Revenues	0	75,284	93,106	168,390
Other State Revenues				
Categorical Block Grant	145,668	0	0	145,668
Special Education AB602	0	133,556	0	133,556
AB602 Prior Yr	0	0	0	0
Lottery Revenues	34,421	0	3,825	38,246
All Other State Resources	40,477	0	0	40,477
Revenue Limit Transfer to Spec Ed	(5,800)	5,800	0	0
Total Other State Revenues	214,766	139,356	3,825	357,947
Other Local Income				
Annual Campaign	28,220	0	0	28,220
Other Grants and Donations	0	0	0	0
Restricted Grants and Donations	0	0	0	0
Parent Association Support	20,000	0	0	20,000
Fund-Raising Events	0	0	0	0
Interest Earned	0	0	0	0
Other Local Income	3,000	0	0	3,000
Ground Lease Donation	0	0	0	0
Total Other Local Income	51,220	0	0	51,220
Total Revenues	1,831,884	214,640	96,931	2,143,455
Expenditures				
Certificated Salaries				
Teacher's Salaries	715,954	123,550	31,000	870,504
Certificated Supervisors and Admini...	75,000	10,780	0	85,780
Total Certificated Salaries	790,954	134,330	31,000	956,284
Non-Certificated Salaries				
Instructional Aides Salaries	23,625	6,710	32,660	62,995
Clerical and Office Salaries	84,700	3,250	0	87,950
Total Non-Certificated Salaries	108,325	9,960	32,660	150,945
Employee Benefits				
STRS	63,702	10,291	4,124	78,117
PERS	9,553	1,540	620	11,713
OASDI/Medicare	21,168	3,416	1,372	25,956
Health and Welfare	85,592	13,825	5,540	104,957
Unemployment Insurance	16,201	2,626	1,051	19,878
Workers Comp	8,214	1,326	536	10,076
Other Employee Benefits	2,707	441	178	3,326
Total Employee Benefits	207,137	33,465	13,421	254,023
Books and Supplies				
Books	0	0	0	0
Instructional Supplies	18,500	1,600	12,400	32,500
Office Supplies	7,500	0	0	7,500

HTH
Statement of Activities - BUDGET PRESENTATION
SBC - SBC-High Tech High
63 - High Tech Middle North County

From 7/1/2011 Through 6/30/2012
(In Whole Numbers)

	Unrestricted Funds	Special Education	Other Restricted	Total
Noncapitalized Equipment	0	0	0	0
Total Books and Supplies	26,000	1,600	12,400	40,000
Facility Expenses				
Facility Lease	200,000	0	0	200,000
Modular Lease	108,000	0	0	108,000
CAM	0	0	0	0
Property Tax	1,738	0	0	1,738
Facility Fees	99,268	0	0	99,268
Property Insurance	17,388	0	0	17,388
Utilities	42,000	0	0	42,000
Contract Maintenance	0	0	0	0
Total Facility Expenses	468,394	0	0	468,394
Services and Other Operating Expend...				
Instructional Services	0	9,000	0	9,000
NPA Services via SELPA	0	22,000	0	22,000
Bus Passes	0	0	5,000	5,000
WASC Expense	0	0	0	0
Other Consultant Services	0	0	0	0
Travel and Conference	0	50	2,450	2,500
Student Travel	3,000	0	0	3,000
Dues and Memberships	0	0	0	0
Mileage	0	0	0	0
Non-Property Insurance	8,070	0	0	8,070
Management Fees	89,224	4,235	0	93,459
Auditing and Legal	3,500	0	0	3,500
Marketing and Advertising	0	0	0	0
Catering and Hospitality	0	0	0	0
New Hire Costs	0	0	0	0
Printing and Duplicating	0	0	0	0
Fund-Raising Expense	0	0	0	0
Equipment Lease	1,700	0	0	1,700
Software Licensing	8,000	0	0	8,000
Professional/Consulting Services an...	39,503	0	0	39,503
Fees to Authorizing Agency	20,539	0	0	20,539
Communications	5,000	0	0	5,000
Total Services and Other Operating E...	178,536	35,285	7,450	221,271
Other Outlay				
Depreciation	13,300	0	0	13,300
Sub-Grants - External	0	0	0	0
Total Other Outlay	13,300	0	0	13,300
Contingency	52,238	0	0	52,238
Indirect Cost	0	0	0	0
Total Expenditures	1,844,884	214,640	96,931	2,156,455
Net Revenues Over Expense	(13,000)	0	0	(13,000)

HTH
Statement of Activities - BUDGET PRESENTATION
SBC - SBC-High Tech High
92 - HT Elementary Chula Vista
From 7/1/2011 Through 6/30/2012
(In Whole Numbers)

	Unrestricted Funds	Special Education	Other Restricted	Total
Revenues				
Charter Principal Apportionment				
Charter Block Grant	1,930,413	0	0	1,930,413
Total Charter Principal Apportionment	1,930,413	0	0	1,930,413
Federal Revenues				
No Child Left Behind	0	0	243,500	243,500
IDEA	0	68,000	0	68,000
Total Federal Revenues	0	68,000	243,500	311,500
Other State Revenues				
Categorical Block Grant	197,034	0	0	197,034
Special Education AB602	0	181,071	0	181,071
Lottery Revenues	47,666	0	5,296	52,962
All Other State Resources	51,743	0	0	51,743
Total Other State Revenues	296,443	181,071	5,296	482,810
Other Local Income				
Annual Campaign	35,000	0	0	35,000
Parent Association Support	15,000	0	0	15,000
Other Local Income	75,000	0	0	75,000
Total Other Local Income	125,000	0	0	125,000
Total Revenues	2,351,856	249,071	248,796	2,849,723
Expenditures				
Certificated Salaries				
Teacher's Salaries	1,100,023	69,000	6,000	1,175,023
Certificated Supervisors and Admini...	82,500	9,341	27,500	119,341
Total Certificated Salaries	1,182,523	78,341	33,500	1,294,364
Non-Certificated Salaries				
Instructional Aides Salaries	51,250	41,625	15,625	108,500
Clerical and Office Salaries	113,330	0	7,670	121,000
Total Non-Certificated Salaries	164,580	41,625	23,295	229,500
Employee Benefits				
STRS	94,772	8,438	3,995	107,205
PERS	12,634	1,124	532	14,290
OASDI/Medicare	31,828	2,834	1,341	36,003
Health and Welfare	130,315	11,605	5,494	147,414
Unemployment Insurance	21,691	1,932	914	24,537
Workers Comp	12,256	1,090	512	13,858
Other Employee Benefits	4,042	356	168	4,566
Total Employee Benefits	307,538	27,379	12,956	347,873
Books and Supplies				
Books	0	0	20,000	20,000
Instructional Supplies	6,000	8,000	56,000	70,000
Office Supplies	10,000	0	0	10,000
Noncapitalized Equipment	0	10,000	30,000	40,000
Total Books and Supplies	16,000	18,000	106,000	140,000
Facility Expenses				
Facility Lease	185,700	0	0	185,700
Facility Fees	125,580	0	0	125,580
Property Insurance	16,000	0	0	16,000
Utilities	45,000	0	0	45,000
Total Facility Expenses	372,280	0	0	372,280
Services and Other Operating Expend...				
Instructional Services	0	8,500	0	8,500
NPA Services via SELPA	0	40,000	0	40,000

HTH
Statement of Activities - BUDGET PRESENTATION
SBC - SBC-High Tech High
92 - HT Elementary Chula Vista
From 7/1/2011 Through 6/30/2012
(In Whole Numbers)

	Unrestricted Funds	Special Education	Other Restricted	Total
Other Consultant Services	0	0	0	0
Travel and Conference	0	150	14,850	15,000
Student Travel	4,200	0	0	4,200
Non-Property Insurance	10,750	0	0	10,750
Management Fees	66,964	12,454	0	79,418
Auditing and Legal	4,000	0	0	4,000
Marketing and Advertising	0	0	0	0
New Hire Costs	0	0	0	0
Printing and Duplicating	0	0	0	0
Equipment Lease	1,000	0	0	1,000
Software Licensing	0	0	24,000	24,000
Professional/Consulting Services an...	37,500	5,000	7,500	50,000
Fees to Authorizing Agency	25,529	0	0	25,529
Communications	10,000	0	0	10,000
Total Services and Other Operating E...	159,943	66,104	46,350	272,397
Contingency	148,992	17,622	26,695	193,309
Total Expenditures	<u>2,351,856</u>	<u>249,071</u>	<u>248,796</u>	<u>2,849,723</u>
Net Revenues Over Expense	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

**CHARTER SCHOOL UNAUDITED ACTUALS
FINANCIAL REPORT – ALTERNATIVE FORM
July 1, 2010 to June 30, 2011**

CHARTER SCHOOL CERTIFICATION

Charter School Name: High Tech High Chula Vista
CDS #: 37764710114678
Charter Approving Entity: State Board of Education
County: San Diego
Charter #: 756

NOTE: An Alternative Form submitted to the California Department of Education will not be considered a valid submission if the following information is missing:

For information regarding this report, please contact:

For Approving Entity:	For Charter School:
<u>Julie Klein-Briggs</u> Name	<u>Kay McElrath</u> Name
<u>Fiscal Consultant, Charter Schools Division</u> Title	<u>CFO</u> Title
<u>916-322-1646</u> Telephone	<u>619-814-5084</u> Telephone
<u>jbriggs@cde.ca.gov</u> E-mail address	<u>kmcelrath@hightechhigh.org</u> E-mail address

To the entity that approved the charter school:

2010-11 CHARTER SCHOOL UNAUDITED ACTUALS FINANCIAL REPORT -- ALTERNATIVE FORM: This report has been approved, and is hereby filed by the charter school pursuant to *Education Code* Section 42100(b).

Signed: Kay McElrath Date: 8-6-11
Charter School Official
(Original signature required)

Printed Name: Kay McElrath Title: CFO

To the County Superintendent of Schools:

2010-11 CHARTER SCHOOL UNAUDITED ACTUALS FINANCIAL REPORT -- ALTERNATIVE FORM: This report is hereby filed with the County Superintendent pursuant to *Education Code* Section 42100(a).

Signed: _____ Date: _____
Authorized Representative of
Charter Approving Entity
(Original signature required)

Printed Name: _____ Title: _____

To the Superintendent of Public Instruction:

2010-11 CHARTER SCHOOL UNAUDITED ACTUALS FINANCIAL REPORT -- ALTERNATIVE FORM: This report has been verified for mathematical accuracy by the County Superintendent of Schools pursuant to *Education Code* Section 42100(a).

Signed: _____ Date: _____
County Superintendent/Designee
(Original signature required)

**CHARTER SCHOOL UNAUDITED ACTUALS
FINANCIAL REPORT -- ALTERNATIVE FORM**

July 1, 2010 to June 30, 2011

Charter School Name: High Tech High Chula Vista

CDS #: 37764710114678

Charter Approving Entity: State Board of Education

County: San Diego

Charter #: 756

This charter school uses the following basis of accounting:

(Please enter an "X" in the applicable box below; check only one box)

- Accrual Basis** (Applicable Capital Assets/Interest on Long-Term Debt/Long-Term Liabilities objects are 6900, 7438, 9400-9499, and 9660-9669)
- Modified Accrual Basis** (Applicable Capital Outlay/Debt Service objects are 6100-6170, 6200-6500, 7438, and 7439)

Description	Object Code	Unrestricted	Restricted	Total
A. REVENUES				
1. Revenue Limit Sources				
State Aid - Current Year	8011			0.00
Charter Schools General Purpose Entitlement - State Aid	8015	3,491,080.00		3,491,080.00
State Aid - Prior Years	8019	2,243.00		2,243.00
Tax Relief Subventions (for revenue limit funded schools)	8020-8039			0.00
County and District Taxes (for revenue limit funded schools)	8040-8079			0.00
Miscellaneous Funds (for revenue limit funded schools)	8080-8089			0.00
Revenue Limit Transfers (for revenue limit funded schools):				
PERS Reduction Transfer	8092			0.00
Transfers to Charter Schools in Lieu of Property Taxes	8096			0.00
Other Revenue Limit Transfers	8091, 8097			0.00
Total, Revenue Limit Sources		3,493,323.00	0.00	3,493,323.00
2. Federal Revenues (see NOTE on last page)				
No Child Left Behind (incl. ARRA)	8290		399,303.60	399,303.60
Special Education - Federal	8181, 8182		0.00	0.00
Child Nutrition - Federal	8220		0.00	0.00
Other Federal Revenues (incl. ARRA)	8110, 8260-8299	0.00	0.00	0.00
Total, Federal Revenues		0.00	399,303.60	399,303.60
3. Other State Revenues				
Special Education - State	StateRevSE		216,758.87	216,758.87
All Other State Revenues	StateRevAO	357,560.89	11,693.89	369,254.78
Total, Other State Revenues		357,560.89	228,452.76	586,013.65
4. Other Local Revenues				
All Other Local Revenues	LocalRevAO	646,130.22	14,653.74	660,783.96
Total, Local Revenues		646,130.22	14,653.74	660,783.96
5. TOTAL REVENUES				
		4,497,014.11	642,410.10	5,139,424.21
B. EXPENDITURES (see NOTE on last page)				
1. Certificated Salaries				
Certificated Teachers' Salaries	1100	1,425,691.97	158,382.14	1,584,074.11
Certificated Pupil Support Salaries	1200	137,990.16	0.00	137,990.16
Certificated Supervisors' and Administrators' Salaries	1300	85,000.08	21,784.09	106,784.17
Other Certificated Salaries	1900	0.00	0.00	0.00
Total, Certificated Salaries		1,648,682.21	180,166.23	1,828,848.44
2. Noncertificated Salaries				
Noncertificated Instructional Salaries	2100	0.00	162,020.00	162,020.00
Noncertificated Support Salaries	2200	0.00	0.00	0.00
Noncertificated Supervisors' and Administrators' Salaries	2300	0.00	0.00	0.00
Clerical and Office Salaries	2400	130,207.56	21,683.08	151,890.64
Other Noncertificated Salaries	2900	0.00	0.00	0.00
Total, Noncertificated Salaries		130,207.56	183,703.08	313,910.64

**CHARTER SCHOOL UNAUDITED ACTUALS
FINANCIAL REPORT -- ALTERNATIVE FORM**

July 1, 2010 to June 30, 2011

Charter School Name: High Tech High Chula Vista

CDS #: 37764710114678

Description	Object Code	Unrestricted	Restricted	Total
3. Employee Benefits				
STRS	3101-3102	137,198.16	15,641.90	152,840.06
PERS	3201-3202	10,686.56	6,496.89	17,183.45
OASDI / Medicare / Alternative	3301-3302	32,118.90	15,955.42	48,074.32
Health and Welfare Benefits	3401-3402	158,876.27	18,956.69	177,832.96
Unemployment Insurance	3501-3502	16,817.17	2,337.07	19,154.24
Workers' Compensation Insurance	3601-3602	10,732.25	3,230.78	13,963.03
OPEB, Allocated	3701-3702	0.00	0.00	0.00
OPEB, Active Employees	3751-3752	0.00	0.00	0.00
PERS Reduction (for revenue limit funded schools)	3801-3802	0.00	0.00	0.00
Other Employee Benefits	3901-3902	3,600.37	424.60	4,024.97
Total, Employee Benefits		370,029.68	63,043.35	433,073.03
4. Books and Supplies				
Approved Textbooks and Core Curricula Materials	4100	0.00	0.00	0.00
Books and Other Reference Materials	4200	9,171.08	498.73	9,669.81
Materials and Supplies	4300	79,278.65	56,301.62	135,580.27
Noncapitalized Equipment	4400	10,271.19	41,390.53	51,661.72
Food	4700	0.00	0.00	0.00
Total, Books and Supplies		98,720.92	98,190.88	196,911.80
5. Services and Other Operating Expenditures				
Subagreements for Services	5100	0.00	10,890.00	10,890.00
Travel and Conferences	5200	349.45	4,899.09	5,248.54
Dues and Memberships	5300	2,038.22	1,982.41	4,020.63
Insurance	5400	32,236.88	0.00	32,236.88
Operations and Housekeeping Services	5500	238,558.93	0.00	238,558.93
Rentals, Leases, Repairs, and Noncap. Improvements	5600	1,265,625.40	7,820.69	1,273,446.09
Professional/Consulting Services and Operating Expend.	5800	487,731.16	83,979.28	571,710.44
Communications	5900	10,927.35	183.37	11,110.72
Total, Services and Other Operating Expenditures		2,037,467.39	109,754.84	2,147,222.23
6. Capital Outlay				
(Objects 6100-6170, 6200-6500 for modified accrual basis only)				
Land and Land Improvements	6100-6170			0.00
Buildings and Improvements of Buildings	6200			0.00
Books and Media for New School Libraries or Major Expansion of School Libraries	6300			0.00
Equipment	6400			0.00
Equipment Replacement	6500			0.00
Depreciation Expense (for accrual basis only)	6900	10,192.87		10,192.87
Total, Capital Outlay		10,192.87	0.00	10,192.87
7. Other Outgo				
Tuition to Other Schools	7110-7143			0.00
Transfers of Pass-Through Revenues to Other LEAs	7211-7213			0.00
Transfers of Apportionments to Other LEAs - Spec. Ed.	7221-7223SE			0.00
Transfers of Apportionments to Other LEAs - All Other	7221-7223AO			0.00
All Other Transfers	7281-7299	(18,790.60)	18,790.60	0.00
Debt Service:				
Interest	7438			0.00
Principal (for modified accrual basis only)	7439			0.00
Total, Other Outgo		(18,790.60)	18,790.60	0.00
8. TOTAL EXPENDITURES		4,276,510.03	653,648.98	4,930,159.01
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5-B8)		220,504.08	(11,238.88)	209,265.20

**CHARTER SCHOOL UNAUDITED ACTUALS
FINANCIAL REPORT -- ALTERNATIVE FORM**

July 1, 2010 to June 30, 2011

Charter School Name: High Tech High Chula Vista

CDS #: 37764710114678

Description	Object Code	Unrestricted	Restricted	Total
D. OTHER FINANCING SOURCES / USES				
1. Other Sources	8930-8979			0.00
2. Less: Other Uses	7630-7699			0.00
3. Contributions Between Unrestricted and Restricted Accounts (must net to zero)	8980-8999			0.00
4. TOTAL OTHER FINANCING SOURCES / USES		0.00	0.00	0.00
E. NET INCREASE (DECREASE) IN FUND BALANCE (C+D4)				
		220,504.08	(11,238.88)	209,265.20
F. FUND BALANCE, RESERVES				
1. Beginning Fund Balance				
a. As of July 1	9791	319,392.53	12,766.27	332,158.80
b. Adjustments/Restatements to Beginning Balance	9793, 9795	(3.00)	0.00	(3.00)
c. Adjusted Beginning Balance		319,389.53	12,766.27	332,155.80
2. Ending Fund Balance, June 30 (E+F1c)		539,893.61	1,527.39	541,421.00
Components of Ending Fund Balance (Optional):				
Reserve for Revolving Cash (equals Object 9130)	9711	0.00	0.00	0.00
Reserve for Stores (equals Object 9320)	9712	0.00	0.00	0.00
Reserve for Prepaid Expenditures (equals Object 9330)	9713	1,511.37	0.00	1,511.37
Reserve for All Others	9719			0.00
General Reserve	9730	538,382.24		538,382.24
Legally Restricted Balance	9740		1,527.39	1,527.39
Designated for Economic Uncertainties	9770			0.00
Other Designations	9775, 9780			0.00
Undesignated / Unappropriated Amount	9790	0.00	0.00	0.00
G. ASSETS				
1. Cash				
In County Treasury	9110	20,839.40		20,839.40
Fair Value Adjustment to Cash in County Treasury	9111	0.00		0.00
In Banks	9120	9,229.90		9,229.90
In Revolving Fund	9130	0.00		0.00
With Fiscal Agent/Trustee	9135	0.00		0.00
Collections Awaiting Deposit	9140	0.00		0.00
2. Investments	9150	0.00		0.00
3. Accounts Receivable	9200	1,147.84		1,147.84
4. Due from Grantor Governments	9290	1,113,022.37	188,328.08	1,301,350.45
5. Stores	9320			0.00
6. Prepaid Expenditures (Expenses)	9330	1,511.37		1,511.37
7. Other Current Assets	9340			0.00
8. <i>Capital Assets (for accrual basis only)</i>	9400-9499	55,746.69		55,746.69
9. TOTAL ASSETS		1,201,497.57	188,328.08	1,389,825.65
H. LIABILITIES				
1. Accounts Payable	9500	661,601.96	5,082.24	666,684.20
2. Due to Grantor Governments	9590		0.00	0.00
3. Current Loans	9640	0.00	0.00	0.00
4. Deferred Revenue	9650		181,718.45	181,718.45
5. <i>Long-Term Liabilities (for accrual basis only)</i>	9660-9669			0.00
6. TOTAL LIABILITIES		661,601.96	186,800.69	848,402.65
I. FUND BALANCE				
Ending Fund Balance, June 30 (G9-H6) (must agree with Line F2)		539,895.61	1,527.39	541,423.00

**CHARTER SCHOOL UNAUDITED ACTUALS
 FINANCIAL REPORT -- ALTERNATIVE FORM
July 1, 2010 to June 30, 2011**

Charter School Name: High Tech High Chula Vista
 CDS #: 37764710114678

**NOTE: IF YOUR CHARTER SCHOOL RECEIVED FEDERAL FUNDING, AS REPORTED IN SECTION A2,
 THE FOLLOWING ADDITIONAL INFORMATION MUST BE PROVIDED:**

1. Federal Revenues Used for Capital Outlay and Debt Service

Included in the Capital Outlay and Debt Service expenditures reported in sections B6 and B7 are the following amounts paid out of federal funds:

Federal Program Name (Indicate if NONE)	Capital Outlay	Debt Service	Total
a. _____			0.00
b. _____			0.00
c. _____			0.00
d. _____			0.00
e. _____			0.00
f. _____			0.00
g. _____			0.00
h. _____			0.00
i. _____			0.00
j. _____			0.00
TOTAL	0.00	0.00	0.00

2. Community Services Expenditures

Included in the expenditures reported in Section B are the following amounts expended for Community Services paid out of state and local funds:

Objects of Expenditures	Amount (Enter "0.00" if none)
a. Certificated Personnel Salaries	\$ _____
b. Noncertificated Personnel Salaries	_____
c. Employee Benefits	_____
d. Books and Supplies	_____
e. Services and Other Operating Expenditures	_____
TOTAL COMMUNITY SERVICES EXPENDITURES	0.00

**CHARTER SCHOOL UNAUDITED ACTUALS
FINANCIAL REPORT – ALTERNATIVE FORM
July 1, 2010 to June 30, 2011**

CHARTER SCHOOL CERTIFICATION

Charter School Name: High Tech High North County
CDS #: 37764710114694
Charter Approving Entity: State Board of Education
County: San Diego
Charter #: 756

NOTE: An Alternative Form submitted to the California Department of Education will not be considered a valid submission if the following information is missing:

For information regarding this report, please contact:

<u>For Approving Entity:</u>	<u>For Charter School:</u>
<u>Julie Klein-Briggs</u> Name	<u>Kay McElrath</u> Name
<u>Fiscal Consultant, Charter Schools Division</u> Title	<u>CFO</u> Title
<u>916-322-1646</u> Telephone	<u>619-814-5084</u> Telephone
<u>jbriggs@cde.ca.gov</u> E-mail address	<u>kmcelrath@hightechhigh.org</u> E-mail address

To the entity that approved the charter school:

(X) 2010-11 CHARTER SCHOOL UNAUDITED ACTUALS FINANCIAL REPORT -- ALTERNATIVE FORM: This report has been approved, and is hereby filed by the charter school pursuant to *Education Code* Section 42100(b).

Signed: Kay McElrath Date: 8-7-11
Charter School Official
(Original signature required)

Printed Name: Kay McElrath Title: CFO

To the County Superintendent of Schools:

(X) 2010-11 CHARTER SCHOOL UNAUDITED ACTUALS FINANCIAL REPORT -- ALTERNATIVE FORM: This report is hereby filed with the County Superintendent pursuant to *Education Code* Section 42100(a).

Signed: _____ Date: _____
Authorized Representative of
Charter Approving Entity
(Original signature required)

Printed Name: _____ Title: _____

To the Superintendent of Public Instruction:

(X) 2010-11 CHARTER SCHOOL UNAUDITED ACTUALS FINANCIAL REPORT -- ALTERNATIVE FORM: This report has been verified for mathematical accuracy by the County Superintendent of Schools pursuant to *Education Code* Section 42100(a).

Signed: _____ Date: _____
County Superintendent/Designee
(Original signature required)

**CHARTER SCHOOL UNAUDITED ACTUALS
FINANCIAL REPORT -- ALTERNATIVE FORM**

July 1, 2010 to June 30, 2011

Charter School Name: High Tech High North County

CDS #: 37764710114694

Charter Approving Entity: State Board of Education

County: San Diego

Charter #: 756

This charter school uses the following basis of accounting:

(Please enter an "X" in the applicable box below; check only one box)

- Accrual Basis** (Applicable Capital Assets/Interest on Long-Term Debt/Long-Term Liabilities objects are 6900, 7438, 9400-9499, and 9660-9669)
 Modified Accrual Basis (Applicable Capital Outlay/Debt Service objects are 6100-6170, 6200-6500, 7438, and 7439)

Description	Object Code	Unrestricted	Restricted	Total
A. REVENUES				
1. Revenue Limit Sources				
State Aid - Current Year	8011	0.00		0.00
Charter Schools General Purpose Entitlement - State Aid	8015	2,864,476.00		2,864,476.00
State Aid - Prior Years	8019	1,986.00		1,986.00
Tax Relief Subventions (for revenue limit funded schools)	8020-8039	0.00		0.00
County and District Taxes (for revenue limit funded schools)	8040-8079	0.00		0.00
Miscellaneous Funds (for revenue limit funded schools)	8080-8089	0.00		0.00
Revenue Limit Transfers (for revenue limit funded schools):				
PERS Reduction Transfer	8092	0.00		0.00
Transfers to Charter Schools in Lieu of Property Taxes	8096	0.00		0.00
Other Revenue Limit Transfers	8091, 8097	0.00	0.00	0.00
Total, Revenue Limit Sources		2,866,462.00	0.00	2,866,462.00
2. Federal Revenues (see NOTE on last page)				
No Child Left Behind (incl. ARRA)	8290		50,169.79	50,169.79
Special Education - Federal	8181, 8182		102,382.60	102,382.60
Child Nutrition - Federal	8220		0.00	0.00
Other Federal Revenues (incl. ARRA)	8110, 8260-8299	0.00	0.00	0.00
Total, Federal Revenues		0.00	152,552.39	152,552.39
3. Other State Revenues				
Special Education - State	StateRevSE		239,245.09	239,245.09
All Other State Revenues	StateRevAO	294,916.02	9,729.12	304,645.14
Total, Other State Revenues		294,916.02	248,974.21	543,890.23
4. Other Local Revenues				
All Other Local Revenues	LocalRevAO	653,860.02	5,288.14	659,148.16
Total, Local Revenues		653,860.02	5,288.14	659,148.16
5. TOTAL REVENUES				
		3,815,238.04	406,814.74	4,222,052.78
B. EXPENDITURES (see NOTE on last page)				
1. Certificated Salaries				
Certificated Teachers' Salaries	1100	1,330,709.04	147,736.18	1,478,445.22
Certificated Pupil Support Salaries	1200	130,512.74	0.00	130,512.74
Certificated Supervisors' and Administrators' Salaries	1300	90,201.10	20,982.23	111,183.33
Other Certificated Salaries	1900	0.00	0.00	0.00
Total, Certificated Salaries		1,551,422.88	168,718.41	1,720,141.29
2. Noncertificated Salaries				
Noncertificated Instructional Salaries	2100	17,625.00	113,431.14	131,056.14
Noncertificated Support Salaries	2200	0.00	0.00	0.00
Noncertificated Supervisors' and Administrators' Salaries	2300	0.00	0.00	0.00
Clerical and Office Salaries	2400	85,888.18	4,584.48	90,472.66
Other Noncertificated Salaries	2900	0.00	0.00	0.00
Total, Noncertificated Salaries		103,513.18	118,015.62	221,528.80

**CHARTER SCHOOL UNAUDITED ACTUALS
FINANCIAL REPORT -- ALTERNATIVE FORM**

July 1, 2010 to June 30, 2011

Charter School Name: High Tech High North County

CDS #: 37764710114694

Description	Object Code	Unrestricted	Restricted	Total
3. Employee Benefits				
STRS	3101-3102	125,399.79	12,467.30	137,867.09
PERS	3201-3202	8,498.68	2,143.05	10,641.73
OASDI / Medicare / Alternative	3301-3302	30,744.09	11,856.96	42,601.05
Health and Welfare Benefits	3401-3402	142,057.57	12,958.52	155,016.09
Unemployment Insurance	3501-3502	17,845.08	1,866.15	19,711.23
Workers' Compensation Insurance	3601-3602	9,949.57	2,544.45	12,494.02
OPEB, Allocated	3701-3702	0.00	0.00	0.00
OPEB, Active Employees	3751-3752	0.00	0.00	0.00
PERS Reduction (for revenue limit funded schools)	3801-3802	0.00	0.00	0.00
Other Employee Benefits	3901-3902	3,251.31	306.02	3,557.33
Total, Employee Benefits		337,746.09	44,142.45	381,888.54
4. Books and Supplies				
Approved Textbooks and Core Curricula Materials	4100	0.00	0.00	0.00
Books and Other Reference Materials	4200	919.34	4,140.22	5,059.56
Materials and Supplies	4300	81,426.60	11,391.20	92,817.80
Noncapitalized Equipment	4400	8,095.73	176.31	8,272.04
Food	4700	0.00	0.00	0.00
Total, Books and Supplies		90,441.67	15,707.73	106,149.40
5. Services and Other Operating Expenditures				
Subagreements for Services	5100	0.00	0.00	0.00
Travel and Conferences	5200	3,910.89	139.06	4,049.95
Dues and Memberships	5300	2,778.99	42.67	2,821.66
Insurance	5400	34,830.15	0.00	34,830.15
Operations and Housekeeping Services	5500	208,603.78	0.00	208,603.78
Rentals, Leases, Repairs, and Noncap. Improvements	5600	1,105,024.82	0.00	1,105,024.82
Professional/Consulting Services and Operating Expend.	5800	307,437.53	59,996.40	367,433.93
Communications	5900	11,248.92	53.06	11,301.98
Total, Services and Other Operating Expenditures		1,673,835.08	60,231.19	1,734,066.27
6. Capital Outlay				
(Objects 6100-6170, 6200-6500 for modified accrual basis only)				
Land and Land Improvements	6100-6170			0.00
Buildings and Improvements of Buildings	6200			0.00
Books and Media for New School Libraries or Major Expansion of School Libraries	6300			0.00
Equipment	6400			0.00
Equipment Replacement	6500			0.00
Depreciation Expense (for accrual basis only)	6900	3,411.72		3,411.72
Total, Capital Outlay		3,411.72	0.00	3,411.72
7. Other Outgo				
Tuition to Other Schools	7110-7143			0.00
Transfers of Pass-Through Revenues to Other LEAs	7211-7213			0.00
Transfers of Apportionments to Other LEAs - Spec. Ed.	7221-7223SE			0.00
Transfers of Apportionments to Other LEAs - All Other	7221-7223AO			0.00
All Other Transfers	7281-7299	(397.02)	397.02	0.00
Debt Service:				
Interest	7438			0.00
Principal (for modified accrual basis only)	7439			0.00
Total, Other Outgo		(397.02)	397.02	0.00
8. TOTAL EXPENDITURES		3,759,973.60	407,212.42	4,167,186.02
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5-B8)		55,264.44	(397.68)	54,866.76

**CHARTER SCHOOL UNAUDITED ACTUALS
FINANCIAL REPORT -- ALTERNATIVE FORM**

July 1, 2010 to June 30, 2011

Charter School Name: High Tech High North County

CDS #: 37764710114694

Description	Object Code	Unrestricted	Restricted	Total
D. OTHER FINANCING SOURCES / USES				
1. Other Sources	8930-8979			0.00
2. Less: Other Uses	7630-7699			0.00
3. Contributions Between Unrestricted and Restricted Accounts (must net to zero)	8980-8999			0.00
4. TOTAL OTHER FINANCING SOURCES / USES		0.00	0.00	0.00
E. NET INCREASE (DECREASE) IN FUND BALANCE (C+D4)				
		55,264.44	(397.68)	54,866.76
F. FUND BALANCE, RESERVES				
1. Beginning Fund Balance				
a. As of July 1	9791	242,859.89	397.68	243,257.57
b. Adjustments/Restatements to Beginning Balance	9793, 9795	(936.29)	0.00	(936.29)
c. Adjusted Beginning Balance		241,923.60	397.68	242,321.28
2. Ending Fund Balance, June 30 (E+F1c)		297,188.04	0.00	297,188.04
Components of Ending Fund Balance (Optional):				
Reserve for Revolving Cash (equals Object 9130)	9711	0.00	0.00	0.00
Reserve for Stores (equals Object 9320)	9712	0.00	0.00	0.00
Reserve for Prepaid Expenditures (equals Object 9330)	9713	1,455.74	0.00	1,455.74
Reserve for All Others	9719			0.00
General Reserve	9730			0.00
Legally Restricted Balance	9740			0.00
Designated for Economic Uncertainties	9770			0.00
Other Designations	9775, 9780			0.00
Undesignated / Unappropriated Amount	9790	295,732.30	0.00	295,732.30
G. ASSETS				
1. Cash				
In County Treasury	9110	0.00	21,681.34	21,681.34
Fair Value Adjustment to Cash in County Treasury	9111	0.00		0.00
In Banks	9120	6,024.00	2,473.84	8,497.84
In Revolving Fund	9130	0.00		0.00
With Fiscal Agent/Trustee	9135	0.00		0.00
Collections Awaiting Deposit	9140	0.00		0.00
2. Investments	9150	0.00		0.00
3. Accounts Receivable	9200	0.00		0.00
4. Due from Grantor Governments	9290	879,282.84	80,323.67	959,606.51
5. Stores	9320	0.00		0.00
6. Prepaid Expenditures (Expenses)	9330	1,455.74		1,455.74
7. Other Current Assets	9340	0.00		0.00
8. <i>Capital Assets (for accrual basis only)</i>	9400-9499	5,418.79		5,418.79
9. TOTAL ASSETS		892,181.37	104,478.85	996,660.22
H. LIABILITIES				
1. Accounts Payable	9500	54,644.81		54,644.81
2. Due to Grantor Governments	9590	540,348.52		540,348.52
3. Current Loans	9640			0.00
4. Deferred Revenue	9650		104,478.85	104,478.85
5. <i>Long-Term Liabilities (for accrual basis only)</i>	9660-9669			0.00
6. TOTAL LIABILITIES		594,993.33	104,478.85	699,472.18
I. FUND BALANCE				
Ending Fund Balance, June 30 (G9-H6) (must agree with Line F2)		297,188.04	0.00	297,188.04

**CHARTER SCHOOL UNAUDITED ACTUALS
FINANCIAL REPORT -- ALTERNATIVE FORM
July 1, 2010 to June 30, 2011**

Charter School Name: High Tech High North County
CDS #: 37764710114694

NOTE: IF YOUR CHARTER SCHOOL RECEIVED FEDERAL FUNDING, AS REPORTED IN SECTION A2, THE FOLLOWING ADDITIONAL INFORMATION MUST BE PROVIDED:

1. Federal Revenues Used for Capital Outlay and Debt Service

Included in the Capital Outlay and Debt Service expenditures reported in sections B6 and B7 are the following amounts paid out of federal funds:

Federal Program Name (Indicate if NONE)	Capital Outlay	Debt Service	Total
a. NONE	\$ 0.00		0.00
b.			0.00
c.			0.00
d.			0.00
e.			0.00
f.			0.00
g.			0.00
h.			0.00
i.			0.00
j.			0.00
TOTAL	0.00	0.00	0.00

2. Community Services Expenditures

Included in the expenditures reported in Section B are the following amounts expended for Community Services paid out of state and local funds:

Objects of Expenditures	Amount (Enter "0.00" if none)
a. Certificated Personnel Salaries	\$ 0.00
b. Noncertificated Personnel Salaries	0.00
c. Employee Benefits	0.00
d. Books and Supplies	0.00
e. Services and Other Operating Expenditures	0.00
TOTAL COMMUNITY SERVICES EXPENDITURES	0.00

**CHARTER SCHOOL UNAUDITED ACTUALS
FINANCIAL REPORT -- ALTERNATIVE FORM
July 1, 2010 to June 30, 2011**

CHARTER SCHOOL CERTIFICATION

Charter School Name: High Tech Middle North County
CDS #: 37764710119271
Charter Approving Entity: State Board of Education
County: San Diego
Charter #: 756

NOTE: An Alternative Form submitted to the California Department of Education will not be considered a valid submission if the following information is missing:

For information regarding this report, please contact:

<u>For Approving Entity:</u>	<u>For Charter School:</u>
<u>Julie Klein-Briggs</u> Name	<u>Kay McElrath</u> Name
<u>Fiscal Consultant, Charter Schools Division</u> Title	<u>CFO</u> Title
<u>916-322-1646</u> Telephone	<u>619-814-5084</u> Telephone
<u>jbriggs@cde.ca.gov</u> E-mail address	<u>kmcelrath@hightechhigh.org</u> E-mail address

To the entity that approved the charter school:

2010-11 CHARTER SCHOOL UNAUDITED ACTUALS FINANCIAL REPORT -- ALTERNATIVE FORM: This report has been approved, and is hereby filed by the charter school pursuant to *Education Code* Section 42100(b).

Signed: Kay McElrath Date: 8-7-11
Charter School Official
(Original signature required)

Printed Name: Kay McElrath Title: CFO

To the County Superintendent of Schools:

2010-11 CHARTER SCHOOL UNAUDITED ACTUALS FINANCIAL REPORT -- ALTERNATIVE FORM: This report is hereby filed with the County Superintendent pursuant to *Education Code* Section 42100(a).

Signed: _____ Date: _____
Authorized Representative of
Charter Approving Entity
(Original signature required)

Printed Name: _____ Title: _____

To the Superintendent of Public Instruction:

2010-11 CHARTER SCHOOL UNAUDITED ACTUALS FINANCIAL REPORT -- ALTERNATIVE FORM: This report has been verified for mathematical accuracy by the County Superintendent of Schools pursuant to *Education Code* Section 42100(a).

Signed: _____ Date: _____
County Superintendent/Designee
(Original signature required)

**CHARTER SCHOOL UNAUDITED ACTUALS
FINANCIAL REPORT -- ALTERNATIVE FORM**

July 1, 2010 to June 30, 2011

Charter School Name: High Tech Middle North County

CDS #: 37764710119271

Charter Approving Entity: State Board of Education

County: San Diego

Charter #: 756

This charter school uses the following basis of accounting:

(Please enter an "X" in the applicable box below; check only one box)

- Accrual Basis** (Applicable Capital Assets/Interest on Long-Term Debt/Long-Term Liabilities objects are 6900, 7438, 9400-9499, and 9660-9669)
- Modified Accrual Basis** (Applicable Capital Outlay/Debt Service objects are 6100-6170, 6200-6500, 7438, and 7439)

Description	Object Code	Unrestricted	Restricted	Total
A. REVENUES				
1. Revenue Limit Sources				
State Aid - Current Year	8011	0.00		0.00
Charter Schools General Purpose Entitlement - State Aid	8015	1,620,975.00		1,620,975.00
State Aid - Prior Years	8019	3,846.00		3,846.00
Tax Relief Subventions (for revenue limit funded schools)	8020-8039	0.00		0.00
County and District Taxes (for revenue limit funded schools)	8040-8079	0.00		0.00
Miscellaneous Funds (for revenue limit funded schools)	8080-8089	0.00		0.00
Revenue Limit Transfers (for revenue limit funded schools):				
PERS Reduction Transfer	8092	0.00		0.00
Transfers to Charter Schools in Lieu of Property Taxes	8096	0.00		0.00
Other Revenue Limit Transfers	8091, 8097	0.00		0.00
Total, Revenue Limit Sources		1,624,821.00	0.00	1,624,821.00
2. Federal Revenues (see NOTE on last page)				
No Child Left Behind (incl. ARRA)	8290		205,143.40	205,143.40
Special Education - Federal	8181, 8182		74,359.93	74,359.93
Child Nutrition - Federal	8220		0.00	0.00
Other Federal Revenues (incl. ARRA)	8110, 8260-8299	0.00	0.00	0.00
Total, Federal Revenues		0.00	279,503.33	279,503.33
3. Other State Revenues				
Special Education - State	StateRevSE		176,837.23	176,837.23
All Other State Revenues	StateRevAO	188,798.46	6,700.14	195,498.60
Total, Other State Revenues		188,798.46	183,537.37	372,335.83
4. Other Local Revenues				
All Other Local Revenues	LocalRevAO	66,879.82	0.00	66,879.82
Total, Local Revenues		66,879.82	0.00	66,879.82
5. TOTAL REVENUES				
		1,880,499.28	463,040.70	2,343,539.98
B. EXPENDITURES (see NOTE on last page)				
1. Certificated Salaries				
Certificated Teachers' Salaries	1100	746,927.51	110,742.10	857,669.61
Certificated Pupil Support Salaries	1200	0.00	0.00	0.00
Certificated Supervisors' and Administrators' Salaries	1300	60,033.90	27,795.97	87,829.87
Other Certificated Salaries	1900	0.00	0.00	0.00
Total, Certificated Salaries		806,961.41	138,538.07	945,499.48
2. Noncertificated Salaries				
Noncertificated Instructional Salaries	2100	19,908.00	69,552.42	89,460.42
Noncertificated Support Salaries	2200	0.00	0.00	0.00
Noncertificated Supervisors' and Administrators' Salaries	2300	0.00	0.00	0.00
Clerical and Office Salaries	2400	84,238.16	2,803.20	87,041.36
Other Noncertificated Salaries	2900	0.00	0.00	0.00
Total, Noncertificated Salaries		104,146.16	72,355.62	176,501.78

**CHARTER SCHOOL UNAUDITED ACTUALS
FINANCIAL REPORT -- ALTERNATIVE FORM
July 1, 2010 to June 30, 2011**

Charter School Name: High Tech Middle North County

CDS #: 37764710119271

Description	Object Code	Unrestricted	Restricted	Total
3. Employee Benefits				
STRS	3101-3102	65,254.45	9,545.15	74,799.60
PERS	3201-3202	8,706.72	3,726.48	12,433.20
OASDI / Medicare / Alternative	3301-3302	19,616.02	8,958.13	28,574.15
Health and Welfare Benefits	3401-3402	69,363.97	14,391.75	83,755.72
Unemployment Insurance	3501-3502	7,791.15	1,393.73	9,184.88
Workers' Compensation Insurance	3601-3602	5,232.44	1,919.11	7,151.55
OPEB, Allocated	3701-3702	0.00	0.00	0.00
OPEB, Active Employees	3751-3752	0.00	0.00	0.00
PERS Reduction (for revenue limit funded schools)	3801-3802	0.00	0.00	0.00
Other Employee Benefits	3901-3902	1,605.40	304.40	1,909.80
Total, Employee Benefits		177,570.15	40,238.75	217,808.90
4. Books and Supplies				
Approved Textbooks and Core Curricula Materials	4100	0.00	0.00	0.00
Books and Other Reference Materials	4200	1,232.73	1,194.15	2,426.88
Materials and Supplies	4300	31,212.37	15,599.71	46,812.08
Noncapitalized Equipment	4400	11,091.34	107,142.96	118,234.30
Food	4700	0.00	0.00	0.00
Total, Books and Supplies		43,536.44	123,936.82	167,473.26
5. Services and Other Operating Expenditures				
Subagreements for Services	5100	0.00	0.00	0.00
Travel and Conferences	5200	8.12	2,742.39	2,750.51
Dues and Memberships	5300	1,605.00	483.05	2,088.05
Insurance	5400	19,119.62	0.00	19,119.62
Operations and Housekeeping Services	5500	142,855.68	0.00	142,855.68
Rentals, Leases, Repairs, and Noncap. Improvements	5600	314,351.10	0.00	314,351.10
Professional/Consulting Services and Operating Expend.	5800	196,180.28	72,703.87	268,884.15
Communications	5900	6,876.09	32.86	6,908.95
Total, Services and Other Operating Expenditures		680,995.89	75,962.17	756,958.06
6. Capital Outlay				
(Objects 6100-6170, 6200-6500 for modified accrual basis only)				
Land and Land Improvements	6100-6170			0.00
Buildings and Improvements of Buildings	6200			0.00
Books and Media for New School Libraries or Major Expansion of School Libraries	6300			0.00
Equipment	6400			0.00
Equipment Replacement	6500			0.00
Depreciation Expense (for accrual basis only)	6900	13,318.33		13,318.33
Total, Capital Outlay		13,318.33	0.00	13,318.33
7. Other Outgo				
Tuition to Other Schools	7110-7143			0.00
Transfers of Pass-Through Revenues to Other LEAs	7211-7213			0.00
Transfers of Apportionments to Other LEAs - Spec. Ed.	7221-7223SE			0.00
Transfers of Apportionments to Other LEAs - All Other	7221-7223AO			0.00
All Other Transfers	7281-7299	(12,009.27)	12,009.27	0.00
Debt Service:				
Interest	7438			0.00
Principal (for modified accrual basis only)	7439			0.00
Total, Other Outgo		(12,009.27)	12,009.27	0.00
8. TOTAL EXPENDITURES		1,814,519.11	463,040.70	2,277,559.81
C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5-B8)		65,980.17	0.00	65,980.17

**CHARTER SCHOOL UNAUDITED ACTUALS
FINANCIAL REPORT -- ALTERNATIVE FORM
July 1, 2010 to June 30, 2011**

Charter School Name: High Tech Middle North County

CDS #: 37764710119271

Description	Object Code	Unrestricted	Restricted	Total
D. OTHER FINANCING SOURCES / USES				
1. Other Sources	8930-8979			0.00
2. Less: Other Uses	7630-7699			0.00
3. Contributions Between Unrestricted and Restricted Accounts (must net to zero)	8980-8999			0.00
4. TOTAL OTHER FINANCING SOURCES / USES		0.00	0.00	0.00
E. NET INCREASE (DECREASE) IN FUND BALANCE (C+D4)				
		65,980.17	0.00	65,980.17
F. FUND BALANCE, RESERVES				
1. Beginning Fund Balance				
a. As of July 1	9791	165,153.76	1,893.30	167,047.06
b. Adjustments/Restatements to Beginning Balance	9793, 9795	1,893.30	(1,893.30)	0.00
c. Adjusted Beginning Balance		167,047.06	0.00	167,047.06
2. Ending Fund Balance, June 30 (E+F1c)		233,027.23	0.00	233,027.23
Components of Ending Fund Balance (Optional):				
Reserve for Revolving Cash (equals Object 9130)	9711	0.00	0.00	0.00
Reserve for Stores (equals Object 9320)	9712	0.00	0.00	0.00
Reserve for Prepaid Expenditures (equals Object 9330)	9713	5,019.88	0.00	5,019.88
Reserve for All Others	9719			0.00
General Reserve	9730			0.00
Legally Restricted Balance	9740			0.00
Designated for Economic Uncertainties	9770			0.00
Other Designations	9775, 9780			0.00
Undesignated / Unappropriated Amount	9790	228,007.35	0.00	228,007.35
G. ASSETS				
1. Cash				
In County Treasury	9110	72,275.61	0.00	72,275.61
Fair Value Adjustment to Cash in County Treasury	9111	0.00	0.00	0.00
In Banks	9120	3,849.53	0.00	3,849.53
In Revolving Fund	9130	0.00	0.00	0.00
With Fiscal Agent/Trustee	9135	0.00	0.00	0.00
Collections Awaiting Deposit	9140	0.00	0.00	0.00
2. Investments	9150	0.00	5,043.76	5,043.76
3. Accounts Receivable	9200	0.00	0.00	0.00
4. Due from Grantor Governments	9290	530,989.51	104,581.37	635,570.88
5. Stores	9320	0.00	0.00	0.00
6. Prepaid Expenditures (Expenses)	9330	5,019.88	0.00	5,019.88
7. Other Current Assets	9340	0.00	0.00	0.00
8. Capital Assets (for accrual basis only)	9400-9499	32,518.88	0.00	32,518.88
9. TOTAL ASSETS		644,653.41	109,625.13	754,278.54
H. LIABILITIES				
1. Accounts Payable	9500	411,626.18	0.00	411,626.18
2. Due to Grantor Governments	9590	0.00	0.00	0.00
3. Current Loans	9640	0.00	0.00	0.00
4. Deferred Revenue	9650	0.00	109,625.13	109,625.13
5. Long-Term Liabilities (for accrual basis only)	9660-9669	0.00	0.00	0.00
6. TOTAL LIABILITIES		411,626.18	109,625.13	521,251.31
I. FUND BALANCE				
Ending Fund Balance, June 30 (G9-H6) (must agree with Line F2)		233,027.23	0.00	233,027.23

**CHARTER SCHOOL UNAUDITED ACTUALS
FINANCIAL REPORT -- ALTERNATIVE FORM
July 1, 2010 to June 30, 2011**

Charter School Name: High Tech Middle North County
CDS #: 37764710119271

NOTE: IF YOUR CHARTER SCHOOL RECEIVED FEDERAL FUNDING, AS REPORTED IN SECTION A2, THE FOLLOWING ADDITIONAL INFORMATION MUST BE PROVIDED:

1. Federal Revenues Used for Capital Outlay and Debt Service

Included in the Capital Outlay and Debt Service expenditures reported in sections B6 and B7 are the following amounts paid out of federal funds:

Federal Program Name (Indicate if NONE)	Capital Outlay	Debt Service	Total
a. none	\$ 0.00		0.00
b.			0.00
c.			0.00
d.			0.00
e.			0.00
f.			0.00
g.			0.00
h.			0.00
i.			0.00
j.			0.00
TOTAL	0.00	0.00	0.00

2. Community Services Expenditures

Included in the expenditures reported in Section B are the following amounts expended for Community Services paid out of state and local funds:

Objects of Expenditures	Amount (Enter "0.00" if none)
a. Certificated Personnel Salaries	\$ 0.00
b. Noncertificated Personnel Salaries	0.00
c. Employee Benefits	0.00
d. Books and Supplies	0.00
e. Services and Other Operating Expenditures	0.00
TOTAL COMMUNITY SERVICES EXPENDITURES	0.00

APPENDIX A
FIGURE 2
HIGH TECH HIGH (BORROWER CORPORATE)
Income Available for Debt Service Analysis

SBC-HIGH TECH HIGH

Object Title	Actuals 2009-10	Actuals 2010-11	Budgeted 2011-12	Projected 2012-13	Projected 2013-14	Projected 2014-15
Certificated Salaries	3,174,936	4,007,066	5,893,891	6,026,299	6,146,826	6,239,028
Classified Salaries	302,864	337,867	575,185	603,814	615,889	625,127
Employee Benefits - Budget	740,828	885,346	1,444,440	1,502,218	1,547,284	1,609,176
Materials and Supplies	182,181	190,311	222,924	226,268	230,794	235,409
Equipment - Noncapital	224,851	29,458	50,000	50,750	51,765	102,800
Food services for students	-	-	-	-	-	-
Management Fee	506,130	583,491	863,303	871,091	888,513	906,284
Travel & conferences	4,925	4,268	-	-	-	-
Insurance	59,712	86,187	139,037	141,123	143,945	146,824
Communications	33,802	24,155	42,500	43,138	44,002	44,882
Utilities, Maintenance, and Custodial	516,202	590,019	931,471	898,812	916,788	935,123
Other Facility Expense	6,871	1,979	7,188	7,296	7,442	7,591
Lease - Standard	102,154	110,103	108,000	-	-	-
Lease to HTHL	2,291,346	2,548,000	2,548,000	2,423,000	2,423,000	2,423,000
Long-Term Maintenance Fund Contribution	-	-	-	-	-	-
Equipment Lease	10,212	12,661	13,700	13,700	13,974	14,253
Other services and operating expenses	201,790	320,820	330,221	355,480	362,589	369,841
Depreciation Expense	22,698	26,923	32,685	24,385	24,385	24,385
Amortization Expense	-	-	-	-	-	-
FLHB LOC Carrying Charge	-	-	-	270,866	270,866	270,866
Contribution to Sinking Fund	-	-	371,400	566,126	607,278	659,310
Bond Interest	-	-	-	-	-	-
R & M - Facilities	6,160	-	-	-	-	-
Charter Oversight Fees 1%	78,568	92,348	156,294	158,638	161,811	165,047
Grant from HTHL to Pt Loma Schools	-	-	-	-	-	-
Grant from HTHL to CV	-	-	-	-	-	-
Grant from HTHL to NC	-	-	-	-	-	-
Expend from Restricted Funds	1,858,963	1,892,218	2,541,896	2,233,719	2,233,719	2,233,719
Total Unrestricted Expenditures	10,325,193	11,743,220	16,272,135	16,416,723	16,690,870	17,012,665
Charter Principal Apportionment	6,464,013	7,984,606	12,069,226	12,324,529	12,570,821	12,662,642
Categorical Block Grant	550,301	611,200	955,266	913,011	913,011	913,011
Grants from Parent Association	326	69,347	103,855	103,855	106,971	109,110
Other State (Flexibility)	17,208	72,348	204,885	164,743	164,743	168,038
K-3 Class Size Reduction	-	-	-	-	-	-
Lottery Income	123,348	157,728	236,084	243,166	250,461	255,469
Grants & Donations	-	32,721	20,000	20,600	21,218	21,642
Annual Appeal	100,066	124,924	183,838	209,936	216,235	220,561
Donation from HTH Learning - Pt Loma	550,000	500,000	500,000	400,000	350,000	350,000
Donation from HTH Learning - NC	606,110	481,000	450,000	414,000	385,000	200,000
Student Lunch Sales	-	-	-	-	-	-
Contrib to LT Maintenance Reserve	-	-	-	-	-	-
Investment Income	9,128	23,261	17,500	94,356	23,839	24,315
Miscellaneous local income	(92,891)	135,718	55,700	55,700	57,371	58,519
Management Fees	-	-	-	-	-	-
Management Fees - restricted programs	-	-	-	-	-	-
Facility Maintenance Fees	-	-	-	-	-	-
Grant from Affiliate	592,345	-	-	-	-	-
Rent Income	-	-	-	-	-	-
Restricted Revenue Transfer from Restricted	1,858,963	1,892,218	2,541,896	2,233,719	2,233,719	2,233,719
Total Unrestricted Income	10,778,917	12,085,071	17,338,250	17,177,615	17,293,389	17,217,026
Net Profit/(Loss)	453,724	341,851	1,066,115	760,892	602,519	204,361

APPENDIX A
FIGURE 1
HTH LEARNING CONTROLLED AFFILIATES (CONSOLIDATED)
Income Available for Debt Service Analysis

HTH LEARNING & CONTROLLED AFFILIATES

Object Title	Actuals 2009-10	Actuals 2010-11	Budgeted 2011-12	Projected 2012-13	Projected 2013-14	Projected 2014-15
Certificated Salaries	9,897,688	11,553,405	13,122,068	13,362,900	13,630,157	12,996,291
Classified Salaries	2,822,594	3,259,538	3,340,817	3,410,932	3,574,150	3,503,768
Employee Benefits - Budget	2,952,749	3,134,644	3,698,176	3,846,104	3,961,486	3,910,156
Materials and Supplies	705,275	703,957	705,824	716,412	730,740	669,321
Equipment - Noncapital	370,908	218,102	132,192	134,175	136,859	189,596
Food services for students	172,473	72,763	60,000	60,900	62,118	63,360
Management Fee						
Travel & conferences	43,379	52,731	34,735	35,256	35,960	36,679
Insurance	201,591	239,884	327,456	332,369	339,016	318,235
Communications	111,535	78,244	106,321	107,917	110,076	101,718
Utilities, Maintenance, and Custodial	519,677	660,599	941,388	879,601	885,011	779,469
Other Facility Expense	344,511	899,729	348,954	959,895	979,093	998,676
Lease - Standard	102,154	110,653	108,550	558	569	580
Lease to HTHL						
Long-Term Maintenance Fund Contribution						
Equipment Lease	66,452	58,209	53,179	53,179	54,242	53,767
Other services and operating expenses	1,023,723	1,225,708	1,146,570	1,184,075	1,240,451	1,185,239
Depreciation Expense	3,828,864	3,569,296	4,246,423	4,465,123	4,465,123	3,667,203
Amortization Expense	206,240	190,211	189,374	238,374	238,374	173,374
FLHB LOC Carrying Charge				270,866	270,866	168,971
Contribution to Sinking Fund			371,400	566,126	607,278	424,560
Bond Interest	2,674,203	2,908,938	2,904,494	2,904,494	2,904,494	2,904,494
R & M - Facilities	93,349					
Charter Oversight Fees 1%	223,270	236,900	321,909	326,737	333,272	316,763
Grant from HTHL to Pt Loma Schools						
Grant from HTHL to CV						
Grant from HTHL to NC						
Expend from Restricted Funds	7,196,454	4,462,907	9,979,658	9,671,481	9,571,481	9,271,481
Total Unrestricted Expenditures	33,557,089	33,636,418	42,139,488	43,527,474	44,130,816	41,733,701
Charter Principal Apportionment	18,654,544	20,985,636	25,101,416	25,489,591	25,998,934	24,477,049
Categorical Block Grant	1,669,374	1,658,111	1,988,598	1,903,996	1,903,996	1,775,997
Grants from Parent Association	-	339,264	326,969	326,969	336,779	330,907
Other State (Flexibility)	318,370	667,694	438,135	397,993	397,993	364,607
K-3 Class Size Reduction	192,780	186,619	192,780	198,563	204,520	208,610
Lottery Income	369,123	425,461	488,350	503,001	518,092	488,041
Grants & Donations	6,793,898	5,521,074	280,477	1,025,395	1,047,157	1,068,100
Annual Appeal	473,349	413,431	457,900	492,220	506,988	484,664
Donation from HTH Learning - Pt Loma						
Donation from HTH Learning - NC						
Student Lunch Sales	143,646	35,586	80,000	82,400	84,872	86,569
Contrib to LT Maintenance Reserve						
Investment Income	157,046	161,366	115,251	195,040	127,542	130,092
Miscellaneous local income	1,235,000	1,444,459	720,705	743,205	818,627	832,900
Management Fees						
Management Fees - restricted programs	-	112,345	112,345	115,715	119,186	121,570
Facility Maintenance Fees						
Rent Income						
Restricted Revenue Transfer from Restricted	8,848,343	4,856,170	9,980,658	9,672,481	9,572,481	9,272,481
Total Unrestricted Income	38,855,473	36,807,216	40,283,584	41,146,569	41,637,167	39,641,587
Net Profit/(Loss)	5,298,384	3,170,798	(1,855,904)	(2,380,905)	(2,493,649)	(2,092,114)

UNRESTRICTED BUDGET - 2011-12

Object Code	Object Title	High Tech High Chula Vista	High Tech Elementary Chula Vista	High Tech Middle Chula Vista	K-8 Chula Vista Project Fund	Sub-Total Chula Vista Campus	NC COLA Assumption	High Tech High North County	High Tech Middle North County
1000	Certificated Salaries	1642050	1173343	786930	0	3602323	0.0%	1507812	783756
2000	Classified Salaries	127300	124580	110115	0	361995	0.0%	88740	124450
3000	Employee Benefits - Budget	389866	294498	188313	0	872677	0.0%	355833	215930
4300	Materials and Supplies	44924	26000	72000	0	142924	0.0%	40000	40000
4530	Equipment - Noncapital	30000	0	0	0	30000	0.0%	20000	0
4700	Food services for students	0	0	0	0	0	0.0%	0	0
5117	Management Fee	306567	71277	95542	0	473386	0.0%	273299	116618
5200	Travel & conferences	0	0	0	0	0	0.0%	0	0
5400	Insurance	32237	26750	26100	0	85087	0.0%	34830	19120
5520	Communications	9000	10000	10000	0	29000	0.0%	8500	5000
5550	Utilities, Maintenance, and Custodial	249400	170580	140464	0	560444	0.0%	226563	144464
5555	Other Facility Expense	250	0	0	0	250	0.0%	5200	1738
5610	Lease - Standard	0	0	0	0	0	0.0%	0	108000
5612	Lease to HTHL	1248000	0	0	0	1248000		1100000	200000
5614	Long-Term Maintenance Fund Contribution	0	0	0	0	0		0	0
5630	Equipment Lease	6000	1000	1500	0	8500	0.0%	3500	1700
5800	Other services and operating expenses	82604	45700	61517	0	189821	0.0%	97400	43000
5801	Depreciation Expense	9385	0	0	797920	807305		10000	13300
5802	Amortization Expense	0			65000	65000		0	0
	FLHB LOC Carrying Charge		0	0	0	0			
	Contribution to Sinking Fund		185700	185700	0	371400			0
5818	Bond Interest	0	0	0	0	0		0	0
5890	R & M - Facilities	0	0	0	0	0	0.0%	0	0
7290	Charter Oversight Fees 1%	45020	27254	21946	0	94220	0.0%	40021	22053
7300	Grant from HTHL to Pt Loma Schools	0	0	0	0	0		0	0
7301	Grant from HTHL to CV	0	0	0	0	0		0	0
7302	Grant from HTHL to NC	0	0	0	0	0		0	0
9999	Expends from Restricted Sources	737962	533501	474676	0	1746139		441731	354026
	Total Unrestricted Expenditures	4960565	2690183	2174803	862920	10688471		4253429	2193155
8000	Charter Principal Apportionment	3496982	2079871	1677396	0	7254249		3119924	1695053
8020	Categorical Block Grant	254687	191330	151404	0	597421		215118	142727
8040	Grants from Parent Association	20000	15000	12000	0	47000	0.0%	36855	20000
8300	Other State (Flexibility)	12166	51743	40535	0	104444	0.0%	20299	80142
8434	K-3 Class Size Reduction	0	0	0	0	0	0.0%	0	0
8560	Lottery Income	61430	47666	37346	0	146442	0.0%	54806	34836
8600	Grants & Donations	10000	0	0	0	10000	0.0%	10000	0
8617	Annual Appeal	50000	35000	30000	0	115000	0.0%	40278	28560
8620	Donation from HTH Learning - Pt Loma	500000	0	0	0	500000		0	0
8620	Donation from HTH Learning - NC	0	0	0	0	0		450000	0
8947	Student Lunch Sales	0	0	0	0	0	0.0%	0	0
8960	Contrib to LT Maintenance Reserve	0	0	0	0	0	0.0%	0	0
8970	Investment Income	0	0	0	0	0	0.0%	17500	0
8980	Miscellaneous local income	44200	2000	2000	0	48200	0.0%	4500	3000
8985	Management Fees	0	0	0	0	0	0.0%	0	0
8986	Management Fees - special education	0	0	0	0	0	0.0%	0	0
8987	Facility Maintenance Fees	0	0	0	0	0	0.0%	0	0
8990	Rent Income	0	0	0	0	0		0	0
9999	Revenues Released from Restriction	737962	533501	474676	0	1746139		441731	354026
	Total Unrestricted Income	5187427	2956111	2425357	0	10568895		4411011	2358344
	Net Profit/(Loss)	226862	265928	250554	-862920	-119576		157582	165189

UNRESTRICTED BUDGET - 2011-12

Object Code	Object Title	HTMNC Project Fund	Schools - North County Total	PTL COLA Assumption	High Tech High	High Tech High International	High Tech High Media Arts	High Tech Middle	High Tech Middle Media Arts
1000	Certificated Salaries		2291568	0.0%	1698529	1231501	1075777	799000	812776
2000	Classified Salaries		213190	0.0%	82250	77500	90500	197800	138700
3000	Employee Benefits - Budget		571763	0.0%	403236	251303	274798	231889	201862
4300	Materials and Supplies		80000	0.0%	62000	41250	70000	54400	27570
4530	Equipment - Noncapital		20000	0.0%	33750	0	6000	0	20525
4700	Food services for students		0	0.0%	0	0	0	0	0
5117	Management Fee		389917	0.0%	293433	206168	209660	131303	130778
5200	Travel & conferences		0	0.0%	0	0	0	0	0
5400	Insurance		53950	0.0%	48689	27508	35950	25457	21927
5520	Communications		13500	0.0%	14000	6000	10000	7500	7513
5550	Utilities, Maintenance, and Custodial		371027	0.0%	251935	167605	181100	154268	145023
5555	Other Facility Expense		6938	0.0%	60398	56628	59912	55674	49896
5610	Lease - Standard		108000	0.0%	0	0	0	0	0
5612	Lease to HTHL		1300000	0.0%	730598	525333	619853	582330	638576
5614	Long-Term Maintenance Fund Contribution		0	0.0%	0	0	0	0	0
5630	Equipment Lease		5200	0.0%	3000	5000	16068	1500	7334
5800	Other services and operating expenses		140400	0.0%	82600	81600	111600	66800	50004
5801	Depreciation Expense		23300		39000	14300	9400	27600	20861
5802	Amortization Expense		0		0	0	0	0	0
	FLHB LOC Carrying Charge		0				0		
	Contribution to Sinking Fund		0				0		
5818	Bond Interest		0		0	0	0	0	0
5890	R & M - Facilities		0	0.0%	0	0	0	0	0
7290	Charter Oversight Fees 1%		62074	0.0%	42663	29837	30404	21829	19012
7300	Grant from HTHL to Pt Loma Schools		0		0	0	0	0	0
7301	Grant from HTHL to CV		0		0	0	0	0	0
7302	Grant from HTHL to NC		0		0	0	0	0	0
9999	Expends from Restricted Sources		795757		522160	353030	380611	262113	298260
	Total Unrestricted Expenditures	0	6446584		4368241	3074563	3181633	2619463	2590617
8000	Charter Principal Apportionment		4814977		3317337	2319179	2360833	1671681	1679918
8020	Categorical Block Grant		357845		237919	191675	172800	144397	147263
8040	Grants from Parent Association		56855	0.0%	25000	24453	26000	16600	18362
8300	Other State (Flexibility)		100441	0.0%	47909	58341	41034	21435	30809
8434	K-3 Class Size Reduction		0	0.0%	0	0	0	0	0
8560	Lottery Income		89642	0.0%	58276	44222	41473	34420	38258
8600	Grants & Donations		10000	0.0%	0	1382	0	0	9095
8617	Annual Appeal		68838	0.0%	76278	12398	32000	24900	35556
8620	Donation from HTH Learning - Pt Loma		0	-5.0%	240805	176227	286653	358242	383068
8620	Donation from HTH Learning - NC		450000		0	0	0	0	0
8947	Student Lunch Sales		0	0.0%	0	0	0	0	0
8960	Contrib to LT Maintenance Reserve		0	0.0%	0	0	0	0	0
8970	Investment Income		17500	0.0%	0	1008	0	0	652
8980	Miscellaneous local income		7500	0.0%	15000	29691	10000	156000	17556
8985	Management Fees		0	0.0%	0	0	0	0	0
8986	Management Fees - special education		0	0.0%	0	0	0	0	0
8987	Facility Maintenance Fees		0	0.0%	0	0	0	0	0
8990	Rent Income		0		0	0	0	0	0
9999	Revenues Released from Restriction		795757		522160	353030	381611	262113	298260
	Total Unrestricted Income	0	6769355		4540684	3211606	3352404	2689788	2658797
	Net Profit/(Loss)	0	322771		172443	137043	170771	70325	68180

UNRESTRICTED BUDGET - 2011-12

Object Code	Object Title	HTMNC Project Fund	Schools - North County Total	PTL COLA Assumption	High Tech High	High Tech High International	High Tech High Media Arts	High Tech Middle	High Tech Middle Media Arts
	Beginning Current Net Assets				778188	460261	666852	517927	505036
	Change in Net Assets				172443	137043	170771	70325	68180
	Ending Current Net Assets				950631	597304	837623	588252	573216
	Add Back Deprec - No Effect on Current				39000	14300	9400	27600	20861
	Add Back Amort - No Effect on Current				0	0	0	0	0
	Ending Current Net Assets				989631	611604	847023	615852	594077
	Estimated liquidity ratio				22.66%	19.89%	26.62%	23.51%	22.93%
	Net Rent				489,793	349,106	333,200	224,088	255,508
	Percentage of Unrestricted Revenues				10.8%	10.9%	9.9%	8.3%	9.6%
	Rates / Data								
	Enrollment Basis								
		K-3							
		4-6						112	111
		7-8						220	222
		9-12			565	395	400	-	-
		Total			565	395	400	332	333
	Attendance Percentage								
	ADA Projected								
		K-3			0.00	0.00	0.00	0.00	0.00
		4-6			0.00	0.00	0.00	107.52	106.56
		7-8			0.00	0.00	0.00	211.20	213.12
		9-12			539.58	377.23	384.00	0.00	0.00
		Total			539.58	377.23	384.00	318.72	319.68
	Categorical Block Grant Rate								
	EIA Adjustment to Categorical Block								
					396	396	396	396	396
					\$34,026	\$42,294	\$31,800	\$22,896	\$20,670

UNRESTRICTED BUDGET - 2011-12

Object Code	Object Title	Explorer Elementary Charter School	Schools - Point Loma Total	Sub-Total Schools	Sub-Total Central	Intra-Affiliate Transactions	Consolidated
1000	Certificated Salaries	1134357	6751940	12645831	476237		13122068
2000	Classified Salaries	353819	940569	1515754	1825063		3340817
3000	Employee Benefits - Budget	311618	1674706	3119146	579030		3698176
4300	Materials and Supplies	69680	324900	547824	158000		705824
4530	Equipment - Noncapital	15000	75275	125275	6917		132192
4700	Food services for students	60000	60000	60000	0		60000
5117	Management Fee	83544	1054886	1918189	32400	-1950589	0
5200	Travel & conferences	0	0	0	34735		34735
5400	Insurance	27079	186610	325647	1809		327456
5520	Communications	8000	53013	95513	10808		106321
5550	Utilities, Maintenance, and Custodial	134628	1034559	1966030	146398	-1171040	941388
5555	Other Facility Expense	59258	341766	348954	0		348954
5610	Lease - Standard	0	0	108000	550		108550
5612	Lease to HTHL	116510	3213200	5761200	0	-5761200	0
5614	Long-Term Maintenance Fund Contribution	19673	19673	19673	131773	-151446	0
5630	Equipment Lease	5469	38371	52071	1108		53179
5800	Other services and operating expenses	37779	430383	760604	385966		1146570
5801	Depreciation Expense	39900	151061	981666	3264757		4246423
5802	Amortization Expense	0	0	65000	124374		189374
	FLHB LOC Carrying Charge			0	0		0
	Contribution to Sinking Fund			371400	0		371400
5818	Bond Interest	0	0	0	2904494		2904494
5890	R & M - Facilities	0	0	0	0		0
7290	Charter Oversight Fees 1%	21870	165615	321909	0		321909
7300	Grant from HTHL to Pt Loma Schools	0	0	0	1444995	-1444995	0
7301	Grant from HTHL to CV	0	0	0	500000	-500000	0
7302	Grant from HTHL to NC	0	0	0	450000	-450000	0
9999	Expenditures from Restricted Sources	234843	2051017	4592913	5386745	0	9979658
	Total Unrestricted Expenditures	2733027	18567544	35702599	17866159	-11429270	42139488
			0		0		0
8000	Charter Principal Apportionment	1683241	13032190	25101416	0		25101416
8020	Categorical Block Grant	139278	1033332	1988598	0		1988598
8040	Grants from Parent Association	100000	210415	314270	12699		326969
8300	Other State (Flexibility)	33722	233250	438135	0		438135
8434	K-3 Class Size Reduction	192780	192780	192780	0		192780
8560	Lottery Income	35617	252266	488350	0		488350
8600	Grants & Donations	100000	110477	130477	150000		280477
8617	Annual Appeal	0	181132	364970	92930		457900
8620	Donation from HTH Learning - Pt Loma	0	1444995	1944995	0	-1944995	0
8620	Donation from HTH Learning - NC	0	0	450000	0	-450000	0
8947	Student Lunch Sales	80000	80000	80000	0		80000
8960	Contrib to LT Maintenance Reserve	0			151446	-151446	0
8970	Investment Income	0		17500	97751		115251
8980	Miscellaneous local income	100000	328247	383947	336758		720705
8985	Management Fees	0	0	0	1950589	-1950589	0
8986	Management Fees - special education	0	0	0	112345		112345
8987	Facility Maintenance Fees	0	0	0	1171040	-1171040	0
8990	Rent Income	0	0	0	5761200	-5761200	0
9999	Revenues Released from Restriction	234843	2052017	4593913	5386745	0	9980658
	Total Unrestricted Income	2699481	19151101	36489351	15223503	-11429270	40283584
	Net Profit/(Loss)	-33546	583557	786752	-2642656	0	-1855904

UNRESTRICTED BUDGET - 2011-12

Object Code	Object Title	Explorer Elementary Charter School	Schools - Point Loma Total	Sub-Total Schools	Sub-Total Central	Intra-Affiliate Transactions	Consolidated
						304177	
	Beginning Current Net Assets	724464					16371044
	Change in Net Assets	-33546					-1855904
	Ending Current Net Assets	690918					14515140
							0
	Add Back Deprec - No Effect on Current	39900					4246423
	Add Back Amort - No Effect on Current	0					189374
	Ending Current Net Assets	730818					18950937
	Estimated liquidity ratio	26.74%					44.97%
	Net Rent	116,510					
	Percentage of Unrestricted Revenues	4.3%					
	Rates / Data						
	Enrollment Basis						
		K-3	220				
		4-6	120				
		7-8					
		9-12	-				
		Total	340				
	Attendance Percentage		0.97				
	ADA Projected						
		K-3	213.40				
		4-6	116.40				
		7-8	0.00				
		9-12	0.00				
		Total	329.80				
	Categorical Block Grant Rate		396				
	EIA Adjustment to Categorical Block		\$5,749				

UNRESTRICTED BUDGET - 2012-13

Object Code	Object Title	High Tech High Chula Vista	High Tech Elementary Chula Vista	High Tech Middle Chula Vista	K-8 Chula Vista Project Fund	Sub-Total Chula Vista Campus	NC COLA Assumption	High Tech High North County
1000	Certificated Salaries	1666681	1223943	809734	0	3700358	1.5%	1530429
2000	Classified Salaries	129210	138449	119767	0	387426	1.5%	90071
3000	Employee Benefits - Budget	405461	306278	195846	0	907585	4.0%	370066
4300	Materials and Supplies	45598	26390	73080	0	145068	1.5%	40600
4530	Equipment - Noncapital	30450	0	0	0	30450	1.5%	20300
4700	Food services for students	0	0	0	0	0	1.5%	0
5117	Management Fee	309633	90567	127554	0	527754	1.0%	276032
5200	Travel & conferences	0	0	0	0	0	1.5%	0
5400	Insurance	32721	27151	26492	0	86364	1.5%	35352
5520	Communications	9135	10150	10150	0	29435	1.5%	8628
5550	Utilities, Maintenance, and Custodial	253141	173139	142571	0	568851	1.5%	229961
5555	Other Facility Expense	254	0	0	0	254	1.5%	5278
5610	Lease - Standard	0	0	0	0	0	1.5%	0
5612	Lease to HTHL	1248000	0	0	0	1248000		1100000
5614	Long-Term Maintenance Fund Contribution	0	0	0	0	0		0
5630	Equipment Lease	6000	1000	1500	0	8500	0.0%	3500
5800	Other services and operating expenses	83843	60861	76915	0	221619	1.5%	98861
5801	Depreciation Expense	9385	0	0	797920	807305		10000
5802	Amortization Expense	0			65000	65000		0
	FLHB LOC Carrying Charge		101895	101895	0	203790		
	Contribution to Sinking Fund		197750	197750	0	395500		
5818	Bond Interest	0	0	0	0	0		0
5890	R & M - Facilities	0	0	0	0	0	1.5%	0
7290	Charter Oversight Fees 1%	45695	27663	22275	0	95633	1.5%	40621
7300	Grant from HTHL to Pt Loma Schools	0	0	0	0	0		0
7301	Grant from HTHL to CV	0	0	0	0	0		0
7302	Grant from HTHL to NC	0	0	0	0	0		0
9999	Expends from Restricted Sources	737962	400000	300000	0	1437962		441731
	Total Unrestricted Expenditures	5013169	2785236	2205529	862920	10866854		4301430
8000	Charter Principal Apportionment	3531679	2100799	1694207	0	7326685		3285803
8020	Categorical Block Grant	270089	163367	127999	0	561455		222209
8040	Grants from Parent Association	20000	15000	12000	0	47000	0.0%	36855
8300	Other State (Flexibility)	12166	51743	40535	0	104444	0.0%	20299
8434	K-3 Class Size Reduction	0	0	0	0	0	3.0%	0
8560	Lottery Income	63273	49096	38466	0	150835	3.0%	56450
8600	Grants & Donations	10300	0	0	0	10300	3.0%	10300
8617	Annual Appeal	51500	36050	30900	0	118450	3.0%	41486
8620	Donation from HTH Learning - Pt Loma	400000	0	0	0	400000		0
8620	Donation from HTH Learning - NC	0	0	0	0	0		414000
8947	Student Lunch Sales	0	0	0	0	0	3.0%	0
8960	Contrib to LT Maintenance Reserve	0	0	0	0	0	3.0%	0
8970	Investment Income	0	35606	35606	0	71212	3.0%	18025
8980	Miscellaneous local income	44200	2000	2000	0	48200	0.0%	4500
8985	Management Fees	0	0	0	0	0	3.0%	0
8986	Management Fees - special education	0	0	0	0	0	3.0%	0
8987	Facility Maintenance Fees	0	0	0	0	0	3.0%	0
8990	Rent Income	0	0	0	0	0		0
9999	Revenues Released from Restriction	737962	400000	300000	0	1437962		441731
	Total Unrestricted Income	5141169	2853661	2281713	0	10276543		4551658
	Net Profit/(Loss)	128000	68425	76184	-862920	-590311		250228

UNRESTRICTED BUDGET - 2012-13

Object Code	Object Title	High Tech High Chula Vista	High Tech Elementary Chula Vista	High Tech Middle Chula Vista	K-8 Chula Vista Project Fund	Sub-Total Chula Vista Campus	NC COLA Assumption	High Tech High North County
	Beginning Current Net Assets	1100370	265928	250554	0			577824
	Change in Net Assets	128000	68425	76184	-862920			250228
	Ending Current Net Assets	1228371	334353	326738	-862920			828052
	Invested in Fixed Assets							
	Add Back Deprec - No Effect on Current	9385	0	0	797920			10000
	Add Back Amort - No Effect on Current	0	0	0	65000			0
	Ending Current Net Assets	1237756	334353	326738	0			838052
	Estimated liquidity ratio	24.69%	12.00%	14.81%	0.00%			19.48%
	Net Rent	848,000	299,645	299,645				686,000
	Percentage of Unrestricted Revenues	16.5%	10.5%	13.1%				15.1%
			Rent=Sink+LC	Rent=Sink+LC				
	Rates / Data							
	Enrollment Basis							
	K-3	-	264	-	-			-
	4-6	-	156	112	-			-
	7-8	-	-	224	-			-
	9-12	600	-	-	-			560
	Total	600	420	336	-			560
	Attendance Percentage	0.948	0.97	0.95				0.945
	ADA Projected							
	K-3	0.00	256.08	0.00	0.00			0.00
	4-6	0.00	151.32	106.40	0.00			0.00
	7-8	0.00	0.00	212.80	0.00			0.00
	9-12	568.80	0.00	0.00	0.00			529.20
	Total	568.80	407.40	319.20	0.00			529.20
	Categorical Block Grant Rate	401	401	401				401
	EIA Adjustment to Categorical Block	\$42,000	\$0	\$0				\$10,000

UNRESTRICTED BUDGET - 2012-13

IN NEW FACILITY

Object Code	Object Title	High Tech Middle North County	HTMNC Project Fund	Schools - North County Total	PTL COLA Assumption	High Tech High	High Tech High International	High Tech High Media Arts	High Tech Middle
1000	Certificated Salaries	795512	0	2325941	1.5%	1724007	1249974	1091914	810985
2000	Classified Salaries	126317	0	216388	1.5%	83484	78663	91858	200767
3000	Employee Benefits - Budget	224567	0	594633	4.0%	419365	261355	285790	241165
4300	Materials and Supplies	40600	0	81200	1.5%	62930	41869	71050	55216
4530	Equipment - Noncapital	0	0	20300	1.5%	34256	0	6090	0
4700	Food services for students	0	0	0	1.5%	0	0	0	0
5117	Management Fee	67305	0	343337	1.0%	296367	208230	211757	132616
5200	Travel & conferences	0	0	0	1.5%	0	0	0	0
5400	Insurance	19407	0	54759	1.5%	49419	27921	36489	25839
5520	Communications	5075	0	13703	1.5%	14210	6090	10150	7613
5550	Utilities, Maintenance, and Custodial	100000	0	329961	1.5%	255714	170119	183817	156582
5555	Other Facility Expense	1764	0	7042	1.5%	61304	57477	60811	56509
5610	Lease - Standard	0	0	0	1.5%	0	0	0	0
5612	Lease to HTHL	75000	0	1175000	0.0%	730598	525333	619853	582330
5614	Long-Term Maintenance Fund Contribution	0	0	0	4.0%	0	0	0	0
5630	Equipment Lease	1700	0	5200	0.0%	3000	5000	16068	1500
5800	Other services and operating expenses	35000	0	133861	1.5%	83839	82824	113274	67802
5801	Depreciation Expense	5000	227000	242000		39000	14300	9400	27600
5802	Amortization Expense	0	49000	49000		0	0	0	0
	FLHB LOC Carrying Charge	67076	0	67076				0	
	Contribution to Sinking Fund	170626	0	170626				0	
5818	Bond Interest	0	0	0		0	0	0	0
5890	R & M - Facilities	0	0	0	1.5%	0	0	0	0
7290	Charter Oversight Fees 1%	22384	0	63005	1.5%	43303	30285	30860	22156
7300	Grant from HTHL to Pt Loma Schools	0	0	0		0	0	0	0
7301	Grant from HTHL to CV	0	0	0		0	0	0	0
7302	Grant from HTHL to NC	0	0	0		0	0	0	0
9999	Expends from Restricted Sources	354026	0	795757		522160	353030	380611	262113
	Total Unrestricted Expenditures	2111359	276000	6688789		4422956	3112470	3219792	2650793
8000	Charter Principal Apportionment	1712041	0	4997844		3350221	2342190	2384256	1691462
8020	Categorical Block Grant	129347	0	351556		248170	174163	174654	133556
8040	Grants from Parent Association	20000	0	56855	0.0%	25000	24453	26000	16600
8300	Other State (Flexibility)	40000	0	60299	0.0%	47909	58341	41034	21435
8434	K-3 Class Size Reduction	0	0	0	3.0%	0	0	0	0
8560	Lottery Income	35881	0	92331	3.0%	60024	45549	42717	35453
8600	Grants & Donations	0	0	10300	3.0%	0	1423	0	0
8617	Annual Appeal	50000	0	91486	3.0%	78566	12770	32960	25647
8620	Donation from HTH Learning - Pt Loma	0	0	0	-5.0%	228765	167416	272320	340330
8620	Donation from HTH Learning - NC	0	0	414000		0	0	0	0
8947	Student Lunch Sales	0	0	0	3.0%	0	0	0	0
8960	Contrib to LT Maintenance Reserve	0	0	0	3.0%	0	0	0	0
8970	Investment Income	5119	0	23144	3.0%	0	1038	0	0
8980	Miscellaneous local income	3000	0	7500	0.0%	15000	29691	10000	156000
8985	Management Fees	0	0	0	3.0%	0	0	0	0
8986	Management Fees - special education	0	0	0	3.0%	0	0	0	0
8987	Facility Maintenance Fees	0	0	0	3.0%	0	0	0	0
8990	Rent Income	0	0	0		0	0	0	0
9999	Revenues Released from Restriction	354026	0	795757		522160	353030	381611	262113
	Total Unrestricted Income	2349414	0	6901072		4575815	3210064	3365552	2682596
	Net Profit/(Loss)	238055	-276000	212283		152859	97594	145760	31803

UNRESTRICTED BUDGET - 2012-13

IN NEW FACILITY

Object Code	Object Title	High Tech Middle North County	HTMNC Project Fund	Schools - North County Total	PTL COLA Assumption	High Tech High	High Tech High International	High Tech High Media Arts	High Tech Middle	
	Beginning Current Net Assets	439468	0			989631	611604	847023	615852	
	Change in Net Assets	238055	-276000			152859	97594	145760	31803	
	Ending Current Net Assets	677523	-276000			1142490	709198	992783	647655	
	Invested in Fixed Assets									
	Add Back Deprec - No Effect on Current	5000	227000			39000	14300	9400	27600	
	Add Back Amort - No Effect on Current	0	49000			0	0	0	0	
	Ending Current Net Assets	682523	0			1181490	723498	1002183	675255	
	Estimated liquidity ratio	32.33%	0.00%			26.71%	23.25%	31.13%	25.47%	
	Net Rent	312,702	0			501,833	357,917	347,533	242,000	
	Percentage of Unrestricted Revenues	13.3%	#DIV/0!			11.0%	11.1%	10.3%	9.0%	
	Rates / Data									
	Enrollment Basis									
	K-3	-				-	-	-	-	
	4-6	112				-	-	-	112	
	7-8	224				-	-	-	220	
	9-12	-				565	395	400	-	
	Total	336				565	395	400	332	
	Attendance Percentage									
	ADA Projected	0.96				0.955	0.955	0.96	0.96	
	K-3	0.00				0.00	0.00	0.00	0.00	
	4-6	107.52				0.00	0.00	0.00	107.52	
	7-8	215.04				0.00	0.00	0.00	211.20	
	9-12	0.00				539.58	377.23	384.00	0.00	
	Total	322.56				539.58	377.23	384.00	318.72	
	Categorical Block Grant Rate									
	EIA Adjustment to Categorical Block	401				401	401	401	401	
		\$0				\$31,800	\$22,896	\$20,670	\$5,749	

UNRESTRICTED BUDGET - 2012-13

Object Code	Object Title	High Tech Middle Media Arts	Explorer Elementary Charter School	Schools - Point Loma Total	Sub-Total Schools	Sub-Total Central	Intra-Affiliate Transactions	Consolidated
1000	Certificated Salaries	824968	1151372	6853220	12879519	483381		13362900
2000	Classified Salaries	140781	359126	954679	1558493	1852439		3410932
3000	Employee Benefits - Budget	209936	324083	1741694	3243912	602192		3846104
4300	Materials and Supplies	27984	70725	329774	556042	160370		716412
4530	Equipment - Noncapital	20833	15225	76404	127154	7021		134175
4700	Food services for students	0	60900	60900	60900	0		60900
5117	Management Fee	132086	84379	1065435	1936526	32724	-1969250	0
5200	Travel & conferences	0	0	0	0	35256		35256
5400	Insurance	22256	27485	189409	330532	1837		332369
5520	Communications	7626	8120	53809	96947	10970		107917
5550	Utilities, Maintenance, and Custodial	147198	136647	1050077	1948889	148594	-1217882	879601
5555	Other Facility Expense	50644	60147	346892	354188	605707		959895
5610	Lease - Standard	0	0	0	0	558		558
5612	Lease to HTHL	638576	120005	3216695	5639695	0	-5639695	0
5614	Long-Term Maintenance Fund Contribution	0	20460	20460	20460	137044	-157504	0
5630	Equipment Lease	7334	5469	38371	52071	1108		53179
5800	Other services and operating expenses	50754	38346	436839	792319	391756		1184075
5801	Depreciation Expense	20861	39900	151061	1200366	3264757		4465123
5802	Amortization Expense	0	0	0	114000	124374		238374
	FLHB LOC Carrying Charge				270866	0		270866
	Contribution to Sinking Fund				566126	0		566126
5818	Bond Interest	0	0	0	0	2904494		2904494
5890	R & M - Facilities	0	0	0	0	0		0
7290	Charter Oversight Fees 1%	19297	22198	168099	326737	0		326737
7300	Grant from HTHL to Pt Loma Schools	0	0	0	0	1372746	-1372746	0
7301	Grant from HTHL to CV	0	0	0	0	400000	-400000	0
7302	Grant from HTHL to NC	0	0	0	0	414000	-414000	0
9999	Expenditures from Restricted Sources	298260	234843	2051017	4284736	5386745	0	9671481
	Total Unrestricted Expenditures	2619394	2779430	18804835	36360478	18338073	-11171077	43527474
				0		0		0
8000	Charter Principal Apportionment	1696755	1700177	13165062	25489591	0		25489591
8020	Categorical Block Grant	128192	132250	990985	1903996	0		1903996
8040	Grants from Parent Association	18362	100000	210415	314270	12699		326969
8300	Other State (Flexibility)	30809	33722	233250	397993	0		397993
8434	K-3 Class Size Reduction	0	198563	198563	198563	0		198563
8560	Lottery Income	39406	36686	259835	503001	0		503001
8600	Grants & Donations	9368	103000	113791	134391	891004		1025395
8617	Annual Appeal	36623	0	186566	396502	95718		492220
8620	Donation from HTH Learning - Pt Loma	363915	0	1372746	1772746	0	-1772746	0
8620	Donation from HTH Learning - NC	0	0	0	414000	0	-414000	0
8947	Student Lunch Sales	0	82400	82400	82400	0		82400
8960	Contrib to LT Maintenance Reserve	0	0			157504	-157504	0
8970	Investment Income	672	0		94356	100684		195040
8980	Miscellaneous local income	17556	100000	328247	383947	359258		743205
8985	Management Fees	0	0	0	0	1969250	-1969250	0
8986	Management Fees - special education	0	0	0	0	115715		115715
8987	Facility Maintenance Fees	0	0	0	0	1217882	-1217882	0
8990	Rent Income	0	0	0	0	5639695	-5639695	0
9999	Revenues Released from Restriction	298260	234843	2052017	4285736	5386745	0	9672481
	Total Unrestricted Income	2639918	2721641	19193877	36371492	15946154	-11171077	41146569
	Net Profit/(Loss)	20524	-57789	389042	11014	-2391919	0	-2380905

UNRESTRICTED BUDGET - 2012-13

Object Code	Object Title	High Tech Middle Media Arts	Explorer Elementary Charter School	Schools - Point Loma Total	Sub-Total Schools	Sub-Total Central	Intra-Affiliate Transactions	Consolidated
							115715	
	Beginning Current Net Assets	594077	730818					18950937
	Change in Net Assets	20524	-57789					-2380905
	Ending Current Net Assets	614601	673029					16570032
	Invested in Fixed Assets							0
	Add Back Deprec - No Effect on Current	20861	39900					4465123
	Add Back Amort - No Effect on Current	0	0					238374
	Ending Current Net Assets	635462	712929					21273529
	Estimated liquidity ratio	24.26%	25.65%					48.87%
	Net Rent	274,661	120,005					
	Percentage of Unrestricted Revenues	10.4%	4.4%					
	Rates / Data							
	Enrollment Basis							
		K-3	-	220				
		4-6	111	120				
		7-8	222	-				
		9-12	-	-				
		Total	333	340				
	Attendance Percentage		0.96	0.97				
	ADA Projected							
		K-3	0.00	213.40				
		4-6	106.56	116.40				
		7-8	213.12	0.00				
		9-12	0.00	0.00				
		Total	319.68	329.80				
	Categorical Block Grant Rate	401	401					
	EIA Adjustment to Categorical Block	\$0	\$0					

UNRESTRICTED BUDGET - 2013-14

Object Code	Object Title	High Tech High Chula Vista	High Tech Elementary Chula Vista	High Tech Middle Chula Vista	K-8 Chula Vista Project Fund	Sub-Total Chula Vista Campus	NC COLA Assumption	High Tech High North County
1000	Certificated Salaries	1700015	1248422	825929	0	3774366	2.0%	1561038
2000	Classified Salaries	131794	141218	122162	0	395174	2.0%	91872
3000	Employee Benefits - Budget	417625	315466	201721	0	934812	3.0%	381168
4300	Materials and Supplies	46510	26918	74542	0	147970	2.0%	41412
4530	Equipment - Noncapital	31059	0	0	0	31059	2.0%	20706
4700	Food services for students	0	0	0	0	0	2.0%	0
5117	Management Fee	315826	92378	130105	0	538309	2.0%	281553
5200	Travel & conferences	0	0	0	0	0	2.0%	0
5400	Insurance	33375	27694	27022	0	88091	2.0%	36059
5520	Communications	9318	10353	10353	0	30024	2.0%	8801
5550	Utilities, Maintenance, and Custodial	258204	176602	145422	0	580228	2.0%	234560
5555	Other Facility Expense	259	0	0	0	259	2.0%	5384
5610	Lease - Standard	0	0	0	0	0	2.0%	0
5612	Lease to HTHL	1248000	0	0	0	1248000		1100000
5614	Long-Term Maintenance Fund Contribution	0	0	0	0	0		0
5630	Equipment Lease	6120	1020	1530	0	8670	2.0%	3570
5800	Other services and operating expenses	85520	62078	78453	0	226051	2.0%	100838
5801	Depreciation Expense	9385			797920	807305		10000
5802	Amortization Expense	0			65000	65000		0
	FLHB LOC Carrying Charge		101895	101895		203790		
	Contribution to Sinking Fund		213600	213600		427200		
5818	Bond Interest	0				0		0
5890	R & M - Facilities	0	0	0	0	0	2.0%	0
7290	Charter Oversight Fees 1%	46609	28216	22721	0	97546	2.0%	41433
7300	Grant from HTHL to Pt Loma Schools	0	0	0	0	0		0
7301	Grant from HTHL to CV	0	0	0	0	0		0
7302	Grant from HTHL to NC	0	0	0	0	0		0
9999	Expenditures from Restricted Sources	737962	400000	300000	0	1437962		441731
	Total Unrestricted Expenditures	5077581	2845860	2255455	862920	11041816		4360125
8000	Charter Principal Apportionment	3602210	2142912	1728042	0	7473165		3351424
8020	Categorical Block Grant	270089	163367	127999	0	561455		222209
8040	Grants from Parent Association	20600	15450	12360	0	48410	3.0%	37961
8300	Other State (Flexibility)	12166	51743	40535	0	104444	0.0%	20299
8434	K-3 Class Size Reduction	0	0	0	0	0	3.0%	0
8560	Lottery Income	65171	50569	39620	0	155360	3.0%	58144
8600	Grants & Donations	10609	0	0	0	10609	3.0%	10609
8617	Annual Appeal	53045	37132	31827	0	122004	3.0%	42731
8620	Donation from HTH Learning - Pt Loma	350000	0	0	0	350000		0
8620	Donation from HTH Learning - NC	0	0	0	0	0		385000
8947	Student Lunch Sales	0	0	0	0	0	3.0%	0
8960	Contrib to LT Maintenance Reserve	0	0	0	0	0	3.0%	0
8970	Investment Income	0	0	0	0	0	3.0%	18566
8980	Miscellaneous local income	45526	2060	2060	0	49646	3.0%	4635
8985	Management Fees	0	0	0	0	0	3.0%	0
8986	Management Fees - special education	0	0	0	0	0	3.0%	0
8987	Facility Maintenance Fees	0	0	0	0	0	3.0%	0
8990	Rent Income	0	0	0	0	0		0
9999	Revenues Released from Restriction	737962	400000	300000	0	1437962		441731
	Total Unrestricted Income	5167378	2863233	2282443	0	10313055		4593309
	Net Profit/(Loss)	89797	17373	26988	-862920	-728761		233184

UNRESTRICTED BUDGET - 2013-14

Object Code	Object Title	High Tech High Chula Vista	High Tech Elementary Chula Vista	High Tech Middle Chula Vista	K-8 Chula Vista Project Fund	Sub-Total Chula Vista Campus	NC COLA Assumption	High Tech High North County
	Beginning Current Net Assets	1237756	334353	326738	0			838052
	Change in Net Assets	89797	17373	26988	-862920			233184
	Ending Current Net Assets	1327553	351726	353727	-862920			1071235
	Invested in Fixed Assets							
	Add Back Deprec - No Effect on Current	9385	0	0	797920			10000
	Add Back Amort - No Effect on Current	0	0	0	65000			0
	Ending Current Net Assets	1336938	351726	353727	0			1081235
	Estimated liquidity ratio	26.33%	12.36%	15.68%	0.00%			24.80%
	Net Rent	898,000	315,495	315,495				715,000
	Percentage of Unrestricted Revenues	17.4%	11.0%	13.8%				15.6%
			Rent=Sink+LC	Rent=Sink+LC				
	Rates / Data	8,462.64	6,775.86	6,712.66				7,785.94
	Enrollment Basis							
	K-3	-	264	-				-
	4-6	-	156	112				-
	7-8	-	-	224				-
	9-12	600	-	-				560
	Total	600	420	336				560
	Attendance Percentage	0.948	0.97	0.95				0.945
	ADA Projected							
	K-3	0.00	256.08	0.00				0.00
	4-6	0.00	151.32	106.40				0.00
	7-8	0.00	0.00	212.80				0.00
	9-12	568.80	0.00	0.00				529.20
	Total	568.80	407.40	319.20				529.20
	Categorical Block Grant Rate	401	401	401				401
	EIA Adjustment to Categorical Block	\$42,000	\$0	\$0				\$10,000

UNRESTRICTED BUDGET - 2013-14

Object Code	Object Title	High Tech Middle North County	HTMNC Project Fund	Schools - North County Total	PTL COLA Assumption	High Tech High	High Tech High International	High Tech High Media Arts	High Tech Middle
1000	Certificated Salaries	811422		2372460	2.0%	1758487	1274973	1113752	827205
2000	Classified Salaries	128843		220715	2.0%	85154	80236	93695	204782
3000	Employee Benefits - Budget	231304		612472	3.0%	431946	269196	294364	248400
4300	Materials and Supplies	41412		82824	2.0%	64189	42706	72471	56320
4530	Equipment - Noncapital	0		20706	2.0%	34941	0	6212	0
4700	Food services for students	0		0	2.0%	0	0	0	0
5117	Management Fee	68651		350204	2.0%	302294	212395	215992	135268
5200	Travel & conferences	0		0	2.0%	0	0	0	0
5400	Insurance	19795		55854	2.0%	50407	28479	37219	26356
5520	Communications	5177		13978	2.0%	14494	6212	10353	7765
5550	Utilities, Maintenance, and Custodial	102000		336560	2.0%	260828	173521	187493	159714
5555	Other Facility Expense	1799		7183	2.0%	62530	58627	62027	57639
5610	Lease - Standard	0		0	2.0%	0	0	0	0
5612	Lease to HTHL	75000		1175000	0.0%	730598	525333	619853	582330
5614	Long-Term Maintenance Fund Contribution	0		0	3.0%	0	0	0	0
5630	Equipment Lease	1734		5304	2.0%	3060	5100	16389	1530
5800	Other services and operating expenses	35700		136538	2.0%	85516	84480	115539	69158
5801	Depreciation Expense	5000	227000	242000		39000	14300	9400	27600
5802	Amortization Expense	0	49000	49000		0	0	0	0
	FLHB LOC Carrying Charge	67076		67076				0	
	Contribution to Sinking Fund	180078		180078				0	
5818	Bond Interest	0		0		0	0	0	0
5890	R & M - Facilities	0		0	2.0%	0	0	0	0
7290	Charter Oversight Fees 1%	22832		64265	2.0%	44169	30891	31477	22599
7300	Grant from HTHL to Pt Loma Schools	0		0		0	0	0	0
7301	Grant from HTHL to CV	0		0		0	0	0	0
7302	Grant from HTHL to NC	0		0		0	0	0	0
9999	Expenditures from Restricted Sources	354026		795757		522160	353030	380611	262113
	Total Unrestricted Expenditures	2151849	276000	6787974		4489773	3159479	3266847	2688779
8000	Charter Principal Apportionment	1746232		5097656		3417128	2388966	2431872	1725243
8020	Categorical Block Grant	129347		351556		248170	174163	174654	133556
8040	Grants from Parent Association	20600		58561	3.0%	25750	25187	26780	17098
8300	Other State (Flexibility)	40000		60299	0.0%	47909	58341	41034	21435
8434	K-3 Class Size Reduction	0		0	3.0%	0	0	0	0
8560	Lottery Income	36957		95101	3.0%	61825	46915	43999	36517
8600	Grants & Donations	0		10609	3.0%	0	1466	0	0
8617	Annual Appeal	51500		94231	3.0%	80923	13153	33949	26416
8620	Donation from HTH Learning - Pt Loma	0		0		228765	167416	272320	340330
8620	Donation from HTH Learning - NC	0		385000		0	0	0	0
8947	Student Lunch Sales	0		0	3.0%	0	0	0	0
8960	Contrib to LT Maintenance Reserve	0		0	3.0%	0	0	0	0
8970	Investment Income	5273		23839	3.0%	0	1069	0	0
8980	Miscellaneous local income	3090		7725	3.0%	15450	30582	10300	160680
8985	Management Fees	0		0	3.0%	0	0	0	0
8986	Management Fees - special education	0		0	3.0%	0	0	0	0
8987	Facility Maintenance Fees	0		0	3.0%	0	0	0	0
8990	Rent Income	0		0		0	0	0	0
9999	Revenues Released from Restriction	354026	0	795757		522160	353030	381611	262113
	Total Unrestricted Income	2387025	0	6980334		4648080	3260288	3416519	2723388
	Net Profit/(Loss)	235176	-276000	192360		158307	100809	149672	34609

UNRESTRICTED BUDGET - 2013-14

Object Code	Object Title	High Tech Middle North County	HTMNC Project Fund	Schools - North County Total	PTL COLA Assumption	High Tech High	High Tech High International	High Tech High Media Arts	High Tech Middle
	Beginning Current Net Assets	682523				1181490	723498	1002183	675255
	Change in Net Assets	235176				158307	100809	149672	34609
	Ending Current Net Assets	917699				1339798	824307	1151855	709864
	Invested in Fixed Assets								
	Add Back Deprec - No Effect on Current	5000				39000	14300	9400	27600
	Add Back Amort - No Effect on Current	0				0	0	0	0
	Ending Current Net Assets	922699				1378798	838607	1161255	737464
	Estimated liquidity ratio	42.88%				30.71%	26.54%	35.55%	27.43%
	Net Rent	322,154				501,833	357,917	347,533	242,000
	Percentage of Unrestricted Revenues	13.5%				10.8%	11.0%	10.2%	8.9%
	Rates / Data	6,404.31				7,946.50	7,998.68	8,167.12	8,098.73
	Enrollment Basis								
	K-3	-				-	-	-	-
	4-6	112				-	-	-	112
	7-8	224				-	-	-	220
	9-12	-				565	395	400	-
	Total	336				565	395	400	332
	Attendance Percentage	0.96				0.955	0.955	0.96	0.96
	ADA Projected								
	K-3	0.00				0.00	0.00	0.00	0.00
	4-6	107.52				0.00	0.00	0.00	107.52
	7-8	215.04				0.00	0.00	0.00	211.20
	9-12	0.00				539.58	377.23	384.00	0.00
	Total	322.56				539.58	377.23	384.00	318.72
	Categorical Block Grant Rate	401				401	401	401	401
	EIA Adjustment to Categorical Block	\$0				\$31,800	\$22,896	\$20,670	\$5,749

UNRESTRICTED BUDGET - 2013-14

Object Code	Object Title	High Tech Middle Media Arts	Explorer Elementary Charter School	Schools - Point Loma Total	Sub-Total Schools	Sub-Total Central	Intra-Affiliate Transactions	Consolidated
1000	Certificated Salaries	841467	1174399	6990283	13137109	493048		13630157
2000	Classified Salaries	143597	366309	973773	1589662	1984488		3574150
3000	Employee Benefits - Budget	216234	333805	1793945	3341229	620257		3961486
4300	Materials and Supplies	28544	72140	336370	567164	163576		730740
4530	Equipment - Noncapital	21250	15530	77933	129698	7161		136859
4700	Food services for students	0	62118	62118	62118	0		62118
5117	Management Fee	134728	86067	1086744	1975257	33378	-2008635	0
5200	Travel & conferences	0	0	0	0	35960		35960
5400	Insurance	22701	28035	193197	337142	1874		339016
5520	Communications	7779	8282	54885	98887	11189		110076
5550	Utilities, Maintenance, and Custodial	150142	139380	1071078	1987866	151566	-1254421	885011
5555	Other Facility Expense	51657	61350	353830	361272	617821		979093
5610	Lease - Standard	0	0	0	0	569		569
5612	Lease to HTHL	638576	123605	3220295	5643295	0	-5643295	0
5614	Long-Term Maintenance Fund Contribution	0	21074	21074	21074	141155	-162229	0
5630	Equipment Lease	7481	5578	39138	53112	1130		54242
5800	Other services and operating expenses	51769	39113	445575	808164	432287		1240451
5801	Depreciation Expense	20861	39900	151061	1200366	3264757		4465123
5802	Amortization Expense	0	0	0	114000	124374		238374
	FLHB LOC Carrying Charge				270866	0		270866
	Contribution to Sinking Fund				607278	0		607278
5818	Bond Interest	0	0	0	0	2904494		2904494
5890	R & M - Facilities	0	0	0	0	0		0
7290	Charter Oversight Fees 1%	19683	22642	171461	333272	0		333272
7300	Grant from HTHL to Pt Loma Schools	0	0	0	0	1372746	-1372746	0
7301	Grant from HTHL to CV	0	0	0	0	350000	-350000	0
7302	Grant from HTHL to NC	0	0	0	0	385000	-385000	0
9999	Expenditures from Restricted Sources	298260	234843	2051017	4284736	5286745	0	9571481
	Total Unrestricted Expenditures	2654729	2834170	19093777	36923567	18383575	-11176326	44130816
				0	0	0		0
8000	Charter Principal Apportionment	1730641	1734263	13428113.24	25998934.32	0		25998934.32
8020	Categorical Block Grant	128192	132250	990985	1903996	0		1903996
8040	Grants from Parent Association	18913	103000	216728	323699	13080		336779
8300	Other State (Flexibility)	30809	33722	233250	397993	0		397993
8434	K-3 Class Size Reduction	0	204520	204520	204520	0		204520
8560	Lottery Income	40588	37787	267631	518092	0		518092
8600	Grants & Donations	9649	106090	117205	138423	908734		1047157
8617	Annual Appeal	37722	0	192163	408398	98590		506988
8620	Donation from HTH Learning - Pt Loma	363915	0	1372746	1722746	0	-1722746	0
8620	Donation from HTH Learning - NC	0	0	0	385000	0	-385000	0
8947	Student Lunch Sales	0	84872	84872	84872	0		84872
8960	Contrib to LT Maintenance Reserve	0	0	0	0	162229	-162229	0
8970	Investment Income	692	0	0	23839	103703		127542
8980	Miscellaneous local income	18083	103000	338095	395466	423161		818627
8985	Management Fees	0	0	0	0	2008635	-2008635	0
8986	Management Fees - special education	0	0	0	0	119186		119186
8987	Facility Maintenance Fees	0	0	0	0	1254421	-1254421	0
8990	Rent Income	0	0	0	0	5643295	-5643295	0
9999	Revenues Released from Restriction	298260	234843	2052017	4285736	5286745	0	9572481
	Total Unrestricted Income	2677464	2774347	19498325	36791714	16021779	-11176326	41637167
	Net Profit/(Loss)	22735	-59823	404548	-131853	-2361796	0	-2493649

UNRESTRICTED BUDGET - 2013-14

Object Code	Object Title	High Tech Middle Media Arts	Explorer Elementary Charter School	Schools - Point Loma Total	Sub-Total Schools	Sub-Total Central	Intra-Affiliate Transactions	Consolidated
							119186	
	Beginning Current Net Assets	635462	712929					21273529
	Change in Net Assets	22735	-59823					-2493649
	Ending Current Net Assets	658197	653106					18779880
	Invested in Fixed Assets							0
	Add Back Deprec - No Effect on Current	20861	39900					4465123
	Add Back Amort - No Effect on Current	0	0					238374
	Ending Current Net Assets	679058	693006					23483377
	Estimated liquidity ratio	25.58%	24.45%					53.21%
	Net Rent	274,661	123,605					
	Percentage of Unrestricted Revenues	10.3%	4.5%					
	Rates / Data	7,972.16	8,335.79		7,997.31			
	Enrollment Basis							
	K-3	-	220					
	4-6	111	120					
	7-8	222	-					
	9-12	-	-					
	Total	333	340		4,617			
	Attendance Percentage ADA Projected	0.96	0.97					
	K-3	0.00	213.40					
	4-6	106.56	116.40					
	7-8	213.12	0.00					
	9-12	0.00	0.00					
	Total	319.68	329.80					
	Categorical Block Grant Rate	401	401					
	EIA Adjustment to Categorical Block	\$0	\$0					

UNRESTRICTED BUDGET - 2014-15

Object Code	Object Title	High Tech High Chula Vista	High Tech Elementary Chula Vista	High Tech Middle Chula Vista	K-8 Chula Vista Project Fund	Sub-Total Chula Vista Campus	NC COLA Assumption	High Tech High North County
1000	Certificated Salaries	1725515	1267148	838318	0	2992663	1.5%	1584454
2000	Classified Salaries	133771	143336	123994	0	277107	1.5%	93250
3000	Employee Benefits - Budget	434330	328085	209790	0	762415	4.0%	396415
4300	Materials and Supplies	47440	27456	76033	0	74896	2.0%	42240
4530	Equipment - Noncapital	31680	0	0	0	31680	2.0%	21120
4700	Food services for students	0	0	0	0	0	2.0%	0
5117	Management Fee	322143	94226	132707	0	416369	2.0%	287184
5200	Travel & conferences	0	0	0	0	0	2.0%	0
5400	Insurance	34043	28248	27562	0	62291	2.0%	36780
5520	Communications	9504	10560	10560	0	20064	2.0%	8977
5550	Utilities, Maintenance, and Custodial	263368	180134	148330	0	443502	2.0%	239251
5555	Other Facility Expense	264	0	0	0	264	2.0%	5492
5610	Lease - Standard	0	0	0	0	0	2.0%	0
5612	Lease to HTHL	1248000	0	0	0	1248000		1100000
5614	Long-Term Maintenance Fund Contribution	0	0	0	0	0		0
5630	Equipment Lease	6242	1040	1561	0	7282	2.0%	3641
5800	Other services and operating expenses	87230	63320	80022	0	150550	2.0%	102855
5801	Depreciation Expense	9385	0	0	797920	9385		10000
5802	Amortization Expense	0	0	0	65000	0		0
	FLHB LOC Carrying Charge	0	101895	101895	0	101895		0
	Contribution to Sinking Fund	0	234750	234750	0	234750		0
5818	Bond Interest	0	0	0	0	0		0
5890	R & M - Facilities	0	0	0	0	0	0	0
7290	Charter Oversight Fees 1%	47541	28780	23175	0	76321	0	42262
7300	Grant from HTHL to Pt Loma Schools	0	0	0	0	0		0
7301	Grant from HTHL to CV	0	0	0	0	0		0
7302	Grant from HTHL to NC	0	0	0	0	0		0
9999	Expenditures from Restricted Sources	737962	400000	300000	0	1137962		441731
	Total Unrestricted Expenditures	5138418	2908978	2308697	862920	8047396		4415652
8000	Charter Principal Apportionment	3578194	2185841	1762516	0	5764035		3418632
8020	Categorical Block Grant	270089	163367	127999	0	433456		222209
8040	Grants from Parent Association	21012	15759	12607	0	36771	0	38720
8300	Other State (Flexibility)	12409	52778	41346	0	65187	0	20705
8434	K-3 Class Size Reduction	0	0	0	0	0	0	0
8560	Lottery Income	66474	51580	40412	0	118054	0	59307
8600	Grants & Donations	10821	0	0	0	10821	0	10821
8617	Annual Appeal	54106	37875	32464	0	91981	0	43586
8620	Donation from HTH Learning - Pt Loma	350000	0	0	0	350000		0
8620	Donation from HTH Learning - NC	0	0	0	0	0		200000
8947	Student Lunch Sales	0	0	0	0	0	0	0
8960	Contrib to LT Maintenance Reserve	0	0	0	0	0	0	0
8970	Investment Income	0	0	0	0	0	0	18937
8980	Miscellaneous local income	46437	2101	2101	0	48538	0	4728
8985	Management Fees	0	0	0	0	0	0	0
8986	Management Fees - special education	0	0	0	0	0	0	0
8987	Facility Maintenance Fees	0	0	0	0	0	0	0
8990	Rent Income	0	0	0	0	0		0
9999	Revenues Released from Restriction	737962	400000	300000	0	1137962		441731
	Total Unrestricted Income	5147504	2909301	2319445	0	8056805		4479376
	Net Profit/(Loss)	9086	323	10748	-862920	9409		63724

UNRESTRICTED BUDGET - 2014-15

Object Code	Object Title	High Tech High Chula Vista	High Tech Elementary Chula Vista	High Tech Middle Chula Vista	K-8 Chula Vista Project Fund	Sub-Total Chula Vista Campus	NC COLA Assumption	High Tech High North County
	Beginning Current Net Assets	1336938	351726	353727	0			1081235
	Change in Net Assets	9086	323	10748	-862920			63724
	Ending Current Net Assets	1346024	352049	364475	-862920			1144959
	Invested in Fixed Assets							
	Add Back Deprec - No Effect on Current	9385	0	0	797920			10000
	Add Back Amort - No Effect on Current	0	0	0	65000			0
	Ending Current Net Assets	1355409	352049	364475	0			1154959
	Estimated liquidity ratio	26.38%	12.10%	15.79%	0.00%			26.16%
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	Net Rent	898,000	336,645	336,645				900,000
	Percentage of Unrestricted Revenues	17.4%	11.6%	14.5%				20.1%
Rates / Data								
Enrollment Basis								
	K-3		264	-				
	4-6		156	112				
	7-8		-	224				
	9-12	580	-	-				560
	Total	580	420	336				560
	Attendance Percentage	0.955	0.97	0.95				0.945
ADA Projected								
	K-3	0.00	256.08	0.00				0.00
	4-6	0.00	151.32	106.40				0.00
	7-8	0.00	0.00	212.80				0.00
	9-12	553.90	0.00	0.00				529.20
	Total	553.90	407.40	319.20				529.20
	Categorical Block Grant Rate	401	401	401				401
	EIA Adjustment to Categorical Block	\$42,000	\$0	\$0				\$10,000

UNRESTRICTED BUDGET - 2014-15

Object Code	Object Title	High Tech Middle North County	HTMNC Project Fund	Schools - North County Total	PTL COLA Assumption	High Tech High	High Tech High International	High Tech High Media Arts	High Tech Middle
1000	Certificated Salaries	823593	0	2408047	1.5%	1784864	1294098	1130458	839613
2000	Classified Salaries	130776	0	224026	1.5%	86431	81440	95100	207854
3000	Employee Benefits - Budget	240556	0	636971	4.0%	449224	279964	306139	258336
4300	Materials and Supplies	42240	0	84480	2.0%	65473	43560	73920	57446
4530	Equipment - Noncapital	50000	0	71120	2.0%	35640	0	6336	0
4700	Food services for students	0	0	0	2.0%	0	0	0	0
5117	Management Fee	70024	0	357208	2.0%	308340	216643	220312	137973
5200	Travel & conferences	0	0	0	2.0%	0	0	0	0
5400	Insurance	20191	0	56971	2.0%	51415	29049	37963	26883
5520	Communications	5281	0	14258	2.0%	14784	6336	10560	7920
5550	Utilities, Maintenance, and Custodial	104040	0	343291	2.0%	266045	176991	191243	162908
5555	Other Facility Expense	1835	0	7327	2.0%	63781	59800	63268	58792
5610	Lease - Standard	0	0	0	2.0%	0	0	0	0
5612	Lease to HTHL	75000	0	1175000	0.0%	730598	525333	619853	582330
5614	Long-Term Maintenance Fund Contribution	0	0	0	3.0%	0	0	0	0
5630	Equipment Lease	1769	0	5410	2.0%	3121	5202	16717	1561
5800	Other services and operating expenses	36414	0	139269	2.0%	87226	86170	117850	70541
5801	Depreciation Expense	5000	227000	242000		39000	14300	9400	27600
5802	Amortization Expense	0	49000	49000		0	0	0	0
	FLHB LOC Carrying Charge	67076	0	67076		0	0	0	0
	Contribution to Sinking Fund	189810	0	189810		0	0	0	0
5818	Bond Interest	0	0	0		0	0	0	0
5890	R & M - Facilities	0	0	0	0	0	0	0	0
7290	Charter Oversight Fees 1%	23289	0	65551	0	45052	31509	32107	23051
7300	Grant from HTHL to Pt Loma Schools	0	0	0		0	0	0	0
7301	Grant from HTHL to CV	0	0	0		0	0	0	0
7302	Grant from HTHL to NC	0	0	0		0	0	0	0
9999	Expends from Restricted Sources	354026	0	795757		522160	353030	380611	262113
	Total Unrestricted Expenditures	2240920	276000	6932572		4553154	3203425	3311837	2724921
8000	Charter Principal Apportionment	1717459	0	5136091.2		3393115	2443043	2431027	1759661
8020	Categorical Block Grant	129347	0	351556		248170	174163	174654	133556
8040	Grants from Parent Association	21012	0	59732	0	26265	25691	27316	17440
8300	Other State (Flexibility)	40800	0	61505	0	48867	59508	41855	21864
8434	K-3 Class Size Reduction	0	0	0	0	0	0	0	0
8560	Lottery Income	37696	0	97003	0	63062	47853	44879	37247
8600	Grants & Donations	0	0	10821	0	0	1495	0	0
8617	Annual Appeal	52530	0	96116	0	82541	13416	34628	26944
8620	Donation from HTH Learning - Pt Loma	0	0	0		228765	167416	272320	340330
8620	Donation from HTH Learning - NC	0	0	200000		0	0	0	0
8947	Student Lunch Sales	0	0	0	0	0	0	0	0
8960	Contrib to LT Maintenance Reserve	0	0	0	0	0	0	0	0
8970	Investment Income	5378	0	24315	0	0	1090	0	0
8980	Miscellaneous local income	3152	0	7880	0	15759	31194	10506	163894
8985	Management Fees	0	0	0	0	0	0	0	0
8986	Management Fees - special education	0	0	0	0	0	0	0	0
8987	Facility Maintenance Fees	0	0	0	0	0	0	0	0
8990	Rent Income	0	0	0	0	0	0	0	0
9999	Revenues Released from Restriction	354026	0	795757		522160	353030	381611	262113
	Total Unrestricted Income	2361400	0	6840776		4628704	3317899	3418796	2763049
	Net Profit/(Loss)	120480	-276000	-91796		75550	114474	106959	38128

UNRESTRICTED BUDGET - 2014-15

Object Code	Object Title	High Tech Middle North County	HTMNC Project Fund	Schools - North County Total	PTL COLA Assumption	High Tech High	High Tech High International	High Tech High Media Arts	High Tech Middle
	Beginning Current Net Assets	922699	0			1378798	838607	1161255	737464
	Change in Net Assets	120480	-276000			75550	114474	106959	38128
	Ending Current Net Assets	1043179	-276000			1454348	953081	1268214	775592
	Invested in Fixed Assets								
	Add Back Deprec - No Effect on Current	5000	227000			39000	14300	9400	27600
	Add Back Amort - No Effect on Current	0	49000			0	0	0	0
	Ending Current Net Assets	1048179	0			1493348	967381	1277614	803192
	Estimated liquidity ratio	46.77%	0.00%			32.80%	30.20%	38.58%	29.48%
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	Net Rent	331,886				501,833	357,917	347,533	242,000
	Percentage of Unrestricted Revenues	14.1%				10.8%	10.8%	10.2%	8.8%
Rates / Data									
Enrollment Basis									
	K-3								
	4-6	108							112
	7-8	216							220
	9-12	-				550	396	392	-
	Total	324				550	396	392	332
	Attendance Percentage	0.96	0			0.955	0.955	0.96	0.96
	ADA Projected								
	K-3	0.00				0.00	0.00	0.00	0.00
	4-6	103.68				0.00	0.00	0.00	107.52
	7-8	207.36				0.00	0.00	0.00	211.20
	9-12	0.00				525.25	378.18	376.32	0.00
	Total	311.04				525.25	378.18	376.32	318.72
	Categorical Block Grant Rate	401				401	401	401	401
	EIA Adjustment to Categorical Block	\$0				\$31,800	\$22,896	\$20,670	\$5,749

UNRESTRICTED BUDGET - 2014-15

Object Code	Object Title	High Tech Middle Media Arts	Explorer Elementary Charter School	Schools - Point Loma Total	Sub-Total Schools	Sub-Total Central	Intra-Affiliate Transactions	Consolidated
1000	Certificated Salaries	854089	1192015	7095137	12495847	500444		12996291
2000	Classified Salaries	145751	371804	988380	1489513	2014255		3503768
3000	Employee Benefits - Budget	224883	347157	1865703	3265089	645067		3910156
4300	Materials and Supplies	29115	73583	343097	502473	166848		669321
4530	Equipment - Noncapital	21675	15841	79492	182292	7304		189596
4700	Food services for students	0	63360	63360	63360	0		63360
5117	Management Fee	137423	87788	1108479	1882056	34046	-1916102	0
5200	Travel & conferences	0	0	0	0	36679		36679
5400	Insurance	23155	28596	197061	316323	1912		318235
5520	Communications	7935	8448	55983	90305	11413		101718
5550	Utilities, Maintenance, and Custodial	153145	142168	1092500	1879293	154597	-1254421	779469
5555	Other Facility Expense	52690	62577	360908	368499	630177		998676
5610	Lease - Standard	0	0	0	0	580		580
5612	Lease to HTHL	638576	123605	3220295	5643295	0	-5643295	0
5614	Long-Term Maintenance Fund Contribution	0	21706	21706	21706	145390	-167096	0
5630	Equipment Lease	7631	5690	39922	52614	1153		53767
5800	Other services and operating expenses	52804	39895	454486	744305	440934		1185239
5801	Depreciation Expense	20861	39900	151061	402446	3264757		3667203
5802	Amortization Expense	0	0	0	49000	124374		173374
	FLHB LOC Carrying Charge	0	0		168971	0		168971
	Contribution to Sinking Fund	0	0		424560	0		424560
5818	Bond Interest	0	0	0	0	2904494		2904494
5890	R & M - Facilities	0	0	0	0	0		0
7290	Charter Oversight Fees 1%	20077	23095	174891	316763	0		316763
7300	Grant from HTHL to Pt Loma Schools	0	0	0	0	1372746	-1372746	0
7301	Grant from HTHL to CV	0	0	0	0	350000	-350000	0
7302	Grant from HTHL to NC	0	0	0	0	200000	-200000	0
9999	Expend from Restricted Sources	298260	234843	2051017	3984736	5286745	0	9271481
	Total Unrestricted Expenditures	2688070	2882071	19363478	34343446	18293915	-10903660	41733701
				0		0		0
8000	Charter Principal Apportionment	1781069	1769008	13576923	24477049	0		24477049
8020	Categorical Block Grant	128192	132250	990985	1775997	0		1775997
8040	Grants from Parent Association	19291	105060	221063	317566	13341		330907
8300	Other State (Flexibility)	31425	34396	237915	364607	0		364607
8434	K-3 Class Size Reduction	0	208610	208610	208610	0		208610
8560	Lottery Income	41400	38543	272984	488041	0		488041
8600	Grants & Donations	9842	108212	119549	141191	926909		1068100
8617	Annual Appeal	38476	0	196005	384102	100562		484664
8620	Donation from HTH Learning - Pt Loma	363915	0	1372746	1722746	0	-1722746	0
8620	Donation from HTH Learning - NC	0	0	0	200000	0	-200000	0
8947	Student Lunch Sales	0	86569	86569	86569	0		86569
8960	Contrib to LT Maintenance Reserve	0	0			167096	-167096	0
8970	Investment Income	706	0		24315	105777		130092
8980	Miscellaneous local income	18445	105060	344858	401276	431624		832900
8985	Management Fees	0	0	0	0	1916102	-1916102	0
8986	Management Fees - special education	0	0	0	0	121570	0	121570
8987	Facility Maintenance Fees	0	0	0	0	1254421	-1254421	0
8990	Rent Income	0	0	0	0	5643295	-5643295	0
9999	Revenues Released from Restriction	298260	234843	2052017	3985736	5286745	0	9272481
	Total Unrestricted Income	2731021	2822551	19680224	34577805	15967442	-10903660	39641587
	Net Profit/(Loss)	42951	-59520	316746	234359	-2326473	0	-2092114

UNRESTRICTED BUDGET - 2014-15

Object Code	Object Title	High Tech Middle Media Arts	Explorer Elementary Charter School	Schools - Point Loma Total	Sub-Total Schools	Sub-Total Central	Intra-Affiliate Transactions	Consolidated
	Beginning Current Net Assets	679058	693006					23483377
	Change in Net Assets	42951	-59520					-2092114
	Ending Current Net Assets	722009	633487					21391263
	Invested in Fixed Assets							0
	Add Back Deprec - No Effect on Current	20861	39900					3667203
	Add Back Amort - No Effect on Current	0	0					173374
	Ending Current Net Assets	742870	673387					25231840
	Estimated liquidity ratio	27.64%	23.36%					60.46%

Net Rent	274,661	123,605
Percentage of Unrestricted Revenues	10.1%	4.4%

Rates / Data

Enrollment Basis

K-3		220
4-6	112	120
7-8	224	
9-12	-	-
Total	336	340

Attendance Percentage

ADA Projected

K-3	0.00	213.40
4-6	107.52	116.40
7-8	215.04	0.00
9-12	0.00	0.00
Total	322.56	329.80

Categorical Block Grant Rate

EIA Adjustment to Categorical Block

Categorical Block Grant Rate	401	401
EIA Adjustment to Categorical Block	\$0	\$0

ESTRICTED

Object Code	Object Title	High Tech High Chula Vista	Schools - Chula Vista Total	High Tech High North County	High Tech Middle North County	Schools - North County Total	High Tech High	High Tech High International	High Tech High Media Arts
1000	Certificated Salaries	1233428	1233428	1339295	602213	1941508	1737780	1171048	1012124
2000	Classified Salaries	139897	139897	105266	57701	162967	236778	92342	115362
3000	Employee Benefits - Budget	298040	298040	300900	141888	442788	453506	280417	265103
4300	Materials and Supplies	70011	70011	67610	44560	112170	82221	56577	75087
4530	Equipment - Noncapital	18130	18130	17844	188877	206721	20481	13976	54453
4700	Food services for students	0	0	0	0	0	103899		
5117	Management Fee	239901	239901	129266	136963	266229	301471	206068	211662
5200	Travel & conferences	1103	1103	3462	360	3822	4258	3032	4159
5400	Insurance	22996	22996	23584	13132	36716	21526	36790	28222
5520	Communications	12880	12880	12313	8609	20922	15746	18554	12558
5550	Utilities, Maintenance, and Custodial	199362	199362	184852	131988	316840	167072	133750	168087
5555	Other Facility Expense	0	0	3779	3092	6871	23024	61599	65956
5610	Lease - Standard		0		102154	102154			
5612	Lease to HTHL	1041346	1041346	1100000	150000	1250000	730598	525333	619853
5614	Long-Term Maintenance Fund Contribution		0			0			
5630	Equipment Lease	2912	2912	4682	2618	7300	9846	7891	13424
5800	Other services and operating expenses	97879	97879	67529	36382	103911	41551	50140	75270
5801	Depreciation Expense	7440	7440	4084	11174	15258	124173	73379	87688
5802	Amortization Expense		0			0			
5818	Bond Interest		0			0			
5890	R & M - Facilities	4815	4815	206	1139	1345	1831	6386	
7303	Sub-grants to Schools/Transfer Bayshore		0			0			
7290	Charter Oversight Fees 1%	30784	30784	27884	19900	47784	37745	25293	25300
7300	Grant from HTHL to Pt Loma Schools		0			0			
7301	Grant from HTHL to CV		0			0			
7302	Grant from HTHL to NC		0			0			
9999	Expenditures from Restricted Funds	780182	780182	451426	627355	1078781	992161	499579	495619
	Total Unrestricted Expenditures	4201106	4201106	3843982	2280105	6124087	5105667	3262154	3329927
8000	Charter Principal Apportionment	2571452	2571452	2286546	1606015	3892561	3045976	2175796	2230827
8020	Categorical Block Grant	216654	216654	181968	151679	333647	259465	185125	193446
8040	Grants from Parent Association	326	326	0	0	0	25734	25550	20722
8300	Other State (Flexibility)	6109	6109	10692	407	11099	202266	24994	20938
8434	K-3 Class Size Reduction		0			0			
8560	Lottery Income	47452	47452	42040	33856	75896	57064	40577	41899
8600	Grants & Donations	0	0	0	0	0	0	0	0
8617	Annual Appeal	24520	24520	60520	15026	75546	95974	21007	33040
8620	Donation from HTH Learning - Pt Loma	550000	550000			0	268243	207808	271812
8620	Donation from HTH Learning - NC		0	606110		606110			
8947	Student Lunch Sales		0			0	68865		
8960	Contrib to LT Maintenance Reserve		0			0			
8970	Investment Income	2780	2780	3626	2722	6348	2529	2002	1990
8980	Miscellaneous local income	111240	111240	-223901	19770	-204131	145609	56252	43853
8985	Management Fees		0			0			
8986	Management Fees - restricted programs		0			0			
8987	Facility Maintenance Fees		0			0			
8889	Grant from Affiliate		0	592345		592345			
8990	Rent Income		0			0			
9999	Restricted Revenue Released from Restrict	780182	780182	451426	627355	1078781	992161	499579	495619
	Total Unrestricted Income	4,310,715	4,310,715	4,011,372	2,456,830	6,468,202	5,163,886	3,238,690	3,354,146
	Net Profit/(Loss)	109,609	109,609	167,390	176,725	344,115	58,219	(23,464)	24,219

ESTRICTED

Object Code	Object Title	High Tech High Chula Vista	Schools - Chula Vista Total	High Tech High North County	High Tech Middle North County	Schools - North County Total	High Tech High	High Tech High International	High Tech High Media Arts
	Beginning Current Net Assets	516377		179989	-6218		318428	342075	421952
	Change in Current Net Assets	109609		167390	176725		58219	-23464	24219
	Exclude Project Funds								
	Add Back Deprec - No Effect on Current	7440		4084	11174		124173	73379	87688
	Add Back Amort - No Effect on Current	0		0	0		0	0	0
	Ending Current Net Assets (Excluding Project Fun	633426		351463	181681		500820	391990	533859
	Estimated liquidity ratio (unrestricted)	15.08%		9.14%	7.97%		9.81%	12.02%	16.03%
	Net Rent	491,346		493,890	150,000		462,355	317,525	348,041
	Percentage of Unrestricted Revenues Rates / Data	11.4%		12.3%	6.1%		9.0%	9.8%	10.4%
	Enrollment Basis								
	K-3								
	4-6				108				
	7-8				216				
	9-12	468		417	-		545	392	392
	Total	468		417	324		545	392	392
	Attendance Percentage	0.96		0.96	0.96		0.96	0.96	0.96
	ADA Projected								
	K-3	0.00		0.00	0.00		0.00	0.00	0.00
	4-6	0.00		0.00	103.68		0.00	0.00	0.00
	7-8	0.00		0.00	207.36		0.00	0.00	0.00
	9-12	449.28		400.32	0.00		523.20	376.32	376.32
	Total	449.28		400.32	311.04		523.20	376.32	376.32
	Categorical Block Grant Rate	401		401	401		401	401	401
	2009-10 One Time Cut per ADA	\$ (72,906)		\$ (65,306)	\$ -		\$ (129,876)	\$ (93,447)	\$ (94,369)
	Lottery Rate	120		120	120		120	120	120
	ARRA Round 1 & 2	Actual Award		Actual Award	None		Actual Award	Actual Award	Actual Award
	EIA Adjustment to Categorical Block	28000		5800	5800		34026	42294	31800
	Apportionment Rates								
	K-3	\$5,030		\$5,030	\$5,030		\$5,030	\$5,030	\$5,030
	4-6	\$5,107		\$5,107	\$5,107		\$5,107	\$5,107	\$5,107
	7-8	\$5,255		\$5,255	\$5,255		\$5,255	\$5,255	\$5,255
	9-12	\$6,097		\$6,097	\$6,097		\$6,097	\$6,097	\$6,097
	K-3	\$0		\$0	\$0		\$0	\$0	\$0
	4-6	\$0		\$0	\$529,494		\$0	\$0	\$0
	7-8	\$0		\$0	\$1,089,677		\$0	\$0	\$0
	9-12	\$2,739,260		\$2,440,751	\$0		\$3,189,950	\$2,294,423	\$2,294,423

ESTRICTED

Object Code	Object Title	High Tech Middle	High Tech Middle Media Arts	Explorer Elementary Charter School	Schools - Point Loma Total	Sub-Total Schools	Sub-Total Central	Combined Schools and Central	Intra-Affiliate Transactions
1000	Certificated Salaries	751738	695199	1159144	6527033	9701969	195719	9897688	
2000	Classified Salaries	206016	134741	284507	1069746	1372610	1449984	2822594	
3000	Employee Benefits - Budget	227290	195319	271257	1692892	2433720	519029	2952749	
4300	Materials and Supplies	39737	41195	85920	380737	562918	142357	705275	
4530	Equipment - Noncapital	14303	7210	15894	126317	351168	19740	370908	
4700	Food services for students		0	58774	162673	162673	9800	172473	
5117	Management Fee	204728	138801	90066	1152796	1658926	0	1658926	-1658926
5200	Travel & conferences	328	1241	0	13018	17943	25436	43379	
5400	Insurance	15575	15440	23981	141534	201246	345	201591	
5520	Communications	9247	10998	9291	76394	110196	1339	111535	
5550	Utilities, Maintenance, and Custodial	136268	129969	122405	857551	1373753	87389	1461142	-941465
5555	Other Facility Expense	59690	63421	63950	337640	344511	0	344511	
5610	Lease - Standard		0	0	0	102154	0	102154	
5612	Lease to HTHL	582330	638576	109823	3206513	5497859	0	5497859	-5497859
5614	Long-Term Maintenance Fund Contribution		0	18065	18065	18065	107332	125397	-125397
5630	Equipment Lease	6576	6834	9803	54374	64586	1866	66452	
5800	Other services and operating expenses	-15453	53439	144172	349119	550909	472814	1023723	
5801	Depreciation Expense	46781	32941	61864	426826	449524	3379340	3828864	
5802	Amortization Expense				0	0	206240	206240	
5818	Bond Interest				0	0	2674203	2674203	
5890	R & M - Facilities	939			9156	15316	78033	93349	
7303	Sub-grants to Schools/Transfer Bayshore			117222	117222	117222	1625950	1743172	-1743152
7290	Charter Oversight Fees 1%	18668	18389	19287	144682	223250	0	223250	
7300	Grant from HTHL to Pt Loma Schools				0	0	1474774	1474774	-1474774
7301	Grant from HTHL to CV				0	0	600000	600000	-600000
7302	Grant from HTHL to NC				0	0	606110	606110	-606110
9999	Expenditures from Restricted Funds	1652154	462170	347125	4448808	6307771	10675572	16983343	-9786889
	Total Unrestricted Expenditures	3956915	2645883	3012550	21313096	31638289	24353372	55991661	-22434572
							0	0	
8000	Charter Principal Apportionment	1591515	1576502	1569915	12190531	18654544	0	18654544	
8020	Categorical Block Grant	163217	161063	156757	1119073	1669374	0	1669374	
8040	Grants from Parent Association	25585	20651	117222	235464	235790	61447	297237	-297237
8300	Other State (Flexibility)	10368	8665	33931	301162	318370	0	318370	
8434	K-3 Class Size Reduction		0	192780	192780	192780	0	192780	
8560	Lottery Income	35185	35126	35924	245775	369123	0	369123	
8600	Grants & Donations		0	198117	198117	198117	6595782	6793899	-1
8617	Annual Appeal	22775	45582	154905	373283	473349	0	473349	
8620	Donation from HTH Learning - Pt Loma	358159	418752		1524774	2074774	0	2074774	-2074774
8620	Donation from HTH Learning - NC		0		0	606110	0	606110	-606110
8947	Student Lunch Sales		0	74781	143646	143646	0	143646	
8960	Contrib to LT Maintenance Reserve		0		0		125397	125397	-125397
8970	Investment Income	2551	1407	3719	14198	23326	133720	157046	
8980	Miscellaneous local income	165847	19388	159353	590302	497411	737589	1235000	
8985	Management Fees				0	0	1479074	1479074	-1479074
8986	Management Fees - restricted programs				0	0	179850	179850	-179850
8987	Facility Maintenance Fees				0	0	941465	941465	-941465
8889	Grant from Affiliate				0	592345	2298806	2891151	-2891151
8990	Rent Income				0	0	5704513	5704513	-5704513
9999	Restricted Revenue Released from Restrict	1652154	462170	347125	4448808	6307771	10675572	16983343	-8135000
	Total Unrestricted Income	4,027,356	2,749,306	3,044,529	21,577,913	32,356,830	28,933,215	61290045	(22,434,572)
	Net Profit/(Loss)	70,441	103,423	31,979	264,817	718,541	4,579,843	5298384	-

ESTRICTED

Object Code	Object Title	High Tech Middle	High Tech Middle Media Arts	Explorer Elementary Charter School	Schools - Point Loma Total	Sub-Total Schools	Sub-Total Central	Combined Schools and Central	Intra-Affiliate Transactions
	Beginning Current Net Assets	220468	273846	575226					
	Change in Current Net Assets	70441	103423	31979					
	Exclude Project Funds								
	Add Back Deprec - No Effect on Current	46781	32941	61864					
	Add Back Amort - No Effect on Current	0	0	0					
	Ending Current Net Assets (Excluding Project Fun	337690	410210	669069					
	Estimated liquidity ratio (unrestricted)	8.53%	15.50%	22.21%					
	Net Rent	224,171	219,824	109,823					
	Percentage of Unrestricted Revenues Rates / Data	8.2%	8.0%	3.6%					
	Enrollment Basis								
	K-3			220					
	4-6	112	112	120					
	7-8	220	224						
	9-12	-	-	-					
	Total	332	336	340					
	Attendance Percentage	0.97	0.97	0.97					
	ADA Projected								
	K-3	0.00	0.00	213.40					
	4-6	108.64	108.64	116.40					
	7-8	213.40	217.28	0.00					
	9-12	0.00	0.00	0.00					
	Total	322.04	325.92	329.80					
	Categorical Block Grant Rate	401	401	401					
	2009-10 One Time Cut per ADA	\$ (77,903)	\$ (78,188)	\$ (77,634)					
	Lottery Rate	120	120	120					
	ARRA Round 1 & 2	Actual Award	Actual Award	Actual Award					
	EIA Adjustment to Categorical Block	22896	20670	5749					
	Apportionment Rates								
	K-3	\$5,030	\$5,030	\$5,030					
	4-6	\$5,107	\$5,107	\$5,107					
	7-8	\$5,255	\$5,255	\$5,255					
	9-12	\$6,097	\$6,097	\$6,097					
	K-3	\$0	\$0	\$1,073,402					
	4-6	\$554,824	\$554,824	\$594,455					
	7-8	\$1,121,417	\$1,141,806	\$0					
	9-12	\$0	\$0	\$0					

ESTRICTED

Object Code	Object Title	Consolidated
1000	Certificated Salaries	9897688
2000	Classified Salaries	2822594
3000	Employee Benefits - Budget	2952749
4300	Materials and Supplies	705275
4530	Equipment - Noncapital	370908
4700	Food services for students	172473
5117	Management Fee	0
5200	Travel & conferences	43379
5400	Insurance	201591
5520	Communications	111535
5550	Utilities, Maintenance, and Custodial	519677
5555	Other Facility Expense	344511
5610	Lease - Standard	102154
5612	Lease to HTHL	0
5614	Long-Term Maintenance Fund Contribution	0
5630	Equipment Lease	66452
5800	Other services and operating expenses	1023723
5801	Depreciation Expense	3828864
5802	Amortization Expense	206240
5818	Bond Interest	2674203
5890	R & M - Facilities	93349
7303	Sub-grants to Schools/Transfer Bayshore	20
7290	Charter Oversight Fees 1%	223250
7300	Grant from HTHL to Pt Loma Schools	0
7301	Grant from HTHL to CV	0
7302	Grant from HTHL to NC	0
9999	Expenditures from Restricted Funds	7196454
	Total Unrestricted Expenditures	33557089
		0
8000	Charter Principal Apportionment	18654544
8020	Categorical Block Grant	1669374
8040	Grants from Parent Association	0
8300	Other State (Flexibility)	318370
8434	K-3 Class Size Reduction	192780
8560	Lottery Income	369123
8600	Grants & Donations	6793898
8617	Annual Appeal	473349
8620	Donation from HTH Learning - Pt Loma	0
8620	Donation from HTH Learning - NC	0
8947	Student Lunch Sales	143646
8960	Contrib to LT Maintenance Reserve	0
8970	Investment Income	157046
8980	Miscellaneous local income	1235000
8985	Management Fees	0
8986	Management Fees - restricted programs	0
8987	Facility Maintenance Fees	0
8889	Grant from Affiliate	0
8990	Rent Income	0
9999	Restricted Revenue Released from Restrict	8848343
	Total Unrestricted Income	38,855,473
	Net Profit/(Loss)	5,298,384

ESTRICTED

Object Code	Object Title	Consolidated
	Beginning Current Net Assets	7521550
	Change in Current Net Assets	5298384
	Exclude Project Funds	-7414299
	Add Back Deprec - No Effect on Current	3828864
	Add Back Amort - No Effect on Current	206240
	Ending Current Net Assets (Excluding Project Fun	9440739
	Estimated liquidity ratio (unrestricted)	28.13%
	Net Rent	
	Percentage of Unrestricted Revenues	
	Rates / Data	
	Enrollment Basis	
		K-3
		4-6
		7-8
		9-12
		Total
	Attendance Percentage	
	ADA Projected	
		K-3
		4-6
		7-8
		9-12
		Total
	Categorical Block Grant Rate	
	2009-10 One Time Cut per ADA	
	Lottery Rate	
	ARRA Round 1 & 2	
	EIA Adjustment to Categorical Block	
	Apportionment Rates	
		K-3
		4-6
		7-8
		9-12
		K-3
		4-6
		7-8
		9-12

ACTUALS - 2010-11 - UNRESTRICTED

Object Code	Object Title	High Tech High Chula Vista	High Tech Elementary Chula Vista	High Tech Middle Chula Vista	Chula Vista K-8 Project	Sub-Total Chula Vista Campus	High Tech High North County	High Tech Middle North County	North County Middle School Project
1000	Certificated Salaries	1648682			45833	1694515	1551423	806961	
2000	Classified Salaries	130208			130000	260208	103513	104146	
3000	Employee Benefits - Budget	370030			51181	421211	337746	177570	
4300	Materials and Supplies	88361				88361	75085	26865	
4530	Equipment - Noncapital	10271			2418	12689	8096	11091	
4700	Food services for students	0				0	0	0	
5117	Management Fee	303276				303276	155595	124620	
5200	Travel & conferences	349			288	637	3911	8	
5400	Insurance	32237				32237	34830	19120	
5520	Communications	9444				9444	9149	5562	
5550	Utilities, Maintenance, and Custodial	238559				238559	208604	142856	
5555	Other Facility Expense	241				241	0	1738	
5610	Lease - Standard	0				0	0	110103	
5612	Lease to HTHL	1248000				1248000	1100000	200000	
5614	Long-Term Maintenance Fund Contribution	0				0	0	0	
5630	Equipment Lease	7621				7621	3360	1680	
5800	Other services and operating expenses	139106			4141	143247	132503	49211	
5801	Depreciation Expense	10193			760	10953	3412	13318	
5802	Amortization Expense	0			65837	65837	0	0	9384
5818	Bond Interest	0				0	0	0	
5890	R & M - Facilities	0				0	0	0	
7290	Charter Oversight Fees 1%	39932				39932	32748	19668	
7300	Grant from HTHL to Pt Loma Schools	0				0	0	0	
7301	Grant from HTHL to CV	0				0	0	0	
7302	Grant from HTHL to NC	0				0	0	0	
9999	Expenses from Restricted Sources	653649	182912	185404	24947	653649	407212	463041	0
	Total Unrestricted Expenditures	4930159	182912	185404	325405	5230617	4167187	2277558	9384
8000	Charter Principal Apportionment	3493323				3493323	2866462	1624821	
8020	Categorical Block Grant	263493				263493	206149	141558	
8040	Grants from Parent Association	23190				23190	26839	19318	
8300	Other State (Flexibility)	27624				27624	34063	10661	
8434	K-3 Class Size Reduction	0				0	0	0	
8560	Lottery Income	66444				66444	54704	36580	
8600	Grants & Donations	4903				4903	26631	1187	4500000
8617	Annual Appeal	57158				57158	38773	28993	
8620	Donation from HTH Learning - Pt Loma	500000				500000	0	0	
8620	Donation from HTH Learning - NC	0				0	481000	0	
8947	Student Lunch Sales	0				0	0	0	
8960	Contrib to LT Maintenance Reserve	0				0	0	0	
8970	Investment Income	1716			40231	41947	20130	1415	123
8980	Miscellaneous local income	59163			227365	286528	60591	15964	
8985	Management Fees	0				0	0	0	
8986	Management Fees - restricted	0				0	0	0	
8987	Facility Maintenance Fees	0				0	0	0	
8990	Rent Income	0				0	0	0	
9999	Revenues Released from Restriction	653649	182912	185404	24947	1046912	407212	463041	0
	Total Unrestricted Income	5150663	182912	185404	292543	5811522	4222554	2343538	4500123
	Net Profit/(Loss)	220504	0	0	-32862	580905	55367	65980	4490739
	Beginning Current Net Assets	633426					351463	181681	

ACTUALS - 2010-11 - UNRESTRICTED

Object Code	Object Title								
		High Tech High Chula Vista	High Tech Elementary Chula Vista	High Tech Middle Chula Vista	Chula Vista K-8 Project	Sub-Total Chula Vista Campus	High Tech High North County	High Tech Middle North County	North County Middle School Project
	Change in Net Assets	220504					55367	65980	
	Ending Current Net Assets	853930					406830	247661	
	Add Back Deprec - No Effect on Current	10193					3412	13318	
	Add Back Amort - No Effect on Current	0					0	0	
	Ending Current Net Assets	864123					410242	260979	
	Estimated liquidity ratio	17.53%					9.84%	11.46%	
	Net Rent	748,000					619,000	200,000	
	Percentage of Unrestricted Revenues Rates / Data	14.5%					14.7%	8.5%	
	Enrollment Basis								
		K-3							
		4-6							108
		7-8							216
		9-12	580				510		-
		Total	580				510		324
	Attendance Percentage ADA Projected	0.96					0.96	0.96	
		K-3	0.00				0.00	0.00	
		4-6	0.00				0.00	103.68	
		7-8	0.00				0.00	207.36	
		9-12	556.80				489.60	0.00	
		Total	556.80				489.60	311.04	
	Categorical Block Grant Rate	401					401	401	

ACTUALS - 2010-11 - UNRESTRICTED

Object Code	Object Title
1000	Certificated Salaries
2000	Classified Salaries
3000	Employee Benefits - Budget
4300	Materials and Supplies
4530	Equipment - Noncapital
4700	Food services for students
5117	Management Fee
5200	Travel & conferences
5400	Insurance
5520	Communications
5550	Utilities, Maintenance, and Custodial
5555	Other Facility Expense
5610	Lease - Standard
5612	Lease to HTHL
5614	Long-Term Maintenance Fund Contribution
5630	Equipment Lease
5800	Other services and operating expenses
5801	Depreciation Expense
5802	Amortization Expense
5818	Bond Interest
5890	R & M - Facilities
7290	Charter Oversight Fees 1%
7300	Grant from HTHL to Pt Loma Schools
7301	Grant from HTHL to CV
7302	Grant from HTHL to NC
9999	Expenses from Restricted Sources
	Total Unrestricted Expenditures
8000	Charter Principal Apportionment
8020	Categorical Block Grant
8040	Grants from Parent Association
8300	Other State (Flexibility)
8434	K-3 Class Size Reduction
8560	Lottery Income
8600	Grants & Donations
8617	Annual Appeal
8620	Donation from HTH Learning - Pt Loma
8620	Donation from HTH Learning - NC
8947	Student Lunch Sales
8960	Contrib to LT Maintenance Reserve
8970	Investment Income
8980	Miscellaneous local income
8985	Management Fees
8986	Management Fees - restricted
8987	Facility Maintenance Fees
8990	Rent Income
9999	Revenues Released from Restriction
	Total Unrestricted Income
	Net Profit/(Loss)

Beginning Current Net Assets

ACTUALS - 2010-11 - UNRESTRICTED

Object Code	Object Title						
	Change in Net Assets	193570	23155	99941	128946	73965	12657
	Ending Current Net Assets	694390	415145	633800	466636	484175	681726
	Add Back Deprec - No Effect on Current	83798	45116	33052	51291	20861	42738
	Add Back Amort - No Effect on Current	0	0	0	0	0	0
	Ending Current Net Assets	778188	460261	666852	517927	505036	724464
	Estimated liquidity ratio	15.70%	14.47%	20.68%	19.07%	19.48%	25.72%
	Net Rent	495,968	339,831	347,228	239,244	235,347	113,117
	Percentage of Unrestricted Revenues Rates / Data	9.6%	10.6%	10.4%	8.4%	8.8%	4.0%
	Enrollment Basis						
	K-3						220
	4-6				112	112	120
	7-8				220	224	
	9-12	550	396	392	-	-	-
	Total	550	396	392	332	336	340
	Attendance Percentage	0.95	0.96	0.96	0.96	0.96	0.97
	ADA Projected						
	K-3	0.00	0.00	0.00	0.00	0.00	213.40
	4-6	0.00	0.00	0.00	107.52	107.52	116.40
	7-8	0.00	0.00	0.00	211.20	215.04	0.00
	9-12	522.50	380.16	376.32	0.00	0.00	0.00
	Total	522.50	380.16	376.32	318.72	322.56	329.80
	Categorical Block Grant Rate	401	401	401	401	401	401

ACTUALS - 2010-11 - UNRESTRICTED

Object Code	Object Title		Sub-Total Schools	Sub-Total Central	Intra-Affiliate Transactions	Consolidated
1000	Certificated Salaries	7024269	11077168	476237		11553405
2000	Classified Salaries	1106608	1574475	1685063		3259538
3000	Employee Benefits - Budget	1619087	2555614	579030		3134644
4300	Materials and Supplies	355646	545957	158000		703957
4530	Equipment - Noncapital	179309	211185	6917		218102
4700	Food services for students	72763	72763	0		72763
5117	Management Fee	1068602	1652093	32400	-1684493	0
5200	Travel & conferences	13440	17996	34735		52731
5400	Insurance	151888	238075	1809		239884
5520	Communications	43281	67436	10808		78244
5550	Utilities, Maintenance, and Custodial	971043	1561062	146398	-1046861	660599
5555	Other Facility Expense	300994	302973	596756		899729
5610	Lease - Standard	0	110103	550		110653
5612	Lease to HTHL	3209807	5757807	0	-5757807	0
5614	Long-Term Maintenance Fund Contribution	19869	19869	132881	-152750	0
5630	Equipment Lease	45548	58209	0		58209
5800	Other services and operating expenses	578300	903261	322447		1225708
5801	Depreciation Expense	276856	304539	3264757		3569296
5802	Amortization Expense	0	65837	124374		190211
5818	Bond Interest	0	0	2908938		2908938
5890	R & M - Facilities	0	0	0		0
7290	Charter Oversight Fees 1%	144552	236900	0		236900
7300	Grant from HTHL to Pt Loma Schools	0	0	1439072	-1439072	0
7301	Grant from HTHL to CV	0	0	500000	-500000	0
7302	Grant from HTHL to NC	0	0	481000	-481000	0
9999	Expenses from Restricted Sources	2302389	3826291	5561616	-4925000	4462907
	Total Unrestricted Expenditures	19484251	31159613	18463788	-15986983	33636418
		0		0		
8000	Charter Principal Apportionment	13001030	20985636	0		20985636
8020	Categorical Block Grant	1046911	1658111	0		1658111
8040	Grants from Parent Association	257218	326565	12699		339264
8300	Other State (Flexibility)	595346	667694	0		667694
8434	K-3 Class Size Reduction	186619	186619	0		186619
8560	Lottery Income	267733	425461	0		425461
8600	Grants & Donations	145494	4678215	842859		5521074
8617	Annual Appeal	195577	320501	92930		413431
8620	Donation from HTH Learning - Pt Loma	1439072	1939072	0	-1939072	0
8620	Donation from HTH Learning - NC	0	481000	0	-481000	0
8947	Student Lunch Sales	35586	35586	0		35586
8960	Contrib to LT Maintenance Reserve			152750	-152750	0
8970	Investment Income		63615	97751		161366
8980	Miscellaneous local income	536386	899469	544990		1444459
8985	Management Fees	0	0	1684493	-1684493	0
8986	Management Fees - restricted	0	0	112345		112345
8987	Facility Maintenance Fees	0	0	1046861	-1046861	0
8990	Rent Income	0	0	5757807	-5757807	0
9999	Revenues Released from Restriction	2302389	4219554	5561616	-4925000	4856170
	Total Unrestricted Income	20009361	36887098	15907101	-15986983	36807216
	Net Profit/(Loss)	525110	5727485	-2556687	0	3170798

Beginning Current Net Assets

112345

9440739

ACTUALS - 2010-11 - UNRESTRICTED

Object Code	Object Title		Sub-Total Schools	Sub-Total Central	Intra-Affiliate Transactions	Consolidated
	Change in Net Assets					3170798
	Ending Current Net Assets					12611537
	Add Back Deprec - No Effect on Current					3569296
	Add Back Amort - No Effect on Current					190211
	Ending Current Net Assets					16371044
	Estimated liquidity ratio					48.67%
	Net Rent					
	Percentage of Unrestricted Revenues					
	Rates / Data					
	Enrollment Basis					
		K-3				
		4-6				
		7-8				
		9-12				
		Total				
	Attendance Percentage					
	ADA Projected					
		K-3				
		4-6				
		7-8				
		9-12				
		Total				
	Categorical Block Grant Rate					

Prepared by Kay McElrath, CFO
UPDATED SEPTEMBER 23, 2010

<i>MADS FY10,FY11</i>	<i>Amount</i>	<i>Period</i>	<i>Annual</i>	
Jacobs P&I eff 1-1-08	\$ 61,626	Monthly	\$ 739,516	Current
RCV Investment Fund 1 LLC	\$ 86,554	Monthly	\$ 1,038,651	Current
2008 Bonds Series A, B, & C	\$ 132,668	Monthly	\$ 1,592,019	Current
			\$ 3,370,186	

<i>MADS FY12,FY13,FY14</i>	<i>Amount</i>	<i>Period</i>	<i>Annual</i>	
Jacobs P&I eff 1-1-08	\$ 61,626	Monthly	\$ 739,516	Current
RCV Investment Fund 1 LLC	\$ 86,554	Monthly	\$ 1,038,651	Current
2008 Bonds Series A, B, & C	\$ 132,668	Monthly	\$ 1,592,019	Current
QSCB 2010 HTCVK-8	\$ 190,100	Quarterly	\$ 760,400	Equal to intercept in 10th year of loar
QSCB 2010 North County Middle	\$ 96,853	Quarterly	\$ 375,820	Equal to intercept in 9th year (maxim
			\$ 4,506,406	

1

ium) of loan

Prepared by Kay McElrath, CFO
January 28, 2010

HTHBUDGET

Assumptions

Schools - General Assumptions and Changes to Prior Projections

The baseline for projecting future unrestricted revenues and expenditures of such is the 09-10 adopted budget adjusted for May revise and ARRA use
In the model, assumptions for cost of living adjustments to revenues and expenditures are displayed in the column immediately to the left of the amounts
In the model, assumptions for increases due to growth at Chula Vista and North County high schools are displayed in a second column to the left of the amounts.
New middle schools at North County (August 2009) and Chula Vista (August 2011) will open at capacity
Pt. Loma lease rates unchanged from what was reported for FY08 audit except Explorer which increases by 3% each January

Restrictions on Round 1 and 2 ARRA funds are released in 2009-10

Restrictions on Round 3 ARRA funds are released in 2010-11

Lease rates for North County and Chula Vista high schools are based upon coverage of debt service with excess returned to school as a Grant from HTH Learning (gift-back)

CMO rates for all high schools are set at 8% of ADA revenues, 7% for the middle schools, and 4% for Explorer unless otherwise noted in cell

CMO rates for new high schools are subordinate to lease payments and may be temporarily adjusted to provide for a second contingency

No major gifts projected in any year beyond funding already secured in the form of donor pledges

Draw down of second reserve of North County loan results in a grant expense from HTH Learning and income to North County

Central Organization - General Assumptions and Changes to Prior Projections

Initial gift from Dammeyer received in FY07 - dedicated to project use; additional \$2 million from Dammeyer and \$4 million from Jacobs in High Tech High Foundation total for FY10

Only fund-raising counted has already been secured by pledges or is based upon solid history

High Tech High is the Borrower for the CV K-8 facility - no lease to HTH Learning

MADS for CV K-8 bonds based upon maximum annual sinking fund contribution per 4-3-10 schedule

High Tech High is the Borrower for the North County Middle school facility - ground lease to HTH Learning of \$75,000 until NMTC refinancing in October 2015

MADS for CV K-8 bonds based upon maximum annual sinking fund contribution per 4-3-10 schedule



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM 3



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

SUBJECT	
Statewide Benefit Charter Schools: Hold a Public Hearing to Consider the Renewal of the Aspire Public Schools Statewide Benefit Charter.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input checked="" type="checkbox"/> Public Hearing

SUMMARY OF THE ISSUE(S)

Aspire Public Schools (APS) requests that the State Board of Education (SBE) approve the renewal to its APS statewide benefit charter petition, originally approved in 2007 and materially revised in 2010 and 2011. The California Department of Education (CDE) reviewed data from the APS statewide benefit charter renewal petition, the required elements for renewal, progress achieved toward charter goals, statewide benefit, performance of opened schools, and expansion plan, as summarized in Tables 1 and 2.

In evaluating the APS statewide benefit charter renewal petition, the CDE reviewed the performance of APS per the following criteria:

Criteria Required by Law (Refer to Table 1):

- Renewal criteria, pursuant to California *Education Code (EC)* Section 47607
- Elements of a charter petition, pursuant to *EC* Section 47605(b)

Other Criteria That May Be Considered at Renewal (Refer to Table 2):

- Charter goals outlined in the 2007 APS charter, and the 2010 APS material revision to the charter, specific to measurable pupil outcomes, plans for expansion, and evidence supporting statewide benefits
- 2007 conditions set forth by SBE for APS to open and operate statewide benefit charter schools

SUMMARY OF THE ISSUE(S) (Cont.)

Table 1. California <i>Education Code (EC)</i> Requirements for the Renewal of the Aspire Public Schools (APS) Statewide Benefit Charter Renewal Petition			
Brief Description: APS operates six charter schools under the APS statewide benefit charter. Two schools opened in 2007, another two in 2009, and the final two in 2010.			
	Requirement	Outcome	Location of Detailed Analysis
Renewal Criteria- <i>EC</i> Section 47607(b)*	Meet at least 1 of 4 criteria	Met 1 or more criteria	Attachment 3
Elements Required for charter petition, <i>EC</i> Section 47605(b)	16 elements	Met 16 elements	Attachment 2

Table 2. Considerations for the Renewal of the Aspire Public Schools (APS) Statewide Benefit Charter Renewal Petition			
	Criteria	Outcome	Location of Detailed Analysis
Charter Petition Goals (2007 petition and 2010 material revision)			
Measurable pupil outcomes in 2007 charter (for 2010–11)	8 identified in charter; 7 applicable to 4 schools; 6 applicable to 1 school; 5 applicable to 1 school	In 2010–11, Junior Collegiate met 4 of 7; Port City met 5 of 7; Titan met 4 of 7; Alexander Twilight College Preparatory met 6 of 7; Alexander Twilight Secondary met 3 of 6; and APEX met 2 of 5	Attachment 6
Expansion goals from 2007 petition	1. Two high performing schools 2. Replicate model 3. Expand to kindergarten through grade twelve (K–12)	Met all goals	Attachment 4
Expansion goals from 2010 material revision	1. Expand two schools to K–12 2. Replicate model	Partially met goal 1; Did not meet goal 2	Attachment 5

Table 2. Considerations for the Renewal of the Aspire Public Schools (APS) Statewide Benefit Charter Renewal Petition			
	Criteria	Outcome	Location of Detailed Analysis
Statewide benefit goals in 2007 charter	4 benefits identified in charter	Evidence supporting 4 benefits submitted	Attachment 5
State Board of Education Conditions for Expansion as Established in 2007			
2007 Conditions	16 conditions	Met 14 conditions**	Attachment 5
Academic Performance Index (API) Statewide Rank	6 or higher	3 of 4 schools*** met conditions	Attachment 5
API Similar Schools Rank	6 or higher	3 of 4 schools*** met conditions	Attachment 5
API Growth Target	Meet every year	4 schools met all targets; 2 did not have targets	Attachment 5
Program Improvement (PI)	Locate in area with schools in PI	6 of 6 schools located near schools in PI	Attachment 5
<p>*Renewal criteria from <i>EC</i> Section 47607 apply to schools operating at least four years. Only Aspire Junior Collegiate and Aspire Port City have operated four years.</p> <p>**See Attachment 5. Aspire Alexander Twilight College Preparatory (4/4) does not currently meet the API rank condition (labeled as Roman numeral “VIII”). Also, in 2007–08, Aspire Junior Collegiate did not meet the rank requirement (5/10). For the condition labeled as “XII” (referring to timely compliance with conditions to be met prior to the opening of a school site), it is not clear to the CDE if APS met the requirement. However, in May 2011 the SBE took action to waive deadlines and find that APS substantially complied with all conditions in the statewide benefit charter.</p> <p>***Two schools do not have an API rank because they opened in 2010. 2010 API rank data will not be released until the spring of 2012.</p>			

RECOMMENDATION

The CDE recommends that the SBE hold a public hearing to renew the APS statewide benefit charter and then take the following actions:

1. Pursuant to *EC* Section 47605.8(b) and Title 5, *California Code of Regulations* (5 *CCR*) Section 11967.6(b), reaffirm that substantial evidence still exists to support the findings that were approved at the May 2011 SBE meeting. These findings are as follows:
 - i. The APS statewide benefit in terms of funding and its ability to get statewide bonds constitutes a statewide benefit in accordance with *EC* Section 47605.8 (b) and 5 *CCR* Section 11967.6 (b).
 - ii. The APS benefit in terms of funding could not be provided by a series of local charters.
 - iii. The APS benefit in terms of being able to expand its teacher residency program constitutes a statewide benefit in accordance with *EC* Section 47605.8 (b) and 5 *CCR* Section 11967.6 (b).
 - iv. The APS benefit related to the teacher residency program could not be provided through a series of local charters.
2. Approve the APS petition to renew its statewide benefit charter for a five-year period from July 1, 2012 to June 30, 2017, subject to both of the following:
 - i. The CDE's recommendation for conditions to open and operate new schools, as set forth in Attachment 1A (APS submitted a proposed set of conditions set forth in Attachment 1B).
 - ii. The APS statewide benefit petition is modified to incorporate the additions and changes proposed by the CDE, which included the technical revisions described in Attachment 2. None of these revisions were found to be substantive.

BRIEF HISTORY OF KEY ISSUES

Under the statewide benefit charter, APS operates six schools that serve students in kindergarten through grade twelve (K–12). The schools are located in Huntington Park, Stockton, and Sacramento.

BRIEF HISTORY OF KEY ISSUES (Cont.)

California *Education Code* Requirements for Renewal

A charter school that has been in operation for four years shall meet at least one of four criteria outlined in *EC* Section 47607(b). According to data generated by the CDE, the two APS schools operating more than four years (Aspire Junior Collegiate and Aspire Port City) have met all four renewal criteria, with many academic achievements surpassing the renewal criteria (see tables 1–3 of Attachment 3 for a detailed analysis).

The APS statewide benefit charter renewal petition meets all the elements required for the establishment of a charter school pursuant to *EC* Section 47605(b) (see Attachment 2 for a detailed analysis).

Charter Goals Not Required for Renewal But May Be Considered

APS met all the expansion goals set out in the original 2007 statewide benefit charter (see Attachment 4). In 2010, when Aspire materially revised its statewide benefit charter, it set out additional expansion goals related to opening secondary schools. APS opened one secondary school but chose not to expand further. Both the 2007 and the 2010 statewide benefit charters included the same goals related to measurable pupil outcomes. APS met some of these goals (see Attachment 6).

State Board of Education (SBE) Conditions Not Required for Renewal But May Be Considered

APS met 14 of the 16 conditions set forth by the SBE in 2007 to open and operate a charter school. One school, Alexander Twilight College Preparatory Academy, does not meet the statewide rank condition. In addition, for the condition referring to timely compliance with conditions to be met prior to the opening of a school site (labeled as Condition XII), it is not clear to the CDE if APS met the requirement. However, in May 2011 the SBE took action to waive deadlines not met in a timely fashion and find that APS substantially complied with all conditions in the statewide benefit charter (see Attachment 5).

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In May 2011, the SBE approved a material revision to the APS statewide benefit charter (see Attachment 12 for SBE actions).

At its January 2010 meeting, the SBE approved the following two material revisions to the APS statewide benefit charter: (1) to expand the grades served to K–12, and (2) include a plan for potential sites of operation.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION (Cont.)

In September 2009, the SBE approved two additional APS K–8 schools in Sacramento and Huntington Park.

At its January 2007 meeting, the SBE granted the APS statewide benefit charter for a five-year term from July 1, 2007, through June 30, 2012, to serve students in kindergarten through grade eight (K–8).

FISCAL ANALYSIS (AS APPROPRIATE)

If approved, this school would receive apportionment funding under the charter school block grant funding model. Funding is based on the statewide average funding levels for each grade span (kindergarten through grade three, grades four through six, grades seven through eight, and grades nine through twelve). Calculations use revenue limits for unified, elementary, and high school districts.

ATTACHMENTS

- Attachment 1A: CDE Recommendation for Proposed SBE Conditions Prior to Opening and Operation for the APS Statewide Benefit Charter Term July 1, 2012–June 30, 2017 (2 Pages)
- Attachment 1B: Aspire Public Schools (APS) Proposed SBE Conditions Prior to Opening and Operation for the APS Statewide Benefit Charter Term July 1, 2012–June 30, 2017 (3 Pages)
- Attachment 2: California Department of Education Charter School Renewal Petition Staff Review Form: Aspire Public Schools Statewide Benefit Renewal Charter Petition (36 Pages)
- Attachment 3: Analysis of Renewal Criteria Achievement (44 Pages)
- Attachment 4: Evidence Submitted by Aspire Public Schools Supporting Statewide Benefit Provisions (2007–12) (3 Pages)
- Attachment 5: Analysis of Aspire Public Schools Statewide Benefit Charter Compliance with SBE Conditions Prior to Opening and Operation (2007–2012) (11 Pages)
- Attachment 6: Analysis of Aspire Public Schools Progress Towards Statewide Benefit Charter Goals Established in 2007 (6 Pages)

ATTACHMENTS (Cont.)

- Attachment 7: Aspire Public Schools Statewide Benefit Charter Renewal Petition (172 Pages)
- Attachment 8: Aspire Public Schools Statewide Benefit Charter Renewal Financial Projections (33 Pages)
- Attachment 9: Aspire Public Schools' Letter to SBE Regarding Statewide Benefit Charter (13 Pages)
- Attachment 10: Relevant California *Education Code* and *California Code of Regulations* (25 Pages)
- Attachment 11: History of Statewide Benefit Charter Legislation (1 Page)
- Attachment 12: California State Board of Education Actions and Relevant Attachments; Final Minutes, State Board of Education, January 2007, July 2009, September 2009, January 2010, and May 2011 (7 Pages)

CDE Recommendation for Proposed SBE Conditions Prior to Opening and Operation (2012) for the Aspire Public Schools Statewide Benefit Charter Term July 1, 2012–June 30, 2017

The California Department of Education (CDE) recommends approval of the Aspire Public Schools (APS) statewide benefit petition with the following revised conditions, (initially proposed by APS in Appendix 2 of its statewide benefit charter petition). These conditions are to be incorporated in a memorandum of understanding (MOU) between APS and the State Board of Education (SBE). Specifically, the proposed conditions are:

1. The CDE be provided information by the statewide benefit charter school sufficient to update the SBE annually (per guidelines in the MOU) on the organization's progress in implementing the charter and the MOU. It is the intent of the CDE, unless circumstances otherwise dictate, to include this information in the standing item for updates on SBE-chartered schools.
2. As a condition for the opening of additional schools, each existing school of the same school type (not including schools in year 1) under the statewide benefit petition shall demonstrate the following:
 - Meet or exceed double the state API growth target, schoolwide and for all numerically significant student groups, in the previous school year or
 - A schoolwide growth API score at or above 800, in the most recent year, and have all numerically significant student groups make their API growth target in two of the last three years, for each existing school of the same school type.
3. APS shall present a specific plan for the opening of any new school. The plan shall be submitted to the CDE and SBE Executive Director for review, and submission to the SBE for its approval. The plan shall contain the following elements:
 - Evidence that APS has met the conditions set forth in Item #2 above;
 - Evidence that the new schools shall be located in areas of a district where one or more of the following conditions exist:
 - At least 50 percent of the district-operated Title 1 schools are in Program Improvement (PI)
 - At least 50 percent or more of the district-operated Title 1 schools within a two mile radius of the proposed location are in PI
 - 60 percent or fewer of high school graduates within the district are University of California (UC)/California State University (CSU) eligible
 - 60 percent or fewer of high school graduates within a 2-mile radius of the proposed location are UC/CSU eligible

- Information about new schools:
 - Financial data that includes the following elements:
 - Budget assumptions
 - Three-year budget and cash flow
 - Three-year profit and loss statement
 - Proposed school level data including:
 - A grade level build-out plan of grade-level expansion and enrollment targets for each year of operation until the school incorporates all grade levels proposed
 - Demographic information about the community in which the school location is planned
 - County, District, School codes for three district-run comparison schools where students would otherwise attend
 - Any additional data SBE and CDE staff deem necessary to evaluate the school's performance.
 - Each site shall initially open between July 1 and September 30.
 - The specific location of each school (within the districts indicated in the charter) shall be identified to the CDE and SBE in the January immediately preceding its opening.
- 4. Prior to the opening of any schools, a MOU shall be in effect between the SBE and APS as the Statewide Benefit Charter holder that covers essential elements of the school sites' operation that are pertinent to effective state oversight and that are not incorporated in the charter itself.

Aspire Public Schools (APS) Proposed SBE Conditions Prior to Opening and Operation (2012) for the APS Statewide Benefit Charter Term July 1, 2012–June 30, 2017

Aspire Public Schools (APS) proposed the following revised conditions for the opening and operation of schools, (initially proposed by APS in Appendix 2 of its statewide benefit charter petition). These conditions are to be incorporated in a memorandum of understanding (MOU) between APS and the State Board of Education (SBE). Specifically, the proposed conditions are:

1. The California Department of Education (CDE) be provided information by the statewide benefit charter school sufficient to update the SBE annually (per guidelines in the MOU) on the organization's progress in implementing the charter and the MOU. It is the intent of the CDE, unless circumstances otherwise dictate, to include this information in the standing item for updates on SBE-chartered schools.
2. As a condition for the opening of additional schools, each existing school of the same school type (not including schools in year 1) under the statewide benefit petition shall demonstrate the following:
 - Meet or exceed double the state API growth target, schoolwide and for all numerically significant student groups, in the previous school year or
 - A schoolwide growth API score at or above 800, in the most recent year
3. APS shall present a specific plan for the opening of any new school. The SBE Executive Director shall approve opening of a new school once APS provides the following plan elements:
 - Evidence that APS has met the conditions set forth in Item #2 above;
 - Evidence that the new schools shall be located in areas of a district where one or more of the following conditions exist:
 - At least 50 percent of the district-operated Title 1 schools are in Program Improvement (PI)
 - At least 50 percent or more of the district-operated Title 1 schools within a two mile radius of the proposed location are in PI

- 60 percent or fewer of high school graduates within the district are University of California (UC)/California State University (CSU) eligible
- 60 percent or fewer of high school graduates within a 2-mile radius of the proposed location are UC/CSU eligible
- Information about new schools:
 - Financial data that includes the following elements:
 - Budget assumptions
 - Three-year budget and cash flow
 - Three-year profit and loss statement
 - Proposed school level data including:
 - A grade level build-out plan of grade-level expansion and enrollment targets for each year of operation until the school incorporates all grade levels proposed
 - Demographic information about the community in which the school location is planned
 - County, District, School codes for three district-run comparison schools where students would otherwise attend
 - A projected opening date for each site between July 1 and September 30.
 - The two-mile radius within which each school will be located (within the districts indicated in the charter) shall be identified to the CDE and SBE in the January immediately preceding its opening.
- 4. Prior to the opening of any schools, a MOU shall be in effect between the SBE and APS as the Statewide Benefit Charter holder that covers essential elements of the school sites' operation that are pertinent to effective state oversight and that are not incorporated in the charter itself.

Comparison of Opening Conditions for New Aspire Statewide Benefit Schools

CDE Proposal	Aspire Proposal	Aspire Rationale
<p>As a condition for the opening of additional schools, ...:</p> <ul style="list-style-type: none"> • Meet or exceed double the state API growth target, schoolwide and for all numerically significant student groups, in the previous school year or • A schoolwide growth API score at or above 800, in the most recent year, and have all numerically significant student groups make their API growth target in two of the last three years, for each existing school of the same school type. 	<p>As a condition for the opening of additional schools, ...:</p> <ul style="list-style-type: none"> • Meet or exceed double the state API growth target, schoolwide and for all numerically significant student groups, in the previous school year or • A schoolwide growth API score at or above 800, in the most recent year 	<p>After a school reaches an API of 800, APS shifts primary focus to college readiness rather than API growth</p>
<p>APS shall present a specific plan for the opening of any new school. The plan shall be submitted to the CDE and SBE Executive Director for review, and submission to the SBE for its approval. The plan shall contain the following elements:</p>	<p>APS shall present a specific plan for the opening of any new school. The SBE Executive Director shall approve opening of a new school once APS provides the following plan elements:</p>	<p>Opening of new schools is based on objective metrics and conditions that SBE approves via the renewal process. The SBE ED verifies that the performance and location conditions have been met on behalf of the board, and ensures that new school opening plan is complete, triggering approval.</p>
<p>Any additional data SBE and CDE staff deem necessary to evaluate the school's performance.</p>	<p>(not included)</p>	<p>Existing school performance will be evaluated as outlined by the objective metrics in point #2.</p>
<p>Each site shall initially open between July 1 and September 30.</p>	<p>A projected opening date for each site between July 1 and September 30.</p>	<p>Specific school opening date is dependent on facility availability.</p>
<p>The specific location of each school (within the districts indicated in the charter) shall be identified to the CDE and SBE in the January immediately preceding its opening.</p>	<p>The two-mile radius within which each schools will be located (within the districts indicated in the charter) shall be identified to the CDE and SBE in the January immediately preceding its opening.</p>	<p>APS will provide the neighborhood in which it plans to locate. An approved charter is often required before APS can secure a specific facility.</p>

**California Department of Education
Charter School Renewal Petition Staff Review Form
Aspire Public School Statewide Benefit Renewal Charter Petition**

Key Information				
Grade Span of Operating School	School Name	Opening Year	Grade Span	Location
	Junior Collegiate (0976489011484)	2007	Kindergarten through grade six (K–6)	Huntington Park
	Port City (09764890114876)	2007	Kindergarten through grade five (K–5)	Stockton
	Titan (09764890120477)	2009	K–5	Huntington Park
	Alexander Twilight College Preparatory (09764890120468)	2009	K–5	Sacramento
	Alexander Twilight Secondary (09764890121467)	2010	Grades six to ten (will expand to grade 12)	Sacramento
	APEX (09764890121541)	2010	K–5	Stockton
Location	Aspire Public Schools (APS) is located in Oakland, California. Through the statewide benefit charter, APS has opened two elementary schools in Huntington Park, two elementary schools in Stockton, and two schools in Sacramento (one elementary and one secondary).			
Brief History	<ul style="list-style-type: none"> • In 2007, the State Board of Education (SBE) approved the APS statewide benefit charter for a five-year term from July 1, 2007, through June 30, 2012, to serve students in kindergarten through grade eight (K–8). • In September 2009, the SBE approved two additional K–8 school sites in Sacramento and Huntington Park. • In January 2010, the SBE approved the following two material revisions to the APS statewide benefit charter: (1) to expand the grades served to kindergarten through grade twelve (K–12), and (2) include a plan for future potential sites of operation. • In May 2011, the SBE approved a material amendment to the APS statewide benefit provisions of the APS statewide benefit charter (see Attachment 12). 			
Lead Petitioner	James Wilcox, Chief Executive Officer (CEO), Aspire Public Schools			

California Department of Education Staff Review Summary for the Required Charter Elements Under California <i>Education Code</i> Section 47605(b)			
	Required Charter Elements Under <i>EC</i> Section 47605(b)	Meets Requirements	Technical Amendments Necessary
	Sound Educational Practice	Yes	
	Ability to Successfully Implement the Intended Program	Yes	
	Affirmation of Specified Conditions	Yes	Yes
1	Description of Educational Program	Yes	
2	Measureable Pupil Outcomes	Yes	
3	Method for Measuring Pupil Progress	Yes	
4	Governance Structure	Yes	
5	Employee Qualifications	Yes	
6	Health and Safety Procedures	Yes	
7	Racial and Ethnic Balance	Yes	
8	Admission Requirements	Yes	Yes
9	Annual Independent Financial Audits	Yes	Yes
10	Suspension and Expulsion Procedures	Yes	
11	Retirement Coverage	Yes	
12	Public School Attendance Alternatives	Yes	
13	Post-employment Rights of Employees	Yes	
14	Dispute Resolution Procedures	Yes	
15	Exclusive Public School Employer	Yes	
16	Closure Procedures	Yes	
	Standards, Assessments, and Parent Consultation	Yes	
	Employment is Voluntary	Yes	
	Pupil Attendance is Voluntary	Yes	
	Effect on Authorizer and Financial Projections	Yes	
	Academically Low Achieving Pupils Preference by SBE	Yes	
	Teacher Credentialing	Yes	
	Transmission of Audit Report	Yes	

*Signature requirements pursuant to *EC* Section 47605(b)(3) are not required for charter renewal petitions.

California Department of Education Summary of Technical Amendments		
Required Charter Elements		
	EC Section 47605(b)	Technical Amendments
	Affirmation of Specified Conditions, EC Section 47605(b)(4), EC Section 47605(d), Title 5, California Code of Regulations (5 CCR) Section 11967.5.1(e)	The CDE recommends APS amend its statewide benefit charter renewal petition to revise the public random drawing process to provide a preference to students residing in the district that is above/and or more heavily weighted than the preference extended to students from other APS schools.
	8. Admission Requirements: EC Section 47605(b)(5)(H), 5 CCR Section 11967.5.1(f)(8)	<p>The CDE also recommends that APS revise its admission policy to reflect that each school shall conduct its own lottery and shall extend preference to the students residing within its territorial jurisdiction.</p> <p>The CDE recommends the lottery process be revised to conform with the law that gives preference to students of the district before children of employees and students of other schools operated by the corporation.</p>
	9. Annual Independent Audit: EC Section 47605(b)(5)(I), 5 CCR Section 11967.5.1(f)(9)	The CDE recommends APS amend its petition to specify that the selected auditor will have experience in education finance.

Overall California Department of Education Evaluation

In considering the APS statewide benefit charter renewal petition, the CDE reviewed:

- The APS statewide benefit charter renewal petition
- Budget information for currently operating APS statewide benefit schools
- APS statewide benefit schools' statewide assessment results, data on statewide benefit development, data specific to the SBE's Conditions for Opening and Operation, and data on progress regarding goals of the APS statewide benefit charter.

Charter Renewal Criteria

As the renewal criteria are only applicable to schools operating for four years, only two of the APS statewide benefit schools (Aspire Junior Collegiate and Aspire Port City) may be evaluated according to these criteria. These two schools meet all four renewal criteria.

Nevertheless, the CDE applied the renewal criteria to all six schools and found that all schools meet at least one criterion. The CDE's specific findings are as follows:

1. Four schools have attained their Academic Performance Index (API) growth target in the prior year pursuant to EC Section 47607(b)(1). Two schools do not yet have API growth targets (Aspire Alexander Twilight College Preparatory and Aspire APEX).
2. Four of the six schools operating under the APS statewide benefit charter ranked in deciles four to ten in the prior year. Two schools did not have a statewide rank because they opened in 2010.
3. Four of the six schools had similar school ranks in deciles four to ten in the prior year. Two schools did not have a similar schools rank because they opened in 2010.
4. In the 2009–10 year, the academic performance of all the APS statewide benefit schools exceeded, or was at least equal, to the performance of the public schools where pupils would otherwise have been required to attend; taking into consideration the composition of the pupil population that is served at the charter school. (For detailed information, see Attachment 3.)

Review of SBE Statewide Benefit Charter Criteria for Opening and Operation

In the Conditions for the Opening and Operation of Statewide Benefit School Sites for APS, the SBE set forth nine conditions, with numerous sub-conditions that bring the overall total to 16 conditions. Of these 16 conditions, APS met 15 of the conditions. The only condition not met was the following:

- Alexander Twilight College Preparatory, which served grades kindergarten through grade five (K–5) and opened in 2009, has an API statewide rank of 4, and a similar schools rank of 4.

Per the SBE conditions, each existing APS statewide benefit school site must maintain an API statewide ranking of 7 or better and a similar schools ranking of 6 or better; or a statewide ranking of 6 or better and a similar schools ranking of 7 or better.

APS has worked cooperatively with the CDE to remedy and address any concerns that CDE has expressed. (For more information about APS compliance with SBE conditions, see Attachment 5.)

Review of Original Charter Goals Established in 2007

The goals of the APS statewide benefit charter are three-fold. The first set of goals relate to expansion of school operations; the second set relates to measurable student outcomes; and the third relate to the statewide benefit provisions. They are as follows:

APS Expansion Goals

2007 Petition

- Exemplary academic performance at first two sites for two consecutive years
- Replicate model across the state
- Return to SBE to expand grades served from K–8 to K–12

2010 Petition

- Expand two statewide benefit K–8 schools to K–12
- After two years of success with the K–12 model, replicate the model across the state.

The CDE finds that APS executed all the expansion goals set forth in the original 2007 APS statewide benefit charter petition. However, APS was not able to accomplish all of the expansion goals set forth in the January 2010 materially revised petition. APS did create one K–12 family of schools by opening Alexander Twilight Secondary Academy, which serves students in grade 6–12 on the same site as Alexander Twilight College Preparatory, which now serves grades K–5. APS did not open the second K–12 family it

proposed to open, nor has it yet replicated this model under the statewide benefit charter (see Attachment 6 for details).

APS Measurable Student Outcome Goals

- 100 percent core class pass rate
- 10 percent increase in STAR proficiency from year to year
- 100 percent complete interdisciplinary projects
- 100 percent pass rate for Rites of Passage (ROPEs) activity
- 95 percent attendance rate
- 90 percent participate in extracurricular activities
- 100 percent promotion rate
- 100 percent four–year college acceptance rate

Regarding the measurable student outcome goals, the CDE finds that, overall, the general trend that emerged indicates that each school was able to reach the goals relating to promotion, attendance and core class pass rate targets in a relatively short time. However, those goals associated with activities beyond the core program, such as ROPE(s), interdisciplinary projects, and extracurricular activity participation, took longer to address and meet. The data gathered indicates that all the schools initially focused on developing and implementing the core curricular program and then, in subsequent years, focused on developing the extracurricular and interdisciplinary programs. However, by years four and five of operation, the two schools begun in 2007 were able to implement the full educational program described in the charter (for a detailed analysis, see Attachment 6).

Also, since none of the schools have yet served grade twelve, it is not possible to evaluate the ability to achieve a 100 percent four–year college acceptance rate.

Review of Statewide Benefit Development

The SBE initially approved the four statewide benefit goals outlined in the 2007 APS statewide benefit charter petition. However, in May 2011, the SBE amended the APS statewide benefit charter and only affirmed two of the four statewide benefits described in the 2007 petition. Those two benefits are as follows:

- The APS benefit in terms of funding and its ability to get statewide bonds constitutes a statewide benefit.
- The APS benefit in terms of funding could not be provided by a series of local charters.
- The APS benefit in terms of being able to expand its teacher residency program constitutes a statewide benefit.

- The APS benefit related to the teacher residency program could not be provided through a series of local charters.

APS has provided data to demonstrate compliance with developing, and implementing the statewide benefit goals. (For a detailed review, see Attachment 4).

APS has developed a teacher residency program that awards a Master's in education that serves close to 20 teacher resident per year. Aspire has also recently begun a principal training program that served five residents last year and will serve one this year. In addition, Aspire has provided the Beginning Teacher Support and Assessment program for four years.

Aspire's ability to acquire bond funds has led to the construction of four school facilities and the purchase of 5 school facilities that, in total, house ten schools.

Sixteen Elements

The CDE also finds that the APS statewide benefit charter renewal petition meets all of the elements required for the establishment of a charter school pursuant to EC Section 47605(b). The APS statewide benefit charter renewal petition describes a sound educational program; petitioners are demonstrably likely to implement the program set forth in the petition; and the petition contains reasonably comprehensive descriptions of the 16 charter elements pursuant to EC Section 47605(b)(5). In addition, the CDE previously found (in 2007) that APS has experience in starting and operating charter schools and has been responsive and compliant to deadlines and requests from the CDE over the last five years.

A number of technical amendments are needed for clarification; however, none of these amendments is deemed substantive. The CDE recommends the SBE ask APS petitioners to incorporate all of the amendments identified in this report into the final APS charter as a requirement under the SBE Conditions of Opening and Operation, as follows:

- Modifications to the charter in accordance with the CDE report.
- Specification of a five-year term beginning July 1, 2012, and ending June 30, 2017.

The CDE recommends the inclusion of the applicable SBE's Conditions on Opening and Operation (see Attachment 1).

Requirements for State Board of Education Authorized Charter Schools

Sound Educational Practice	California EC Section 47605(b) 5 CCR Section 11967.5.1(a) and (b)	
	<p>Evaluation Criteria</p> <p>For purposes of <i>EC</i> Section 47605(b), a charter petition shall be “consistent with sound educational practice” if, in the SBE’s judgment, it is likely to be of educational benefit to pupils who attend. A charter school need not be designed or intended to meet the educational needs of every student who might possibly seek to enroll in order for the charter to be granted by the SBE.</p> <p>For purposes of <i>EC</i> Section 47605(b)(1), a charter petition shall be “an unsound educational program” if it is either of the following:</p> <ul style="list-style-type: none"> (1) A program that involves activities that the SBE determines would present the likelihood of physical, educational, or psychological harm to the affected pupils. (2) A program that the SBE determines not likely to be of educational benefit to the pupils who attend. 	
	Is the charter petition “consistent with sound educational practice?”	Yes

Comments:

The APS statewide benefit charter renewal petition proposes an educational program that is consistent with sound educational practice. APS has adopted an instructional design that is tailored specifically to address the specific needs of students that are traditionally underrepresented in high school graduates, college-goers and college graduates. It includes a curriculum that is standards based and focuses on providing a personalized educational experience with intense levels of assessment and increased opportunities for educational time.

Performance data for the currently operating APS statewide benefit schools demonstrates a pattern of high achievement, statewide, and in comparison to local schools, pupils would otherwise attend in the respective districts where each school is located. This performance record, which was achieved at schools with student populations that are comprised of more than 90 percent of students who are economically disadvantaged, demonstrates that APS educational program is consistent with sound and effective educational practice. (For individual school demographic performance data, see Attachment 3.)

Ability to Successfully Implement the Intended Program	EC Section 47605(b)(2) 5 CCR Section 11967.5.1(c)
<p>Evaluation Criteria</p> <p>For purposes of <i>EC</i> Section 47605(b)(2), the SBE shall take the following factors into consideration in determining whether charter petitioners are "demonstrably unlikely to successfully implement the program."</p> <ul style="list-style-type: none"> (1) If the petitioners have a past history of involvement in charter schools or other education agencies (public or private), the history is one that the SBE regards as unsuccessful, e.g., the petitioners have been associated with a charter school of which the charter has been revoked or a private school that has ceased operation for reasons within the petitioners' control. (2) The petitioners are unfamiliar in the SBE's judgment with the content of the petition or the requirements of law that would apply to the proposed charter school. (3) The petitioners have presented an unrealistic financial and operational plan for the proposed charter school (as specified). (4) The petitioners personally lack the necessary background in the following areas critical to the charter school's success, and the petitioners do not have plan to secure the services of individuals who have the necessary background in curriculum, instruction, assessment, and finance and business management. 	
Are the petitioners able to successfully implement the intended program?	Yes

Comments:

The APS statewide benefit charter renewal petition demonstrates that the petitioners are demonstrably likely to implement the program as set forth in the charter petition. The petitioners have a strong comprehension of the requirements of law and a solid background in the educational, financial, organizational, and legal aspects of operating a charter school. The petitioners have demonstrated willingness to work with the CDE and have been responsive and compliant to requests for information, submission of reports and necessary documents.

Over the past five years all the APS statewide benefit schools met API growth targets for all years of operation. The first two schools that opened in 2007 reached the state API target of 800 within three years; the second two that opened in 2009 made the state API target within two years; and the last two that opened in 2010 have opened with 2011 API scores of 700 and above.

Additionally, each school has been successful in its financial operations and has generally maintained the recommended levels of reserve that would be expected of a

school district of similar size. In instances where a site has struggled in its first year, CDE notes positive trends in the subsequent year(s) with respect to the increase of ending fund balances.

Enrollment and average daily attendance (ADA) trends for each statewide benefit site have been consistently strong providing additional confidence and stability in budget projections. Overall, CDE has confidence in APS's ability to maintain its financial stability during the next five-year renewal period.

Affirmation of Specified Conditions	EC Section 47605(b)(4) EC Section 47605(d) 5 CCR Section 11967.5.1(e)	
<p>Evaluation Criteria</p> <p>For purposes of <i>EC</i> Section 47605(b)(4), a charter petition that "does not contain an affirmation of each of the conditions described in [<i>EC</i> Section 47605(d)]" ...shall be a petition that fails to include a clear, unequivocal affirmation of each such condition. Neither the charter nor any of the supporting documents shall include any evidence that the charter will fail to comply with the conditions described in <i>EC</i> Section 47605(d).</p>		
<p>(1)...[A] charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the <i>California Penal Code</i>. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or guardian, within this state, except that any existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school.</p>	<p>Yes</p>	
<p>(2)(A) A charter school shall admit all pupils who wish to attend the school.</p> <p>(B) However, if the number of pupils who wish to attend the charter school exceeds the school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the district except as provided for in <i>EC</i> Section 47614.5. Other preferences may be permitted by the chartering authority on an individual school basis and only if consistent with the law.</p> <p>(C) In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and, in no event, shall take any action to impede the charter school from expanding enrollment to meet pupil demand.</p>	<p>Yes; Technical Amendment</p>	
<p>(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative</p>	<p>Yes</p>	

Affirmation of Specified Conditions	EC Section 47605(b)(4) EC Section 47605(d) 5 CCR Section 11967.5.1(e)	
record of the pupil, including a transcript of grades or report card, and health information. This paragraph applies only to pupils subject to compulsory full-time education pursuant to [EC] Section 48200.		
Does the charter petition contain the required affirmations?	Yes; Technical Amendment	

Comments:

The APS statewide benefit charter renewal petition does not contain all of the required affirmations. The APS petition extends an admission preference to students at other APS schools before extending an admission preference to students residing in the district.

Technical Amendments: The CDE recommends the lottery process be revised to conform with the law that gives preference to students of the district before children of employees and students of other schools operated by the corporation.

The 16 Charter Elements

1. Description of Educational Program	EC Section 47605(b)(5)(A) 5 CCR Section 11967.5.1(f)(1)	
Evaluation Criteria		
The description of the educational program..., as required by <i>EC</i> Section 47605(b)(5)(A), at a minimum:		
(A) Indicates the proposed charter school's target student population, including, at a minimum, grade levels, approximate numbers of pupils, and specific educational interests, backgrounds, or challenges.		Yes
(B) Specifies a clear, concise school mission statement with which all elements and programs of the school are in alignment and which conveys the petitioners' definition of an "educated person" in the 21 st century, belief of how learning best occurs, and goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners.		Yes
(C) Includes a framework for instructional design that is aligned with the needs of the pupils that the charter school has identified as its target student population.		Yes
(D) Indicates the basic learning environment or environments (e.g., site-based matriculation, independent study, community-based education, technology-based education).		Yes
(E) Indicates the instructional approach or approaches the charter school will utilize, including, but not limited to, the curriculum and teaching methods (or a process for developing the curriculum and teaching methods) that will enable the school's pupils to master the content standards for the four core curriculum areas adopted by the SBE pursuant to <i>EC</i> Section 60605 and to achieve the objectives specified in the charter.		Yes
(F) Indicates how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.		Yes
(G) Indicates how the charter school will meet the needs of students with disabilities, EL, students achieving substantially above or below grade level expectations, and other special student populations.		Yes
(H) Specifies the charter school's special education plan, including, but not limited to, the means by which the charter school will comply with the provisions of <i>EC</i> Section 47641, the process to be used to identify students who qualify for special education programs and services, how the school will provide or access special education programs and services, the school's understanding of its responsibilities under law for special education pupils, and how the school intends to meet those responsibilities.		Yes

1. Description of Educational Program	EC Section 47605(b)(5)(A) 5 CCR Section 11967.5.1(f)(1)
<p>If serving high school students, describes how district/charter school informs parents about:</p> <ul style="list-style-type: none"> • transferability of courses to other public high schools; and • eligibility of courses to meet college entrance requirements <p>Courses that are accredited by the Western Association of Schools and Colleges may be considered transferable, and courses meeting the University of California/California State University "a-g" admissions criteria may be considered to meet college entrance requirements.</p>	N/A
<p>Does the petition overall present a reasonably comprehensive description of the educational program?</p>	Yes

Comments:

The APS statewide benefit charter petition presents a reasonably comprehensive description of the educational program. The target student population for APS statewide benefit schools comprises the following:

- Students who are traditionally under-prepared for high school success, and, as a consequence, underrepresented among high school graduates.
- Students not currently successful in their current core academic subjects and students whose diversity represents their respective communities.

APS intends to serve students through the establishment of site-based elementary schools (K–5), and secondary schools (6–12). Elementary school sites will serve approximately 320–400 students, while secondary school sites will serve approximately 420–600 students.

APS believes that the 21st century student will need to have a foundation of knowledge and skills to access the world of ideas, the ability to analyze information, ask good questions, develop new ideas, and be able to express themselves thoughtfully. APS will prepare the 21st century students by providing outstanding staff, and the following:

- Standards driven instruction that is informed by research from the Center for Educational Policy Research’s Study (Standards for Success, a report that gathered information about the required skills to succeed in college from more than 400 staff and faculty members at research universities).
- Building a College for Certain culture that informs and motivates students to graduate high school and attend college beginning in kindergarten.
- The provision of extended learning time and personalized learning opportunities.

The framework for instructional design is aligned with the needs of the pupils that APS has identified as the target group. Because APS aims to target students that are not currently successful in the core academic program APS will personalize instruction by providing the following resources:

- Small schools
- Small class sizes
- Looped grouping
- Advisory groups

The academic needs of the target population also generally necessitate extended learning time, which APS has committed to providing in the following manner:

- Longer school day
- Longer school year
- Modified traditional calendar
- Block scheduling

To address the needs of the target population, APS implements a standards-based curriculum and utilizes a variety of pedagogical strategies that are described for staff in detail in their in-house curricular guides called Instructional Guidelines (IGs). The IGs delineate the purpose and frequency for each type of instruction. APS also uses a variety of adopted programs and curriculum developed in-house. For English language arts, APS will continue to purchase and refer to the Open Court program in elementary school and for grades nine through twelve (9–12) will use the California recommended reading list. For mathematics, APS will use resources for Harcourt Brace Prentice Hall. For social studies, no specific text or resource was designated, and for science, APS will rely primarily on Full Option Science System (FOSS) kits and Activities Integrating Math and Science (AIMS) resources.

APS will send a letter to parents, at the beginning of each school year, that provides information about how will notify parents about the transferability of courses to other public high schools and eligibility of courses to meet college entrance requirements.

Plan for Low-Achieving Students

For those students not at grade level, APS will use the Response to Intervention framework and will provide various interventions including, in-class individual tutoring by teachers, in-class small group tutoring by teachers, specialized support class taught by a literacy specialist, a targeted help after school.

Plan for High-Achieving Students

Those students achieving above grade level will benefit from the APS IGs, which are designed to differentiate and individualize instruction at various levels. In addition, APS states that the variety of instructional techniques offered are cited as important features

by the National Association for Gifted Children in the Gifted Educational Program Standards. APS may also accelerate a student to a higher grade level at the discretion of the parent and principal.

Plan for English Learners

For those students who are English Learners (EL), APS will meet all applicable legal requirements for EL pupils as it pertains to parent notification, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluation program effectiveness, and standardized testing.

APS states that it has added a number of bilingual teaching strategies including Specially Designed Academic Instruction in English, training in Guided Language Acquisition Development, as well as professional development in teaching EL's in content areas. Also, APS has mapped the English Language Development Standards into their IGs. APS states that it will use achievement data to drive instruction and professional development as it relates to ELs, and will continually monitor teacher qualifications and use of appropriate instructional strategies, student identification and placement, parental program choice options and availability of adequate resources.

Plan for Special Education Students

For those students that qualify for special education, APS will comply with all state and federal laws under the Individuals with Disabilities Act. APS has identified a comprehensive identification process for students who would be eligible for special education that includes diagnostic assessments in language arts and math for all students, the child find process and by providing extensive professional education to staff about the characteristics of special education handicapping conditions and the referral process.

APS is a member of the El Dorado County Office of Education (EDCOE) SELPA and has stated in the charter that it will comply with the EDCOE Local Area Master Plan and perform all corrective actions deemed necessary by APS of the EDCOE SELPA. APS also employs a Director of Special Education that works with each school to develop annual budgets hire necessary staff, contract for appropriate services and documents the qualification and competency of school leadership to meet special compliance and quality requirements.

2. Measureable Pupil Outcomes	EC Section 47605(b)(5)(B) 5 CCR Section 11967.5.1(f)(2)	
Evaluation Criteria		
Measurable pupil outcomes, as required by <i>EC Section 47605(b)(5)(B)</i> , at a minimum:		
(A) Specify skills, knowledge, and attitudes that reflect the school's educational objectives and can be assessed, at a minimum, by objective means that are frequent and sufficiently detailed enough to determine whether pupils are making satisfactory progress. It is intended that the frequency of objective means of measuring pupil outcomes vary according to such factors as grade level, subject matter, the outcome of previous objective measurements, and information that may be collected from anecdotal sources. To be sufficiently detailed, objective means of measuring pupil outcomes must be capable of being used readily to evaluate the effectiveness of and to modify instruction for individual students and for groups of students.	Yes	
(B) Include the school's API growth target, if applicable.	Yes	
Does the petition present a reasonably comprehensive description of measurable pupil outcomes?		Yes

Comments:

The APS statewide benefit charter renewal petition states that through personal learning experiences students will master the following measureable pupil outcomes:

- **Basic Skills:** Master at least grade level competency in the four core subjects: mathematics, science, social studies, and language arts (including reading, writing, listening, and speaking).
- **Thinking Skills:** Be able to apply classrooms learning to the real world experiences in a relevant and valuable way, using higher-order thinking skills (including critical thinking, creativity, decision-making, problem solving, reasoning, knowing how to learn).
- **Life Skills:** Have developed personal qualities of individual responsibility, intellectual curiosity, sociability, self-management, confidence, and integrity.

These measureable outcomes are the same outcomes included in APS's original petition (2007–2012). The CDE reviewed data on progress made on these outcomes (see Attachment 6) and found that APS met some of the measurable pupil outcome goals outlined in the original charter.

3. Method for Measuring Pupil Progress	EC Section 47605(b)(5)(C) 5 CCR Section 11967.5.1(f)(3)	
Evaluation Criteria		
The method for measuring pupil progress, as required by EC Section 47605(b)(5)(C), at a minimum:		
(A) Utilizes a variety of assessment tools that are appropriate to the skills, knowledge, or attitudes being assessed, including, at minimum, tools that employ objective means of assessment consistent with the measurable pupil outcomes.	Yes	
(B) Includes the annual assessment results from the STAR program.	Yes	
(C) Outlines a plan for collecting, analyzing, and reporting data on pupil achievement to school staff and to pupils' parents and guardians, and for utilizing the data continuously to monitor and improve the charter school's educational program.	Yes	
Does the petition present a reasonably comprehensive description of the method for measuring pupil progress?		Yes

Comments:

The APS statewide benefit charter renewal petition presents a reasonably comprehensive description of the methods to be used for measuring student progress.

Please note, the APS method to measure the student outcome presented in the renewal petition differs from the method presented in the 2007 petition. The current method is provided in Table 2.

Table 2. Methods for Measuring Pupil Progress at APS Statewide Benefit Schools	
Measurable Student Outcome	Metric
Basic Skills: At least grade level competency in the four core subjects:	Year 1: Baseline year Year 2: All subgroups meet or exceed double the state growth target Year 3: All subgroups meet or exceed double the state growth target Year 4: School meets or exceeds API of 800
Thinking Skills: Apply classrooms learning to their real world using higher-order thinking skills	100 percent participation in two Aspire-wide writing assessments and two open-ended math assessments (aligned with Common Core)
Life Skills: Develop personal qualities of individual responsibility, intellectual curiosity, sociability, self-management, confidence, and integrity.	≥ 95 percent attendance rate

In addition to the metrics outlined above, which are reviewed annually, APS also administers the following local assessments:

- Three benchmark assessments
- In grades K–8, the Developmental Reading Assessment
- Ninth grade and up, Stanford Reading Inventory
- Two writing assessments
- Grade specific math assessments

Also, annually, the status of APS schools is evaluated internally using the School Health Dashboard. This tool allows the APS management team to identify schools that require more focused attention and support. On an on-going basis, the dashboard is used to monitor progress monthly. It reports on the following:

- Student achievement: API, course grades, behavior, and benchmarks scores
- Affiliation: results of staff, student, and parent surveys; teacher retention
- Financial: budget and forecast; average daily attendance

Assessments data is shared regularly with staff during meetings and with parents when they meet with their child's teacher.

4. Governance Structure	EC Section 47605(b)(5)(D) 5 CCR Section 11967.5.1(f)(4)	
Evaluation Criteria The governance structure of the school, including, but not limited to, the process...to ensure parental involvement..., as required by EC Section 47605(b)(5)(D), at a minimum:		
(A) Includes evidence of the charter school's incorporation as a non-profit public benefit corporation, if applicable.	Yes	
(B) Includes evidence that the organizational and technical designs of the governance structure reflect a seriousness of purpose necessary to ensure that: <ol style="list-style-type: none"> 1. The charter school will become and remain a viable enterprise. 2. There will be active and effective representation of interested parties, including, but not limited to parents (guardians). 3. The educational program will be successful. 	Yes	
Does the petition present a reasonably comprehensive description of the school's governance structure?		Yes

Comments:

The APS statewide benefit charter renewal petition presents a reasonably comprehensive description of the governance structure. The school operates as a California nonprofit public benefit corporation. The school's Board of Directors (Board) is currently comprised of 7 members but may consist of a maximum of 11. The Board bylaws indicate that the Board may designate committees and specifically identifies the executive committee, a compensation committee, an audit committee, and the ability to establish several advisory committees. In addition, the Board bylaws outline the specific responsibilities of corporate officers such as the Chief Executive Officer, Secretary, and Chief Financial Officer.

The CDE found, through interviews with APS Board President Don Shalvey, that the APS Board ensures the schools will remain viable enterprises by beginning the budget development process in January. According to Mr. Shalvey, the focus of the budget process is personnel and the academic needs of students.

CDE review of Board minutes for the prior school year indicates the Board provides direction to the school leadership through the adoption of policies and procedures that support and promote high academic standards.

In addition, the Board ensures the educational program will be successful by reviewing academic data eight months out of the year. Mr. Shalvey stated that the Board reviews performance data for their entire portfolio of schools, but also by region, grade levels, age levels, and individual schools. The Board searches for patterns that stretch across the organization. They study the differences between the highest performing classes and the lowest performing classes in order to find a way to narrow the achievement gap.

The governance structure of the APS statewide benefit charter renewal petition will ensure there will be active and effective representation of parents and school representatives through the development of an Advisory School Council (ASC) at each school site. The ASC will make recommendations regarding school issues and will review parent and community concerns. The principal from each site will be responsible for communicating all ASC policy recommendations to the APS Board.

5. Employee Qualifications	EC Section 47605(b)(5)(E) 5 CCR Section 11967.5.1(f)(5)	
Evaluation Criteria		
The qualifications (of the school's employees), as required by <i>EC</i> Section 47605(b)(5)(E), at a minimum:		
(A) Identify general qualifications for the various categories of employees the school anticipates (e.g., administrative, instructional, instructional support, non-instructional support). The qualifications shall be sufficient to ensure the health, and safety of the school's faculty, staff, and pupils.		Yes
(B) Identify those positions that the charter school regards as key in each category and specify the additional qualifications expected of individuals assigned to those positions.		Yes
(C) Specify that all requirements for employment set forth in applicable provisions of law will be met, including, but not limited to credentials as necessary.		Yes
Does the petition present a reasonably comprehensive description of employee qualifications?		Yes

Comments:

The APS statewide benefit charter renewal petition presents a reasonably comprehensive description of employee qualifications.

6. Health and Safety Procedures	<i>EC Section 47605(b)(5)(F)</i> <i>5 CCR Section 11967.5.1(f)(6)</i>	
Evaluation Criteria		
The procedures...to ensure the health and safety of pupils and staff, as required by <i>EC Section 47605(b)(5)(F)</i> , at a minimum:		
(A) Require that each employee of the school furnish the school with a criminal record summary as described in <i>EC Section 44237</i> .		Yes
(B) Include the examination of faculty and staff for tuberculosis as described in <i>EC Section 49406</i> .		Yes
(C) Require immunization of pupils as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school.		Yes
(D) Provide for the screening of pupils' vision and hearing and the screening of pupils for scoliosis to the same extent as would be required if the pupils attended a non-charter public school.		Yes
Does the petition present a reasonably comprehensive description of health and safety procedures?		Yes

Comments:

The APS statewide benefit charter renewal petition presents a reasonably comprehensive description of health and safety procedures.

7. Racial and Ethnic Balance	EC Section 47605(b)(5)(G) 5 CCR Section 11967.5.1(f)(7)
<p>Evaluation Criteria</p> <p>Recognizing the limitations on admissions to charter schools imposed by <i>EC</i> Section 47605(d), the means by which the school(s) 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..., as required by <i>EC</i> Section 47605(b)(5)(G), shall be presumed to have been met, absent specific information to the contrary.</p>	
<p>Does the petition present a reasonably comprehensive description of means for achieving racial and ethnic balance?</p>	<p>Yes</p>

Comments:

The APS statewide benefit charter renewal petition presents a reasonably comprehensive description of the means for achieving a racial and ethnic balance at the school.

8. Admission Requirements, If Applicable	EC Section 47605(b)(5)(H) 5 CCR Section 11967.5.1(f)(8)
<p>Evaluation Criteria</p> <p>To the extent admission requirements are included in keeping with <i>EC</i> Section 47605(b)(5)(H), the requirements shall be in compliance with the requirements of <i>EC</i> Section 47605(d) and any other applicable provision of law.</p>	
<p>Does the petition present a reasonably comprehensive description of admission requirements?</p>	<p>Yes; Technical Amendment Needed</p>

Comments:

The APS statewide benefit charter renewal petition describes admission requirements to be used at the APS statewide benefit schools. APS commits to conducting a public random drawing if more applications are received than there is capacity. However, in the public random drawing, APS proposes a preference for pupils at other Aspire schools that is above the preference for pupils of the district where the school is located.

Technical Amendment: The CDE also recommends that APS revise its admission policy to reflect that each school shall conduct its own lottery and shall extend preference to the students residing within its territorial jurisdiction.

The CDE recommends the lottery process be revised to conform with the law that gives preference to students of the district before children of employees and students of other schools operated by the corporation.

9. Annual Independent Financial Audits	EC Section 47605(b)(5)(I) 5 CCR Section 11967.5.1(f)(9)
<p>Evaluation Criteria</p> <p>The manner in which annual independent financial audits shall be conducted using generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the SBE's satisfaction, as required by <i>EC Section 47605(b)(5)(I)</i>, at a minimum:</p>	
(A) Specify who is responsible for contracting and overseeing the independent audit.	Yes
(B) Specify that the auditor will have experience in education finance.	Yes; Technical Amendments Needed
(C) Outline the process of providing audit reports to the SBE, CDE, or other agency as the SBE may direct, and specifying the timeline in which audit exceptions will typically be addressed.	Yes
(D) Indicate the process that the charter school(s) will follow to address any audit findings and/or resolve any audit exceptions.	Yes
Does the petition present a reasonably comprehensive description of annual independent financial audits?	Yes; Technical Amendments Needed

Comments:

The APS statewide benefit charter renewal petition presents a reasonably comprehensive description of the manner in which annual independent financial audits will be conducted. However, the description does not specify that the auditor will have experience in education finance.

Technical Amendment: The CDE recommends APS amend its petition to specify that the selected auditor will have experience in education finance.

10. Suspension and Expulsion Procedures	EC Section 47605(b)(5)(J) 5 CCR Section 11967.5.1(f)(10)	
Evaluation Criteria		
The procedures by which pupils can be suspended or expelled, as required by <i>EC</i> Section 47605(b)(5)(J), at a minimum:		
(A) Identify a preliminary list, subject to later revision pursuant to subparagraph (E), of the offenses for which students in the charter school must (where non-discretionary) and may (where discretionary) be suspended and, separately, the offenses for which students in the charter school must (where non-discretionary) or may (where discretionary) be expelled, providing evidence that the petitioners' reviewed the offenses for which students must or may be suspended or expelled in non-charter public schools.	Yes	
(B) Identify the procedures by which pupils can be suspended or expelled.	Yes	
(C) Identify the procedures by which parents, guardians, and pupils will be informed about reasons for suspension or expulsion and of their due process rights in regard to suspension or expulsion.	Yes	
(D) Provide evidence that in preparing the lists of offenses specified in subparagraph (A) and the procedures specified in subparagraphs (B) and (C), the petitioners reviewed the lists of offenses and procedures that apply to students attending non-charter public schools, and provide evidence that the charter petitioners believe their proposed lists of offenses and procedures provide adequate safety for students, staff, and visitors to the school and serve the best interests the school's pupils and their parents (guardians).	Yes	
(E) If not otherwise covered under subparagraphs (A), (B), (C), and (D): 1. Provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in...regard to suspension and expulsion. 2. Outline how detailed policies and procedures regarding suspension and expulsion will be developed and periodically reviewed, including, but not limited to, periodic review and (as necessary) modification of the lists of offenses for which students are subject to suspension or expulsion.	Yes	
Does the petition present a reasonably comprehensive description of suspension and expulsion procedures?		Yes

Comments:

The APS statewide benefit charter renewal petition presents a reasonably comprehensive description of suspension and expulsion procedures.

11. California State Teachers' Retirement System (CalSTRS), California Public Employees; Retirement System (CalPERS), and Social Security Coverage	EC Section 47605(b)(5)(K) 5 CCR Section 11967.5.1(f)(11)
<p>Evaluation Criteria</p> <p>The manner by which staff members of the charter schools will be covered by the CalSTRS, the CalPERS, or federal social security, as required by <i>EC</i> Section 47605(b)(5)(K), at a minimum, specifies the positions to be covered under each system and the staff who will be responsible for ensuring that appropriate arrangements for that coverage have been made.</p>	
Does the petition present a reasonably comprehensive description of CalSTRS, CalPERS, and social security coverage?	Yes

Comments:

The APS statewide benefit charter renewal petition presents a reasonably comprehensive description of CalSTRS, and CalPERS coverage and names the responsible staff for ensuring coverage.

12. Public School Attendance Alternatives	EC Section 47605(b)(5)(L) 5 CCR Section 11967.5.1(f)(12)
<p>Evaluation Criteria</p> <p>The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools, as required by <i>EC</i> Section 47605(b)(5)(L), at a minimum, specify that the parent or guardian of each pupil enrolled in the charter school shall be informed that the pupil has no right to admission in a particular school of any LEA (or program of any LEA) as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the LEA.</p>	
Does the petition present a reasonably comprehensive description of public school attendance alternatives?	Yes

Comments:

The APS statewide benefit charter renewal petition presents a reasonably comprehensive description of public school attendance alternatives.

13. Post-employment Rights of Employees	EC Section 47605(b)(5)(M) 5 CCR Section 11967.5.1(f)(13)	
<p>Evaluation Criteria</p> <p>The description of the rights of any employees 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, as required by <i>EC</i> Section 47605(b)(5)(M), at a minimum, specifies that an employee of the charter school shall have the following rights:</p>		
(A) Any rights upon leaving the employment of an LEA to work in the charter school that the LEA may specify.		Yes
(B) Any rights of return to employment in an LEA after employment in the charter school as the LEA may specify.		Yes
(C) Any other rights upon leaving employment to work in the charter school and any rights to return to a previous employer after working in the charter school that the SBE determines to be reasonable and not in conflict with any provisions of law that apply to the charter school or to the employer from which the employee comes to the charter school or to which the employee returns from the charter school.		Yes
Does the petition present a reasonably comprehensive description of post-employment rights of employees?		Yes

Comments:

The APS statewide benefit charter renewal petition presents a reasonably comprehensive description of the post-employment rights.

14. Dispute Resolution Procedures	<i>EC Section 47605(b)(5)(N)</i> <i>5 CCR Section 11967.5.1(f)(14)</i>	
Evaluation Criteria		
The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to the provisions of the charter, as required by <i>EC Section 47605(b)(5)(N)</i> , at a minimum:		
(A) Include any specific provisions relating to dispute resolution that the SBE determines necessary and appropriate in recognition of the fact that the SBE is not a LEA.		Yes
(B) Describe how the costs of the dispute resolution process, if needed, would be funded.		Yes
(C) Recognize that, because it is not a LEA, the SBE may choose resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, provided that if the SBE intends to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, it must first hold a public hearing to consider arguments for and against the direct resolution of the dispute instead of pursuing the dispute resolution process specified in the charter.		Yes
(D) Recognize that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with <i>EC Section 47604.5</i> , the matter will be addressed at the SBE's discretion in accordance with that provision of law and any regulations pertaining thereto.		Yes
Does the petition present a reasonably comprehensive description of dispute resolution procedures?		Yes

Comments:

The APS statewide benefit charter renewal petition reasonably describes dispute resolution procedures.

15. Exclusive Public School Employer	<i>EC Section 47605(b)(5)(O)</i> 5 <i>CCR Section 11967.5.1(f)(15)</i>
Evaluation Criteria The declaration of whether or not the district shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 [commencing with Section 3540] of Division 4 of Title 1 of the <i>Government Code</i>), as required by <i>EC Section 47605(b)(5)(O)</i> , recognizes that the SBE is not an exclusive public school employer and that, therefore, the charter school must be the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (EERA).	
Does the petition include the necessary declaration?	Yes

Comments:

The APS statewide benefit charter renewal petition makes clear that APS shall be deemed the exclusive public school employer of charter school employees for the purposes of the EERA.

16. Closure Procedures	<i>EC Section 47605(b)(5)(P)</i> 5 <i>CCR Section 11967.5.1(f)(15)(g)</i>
Evaluation Criteria A description of the procedures to be used if the charter school closes, in keeping with <i>EC Section 47605(b)(5)(P)</i> . The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.	
Does the petition include a reasonably comprehensive description of closure procedures?	Yes

Comments:

The APS statewide benefit charter renewal petition includes a reasonably comprehensive description of closure procedures.

ADDITIONAL REQUIREMENTS UNDER EC SECTION 47605

Standards, Assessments, and Parent Consultation	EC Section 47605(c) 5 CCR Section 11967.5.1(f)(3)	
Evaluation Criteria		
Evidence is provided that:		
(1) The school shall meet all statewide standards and conduct the pupil assessments required pursuant to <i>EC</i> sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools.		Yes
(2) The school shall, on a regular basis, consult with their parents and teachers regarding the school's educational programs.		Yes
Does the petition provide evidence addressing the requirements regarding standards, assessments, and parent consultation?		Yes

Comments:

The APS statewide benefit charter renewal petition states that APS will meet all statewide standards and conduct all required state-mandated pupil assessments. The petition also includes a commitment to consult regularly with parents and teachers regarding the school's educational programs.

Employment is Voluntary	EC Section 47605(e) 5 CCR Section 11967.5.1(f)(13)	
Evaluation Criteria		
The governing board...shall not require any employee...to be employed in a charter school.		
Does the petition meet this criterion?		Yes

Comments:

The APS statewide benefit charter renewal petition states that employment is voluntary.

Pupil Attendance is Voluntary	EC Section 47605(f) 5 CCR Section 11967.5.1(f)(12)
Evaluation Criteria	
The governing board...shall not require any pupil...to attend a charter school.	
Does the petition meet this criterion?	Yes

Comments:

The petition states that enrollment at any APS statewide benefit charter school is entirely voluntary.

Effect on Authorizer and Financial Projections	EC Section 47605(g) 5 CCR Section 11967.5.1(c)(3)(A-C)
Evaluation Criteria	
...[T]he petitioners [shall] provide information regarding the proposed operation and potential effects of the school, including, but not limited to:.	
<ul style="list-style-type: none"> The facilities to be utilized by the school. The description of the facilities to be used by the charter school shall specify where the school intends to locate. 	Yes
<ul style="list-style-type: none"> The manner in which administrative services of the school are to be provided. 	Yes
<ul style="list-style-type: none"> Potential civil liability effects, if any upon the school and the SBE. 	Yes
The petitioners shall also provide financial statements that include a proposed first-year operational budget, including startup costs, and cash-flow and financial projections for the first three years of operation.	Yes
Does the petition provide the required information and financial projections?	Yes

Comments:

The APS statewide benefit charter renewal petition provides a general description of facility acquisition for potential new sites. The APS renewal petition also includes information on the provision of administrative services at the school level and the potential effects of civil liability, if any upon the school and the SBE.

In general, each of Aspire's statewide benefit sites has been successful in its financial operations and has generally maintained the recommended levels of reserve that would be expected of a school district of similar size. In instances where a site has struggled in its first year, CDE notes positive trends in the subsequent year(s) with respect to the increase of ending fund balances.

Enrollment and ADA trends for each statewide benefit site have been consistently strong providing additional confidence and stability in budget projections. Overall, CDE has confidence in Aspire's ability to maintain its financial stability during the next five-year renewal period.

Academically Low Achieving Pupils	<i>EC Section 47605(h)</i> 5 CCR Section 11967.5.1(f)(1)(F-G)	
<p>Evaluation Criteria</p> <p>In reviewing petitions, the charter authorizer shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioners as academically low achieving pursuant to the standards established by the State Department of Education under Section 54032 as it read prior to July 19, 2006.</p>		
<p>Does the petition merit preference by the SBE under this criterion?</p>	<p>Yes</p>	

Comments:

The APS statewide benefit charter merits preference by the SBE under this criterion.

Teacher Credentialing	<i>EC Section 47605(l) 5 CCR Section 11967.5.1(f)(5)</i>
Evaluation Criteria Teachers in charter schools shall be required to hold a California 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 noncore, noncollege preparatory courses.	
Does the petition meet this requirement?	Yes

Comments:

The APS statewide benefit charter renewal petition meets this requirement.

Transmission of Audit Report	<i>EC Section 47605(m) 5 CCR Section 11967.5.1(f)(9)</i>
Evaluation Criteria A charter school shall transmit a copy of its annual independent financial audit report for the preceding fiscal year...to the chartering entity, the Controller, the county superintendent of schools of the county in which the charter is sited..., and the CDE by December 15 of each year.	
Does the petition address this requirement?	Yes

Comments:

The APS statewide benefit charter renewal petition reasonably describes the transmission of the annual audit report.

Specific Criteria Related to Statewide Benefit Charter Petitions

Statewide Benefit	California EC Section 47605.8 5 CCR Section 11967.6(b)	
Evaluation Criteria The proposed state charter school will provide instructional services of a statewide benefit.		Yes
The instructional services of a statewide benefit cannot be provided by a charter school operating in only one school district, or only one county.		Yes
Does the charter petition satisfy these requirements?		Yes

Comments:

The APS statewide benefit charter petition describes the benefit to pupils, communities, and the state. Although the APS statewide benefit charter petition describes four statewide benefits, at its May 2011 meeting, the SBE affirmed only the following two statewide benefits:

1. The APS statewide benefit in terms of funding and its ability to get statewide bonds constitutes a statewide benefit in accordance with EC Section 47605.8(b) and 5 CCR Section 11967.6(b).
 - The APS benefit in terms of funding could not be provided by a series of local charters.

2. The APS benefit in terms of being able to expand its teacher residency program constitutes a statewide benefit in accordance with EC Section 47605.8(b) and 5 CCR 11967.6(b).
 - The APS benefit related to the teacher residency program could not be provided through a series of local charters.

See Attachment 4 for a detailed review of APS progress towards providing these statewide benefits.

Analysis of Renewal Criteria Achievement

This table summarizes the findings from all subsequent tables in this attachment.

Table 1. Renewal Criteria Summary						
Renewal Criteria from <i>Education Code (EC)</i> Section 47607 Applicable to Two Aspire Public Schools Statewide Benefit Charter Schools Operating Four Years or More			Renewal Criteria from <i>EC</i> Section 47607 Not Applicable To Schools Operating Less Than Four Years			
	Aspire Junior Collegiate (09764890 11484)	Aspire Port City (0976489 0114876)	Aspire Titan (097648901 20477)	Aspire Alexander Twilight Prep (09764890 120469)	Aspire Alexander Twilight Secondary (097648901 21467)	Aspire APEX (097648 9012154 1)
Year Opened	2007	2007	2009	2009	2010	2010
Years in Operation	5	5	3	3	2	2
Criteria 1: Academic Performance Index (API) Growth Target	Yes	Yes	Yes	Yes	NA	NA
Criteria 2: Statewide Rank 4– 10	Yes	Yes	Yes	Yes	NA	NA
Criteria 3: Similar Schools Rank 4–10	Yes	Yes	Yes	Yes	NA	NA
Criteria 4: Academic performance equal to public schools students would otherwise attend	Yes	Yes	Yes	Yes	Yes	Yes

Criteria 1: Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, or in the aggregate for the prior three years

Table 2. API Growth Target (Met Target) for First Two Aspire Statewide Benefit School Sites Opened in 2007					
	2011 API	2010–11 Growth	2009–10 Growth	2008–09 Growth	2007–08 Growth
Aspire Junior Collegiate (Opened 2007)	868	24 (Yes)	49 (Yes)	27 (Yes)	B
Aspire Port City (Opened 2007)	868	-2 (A) (Yes)	33 (Yes)	58 (Yes)	B
Aspire Titan (Opened 2009)	849	25 (Yes)	B	NA	NA
Aspire Alexander Twilight College Preparatory (Opened 2009)	802	36 (Yes)	B	NA	NA
Aspire Alexander Twilight Secondary Academy (Opened 2010)	700	B	NA	NA	NA
Aspire APEX (Opened 2010)	742	B	NA	NA	NA
Source: DataQuest, California Department of Education “A” means the school or subgroups scored at or above the statewide performance target of 800 in 2010. “B” means the school did not have a valid 2007 Base API and will not have any growth or target information.					

Met Criteria 1? Yes. The two schools to which the renewal criteria applies, as they have been in operation for four years, Aspire Junior Collegiate and Aspire Port City, met their growth targets in the prior year and in two of the last three years. The two schools that opened in 2009, Titan and Alexander Twilight College Preparatory, met their growth target in the prior year. The two most recently opened schools, Alexander Twilight Secondary and APEX earned an API of 700 and 742, respectively.

Criteria 2: Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.

Criteria 3: Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years.

Table 3. Statewide and Similar Schools Rank for Aspire Statewide Benefit Charter Schools (statewide/similar)				
	2011	2010	2009	2008
Aspire Junior Collegiate Academy	Data Not Available Until Spring of 2012	7/10	6/10	5/10
Aspire Port City		8/10	7/10	6/10
Aspire Titan		6/10		
Aspire Alexander Twilight College Preparatory		4/4		
Aspire Alexander Twilight Secondary Academy				
Aspire APEX				
Source: DataQuest, California Department of Education				

Met Criterions 2 and 3? Yes. The two schools to which the renewal criteria applies, as they have been in operation for four years, Aspire Junior Collegiate and Aspire Port City, currently meet the rank criteria.

Criteria 4: The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.

Summary of Findings for Criteria 4

The two schools to which the renewal criteria applies, as they have been in operation for four years, Aspire Junior Collegiate and Aspire Port City, currently meet criteria 4. The academic performance at these two schools is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.

Aspire Titan Academy, Aspire Alexander Twilight College Preparatory Academy (ATCPA), Aspire Alexander Twilight Secondary Academy, and Aspire APEX are not required to meet criteria 4 since they have not been in operation four years. Nevertheless, the academic performance of all four schools is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.

Aspire Junior Collegiate (Opened 2007)

Table 4: 2011 Demographic Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend					
School Name	Aspire Junior Collegiate Academy	Florence Avenue Elementary	Middleton Street Elementary	Miles Avenue Elementary	Walnut Park Elementary
CDS Code	09764890 114884	1964733601 7123	1964733601 8162	1964733601 8170	1964733611 0977
Student Enrollment	295	843	1355	1681	994
% Black or African American	0	0.6	0.1	0.4	0.1
% American Indian or Alaska Native	0	0.1	0.1	0.2	0
% Asian	0	0.1	0.1	0.3	0
% Filipino	0	0	0	0.2	0
% Hispanic or Latino	100	99.1	99.6	98.2	99.5
% Native Hawaiian or Pacific Islander	0	0	0	0.1	0
% White	0	0.1	0.1	0.3	0
% Two or More Races	0	0	0	0	0
% Socioeconomically Disadvantaged	100	67.6	74.7	86.8	48.7
% English Learners	72.9	67.9	77.9	70.7	51.8
% Students with Disabilities	6.8	7.8	10.7	6.7	6.9
Data source used "DMDSQL1.EDdemo2.vwSSIDenroll"					

Table 5: 2011 Truancy, Suspension, and Expulsion Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend					
School Name	Aspire Junior Collegiate Academy	Florence Avenue Elementary	Middleton Street Elementary	Miles Avenue Elementary	Walnut Park Elementary
CDS Code	097648901 14884	19647336017 123	196473360181 62	1964733601 8170	196473361109 77
Enrollment	295	843	1355	1681	994
Truancy Number (Rate)	117(39.7)	214(25.4)	211(15.6)	308(18.3)	366(36.8)
Suspension Number (Rate)	0(0)	26(3.1)	4(0.3)	35(2.1)	2(0.2)
Expulsion Number (Rate)	0(0)	0(0)	0(0)	0(0)	0(0)
Data source was a provided spreadsheet "umirs1011.xls"					

Table 6. Academic Performance Index (API) Growth for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend					
School Name	Aspire Junior Collegiate Academy	Florence Avenue Elementary	Middleton Street Elementary	Miles Avenue Elementary	Walnut Park Elementary
CDS Code	097648901 14884	1964733601 7123	1964733601816 2	19647336018 170	19647336110 977
API Growth for 2010-11	24	-18	6	10	-3
API Growth for 2009-10	49	19	20	13	-2
API Growth for 2008-09	27	-1	20	37	18
API Growth for 2007-08	B	6	14	10	37
Data source used "API08gdb.dbf, API09gdb.dbf, API10gdb.dbf, API11gdb.dbf"					

Table 7: 2011 Growth Academic Performance Index (API) Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

School Name	Aspire Junior Collegiate Academy	Florence Avenue Elementary	Middleton Street Elementary	Miles Avenue Elementary	Walnut Park Elementary
CDS Code	0976489011 4884	196473360 17123	1964733601 8162	1964733601 8170	19647336110 977
Valid Scores Schoolwide	202	552	1071	1052	595
Schoolwide	868(24)	742(-18)	777(6)	782(10)	758(-3)
Black or African American	-	-	-	-	-
American Indian or Alaska Native	-	-	-	-	-
Asian	-	-	-	-	-
Filipino	-	-	-	-	-
Hispanic or Latino	844(24)	759(-18)	770(7)	773(9)	761(-3)
Native Hawaiian or Pacific Islander	-	-	-	-	-
White	-	-	-	-	-
Two or More Races	-	-	-	-	-
Socioeconomically Disadvantaged	842(24)	760(-17)	766(11)	770(8)	758(0)
English Learners	824(36)	735(-29)	747(10)	754(7)	727(-5)
Students with Disabilities	765(-)	499(-)	550(16)	533(-)	594(-)
Statewide/Similar Schools Rank	7/10	3/7	4/9	4/7	3/4

Data source used, "API11gdb.dbf, API10bdb.dbf"

- The Growth API is not displayed when there are less than 11 valid scores

(-) The student group is not numerically significant, therefore no growth determination was made

Table 8: 2011 Adequate Yearly Progress (AYP) Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

School Name	Aspire Junior Collegiate Academy	Florence Avenue Elementary	Middleton Street Elementary	Miles Avenue Elementary	Walnut Park Elementary
CDS Code	0976489011 4884	1964733601 7123	1964733601 8162	19647336018 170	1964733611 0977
Met AYP Criteria	Yes	No	No	No	No
# Criteria Met/# Criteria Applicable	17/17	9/17	16/21	12/17	10/17
2011-12 Program Improvement (PI) Status	Not in PI	In PI	In PI	In PI	In PI
2011-12 Program Improvement (PI) Year		Year 1	Year 5	Year 1	Year 5
Data source used, "APR11adb.dbf, schlpi11.dbf"					

Table 9: 2011 Adequate Yearly Progress (AYP) Data: Percent Proficient in English-Language Arts (ELA) for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend					
ELA % Proficiency Target: 67.6					
School Name	Aspire Junior Collegiate Academy	Florence Avenue Elementary	Middleton Street Elementary	Miles Avenue Elementary	Walnut Park Elementary
CDS Code	097648901 14884	1964733601 7123	1964733601 8162	1964733601 8170	1964733611 0977
Number of Valid Scores Schoolwide	202	552	1070	1052	595
Schoolwide (Met Target)	63.9(Yes)	44.4(No)	42.0(No)	49.9(No)	46.1(No)
Black or African American (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
American Indian or Alaska Native (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
Asian (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
Filipino (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
Hispanic or Latino (Met Target)	63.9(Yes)	43.9(No)	42.0(No)	50.0(No)	46.1(No)
Native Hawaiian or Pacific Islander (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
White (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
Two or More Races (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
Socioeconomically Disadvantaged (Met Target)	63.8(Yes)	44.5(No)	42.0(No)	48.6(No)	46.1(No)
English Learners (Met Target)	62.5(Yes)	36.9(No)	37.5(No)	44.7(No)	38.8(No)
Students with Disabilities (Met Target)	50.0(--)	26.5(--)	21.6(No)	13.5(--)	23.2(--)
Data source used, "APR11adb.dbf, schlpi11.dbf"					
-- Percent proficient is not displayed when there are less than 11 valid scores					
(--) The student group is not numerically significant, therefore no AYP determination was made					

Table 10: 2011 Adequate Yearly Progress (AYP) Data: Percent Proficient in Mathematics for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend					
Math % Proficiency Target: 68.5					
School Name	Aspire Junior Collegiate Academy	Florence Avenue Elementary	Middleton Street Elementary	Miles Avenue Elementary	Walnut Park Elementary
CDS Code	09764890 114884	1964733601 7123	1964733601 8162	1964733601 8170	1964733611 0977
Number of Valid Scores Schoolwide	202	552	1064	1052	595
Schoolwide (Met Target)	85.6(Yes)	50.4(No)	67.1(Yes)	63.8(Yes)	53.9(No)
Black or African American (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
American Indian or Alaska Native (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
Asian (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
Filipino (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
Hispanic or Latino (Met Target)	85.6(Yes)	50.2(No)	67.2(Yes)	63.8(No)	53.9(No)
Native Hawaiian or Pacific Islander (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
White (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
Two or More Races (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
Socioeconomically Disadvantaged (Met Target)	84.6(Yes)	50.5(No)	67.1(Yes)	63.0(Yes)	53.9(No)
English Learners (Met Target)	84.9(Yes)	45.1(No)	64.2(Yes)	60.9(Yes)	49.3(Yes)
Students with Disabilities (Met Target)	57.1(--)	28.6(--)	41.9(Yes)	32.3(--)	33.9(--)
Data source used, "APR11adb.dbf, schlpi11.dbf"					
-- Percent proficient is not displayed when there are less than 11 valid scores					
(--) The student group is not numerically significant, therefore no AYP determination was made					

Did Aspire Junior Collegiate Meet Criteria 4? Yes. The academic performance of Aspire Junior Collegiate is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.

Aspire Port City (Opened 2007)

Table 11: 2011 Demographic Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

School Name	Aspire Port City Academy	John C. Fremont Elementary	Grunsky Elementary	Harrison Elementary
CDS Code	09764890114876	39686760111351	39686766042600	39686766042618
Student Enrollment	398	872	493	603
% Black or African American	21.9	5.8	3.4	9.6
% American Indian or Alaska Native	2.8	3.4	4.3	5.1
% Asian	4.5	4.4	4.5	13.6
% Filipino	3.3	1.4	1.2	4.5
% Hispanic or Latino	50.8	76	72.8	57
% Native Hawaiian or Pacific Islander	0.3	0.1	0	0.8
% White	11.3	8.7	13.8	9.3
% Two or More Races	5.3	0	0	0
% Socioeconomically Disadvantaged	99.5	57.2	72.6	64.8
% English Learners	13.6	56.1	47.9	46.1
% Students with Disabilities	5.5	3.4	5.5	8.3

Data source used "DMDSQL1.EDdemo2.vwSSIDenroll"

Table 12: 2011 Truancy, Suspension, and Expulsion Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

School Name	Aspire Port City Academy	John C. Fremont Elementary	Grunsky Elementary	Harrison Elementary
CDS Code	09764890114876	39686760111351	39686766042600	39686766042618
Enrollment	398	872	493	603
Truancy Number (Rate)	98(24.6)	528(60.6)	217(44)	302(50.1)
Suspension Number (Rate)	0(0)	215(24.7)	121(24.5)	105(17.4)
Expulsion Number (Rate)	0(0)	0(0)	0(0)	0(0)
Data source was a provided spreadsheet "umirs1011.xls"				

Table 13. Academic Performance Index (API) Growth for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

School Name	Aspire Port City Academy	John C. Fremont Elementary	Grunsky Elementary	Harrison Elementary
CDS Code	09764890114876	39686760111351	39686766042600	39686766042618
	6	1	0	8
API Growth for 2010-11	-2	-21	11	4
API Growth for 2009-10	33	-1	-6	30
API Growth for 2008-09	58	12	-1	-30
API Growth for 2007-08	B	-1	5	16
Data source used "API08gdb.dbf, API09gdb.dbf, API10gdb.dbf, API11gdb.dbf"				

Table 14: 2011 Growth Academic Performance Index (API) Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

School Name	Aspire Port City Academy	John C. Fremont Elementary	Grunsky Elementary	Harrison Elementary
CDS Code	09764890114876	39686760111351	39686766042600	39686766042618
Valid Scores Schoolwide	255	545	346	379
Schoolwide	868(-2)	622(-21)	715(11)	678(4)
Black or African American	834(14)	534(-)	-	622(-)
American Indian or Alaska Native	-	702(-)	573(-)	635(-)
Asian	-	605(-)	710(-)	732(-)
Filipino	-	-	-	737(-)
Hispanic or Latino	881(-20)	649(-20)	709(25)	672(2)
Native Hawaiian or Pacific Islander	-	-	-	-
White	885(-)	661(-)	706(-)	663(-)
Two or More Races	-	-	-	-
Socioeconomically Disadvantaged	850(8)	643(-21)	705(10)	661(12)
English Learners	877(-)	627(-17)	678(37)	656(24)
Students with Disabilities	615(-)	452(-)	428(-)	571(-)
Statewide/Similar Schools Rank	8/10	1/1	1/4	1/2

Data source used, "API11gdb.dbf, API10bdb.dbf"

- The Growth API is not displayed when there are less than 11 valid scores

Table 15: 2011 Adequate Yearly Progress (AYP) Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
School Name	Aspire Port City Academy	John C. Fremont Elementary	Grunsky Elementary	Harrison Elementary
CDS Code	09764890114876	39686760111351	39686766042600	39686766042618
Met AYP Criteria	No	No	No	No
# Criteria Met/# Criteria Applicable	14/17	8/17	13/21	10/17
2011-12 Program Improvement (PI) Status	Not in PI	In PI	In PI	In PI
2011-12 Program Improvement (PI) Year		Year 4	Year 5	Year 5
Data source used, "APR11adb.dbf, schlpi11.dbf"				

Table 16: 2011 Adequate Yearly Progress (AYP) Data: Percent Proficient in English-Language Arts (ELA) for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
ELA % Proficiency Target: 67.6				
School Name	Aspire Port City Academy	John C. Fremont Elementary	Grunsky Elementary	Harrison Elementary
CDS Code	09764890114876	39686760111351	39686766042600	39686766042618
Number of Valid Scores Schoolwide	255	545	346	378
Schoolwide (Met Target)	64.3(No)	23.9(No)	36.1(No)	31.2(No)
Black or African American (Met Target)	61.1(Yes)	10.0(--)	--(--)	21.1(--)
American Indian or Alaska Native (Met Target)	--(--)	17.4(--)	26.1(--)	27.3(--)
Asian (Met Target)	76.9(--)	25.0(--)	47.1(--)	41.5(--)
Filipino (Met Target)	--(--)	--(--)	--(--)	41.2(--)
Hispanic or Latino (Met Target)	61.8(No)	24.6(No)	36.8(No)	29.8(No)
Native Hawaiian or Pacific Islander (Met Target)	--(--)	--(--)	--(--)	--(--)
White (Met Target)	62.1(--)	29.4(--)	38.9(No)	34.4(--)
Two or More Races (Met Target)	81.2(--)	--(--)	--(--)	--(--)
Socioeconomically Disadvantaged (Met Target)	61.6(No)	23.9(No)	36.1(No)	29.4(No)
English Learners (Met Target)	64.3(--)	19.4(No)	34.3(Yes)	26.1(No)
Students with Disabilities (Met Target)	47.8(--)	16.3(--)	2.7(--)	35.6(--)
Data source used, "APR11adb.dbf, schlpi11.dbf"				
-- Percent proficient is not displayed when there are less than 11 valid scores				
(--) The student group is not numerically significant, therefore no AYP determination was made				

Table 17: 2011 Adequate Yearly Progress (AYP) Data: Percent Proficient in Mathematics for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

Math % Proficiency Target: 68.5

School Name	Aspire Port City Academy	John C. Fremont Elementary	Grunsky Elementary	Harrison Elementary
CDS Code	09764890114876	39686760111351	39686766042600	39686766042618
Number of Valid Scores Schoolwide	255	542	345	379
Schoolwide (Met Target)	82.4(Yes)	25.5(No)	50.1(No)	37.5(No)
Black or African American (Met Target)	77.8(Yes)	15.8(--)	--(--)	28.9(--)
American Indian or Alaska Native (Met Target)	--(--)	8.7(--)	36.4(--)	22.7(--)
Asian (Met Target)	84.6(--)	29.2(--)	64.7(--)	49.1(--)
Filipino (Met Target)	--(--)	--(--)	--(--)	35.3(--)
Hispanic or Latino (Met Target)	83.2(Yes)	25.8(No)	49.6(No)	37.0(No)
Native Hawaiian or Pacific Islander (Met Target)	--(--)	--(--)	--(--)	--(--)
White (Met Target)	82.8(--)	30.0(--)	59.3(No)	43.8(--)
Two or More Races (Met Target)	93.8(--)	--(--)	--(--)	--(--)
Socioeconomically Disadvantaged (Met Target)	79.3(Yes)	25.5(No)	50.1(No)	36.0(No)
English Learners (Met Target)	81.0(--)	24.8(No)	50.3(Yes)	41.6(Yes)
Students with Disabilities (Met Target)	60.9(--)	11.9(--)	11.1(--)	33.9(--)
Data source used, "APR11adb.dbf, schlpi11.dbf"				
-- Percent proficient is not displayed when there are less than 11 valid scores				
(--) The student group is not numerically significant, therefore no AYP determination was made				

Did Aspire Port City Meet Criteria 4? Yes. The academic performance of Aspire Port City is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic

performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.

Aspire Titan (Opened 2009)

Table 18: 2011 Demographic Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend					
School Name	Aspire Titan Academy	Florence Avenue Elementary	Middleton Street Elementary	Miles Avenue Elementary	Walnut Park Elementary
CDS Code	0976489012 0477	1964733601 7123	1964733601 8162	1964733601 8170	1964733611 0977
Student Enrollment	283	843	1355	1681	994
% Black or African American	0	0.6	0.1	0.4	0.1
% American Indian or Alaska Native	0	0.1	0.1	0.2	0
% Asian	0	0.1	0.1	0.3	0
% Filipino	0	0	0	0.2	0
% Hispanic or Latino	99.6	99.1	99.6	98.2	99.5
% Native Hawaiian or Pacific Islander	0	0	0	0.1	0
% White	0.4	0.1	0.1	0.3	0
% Two or More Races	0	0	0	0	0
% Socioeconomically Disadvantaged	100	67.6	74.7	86.8	48.7
% English Learners	78.4	67.9	77.9	70.7	51.8
% Students with Disabilities	6	7.8	10.7	6.7	6.9
Data source used "DMDSQL1.EDdemo2.vwSSIDenroll"					

Table 19: 2011 Truancy, Suspension, and Expulsion Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend					
School Name	Aspire Titan Academy	Florence Avenue Elementary	Middleton Street Elementary	Miles Avenue Elementary	Walnut Park Elementary
CDS Code	09764890120477	19647336017123	19647336018162	19647336018170	19647336110977
Enrollment	283	843	1355	1681	994
Truancy Number (Rate)	138(48.8)	214(25.4)	211(15.6)	308(18.3)	366(36.8)
Suspension Number (Rate)	0(0)	26(3.1)	4(0.3)	35(2.1)	2(0.2)
Expulsion Number (Rate)	0(0)	0(0)	0(0)	0(0)	0(0)
Data source was a provided spreadsheet "umirs1011.xls"					

Table 20. Academic Performance Index (API) Growth for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend					
School Name	Aspire Titan Academy	Florence Avenue Elementary	Middleton Street Elementary	Miles Avenue Elementary	Walnut Park Elementary
CDS Code	09764890120477	19647336017123	19647336018162	19647336018170	19647336110977
API Growth for 2010-11	25	-18	6	10	-3
API Growth for 2009-10	B	19	20	13	-2
API Growth for 2008-09	-	-1	20	37	18
API Growth for 2007-08	-	6	14	10	37
Data source used "API08gdb.dbf, API09gdb.dbf, API10gdb.dbf, API11gdb.dbf"					

Table 21: 2011 Growth Academic Performance Index (API) Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend					
School Name	Aspire Titan Academy	Florence Avenue Elementary	Middleton Street Elementary	Miles Avenue Elementary	Walnut Park Elementary
CDS Code	09764890120477	19647336017123	19647336018162	19647336018170	19647336110977
Valid Scores Schoolwide	192	552	1071	1052	595
Schoolwide	849(25)	742(-18)	777(6)	782(10)	758(-3)
Black or African American	-	-	-	-	-
American Indian or Alaska Native	-	-	-	-	-
Asian	-	-	-	-	-
Filipino	-	-	-	-	-
Hispanic or Latino	823(25)	759(-18)	770(7)	773(9)	761(-3)
Native Hawaiian or Pacific Islander	-	-	-	-	-
White	-	-	-	-	-
Two or More Races	-	-	-	-	-
Socioeconomically Disadvantaged	823(23)	760(-17)	766(11)	770(8)	758(0)
English Learners	819(21)	735(-29)	747(10)	754(7)	727(-5)
Students with Disabilities	-	499(-)	550(16)	533(-)	594(-)
Statewide/Similar Schools Rank	6/10	3/7	4/9	4/7	3/4
Data source used, "API11gdb.dbf, API10bdb.dbf"					
- The Growth API is not displayed when there are less than 11 valid scores					
(-) The student group is not numerically significant, therefore no growth determination was made					

Table 22: 2011 Adequate Yearly Progress (AYP) Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

School Name	Aspire Titan Academy	Florence Avenue Elementary	Middleton Street Elementary	Miles Avenue Elementary	Walnut Park Elementary
CDS Code	09764890120477	19647336017123	19647336018162	19647336018170	19647336110977
Met AYP Criteria	Yes	No	No	No	No
# Criteria Met/# Criteria Applicable	17/17	9/17	16/21	12/17	10/17
2011-12 Program Improvement (PI) Status	Not in PI	In PI	In PI	In PI	In PI
2011-12 Program Improvement (PI) Year		Year 1	Year 5	Year 1	Year 5
Data source used, "APR11adb.dbf, schlpi11.dbf"					

Table 23: 2011 Adequate Yearly Progress (AYP) Data: Percent Proficient in English-Language Arts (ELA) for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

ELA % Proficiency Target: 67.6					
School Name	Aspire Titan Academy	Florence Avenue Elementary	Middleton Street Elementary	Miles Avenue Elementary	Walnut Park Elementary
CDS Code	09764890120477	19647336017123	19647336018162	19647336018170	19647336110977
Number of Valid Scores Schoolwide	192	552	1070	1052	595
Schoolwide (Met Target)	59.9(Yes)	44.4(No)	42.0(No)	49.9(No)	46.1(No)
Black or African American (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
American Indian or Alaska Native (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
Asian (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
Filipino (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
Hispanic or Latino (Met Target)	59.7(Yes)	43.9(No)	42.0(No)	50.0(No)	46.1(No)
Native Hawaiian or Pacific Islander (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
White (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
Two or More Races (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
Socioeconomically Disadvantaged (Met Target)	59.4(Yes)	44.5(No)	42.0(No)	48.6(No)	46.1(No)
English Learners (Met Target)	58.8(Yes)	36.9(No)	37.5(No)	44.7(No)	38.8(No)
Students with Disabilities (Met Target)	45.5(--)	26.5(--)	21.6(No)	13.5(--)	23.2(--)
Data source used, "APR11adb.dbf, schlpi11.dbf"					
-- Percent proficient is not displayed when there are less than 11 valid scores					
(--) The student group is not numerically significant, therefore no AYP determination was made					

Table 24. 2011 Adequate Yearly Progress (AYP) Data: Percent Proficient in Mathematics for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

Math % Proficiency Target: 68.5

School Name	Aspire Titan Academy	Florence Avenue Elementary	Middleton Street Elementary	Miles Avenue Elementary	Walnut Park Elementary
CDS Code	0976489012 0477	1964733601 7123	1964733601 8162	1964733601 8170	1964733611 0977
Number of Valid Scores Schoolwide	192	552	1064	1052	595
Schoolwide (Met Target)	77.6(Yes)	50.4(No)	67.1(Yes)	63.8(Yes)	53.9(No)
Black or African American (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
American Indian or Alaska Native (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
Asian (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
Filipino (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
Hispanic or Latino (Met Target)	77.5(Yes)	50.2(No)	67.2(Yes)	63.8(No)	53.9(No)
Native Hawaiian or Pacific Islander (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
White (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
Two or More Races (Met Target)	--(--)	--(--)	--(--)	--(--)	--(--)
Socioeconomically Disadvantaged (Met Target)	77.0(Yes)	50.5(No)	67.1(Yes)	63.0(Yes)	53.9(No)
English Learners (Met Target)	77.0(Yes)	45.1(No)	64.2(Yes)	60.9(Yes)	49.3(Yes)
Students with Disabilities (Met Target)	54.5(--)	28.6(--)	41.9(Yes)	32.3(--)	33.9(--)

Data source used, "APR11adb.dbf, schlpi11.dbf"

-- Percent proficient is not displayed when there are less than 11 valid scores

(--) The student group is not numerically significant, therefore no AYP determination was made

Did Aspire Titan Academy Meet Criteria 4? Yes, although it is not required to meet criteria four since it has not been in operation four years. Nevertheless, the academic performance of Aspire Titan Academy is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.

Aspire Alexander Twilight College Preparatory (Opened 2009)

Table 25: 2011 Demographic Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
School Name	Aspire Alexander Twilight College Prepar	Cottage Elementary	Dyer-Kelly Elementary	Howe Avenue Elementary
CDS Code	097648901204 69	346744760344 41	346744760345 24	346744760346 23
Student Enrollment	375	425	375	524
% Black or African American	29.1	20.9	23.5	17.6
% American Indian or Alaska Native	0.5	1.6	1.1	0.4
% Asian	0.3	3.8	1.3	2.3
% Filipino	2.1	3.1	0.3	2.1
% Hispanic or Latino	41.9	27.8	56.5	62.6
% Native Hawaiian or Pacific Islander	0.3	1.9	0.5	1.3
% White	20	38.6	14.4	12
% Two or More Races	5.9	2.4	2.4	1.7
% Socioeconomically Disadvantaged	99.2	76.9	93.6	95.2
% English Learners	14.1	19.5	39.5	55.2
% Students with Disabilities	4.3	6.8	8.5	7.1
Data source used "DMDSQL1.EDdemo2.vwSSIDenroll"				

Table 26: 2011 Truancy, Suspension, and Expulsion Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

School Name	Aspire Alexander Twilight College Preparatory	Cottage Elementary	Dyer-Kelly Elementary	Howe Avenue Elementary
CDS Code	09764890120469	34674476034441	34674476034524	34674476034623
Enrollment	375	425	375	524
Truancy Number (Rate)	303(80.8)	148(34.8)	186(49.6)	230(43.9)
Suspension Number (Rate)	27(7.2)	84(19.8)	52(13.9)	44(8.4)
Expulsion Number (Rate)	0(0)	0(0)	0(0)	0(0)
Data source was a provided spreadsheet "umirs1011.xls"				

Table 27. Academic Performance Index (API) Growth for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

School Name	Aspire Alexander Twilight College Preparatory	Cottage Elementary	Dyer-Kelly Elementary	Howe Avenue Elementary
CDS Code	09764890120469	34674476034441	34674476034524	34674476034623
API Growth for 2010-11	36	-29	29	10
API Growth for 2009-10	B	6	18	-41
API Growth for 2008-09	-	-2	29	19
API Growth for 2007-08	-	-3	24	35
Data source used "API08gdb.dbf, API09gdb.dbf, API10gdb.dbf, API11gdb.dbf"				

Table 28: 2011 Growth Academic Performance Index (API) Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

School Name	Aspire Alexander Twilight College Preparatory	Cottage Elementary	Dyer-Kelly Elementary	Howe Avenue Elementary
CDS Code	09764890120469	34674476034441	34674476034524	34674476034623
Valid Scores Schoolwide	200	233	181	277
Schoolwide	802(36)	714(-29)	721(29)	677(10)
Black or African American	746(54)	694(-)	671(-)	696(-)
American Indian or Alaska Native	-	-	-	-
Asian	-	-	-	-
Filipino	-	-	-	-
Hispanic or Latino	748(31)	741(-55)	699(21)	639(13)
Native Hawaiian or Pacific Islander	-	-	-	-
White	815(-)	759(-18)	707(-)	721(-)
Two or More Races	-	-	-	-
Socioeconomically Disadvantaged	729(52)	718(-32)	692(29)	663(9)
English Learners	671(-)	737(-)	675(14)	618(17)
Students with Disabilities	-	582(-)	624(-)	511(-)
Statewide/Similar Schools Rank	4/4	2/4	1/2	1/2
Data source used, "API11gdb.dbf, API10bdb.dbf" - The Growth API is not displayed when there are less than 11 valid scores (-) The student group is not numerically significant, therefore no growth determination was made				

Table 29: 2011 Adequate Yearly Progress (AYP) Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
School Name	Aspire Alexander Twilight College Preparatory	Cottage Elementary	Dyer-Kelly Elementary	Howe Avenue Elementary
CDS Code	097648901204 69	346744760344 41	346744760345 24	346744760346 23
Met AYP Criteria	No	No	No	No
# Criteria Met/# Criteria Applicable	16/17	12/21	13/19	15/19
2011-12 Program Improvement (PI) Status	In PI	In PI	In PI	In PI
2011-12 Program Improvement (PI) Year	Year 1	Year 2	Year 5	Year 5
Data source used, "APR11adb.dbf, schlpi11.dbf"				

Table 30: 2011 Adequate Yearly Progress (AYP) Data: Percent Proficient in English-Language Arts (ELA) for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
ELA % Proficiency Target: 67.6				
School Name	Aspire Alexander Twilight College Preparatory	Cottage Elementary	Dyer-Kelly Elementary	Howe Avenue Elementary
CDS Code	09764890120469	34674476034441	34674476034524	34674476034623
Number of Valid Scores Schoolwide	198	232	181	277
Schoolwide (Met Target)	52.0(Yes)	39.7(No)	28.7(No)	26.7(No)
Black or African American (Met Target)	42.4(No)	36.5(No)	20.0(--)	31.8(--)
American Indian or Alaska Native (Met Target)	--(--)	--(--)	--(--)	--(--)
Asian (Met Target)	--(--)	--(--)	--(--)	--(--)
Filipino (Met Target)	--(--)	--(--)	--(--)	--(--)
Hispanic or Latino (Met Target)	50.0(Yes)	32.2(No)	25.5(No)	20.9(No)
Native Hawaiian or Pacific Islander (Met Target)	--(--)	--(--)	--(--)	--(--)
White (Met Target)	72.2(--)	45.1(No)	50.0(--)	38.7(--)
Two or More Races (Met Target)	--(--)	--(--)	--(--)	--(--)
Socioeconomically Disadvantaged (Met Target)	45.8(Yes)	33.2(No)	29.1(Yes)	26.1(No)
English Learners (Met Target)	31.0(--)	17.8(--)	16.9(No)	18.9(No)
Students with Disabilities (Met Target)	--(--)	23.1(--)	7.1(--)	10.0(--)
Data source used, "APR11adb.dbf, schlpi11.dbf"				
-- Percent proficient is not displayed when there are less than 11 valid scores				
(--) The student group is not numerically significant, therefore no AYP determination was made				

Table 31: 2011 Adequate Yearly Progress (AYP) Data: Percent Proficient in Mathematics for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
Math % Proficiency Target: 68.5				
School Name	Aspire Alexander Twilight College Preparatory	Cottage Elementary	Dyer-Kelly Elementary	Howe Avenue Elementary
CDS Code	09764890120469	34674476034441	34674476034524	34674476034623
Number of Valid Scores Schoolwide	199	232	177	277
Schoolwide (Met Target)	71.4(Yes)	47.8(No)	54.2(No)	46.9(Yes)
Black or African American (Met Target)	72.9(Yes)	46.2(Yes)	45.0(--)	50.0(--)
American Indian or Alaska Native (Met Target)	--(--)	--(--)	--(--)	--(--)
Asian (Met Target)	--(--)	--(--)	--(--)	--(--)
Filipino (Met Target)	--(--)	--(--)	--(--)	--(--)
Hispanic or Latino (Met Target)	65.9(Yes)	35.6(No)	56.7(Yes)	44.5(Yes)
Native Hawaiian or Pacific Islander (Met Target)	--(--)	--(--)	--(--)	--(--)
White (Met Target)	80.6(--)	57.8(No)	60.7(--)	41.9(--)
Two or More Races (Met Target)	--(--)	--(--)	--(--)	--(--)
Socioeconomically Disadvantaged (Met Target)	68.5(Yes)	43.0(No)	54.3(No)	45.5(Yes)
English Learners (Met Target)	51.7(--)	26.7(--)	51.9(No)	42.0(Yes)
Students with Disabilities (Met Target)	63.6(--)	28.0(--)	25.0(--)	26.7(--)
Data source used, "APR11adb.dbf, schlpi11.dbf"				
-- Percent proficient is not displayed when there are less than 11 valid scores				
(--) The student group is not numerically significant, therefore no AYP determination was made				

Did Aspire Alexander Twilight College Preparatory Academy Meet Criteria 4? Yes, although it is not required to meet criteria four since it has not been in operation four years. Nevertheless, the academic performance of Aspire Alexander Twilight College Preparatory Academy is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.

Aspire Alexander Twilight Secondary Academy (ATSA) (Opened 2010; In the 2010–11 school year, ATSA served grades six through nine (6–9). In the 2011–12 school year, ATSA will serve grades six through ten (6–10). ATSA will expand a grade each year until it serves grade 12.)

Table 32: 2011 Demographic Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
School Name	Aspire Alexander Twilight Secondary Academy	Arcade Fundamental Middle***	Arden Middle**	Jonas Salk High-Tech Academy*
CDS Code	09764890121 467	34674476034 342	34674476034 359	34674476034 888
Student Enrollment	135	586	812	457
% Black or African American	37.8	6	6.9	29.1
% American Indian or Alaska Native	0	2.7	2.2	1.8
% Asian	0	6.3	4.8	4.8
% Filipino	3.7	1.2	1.6	2.2
% Hispanic or Latino	37	15.2	17.9	43.8
% Native Hawaiian or Pacific Islander	1.5	0.9	0.9	1.8
% White	16.3	67.7	65.4	14.7
% Two or More Races	3.7	0	0.4	2
% Socioeconomically Disadvantaged	99.3	30.5	27.3	92.3
% English Learners	12.6	9.9	6.3	34.1
% Students with Disabilities	10.4	4.3	8.4	16
<p>Data source used "DMDSQL1.EDdemo2.vwSSIDenroll"</p> <p>* Jonas Salk closed at the end of the 2010–11 school year.</p> <p>**Arden is geographically proximal to ATSA. However, its attendance boundaries stretch to the eastern section of Sacramento, and do not include the geographic area where ATSA is located.</p> <p>***Arcade is an open-enrollment school. However, SJUSD has adopted a Forty Percent Rule designed to promote residence-based attendance at non-boundaried schools. As such, the Forty Percent Rule states that students residing within a 40 percent superimposed radius of a non-boundaried choice school are to be given second priority in the open enrollment process.</p>				

Table 33: 2011 Truancy, Suspension, and Expulsion Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

School Name	Aspire Alexander Twilight Secondary Academy	Arcade Fundamental Middle	Arden Middle	Jonas Salk High-Tech Academy
CDS Code	09764890121 467	34674476034 342	34674476034 359	34674476034 888
Enrollment	135	586	812	457
Truancy Number (Rate)	129(95.6)	46(7.8)	235(28.9)	450(98.5)
Suspension Number (Rate)	2(1.5)	48(8.2)	123(15.1)	376(82.3)
Expulsion Number (Rate)	0(0)	0(0)	1(0.1)	1(0.2)
Data source was a provided spreadsheet "umirs1011.xls"				

Table 34. Academic Performance Index (API) Growth for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

School Name	Aspire Alexander Twilight Secondary Academy	Arcade Fundamental Middle	Arden Middle	Jonas Salk High-Tech Academy
CDS Code	09764890121 467	34674476034 342	34674476034 359	34674476034 888
API Growth for 2010-11	B	-26	12	1
API Growth for 2009-10	-	19	6	-46
API Growth for 2008-09	-	26	15	-8
API Growth for 2007-08	-	-9	-5	40
Data source used "API08gdb.dbf, API09gdb.dbf, API10gdb.dbf, API11gdb.dbf"				

Table 35: 2011 Growth Academic Performance Index (API) Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
School Name	Aspire Alexander Twilight Secondary Academy	Arcade Fundamental Middle	Arden Middle	Jonas Salk High-Tech Academy
CDS Code	09764890121467	34674476034342	34674476034359	34674476034888
Valid Scores Schoolwide	123	565	772	360
Schoolwide	700(B)	878(-26)	864(12)	602(1)
Black or African American	-	847(-)	739(-)	568(5)
American Indian or Alaska Native	-	897(-)	871(-)	-
Asian	-	935(-)	941(-)	631(-)
Filipino	-	-	-	-
Hispanic or Latino	-	866(-)	769(35)	579(-3)
Native Hawaiian or Pacific Islander	-	-	-	-
White	-	910(-17)	875(7)	687(-)
Two or More Races	-	-	797(-)	-
Socioeconomically Disadvantaged	-	856(-37)	731(48)	600(-1)
English Learners	-	813(-)	712(-)	546(-3)
Students with Disabilities	-	677(-)	631(-)	433(-)
Statewide/Similar Schools Rank	-	10/10	9/4	1/2
Data source used, "API11gdb.dbf, API10bdb.dbf"				
- The Growth API is not displayed when there are less than 11 valid scores				
(-) The student group is not numerically significant, therefore no growth determination was made				

Table 36: 2011 Adequate Yearly Progress (AYP) Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

School Name	Aspire Alexander Twilight Secondary Academy	Arcade Fundamental Middle	Arden Middle	Jonas Salk High-Tech Academy
CDS Code	09764890121 467	34674476034 342	34674476034 359	34674476034 888
Met AYP Criteria	No	No	No	No
# Criteria Met/# Criteria Applicable	2/9	11/14	15/17	12/24
2011-12 Program Improvement (PI) Status	Not in PI	Not Title 1	Not Title 1	In PI
2011-12 Program Improvement (PI) Year				Year 5
Data source used, "APR11adb.dbf, schlpi11.dbf"				
"SO" School received School Improvement Grant funding and is covered by Start Over waiver due to implementing turn around or restart model.				

Table 37: 2011 Adequate Yearly Progress (AYP) Data: Percent Proficient in English-Language Arts (ELA) for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
ELA % Proficiency Target: 67.6				
School Name	Aspire Alexander Twilight Secondary Academy	Arcade Fundamental Middle	Arden Middle	Jonas Salk High-Tech Academy
CDS Code	09764890121 467	34674476034 342	34674476034 359	34674476034 888
Number of Valid Scores Schoolwide	100	565	772	360
Schoolwide (Met Target)	32.0(No)	78.1(Yes)	73.3(Yes)	26.1(No)
Black or African American (Met Target)	35.0(--)	56.7(--)	44.2(--)	19.4(No)
American Indian or Alaska Native (Met Target)	--(--)	62.5(--)	64.7(--)	--(--)
Asian (Met Target)	--(--)	88.9(--)	88.9(--)	25.0(--)
Filipino (Met Target)	--(--)	--(--)	84.6(--)	--(--)
Hispanic or Latino (Met Target)	14.7(--)	63.5(Yes)	60.7(Yes)	24.3(No)
Native Hawaiian or Pacific Islander (Met Target)	--(--)	--(--)	--(--)	--(--)
White (Met Target)	50.0(--)	82.4(Yes)	78.2(Yes)	38.3(--)
Two or More Races (Met Target)	--(--)	--(--)	--(--)	--(--)
Socioeconomically Disadvantaged (Met Target)	32.9(No)	63.0(Yes)	50.0(Yes)	25.0(No)
English Learners (Met Target)	0.0(--)	55.4(--)	40.4(--)	15.3(No)
Students with Disabilities (Met Target)	--(--)	56.7(--)	55.1(--)	13.0(No)
Data source used, "APR11adb.dbf, schlpi11.dbf"				
-- Percent proficient is not displayed when there are less than 11 valid scores				
(--) The student group is not numerically significant, therefore no AYP determination was made				

Table 38: 2011 Adequate Yearly Progress (AYP) Data: Percent Proficient in Mathematics for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

Math % Proficiency Target: 68.5

School Name	Aspire Alexander Twilight Secondary Academy	Arcade Fundamental Middle	Arden Middle	Jonas Salk High-Tech Academy
CDS Code	09764890121 467	34674476034 342	34674476034 359	34674476034 888
Number of Valid Scores Schoolwide	105	563	769	355
Schoolwide (Met Target)	40.0(No)	58.3(No)	59.7(No)	16.9(No)
Black or African American (Met Target)	37.2(--)	46.7(--)	36.5(--)	9.9(No)
American Indian or Alaska Native (Met Target)	--(--)	37.5(--)	41.2(--)	--(--)
Asian (Met Target)	--(--)	72.2(--)	83.3(--)	45.0(--)
Filipino (Met Target)	--(--)	--(--)	46.2(--)	--(--)
Hispanic or Latino (Met Target)	31.4(--)	42.9(--)	43.7(Yes)	13.1(No)
Native Hawaiian or Pacific Islander (Met Target)	--(--)	--(--)	--(--)	--(--)
White (Met Target)	52.9(--)	62.6(No)	65.0(No)	21.7(--)
Two or More Races (Met Target)	--(--)	--(--)	--(--)	--(--)
Socioeconomically Disadvantaged (Met Target)	37.7(No)	46.5(No)	45.3(Yes)	15.9(No)
English Learners (Met Target)	15.4(--)	50.0(--)	38.3(--)	9.9(No)
Students with Disabilities (Met Target)	27.3(--)	44.8(--)	50.0(--)	3.9(--)
Data source used, "APR11adb.dbf, schlpi11.dbf"				
-- Percent proficient is not displayed when there are less than 11 valid scores				
(--) The student group is not numerically significant, therefore no AYP determination was made				

Did Aspire Alexander Twilight Secondary Academy Meet Criteria 4? Not Clear; although it is not required to meet criteria four since it has not been in operation four years. Alexander Twilight Secondary Academy (ATSA) is located near both low performing schools and high performing schools. The most proximal school was Jonas Salk High-Tech Academy (Jonas Salk), which closed last year and will not be open in 2010–12. ATSA outperformed this school which served a demographically similar population. However, within a five mile radius, two other middle schools are present, Arcade Fundamental Middle (Arcade) and Arden Middle (Arden). Although these two schools are within the San Juan Unified School District, and are relatively close to ATSA, they do not serve a similar population. These two schools (Arden and Arcade) serve a pupil population comprised of about 30 percent socioeconomic disadvantaged students while ATSA serves a population comprised of 99 percent socioeconomic disadvantaged students. In addition, students in the vicinity of ATSA are not within the boundaries of Arden.

Consequently, ATSA outperformed Jonas Salk, the most proximal and demographically similar school, when it existed. ATSA does not outperform Arcade nor Arden, although students in the vicinity of ATSA are not likely to attend Arden since its boundaries do not reach the geographic location of ATSA.

The San Juan Unified School District's Web page indicates that Encina Preparatory High School, located close to ATSA, will be expanded to serve students in grades six through 12 (6–12) this school year. Thus, in subsequent years, the school ATSA students would otherwise be likely to attend will be Encina Preparatory High School.

Aspire APEX (Opened 2010. In the 2010-11 school year, Aspire APEX served grades kindergarten through grade three (K–3). In the 2011–12 year, it will serve grades kindergarten through grade 5 (K–5).

Table 39: 2011 Demographic Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
School Name	Aspire APEX Academy	John C. Fremont Elementary	El Dorado Elementary	Grunsky Elementary
CDS Code	09764890121541	39686760111351	39686766042543	39686766042600
Student Enrollment	210	872	709	493
% Black or African American	17.1	5.8	16.2	3.4
% American Indian or Alaska Native	0	3.4	5.9	4.3
% Asian	9.5	4.4	5.5	4.5
% Filipino	1.4	1.4	3	1.2
% Hispanic or Latino	56.7	76	54.2	72.8
% Native Hawaiian or Pacific Islander	0.5	0.1	1.1	0
% White	8.1	8.7	14	13.8
% Two or More Races	6.7	0	0	0
% Socioeconomically Disadvantaged	99	57.2	65.2	72.6
% English Learners	17.1	56.1	35.3	47.9
% Students with Disabilities	4.8	3.4	4.7	5.5
Data source used "DMDSQL1.EDdemo2.vwSSIDenroll"				

Table 40: 2011 Truancy, Suspension, and Expulsion Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
School Name	Aspire APEX Academy	John C. Fremont Elementary	El Dorado Elementary	Grunsky Elementary
CDS Code	0976489012154 1	3968676011135 1	396867660425 43	3968676604260 0
Enrollment	210	872	709	493
Truancy Number (Rate)	111(52.9)	528(60.6)	447(63)	217(44)
Suspension Number (Rate)	11(5.2)	215(24.7)	263(37.1)	121(24.5)
Expulsion Number (Rate)	0(0)	0(0)	6(0.8)	0(0)
Data source was a provided spreadsheet "umirs1011.xls"				

Table 41. Academic Performance Index (API) Growth for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend				
School Name	Aspire APEX Academy	John C. Fremont Elementary	El Dorado Elementary	Grunsky Elementary
CDS Code	0976489012154 1	3968676011135 1	396867660425 43	39686766042600
API Growth for 2010-11	B	-21	20	11
API Growth for 2009-10	-	-1	-41	-6
API Growth for 2008-09	-	12	6	-1
API Growth for 2007-08	-	-1	-17	5
Data source used "API08gdb.dbf, API09gdb.dbf, API10gdb.dbf, API11gdb.dbf"				

Table 42: 2011 Growth Academic Performance Index (API) Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

School Name	Aspire APEX Academy	John C. Fremont Elementary	El Dorado Elementary	Grunsky Elementary
CDS Code	09764890121541	39686760111351	39686766042543	39686766042600
Valid Scores Schoolwide	89	545	435	346
Schoolwide	742(B)	622(-21)	653(20)	715(11)
Black or African American	-	534(-)	636(-)	-
American Indian or Alaska Native	-	702(-)	656(-)	573(-)
Asian	-	605(-)	645(-)	710(-)
Filipino	-	-	703(-)	-
Hispanic or Latino	-	649(-20)	619(32)	709(25)
Native Hawaiian or Pacific Islander	-	-	-	-
White	-	661(-)	654(-)	706(-)
Two or More Races	-	-	-	-
Socioeconomically Disadvantaged	-	643(-21)	637(16)	705(10)
English Learners	-	627(-17)	622(6)	678(37)
Students with Disabilities	-	452(-)	388(-)	428(-)
Statewide/Similar Schools Rank	-	1/1	1/1	1/4
Data source used, "API11gdb.dbf, API10bdb.dbf"				
- The Growth API is not displayed when there are less than 11 valid scores				
(-) The student group is not numerically significant, therefore no growth determination was made				

Table 43: 2011 Adequate Yearly Progress (AYP) Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

School Name	Aspire APEX Academy	John C. Fremont Elementary	El Dorado Elementary	Grunsky Elementary
CDS Code	09764890121541	39686760111351	39686766042543	39686766042600
Met AYP Criteria	No	No	No	No
# Criteria Met/# Criteria Applicable	3/5	8/17	11/17	13/21
2011-12 Program Improvement (PI) Status	Not in PI	In PI	In PI	In PI
2011-12 Program Improvement (PI) Year		Year 4	Year 5	Year 5
Data source used, "APR11adb.dbf, schlpi11.dbf"				

Table 44: 2011 Adequate Yearly Progress (AYP) Data: Percent Proficient in English-Language Arts (ELA) for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

ELA % Proficiency Target: 67.6

School Name	Aspire APEX Academy	John C. Fremont Elementary	El Dorado Elementary	Grunsky Elementary
CDS Code	097648901215 41	396867601113 51	396867660425 43	396867660426 00
Number of Valid Scores Schoolwide	89	545	435	346
Schoolwide (Met Target)	40.4(No)	23.9(No)	26.7(No)	36.1(No)
Black or African American (Met Target)	62.5(--)	10.0(--)	32.2(--)	--(--)
American Indian or Alaska Native (Met Target)	--(--)	17.4(--)	29.0(--)	26.1(--)
Asian (Met Target)	--(--)	25.0(--)	19.0(--)	47.1(--)
Filipino (Met Target)	--(--)	--(--)	26.7(--)	--(--)
Hispanic or Latino (Met Target)	35.8(--)	24.6(No)	25.2(No)	36.8(No)
Native Hawaiian or Pacific Islander (Met Target)	--(--)	--(--)	--(--)	--(--)
White (Met Target)	--(--)	29.4(--)	29.7(--)	38.9(No)
Two or More Races (Met Target)	--(--)	--(--)	--(--)	--(--)
Socioeconomically Disadvantaged (Met Target)	34.4(--)	23.9(No)	26.7(No)	36.1(No)
English Learners (Met Target)	16.7(--)	19.4(No)	18.8(No)	34.3(Yes)
Students with Disabilities (Met Target)	--(--)	16.3(--)	5.3(--)	2.7(--)
Data source used, "APR11adb.dbf, schlpi11.dbf"				
-- Percent proficient is not displayed when there are less than 11 valid scores				
(--) The student group is not numerically significant, therefore no AYP determination was made				

Table 45: 2011 Adequate Yearly Progress (AYP) Data: Percent Proficient in Mathematics for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend

Math % Proficiency Target: 68.5				
School Name	Aspire APEX Academy	John C. Fremont Elementary	El Dorado Elementary	Grunsky Elementary
CDS Code	09764890121541	39686760111351	39686766042543	39686766042600
Number of Valid Scores Schoolwide	89	542	434	345
Schoolwide (Met Target)	58.4(No)	25.5(No)	33.9(No)	50.1(No)
Black or African American (Met Target)	68.8(--)	15.8(--)	32.2(--)	--(--)
American Indian or Alaska Native (Met Target)	--(--)	8.7(--)	25.8(--)	36.4(--)
Asian (Met Target)	--(--)	29.2(--)	28.6(--)	64.7(--)
Filipino (Met Target)	--(--)	--(--)	40.0(--)	--(--)
Hispanic or Latino (Met Target)	52.8(--)	25.8(No)	35.9(Yes)	49.6(No)
Native Hawaiian or Pacific Islander (Met Target)	--(--)	--(--)	--(--)	--(--)
White (Met Target)	--(--)	30.0(--)	35.9(--)	59.3(No)
Two or More Races (Met Target)	--(--)	--(--)	--(--)	--(--)
Socioeconomically Disadvantaged (Met Target)	49.2(--)	25.5(No)	33.9(No)	50.1(No)
English Learners (Met Target)	58.3(--)	24.8(No)	32.9(Yes)	50.3(Yes)
Students with Disabilities (Met Target)	--(--)	11.9(--)	17.5(--)	11.1(--)
Data source used, "APR11adb.dbf, schlpi11.dbf"				
-- Percent proficient is not displayed when there are less than 11 valid scores				
(--) The student group is not numerically significant, therefore no AYP determination was made				

Did Aspire APEX Meet Criteria 4? Yes, although it is not required to meet criteria four since it has not been in operation four years. Nevertheless, the academic performance of Aspire APEX is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.

Evidence Submitted by Aspire Public Schools Supporting Statewide Benefit Provisions (2007–12)

In January 2007, the State Board of Education approved the Aspire Public Schools (APS) statewide benefit charter petition. The approved charter petition included a description of four specific statewide benefits that the charter would provide the state of California. They were as follows:

1. Systematic and rigorous pursuit of the vision and specific provisions of the federal No Child Left Behind Act of 2001
2. Targeted instruction and support services to accelerate academic growth among students traditionally under-prepared for high school success, and (as a consequence) underrepresented among high school graduates, college goers, and college graduates. Increase the number of underrepresented students in the University of California/California State University systems.
3. The creation of alternative credentialing pathways and professional development activities (for credentialed teachers) that focuses on the skills and knowledge necessary to work effectively with diverse students.
4. Effective integration of data collection, organization, review, and analysis in all phases of instruction and assessment.

However, in May 2011, the SBE materially revised the APS statewide benefit petition by affirming only two of the four statewide benefits included in the original 2007 petition. The SBE findings are as follows:

SBE finding regarding statewide benefit #1:

- i. The APS statewide benefit in terms of funding and its ability to get statewide bonds constitutes a statewide benefit in accordance with California *Education Code (EC)* Section 47605.8 (b) and 5 *CCR* Section 11967.6 (b).
- ii. The APS benefit in terms of funding could not be provided by a series of local charters.

SBE finding regarding statewide benefit #3:

- i. The APS benefit related to the teacher residency program could not be provided through a series of local charters.
- ii. The APS benefit in terms of funding could not be provided by a series of local charters.

Statewide Benefit Number 1: The \$93 million bond that Aspire issued in 2010 assisted Aspire to purchase five school facilities and contribute to the construction of an additional four facilities that, in total, house 10 schools.

Aspire indicates that the construction and purchase of school facilities has revitalized communities and invigorated the local communities where the schools are located.

Per Aspire, one example of revitalization that from the use of bond funds is the purchasing of facilities for statewide benefit schools Aspire Junior Collegiate and Aspire Titan. These facilities were purchased in conjunction with Pacific Charter School Development and the City of Huntington Park, and have revitalized a semi-industrial area of Huntington Park.

Per Aspire, a second example of bond fund benefits is the construction of Port City Academy located on the former site of an old lumberyard in Stockton.

Finally, the bond funds also contributed to the revitalization of the East Oakland neighborhood of Sobrante Park. Aspire constructed Lionel Wilson College Preparatory Academy, the first newly constructed high school in Oakland in 42 years. The school also hosts adult education programs and has employed many neighbors.

Statewide Benefit Number 3: Aspire Residency Program: Aspire partnered with the University of the Pacific to provide a teacher certification program that includes course work, field practicum, and observational components. Teachers in the three learning environments:

- Work alongside an Aspire Mentor Teacher four days a week (A Mentor Teacher is a currently employed teacher at an Aspire schools that is chosen to mentor a resident teacher in the program)
- Attend an all-day seminar once a week with cohort to discuss coursework theories and classroom practices
- Complete online course in education theory

Graduates of the one-year program receive a Master's degree in education, a California preliminary credential, and a job at an Aspire school.

In 2010, the program began with 20 residents out of 117 applicants. Of those 20 residents, 18 completed the program a year later. In the year 2010–11, Aspire placed residents across the following counties: six residents in Los Angeles, four in Alameda, three in Sacramento, two in San Mateo, two in San Joaquin, and one in Stanislaus.

In the 2011–12 year, the program admitted 19 residents out of 153 applicants. That year, Aspire placed its residents in the following counties: five in Los Angeles, two in Sacramento, eight in Alameda, two in Stanislaus, and two in San Joaquin.

Statewide Induction Provider: Aspire has provided the Beginning Teacher Support Assessment program for four years. Since 2008–09, the program has averaged 100 participants each year; about half are first year teachers.

In May 2011, the Committee on Accreditation, appointed by the California Commission on Teacher Credentialing, assigned the status of Accreditation to Aspire allowing Aspire to continue induction work for multiple and single subject credentials.

Principal Preparation: In 2007, Aspire partnered with San Jose State University to create the Educational Leadership Cohort program. This was a two-year master's program for Aspire employees interested in becoming a school principal. However, the program ended in 2009, with 36 residents completing the program. Then, in 2011, Aspire recreated the program as the Aspire's Principal Residency Program. This program is a year-long program that matches residents with a mentor principal and supports residents in taking the Schools Leaders Licensure Assessment (assessments for principals provided by the Educational Testing Service). In 2011, one principal resident is participating. Aspire plans to expand the program to five residents next year.

**Analysis of Aspire Public Schools Compliance with State Board of Education
 Conditions Prior to Opening and Operating of Statewide Benefit School Sites
 (2007–2012)**

Conditions

I. Condition 1: The California Department of Education (CDE) be provided information by the statewide benefit school sufficient to update the State Board of Education (SBE).

Met Condition? Yes. Aspire Public Schools (Aspire) has cooperated with all CDE requests for information.

II. Condition 2: As a condition for opening additional schools, each of the first two school opened shall demonstrate academic achievement on the Academic Performance Index (API) of either:

- A statewide API ranking of 7 or better and a similar schools ranking of 6 or better; or
- A statewide API ranking of 6 or better and a similar schools ranking of 7 or better.

Table 1. Aspire Statewide / Similar Schools Rank				
	2011	2010	2009	2008
Aspire Junior Collegiate (09764890114884)	Data Not Available Until Spring of 2012	7/10	6/10	5/10
Aspire Port City (09764890114876)		8/10	7/10	6/10
Source: DataQuest, California Department of Education				

Met Condition? Yes, currently. Junior Collegiate and Port City (the first two school sites to open) currently meet the rank condition. However, in its first year of operation, Junior Collegiate did not meet the rank requirement (5/10), but by the second year of operation (2009), it did.

III. Condition 3: Plan to open two schools will include one in Stockton Unified School District (SUSD) and one in Los Angeles Unified School District (LAUSD)

Met Condition? Yes, Junior Collegiate is located in the city of Huntington Park within LAUSD. Aspire Port City is located in the city of Stockton in SUSD.

IV. Condition 3 (Part A): First two sites shall be located in areas of the districts where neighboring public schools serving the same grade levels are in Program Improvement (PI).

Table 2. Program Improvement(PI) Status of Neighboring Schools for First Two Aspire Statewide Benefit Sites			
Junior Collegiate* (Opened 2007 in Huntington Park)		Port City** (Opened 2007 in Stockton)	
Neighboring Elementary School	In PI in 2006–07	Neighboring Elementary School	In PI in 2006–07
Middleton (19647336018162)	Yes (Year 4)	Grunsky (39686766042600)	Yes (Year 5)
Miles (19647336018170)	Yes (Year 2)	El Dorado (39686766042543)	Yes (Year 4)
San Antonio (19647336112411)	Yes (Year 1)		
Lillian St. (19647336017875)	Not in PI		

Met Condition? Yes, at the time of opening, the Junior Collegiate facility was located (2665 Clarendon St.) near three elementary schools in PI. Aspire Junior Collegiate relocated to the same building as Aspire Titan in the 2009–10 school year. Per Table 4, some of the neighboring schools to Aspire Titan, and thus Aspire Junior Collegiate, were in PI. Currently, both APS sites are located near four neighboring schools in PI (see Attachment 3, Tables 8 and 22).

Aspire Port City, at the time of opening, located near two neighboring schools in PI. In the 2010–11 school year, Aspire Port City relocated to 2040 West Lane, Stockton, CA (a new facility constructed by APS). At the time of the relocation, three neighboring schools were in PI. Currently, per Attachment 14, Table 15, Aspire Port City is located near three neighboring schools in PI.

V. Condition 3 (Part B): After the first two schools have operated for two years, and they meet the API rankings specified, no more than two schools may be opened each year.

Table 3. State Board of Education Condition Met for Statewide and Similar Schools Academic Performance Index (API) Rank and Condition Met for First Two Aspire Statewide Benefit Schools				
	2007–08	2008–09	2009–10	2010–11
Aspire Junior Collegiate (Opened 2007)	No (5/10)	Yes (6/10)	Yes (7/10)	NA
Aspire Port City (Opened 2007)	Yes (6/10)	Yes (7/10)	Yes 8/10)	NA
New School Openings				
Aspire Titan (09764890120477)			Opening Year	
Aspire Alexander Twilight College Preparatory (09764890120469)			Opening Year	
Aspire Alexander Twilight Secondary (09764890121467)				Opening Year
Aspire APEX (09764890121541)				Opening Year
Source: DataQuest, California Department of Education				

Met Condition? Yes, the first two schools met the API rank condition by the second year (see Condition 2). In July 2009, prior to the release of API ranks by the CDE, the SBE approved the subsequent opening of two APS schools (Aspire Titan and Aspire Alexander Twilight College Preparatory) at its July 2009 meeting. At this meeting, the SBE specified that APS could only open the two sites if Aspire Junior Collegiate (formerly known as Aspire Clarendon) doubled its 2009 growth target. In 2009, Aspire Junior Collegiate’s growth target was 5 which it met by earning a growth of 27.

Yes; Aspire waited two years to open more schools. Titan and Alexander Twilight College Preparatory were opened in 2009–10 school year, two years after the opening of the first two schools in 2007–08. Yes; Aspire only opened two schools per year.

VI. Condition 3 (Part B2.): Each additional school will be located in areas where neighboring public schools serving the same grade levels are in PI.

Table 4. 2009 PI Status of Neighboring Schools for Additional Aspire Statewide Benefit School Sites			
Aspire Titan (Opened 2009)		Aspire Alexander Twilight College Preparatory (Opened 2009)	
Neighboring School	In PI in 2008–09	Neighboring School	In PI in 2008–09
Middleton (19647336018162)	Yes (Year 5)	Howe Ave (34674476034623)	Yes (Year 5)
Florence (19-64733-6017123)	Not in PI	Dyer-Kelly (34674476034524)	Yes (Year 5)
Walnut Park (19647336110977)	Yes (Year 2)	Cottage (34674476034441)	Not Title 1
Miles (19647336018170)	Not in PI		
Source: DataQuest, California Department of Education			

Table 5. 2010 PI Status of Neighboring Schools for Additional Aspire Statewide Benefit School Sites			
Aspire Alexander Twilight Secondary Academy (Opened in 2010)		Aspire APEX (Opened in 2010)	
Neighboring School	In PI in 2009–10	Neighboring School	In PI in 2009–10
Jonas Salk (34674476034888)	Yes (Year 5)	John C. Fremont (39686760111351)	Yes (Year 2)
Arden Middle (34674476034359)	Not Title 1	Grunsky (39686766042600)	Yes (Year 5)
Arcade Middle (34674476034342)	Not Title 1	El Dorado (39686766042543)	Yes (Year 2)

Met Condition? Yes, each additional school opened by Aspire located near some neighboring traditional public schools that served the same grade level and were in PI. Neighboring schools were defined by the CDE as school that were: 1) located within a three to five mile radius of the proposed located of the APS school site, and 2) served a similar grade span.

When Aspire Titan opened in 2009, at a new facility constructed by APS, two of its neighboring schools were in PI. It has not relocated. Per Attachment 3, Table 22, Aspire Titan is now located near four neighboring schools in PI.

In 2009, when Aspire Alexander Twilight College Preparatory Academy (ATCPA) opened, at the former site of a catholic school acquired through bond funding, two neighboring schools were in PI. It has not relocated. Per Attachment 3, Table 29, three of ATCPA's neighboring schools are now in PI.

In 2010, when Aspire Alexander Twilight Secondary Academy opened (at the same site as ATCPA) it located near one neighboring schools in PI. It has not relocated. Per Attachment 3, Table 36, one of ATSA's neighboring schools was in PI.

In 2010 when Aspire APEX opened, it located near three schools in PI. It has not relocated. Per Attachment 3, Table 43, three of APEX's neighboring schools are in PI.

VII. Condition 3 (Bullet B3.): ...each existing school site operated under the statewide benefit petition must meet or exceed its API growth targets both schoolwide and for all subgroups...

Schools In Fifth Year of Operation

Table 6. API Growth Target (Met Target) for First Two Aspire Statewide Benefit School Sites Opened in 2007					
Aspire Junior Collegiate	2011 API	2010–11 Growth	2009–10 Growth	2008–09 Growth	2007–08 Growth
Schoolwide	868	24 (Yes)	49 (Yes)	27 (Yes)	B
Hispanic	868	24 (Yes)	50 (Yes)	25 (Yes)	NA
Socioeconomically Disadvantaged	866	24 (Yes)	49 (Yes)	20 (Yes)	NA
English Learner	860	36 (Yes)	45 (Yes)	29 (Yes)	NA
Aspire Port City	2011 API	2010–11 Growth	2009–10 Growth	2008–09 Growth	2007–08 Growth
Schoolwide	868	-2 (A)	33 (Yes)	58 (Yes)	B
African American	848	14 (Yes)	8 (Yes)	NA	NA
Hispanic	861	-20 (Yes)	54 (Yes)	45 (Yes)	NA
Socioeconomically Disadvantaged	858	8 (Yes)	26 (Yes)	76 (Yes)	NA
Source: DataQuest, California Department of Education “A” means the school or subgroups scored at or above the statewide performance target of 800 in 2010. “B” means the school did not have a valid 2007 Base API and will not have any growth or target information. NA: Not a numerically significant subgroup					

Schools In Third Year of Operation

Table 7. API Growth Target (Met Target) for ASPIRE Statewide Benefit School Sites Opened in 2009			
Aspire Titan	2011 API	2010–11 Growth	2009–10 Growth
Schoolwide	849	25 (Yes)	B
Hispanic	848	25 (Yes)	NA
Socioeconomically Disadvantaged	846	23 (Yes)	NA
English Learner	840	21 (Yes)	NA
Aspire Alexander Twilight College Preparatory	2011 API	2010–11 Growth	2009–10 Growth
Schoolwide	802	36 (Yes)	B
African American	800	54 (Yes)	NA
Hispanic	779	31 (Yes)	NA
Socioeconomically Disadvantaged	729	52 (Yes)	NA
Source: DataQuest, California Department of Education “B” means the school did not have a valid 2009 Base API and will not have any growth or target information. NA: Not a numerically significant subgroup			

Schools In Second Year of Operation

Table 8. API Growth Target (Met Target) for ASPIRE Statewide Benefit School Sites Opened in 2010		
Aspire Alexander Twilight Secondary Academy*	2011 API	2010–11 Growth
Schoolwide	700	B
Aspire APEX*	2011 API	2010–11 Growth
Schoolwide	742	B
Source: DataQuest, California Department of Education “B” means the school did not have a valid 2010 Base API and will not have any growth or target information. * No subgroup was numerically significant in both years as there is only one year of data.		

Met Condition? Yes, four of the six existing statewide benefit school have currently met or exceeded API growth targets both schoolwide and for all subgroups in all years of operation. Two of the schools do not have API growth targets.

VIII. Condition 3 (Bullets C and D.): ...each existing school site operated under the statewide benefit petition must maintain: a statewide API ranking of 7 or better and a similar schools ranking of 7 or better; or a statewide API ranking of 6 or better and a similar schools ranking of 7 or better.

Table 9. Statewide and Similar Schools Rank for All ASPIRE Statewide Benefit School Sites				
	2011	2010	2009	2008
Aspire Junior Collegiate Academy	Data Not Available Until Spring of 2012	7/10	6/10	5/10
Aspire Port City		8/10	7/10	6/10
Aspire Titan		6/10		
Aspire Alexander Twilight College Preparatory		4/4		
Aspire Alexander Twilight Secondary Academy				
Aspire APEX				
Source: DataQuest, California Department of Education				

Met Condition? Currently, three of four statewide benefit schools meet the rank condition. Two do not yet have API ranks (Aspire APEX and Aspire Alexander Twilight College Preparatory). Of these four, Alexander Twilight College Preparatory does not meet the rank requirement because it has rank of 4/4. In addition, in the first year of operation, Aspire Junior Collegiate did not meet the rank requirement (5/10), however, in the two subsequent years it has met the requirement.

IX. Condition 3 (Bullet 5): Each site shall initially open between July 1 and September 30.

X. Condition 3 (Bullet 6): The specific location of each site (within the districts indicated in the charter) shall be identified to the CDE in the January immediately preceding its opening.

Table 10. Opening and Facility Notification Date for All ASPIRE Statewide Benefit School Sites			
School	Location	Opening Date*	Met January Notification Deadline
Aspire Junior Collegiate	Huntington Park	8/14/2007	Yes
Aspire Port City	Stockton	9/4/2007	Yes
Aspire Titan	Huntington Park	9/14/2009	Yes*
Aspire Alexander Twilight College Preparatory	Sacramento	9/8/2009	Yes*
Aspire Alexander Twilight Secondary	Sacramento	8/3/2010	Yes
Aspire APEX	Stockton	9/7/2010	Yes
Source: California Department of Education, Charter Schools Division, Charters Web Database *In July 2009, Aspire petitioned the State Board of Education (SBE) to open two additional schools in Huntington Park and Sacramento. Since data on statewide and similar schools rank was not yet available (which was required prior to opening additional schools), Aspire had to appear before the SBE for permission to open two additional schools. The SBE approved the opening of two additional schools in July 2009 on the condition that the Aspire Clarendon school (renamed as Aspire Junior Collegiate) double its 2009 Academic Performance Index (API) growth target. In 2008–09, Aspire Junior Collegiate’s API growth target was 5 and its API growth was 27. Condition met.			

Met Condition? Yes.

XI. Condition 4: Ensure the first two sites are not currently authorized by a school district or county office of education.

Condition Met? Yes.

XII. Condition 5: All CDE final findings and recommendations must be addressed in the specified timelines and to satisfaction of the SBE before the statewide benefit charter school is authorized by the CDE to open any individual school site under the charter.

Met Conditions? For any items not fully completed or that did not meet appropriate timeline requirements, the SBE took action (May 2011) to, (1) find that Aspire had substantially complied with all the conditions of its statewide benefit charter and, (2) waive any deadline that may or may not have been met in a timely fashion.

XIII. Condition 6: Prior to opening of any school sites, a memorandum of understanding (MOU) shall be developed between the statewide charter and the CDE...

Met Conditions? Yes, the CDE developed an MOU between Aspire and the SBE, which has been approved by the Aspire governance board upon request by the CDE. As needed, the CDE has updated the MOU, which is standard protocol for all SBE-authorized schools.

XIV. Condition 7: In the annual report the statewide benefit charter school submits to the SBE, the statewide benefit charter school will provide detailed information regarding student achievement at each school site...

Met Condition? Yes, Aspire has provided the CDE with detailed analysis of student performance data for each of the school sites authorized under the statewide benefit charter.

XV. Condition 8: The SBE may assign an SBE member or designee to the statewide benefit charter schools' governing board.

Met Condition? Yes, Aspire incorporated this provision in its charter. However, the SBE has not designated a member to Aspire's governing board.

XVI. Condition 9: The MOU shall address at a minimum: insurance coverage, oversight agreement, special education local plan area membership, educational program submission, student attendance accounting procedures, facilities agreements, evidence of appropriate zoning and occupancy, final updated charter, resolution of any pending legal issues identified by the CDE or SBE, evidence of appropriate processing of employment contributions to the Public Employee's Retirement System and the State Teacher's Retirement System, and the operational date parameters (if conditions are not met or the school does not open within a year, the charter is terminated).

Met Condition? Yes, the MOU includes all of the provisions in Condition 9, except the final one regarding operational date parameters. The CDE failed to include that condition in the MOU. However, the MOU does state that the SBE retains the right to revoke the charter pursuant to California *Education Code* sections 47604.5 or 47607 for specified reasons.

Analysis of Aspire Public Schools Progress Towards Statewide Benefit Charter Goals (2007–2012)

The Aspire Public Schools (APS) statewide benefit charter includes three separate sets of goals. The first set of goals relates to expansion of services; the second set of goals relates to measureable pupil outcomes; and the third set of goals relates to the statewide benefit. The review of progress towards providing statewide benefits is found below:

Expansion Goals: 2007 Petition Goals

- Compile exemplary record of academic achievement at the initial two sites for two consecutive years.
 - First two sites attained Academic Performance Index (API) score of 800 within two years.
- Replicate the model gradually and strategically through the state to provide real-world examples of closing the achievement gap among diverse students for other public schools to study and emulate.
 - APS opened two schools in each of the following cities: Huntington Park, Stockton, and Sacramento. Aspire Junior Collegiate (Huntington Park, Aspire Port City (Stockton), and Aspire Titan (Huntington Park) all have API scores of 800 and above schoolwide and for all significant subgroups (see Attachment 3). Aspire Alexander Twilight College Preparatory Academy (Sacramento) earned an API score of 802 in its second year of operation. The African American subgroup earned an API of 746. The Latino subgroups earned an API of 748. The socioeconomically disadvantaged group earned an API of 729. Aspire Alexander Twilight Secondary Academy and APEX Academy have API scores of 700 and 742, respectively, in their first year of operation. No data exists for significant subgroups in the first year.
- Return to the State Board of Education (SBE) for approval to phase-in grades nine through twelve in the statewide benefit schools, on a site-by-site basis, as each demonstrates the necessary academic and organizational readiness and facility-related capability to implement and sustain a secondary program.
 - APS appeared before the SBE in January 2010 to request a material revision to the petition to expand service from grades kindergarten through eighth (K–8) to grades kindergarten through twelfth (K–12). The SBE approved the material revision. The CDE approved all facility openings and expansions.

Expansion Goals: 2010 Material Revision

- Expand two of the current K–8 statewide benefit school to serve students in K–12 in two different facilities.
 - APS opened a separate school to serve grades sixth through twelfth (Alexander Twilight Secondary Academy [ATSA]) on the site of an existing APS statewide benefit elementary school (Alexander Twilight College Preparatory Academy [ATCPA]). APS did not open any other school sites that served secondary students.
- After an exemplary record of K–12 academic achievement with the initial two expanded, feeder patterns for two consecutive years replicate the K–12 feeder pattern model gradually and strategically through the state to provide real-world examples of closing the achievement gap among diverse students for other public schools to study and emulate.
 - Although authorized to expand two feeder patterns, APS only expanded one. It is not clear why APS did not expand a second feeder pattern.

The feeder pattern APS expanded is located in (ATCPA and ATSA) in Sacramento. It has not yet accumulated a two-year exemplary record of K–12 academic achievement. While the elementary site earned an API of 800 in the second year, the secondary school (ATSA) only has one year of API data. In the 2010–11 year, it earned an API of 700 serving grades 6–9. It will add a grade level per year. APS opened a separate school to serve grades sixth through twelfth (Alexander Twilight Secondary Academy [ATSA]) on the site of an existing APS statewide benefit elementary school (Alexander Twilight College Preparatory Academy [ATCPA]). APS did not open any other school sites that served secondary students.

The California Department of Education finds that APS executed all the expansion goals set forth in the original 2007 APS statewide benefit charter petition. However, APS was not able to accomplish all of the expansion goals set forth in the January 2010 materially revised petition. APS did create one K–12 family of schools by opening Alexander Twilight Secondary Academy, which serves students in grade 6–12 on the same site as Alexander Twilight College Preparatory, which now serves grades K–5. APS did not open the second K–12 family it proposed to open nor has it yet replicated this model under the statewide benefit charter.

Measureable Pupil Outcomes Goals

1. 100 percent core class pass rate¹
2. 10 percent increase in STAR proficiency from year to year

¹ Per *California Code of Regulations*, Title 5 Section 11967.5.1(f)(1)(E), charter schools authorized by the SBE must teach the four core curriculum areas as defined in *Education Code (EC)* Section 60605. EC Section 60605 defines core curriculum areas as English language arts (reading, writing), mathematics, history/social science, and science.

3. 100 percent complete interdisciplinary projects
4. 100 percent pass rate for Rites of Passage (ROPES) activity (only for grade five)
5. 95 percent attendance rate
6. 90 percent participate in extracurricular activities
7. 100 percent promotion rate
8. 100 percent four-year college acceptance rate

(See analysis in Table 2, next page)

APS outlined eight measurable pupil outcome goals in its charter. Four goals (three for elementary schools) address student academic performance (100 percent core class pass rate, 10 percent increase in STAR, promotion rate, and college acceptance rate), one goal addresses attendance, and three goals address enrichment activities/projects.

The CDE monitors the progress of a charter school to ensure that it makes sufficient progress, from year to year, to ensure compliance with its charter goals by year five of operation. Consequently, although APS provided data for each of its charter goals from year to year, the CDE will only evaluate compliance at year four (year five data is in progress). APS has two schools that are in their fifth year of operation Junior Collegiate Academy (JCA), and Port City Academy (PCA). The CDE has provided data for the other four schools to provide a general overview of progress towards meeting the charter goals by the newer schools.

The majority of the data provided in Table 2 is self-reported by APS. However, the CDE replaced STAR data from APS with AYP percent proficient data in order to verify progress, as the data that is used to calculate AYP is based primarily on the STAR program results. Consequently, the STAR percent increase will be referred to as the AYP percent increase for evaluation purposes. During monitoring site visits, the CDE also verified each school's implementation of the core, interdisciplinary, and extracurricular programs.

In addition, since none of the schools have yet served grade twelve students, it is not possible to evaluate the ability to achieve a 100 percent four-year college acceptance rate.

Schools in Fifth Year of Operation

Per Table 2, in the 2010–11 school year, JCA met four of seven measurable pupil outcome goals. JCA met the following goals: core class pass rate, interdisciplinary project requirements, attendance rate, and promotion rate. It did not meet the extracurricular goal (85 percent participation rather than 90 percent), the ROPES goal (95 percent rather than 100 percent), and only partially met the 10 percent AYP percent increase goal. In English-language Arts (ELA), JCA increased AYP proficiency from 58 percent to 63.9 percent (a positive percent change of 9.2), however, in math, JCA met

the proficiency goal by increasing from 75.6 percent to 85.6 percent proficiency (a 11.7 percent increase).

Per Table 2, in the 2010–11 school year, PCA met five of seven measurable pupil outcome goals. It met the following goals: core class pass rate, interdisciplinary project requirements, ROPEs pass rate, attendance, and extracurricular participation rate. It did not meet the promotion rate (99 percent rather than 100 percent), nor the 10 percent AYP increase goal. In ELA, PCA AYP proficiency decreased from 66.9 percent to 64.3 percent (a percent change of negative 4). In math, PCA proficiency decreased from 84 percent to 82.6 percent (a percent change of negative 1.7).

Schools in Third Year of Operation

In 2010–11, Aspire Titan Academy, which opened in 2009, met four out of seven goals. It met the following goals: core class pass rates, interdisciplinary project requirements, attendance rates, and promotion rates. It did not meet the extracurricular activity rate (no program yet), and partially met the goal for a 10 percent increase in AYP. In ELA, Titan proficiency increased from 55.1 percent to 59.9 percent (a percent change of 8.0). In math, Titan proficiency increased from 64.1 percent to 77.6 percent (a percent change of 16.1).

Aspire Alexander Twilight College Preparatory Academy (ATCPA), which also opened in 2009, met six of the seven goals in 2010–11. It met the following goals: core class pass rate, interdisciplinary project requirements, ROPEs pass rate, attendance rate, promotion rate, and the AYP percent increase. In ELA, proficiency increased from 45.1 percent to 52 percent (a percent change of 13.3). In math, ATCAP proficiency increased from 53.5 percent to 71.4 percent (a percent change of 25.1). It did not meet the extracurricular rate (65 percent rather than 90 percent).

Schools in Second Year of Operation

Alexander Twilight Secondary Academy, which opened in 2010, met three of six goals (AYP goal not applicable since baseline data does not exist). It met the following goals: ROPEs passage rate, attendance rate, and promotion rate. It did not meet core class pass rate, interdisciplinary project requirements, or the extracurricular activities rate.

Aspire APEX, which also opened in 2010, met two of five goals (AYP goal is not applicable, and neither is ROPEs since APEX did not offer fifth grade in 2010–11). APEX met the following goals: core class pass rate, and attendance rate. It did not meet, the interdisciplinary project requirements, extracurricular participation rate, or promotion rate.

Overall Progress towards Charter Goals

Overall, the general trend indicates that each school made progress towards its measurable pupil outcomes. Because the goals were not tailored to the operational year

of the school some of the goals were not met. For example, a school in year one would not be able to meet the AYP goal because that goal requires two years of data, nor could it meet the extracurricular goal since the school did not plan to offer extracurricular activities until years two or three. The CDE recommended to Aspire, during site visits, that it redesign the charter goal outcomes to ensure that the metrics applied are: 1) appropriate to the year of operation of each school, and 2) will not penalize high performing schools if they do not meet growth targets. Aspire has proposed, in their renewal petition, specific metrics for each year of a school's operation (i.e. year one, year two, year three, etc.).

In addition, the information gathered indicates that all the schools initially focused on developing and implementing the core curricular program and then, in subsequent years, focused on developing the extracurricular and interdisciplinary programs. However, by years four and five of operation, the two schools begun in 2007 (Junior Collegiate and Port City) were able to implement the full educational program described in the charter and come close to meeting the goals described in this section.

Table 2. Aspire Public Schools Statewide Benefit Charter Goals Related to Measurable Pupil Outcomes								
School (Opening Year)	Basic Skills		Thinking Skills		Life Skills			
	100% Pass Core Classes	10 % Increase in STAR / AYP Proficiency (CDE replaced STAR data with AYP data). ²	100 % Meet Interdisciplinary Project Requirements	100 % of Fifth Graders Pass ROPE(s)	95 % Attendance	90 % in Extracurricular Activities	100% Promotion Rate	100% 4-year College Acceptance Rate
2010–11								
Aspire Junior Collegiate (2007)	100%	ELA: 58% to 63.9% Math: 75.6% to 85.6%	100%	95%	97%	85%	100%	Not Applicable
Aspire Port City (2007)	100%	ELA: 66.9% to 64.3% Math: 84% to 82.4%	100% in grades four and five	100%	96%	95%	99%	Not Applicable
Aspire Titan (2009)	100%	ELA: 55.1% to 59.9% Math: 64.1% to 77.6%	100%	Focus on Core Program	97%	Focus on Core Program	100%	Not Applicable
Aspire Alexander Twilight College Preparatory (2009)	100%	ELA: 45.1% to 52.0% Math: 53.5% to 71.4%	100%	100%	95%	65% of grades two through five	100%	Not Applicable
Aspire Alexander Twilight Secondary (2010)	English – 82% Math – 75% History – 95% Science – 95%	Baseline	Planning year	100% of grades six through nine	96%	40% of grades six through eight	100%	Not Applicable (only serves grades six through ten)
APEX (2010)	100%	Baseline	Units in grade 3	NA	96%	Planning Year	98%	Not Applicable

² The CDE replaced STAR data from APS with AYP percent proficient data in order to verify progress, as the data that is used to calculate AYP is based primarily on the STAR program results.

Relevant California *Education Code* and *California Code of Regulations*

California *Education Code* Section 47605.8: Petition for Operation of State Charter School; Submission to State Board; Notice; Approval Authority of Board; Approval Authority of Board; Requirements and Conditions for Approval

(a) A petition for the operation of a state charter school may be submitted directly to the state board, and the state board shall have the authority to approve a charter for the operation of a state charter school that may operate at multiple sites throughout the state. The State Board of Education shall adopt regulations, pursuant to the Administrative Procedure Act (Chapter 5--commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code) for the implementation of this section. Regulations adopted pursuant to this section shall ensure that a charter school approved pursuant to this section meets all requirements otherwise imposed on charter schools pursuant to this part, except that a state charter school approved pursuant to this section shall not be subject to the geographic and site limitations otherwise imposed on charter schools. The petitioner shall submit a copy of the petition, for notification purposes, to the county superintendent of schools of each county in which the petitioner proposes to operate the state charter school. The petitioner also shall ensure that the governing board of each school district in which a site is proposed to be located is notified no later than 120 days prior to the commencement of instruction at each site, as applicable.

(b) The state board shall not approve a petition for the operation of a state charter school pursuant to this section unless the state board makes a finding, based on substantial evidence, that the proposed state charter school will provide instructional services of statewide benefit that cannot be provided by a charter school operating in only one school district, or only in one county. The finding of the state board in this regard shall be made part of the public record of the proceedings of the state board and shall precede the approval of the charter.

(c) The state board, as a condition of charter petition approval, may enter into an agreement with a third party, at the expense of the charter school, to oversee, monitor, and report on, the operations of the state charter school. The state board may prescribe the aspects of the operations of the state charter school to be monitored by the third party and may prescribe appropriate requirements regarding the reporting of information concerning the operations of the state charter school to the state board.

(d) The state board shall not be required to approve a petition for the operation of a state charter school, and may deny approval based on any of the reasons set forth in subdivision (b) of Section 47605.6.

California Code of Regulations, Title 5, Section 11967.6: Submission of Statewide Benefit Charter School Petitions and Amendments to the State Board of Education.

(a) A petition to establish a statewide benefit charter school pursuant to Education Code section 47605.8 shall:

(1) Comply with all statutory requirements otherwise applicable to charter schools, except those relating to geographic and site limitations (See Education Code section 47605.8).

(2) If applicable, comply with all requirements of law relative to the provision of independent study.

a. A charter that does not expressly provide for independent study shall not be interpreted as allowing independent study beyond that which is incidental and required to address the temporary needs of particular students.

b. If the independent study (nonclassroom-based instruction) exceeds the percentage specified in Education Code section 47612.5, it shall be funded only in keeping with a determination of funding approved pursuant to Education Code section 47634.2.

(3) Describe how an annual independent audit of the statewide benefit charter school will be conducted in keeping with applicable statute and regulation and indicate how the statewide benefit charter school's individual schools will be appropriately included in the audit process.

(4) Incorporate a plan that provides for initial commencement of instruction in at least two schools, which shall be in at least two different school districts or two different counties. The plan for instruction shall describe how the instructional services will provide a statewide benefit, as specified in section 11967.6(b) that cannot be provided by a charter school operating in only one school district, or only in one county. Existing charter schools previously approved by a charter authorizer may not be included in a petition to establish a statewide benefit charter school.

(5) Include an assurance that the instructional services for similar student populations described in the charter will be essentially similar at each school and, thus, that each pupil's educational experience will be reasonably the same with regard to instructional methods, instructional materials, staffing configuration, personnel requirements, course offerings, and class schedules.

(6) Describe how the statewide benefit charter school will participate as a member of a special education local plan area, and ensure a coordinated structure for the provision of necessary programs and services specific to students with individualized education programs (IEPs).

(7) Demonstrate success in operating charter schools previously approved in California as evidenced by improved pupil academic performance and annual financial audits with no audit findings or exceptions. Data that shall be considered in determining the likelihood of a charter operator to successfully operate a statewide benefit charter school include, but are not limited to, a statewide or similar schools ranking of 8 or higher on the Academic Performance Index, evidence of having met growth targets over time, and other alternative indicators of success as defined in the alternative accountability system pursuant to subdivision (h) of Education Code section 52052.

(8) Describe how local community input for each school included in the plan was solicited (or will be solicited). Satisfaction of this paragraph shall involve the holding of at least one publicly noticed meeting for each school, with a summary of the input received at the meeting(s) being provided to the State Board of Education (SBE).

(9) Contain sufficient signatures either of parents, guardians, or of teachers in keeping with Education Code section 47605(a)(1) for each school proposed in the first year.

(10) Address all charter elements specified in Education Code section 47605 adapted appropriately for application at the statewide level. Contain or address any provisions or conditions specified by the SBE at the time of charter approval.

(11) Contain or address any provisions or conditions specified by the SBE at the time of charter approval.

(12) Contain a plan for operations of the statewide benefit charter school that describes the distinction between centralized and individual school level responsibilities and includes a staffing plan to implement the activities at the designated level. This plan shall be a part of the petition as initially approved by the SBE. If amendments to the plan are proposed, these amendments must be submitted to the SBE for approval. The plan shall address statewide benefit charter school operations including, but not limited to:

- (A) Academic program,
- (B) Facilities and school operations,
- (C) Legal and programmatic compliance,
- (D) Financial administration,
- (E) Governance, and
- (F) Decision-making authority.

(13) Provide a list that includes each school the statewide benefit charter school proposes to operate. This list shall be a part of the petition as initially approved by the SBE. This list shall include:

- (A) A timeline for the commencement of instruction at each school. Commencement of instruction must begin during the term of the charter.

(B) The general location of each school and the school district and county in which each school is to be located.

(C) A description of the potential facilities to be used at each school.

(D) The approximate number of pupils that can safely be accommodated by each school facility.

(b) "Instructional services of a statewide benefit", as referenced in Education Code section 47605.8(b), shall include, but not be limited to, the following factors:

(1) Unique factors and circumstances related to the statewide benefit charter school's educational program that can only be accomplished as a statewide benefit charter and not as a single district- or single county-authorized charter, including specific benefits to each of the following:

(A) The pupils who would attend the statewide benefit charter school,

(B) The communities (including the school districts and the counties) in which the individual schools would be located (e.g., in terms of pupil demographics and performance),

(C) The state, to the extent applicable, and

(D) The statewide benefit charter school itself (e.g., in fund raising, community partnerships, or relationships with institutions of higher education).

(2) Neither an administrative benefit to a charter operator, nor a desire by a charter operator to provide services in more than one district and county, shall be considered sufficient in and of itself to constitute a statewide benefit.

(c) A statewide benefit charter school, regardless of the number of individual schools, is treated as a school district for all purposes, including but not limited to, compliance monitoring, data reporting and collection, student performance data, oversight, and apportionments. For purposes of compliance, monitoring and oversight, the SBE, in its review, will look at each individual school's independent progress in meeting federal and state growth targets.

(d) Following its submission, a petition to establish a statewide benefit charter school may be modified or new schools added that were not included in the original petition only with the approval of the SBE.

(e) Each statewide benefit charter school shall provide an annual report to the SBE reflecting student achievement data, performance benchmarks, and other pertinent data supporting stated charter goals.

Note: Authority cited: Sections 33031 and 47605.8, Education Code. Reference: Sections 47605, 47605.8, 47612.5 and 47634.2, Education Code.

California Code of Regulations, Title 5, Section 11967.6.1: Notification of Statewide Benefit Charter School Petitions and Amendments to Counties and School Districts.

(a) (1) Prior to submitting a petition for a statewide benefit charter school to the SBE, the petitioner shall submit an identical copy of the petition to the county superintendent of schools of each county where the petitioner proposes to locate a school site.

(2) The petitioner shall, with its original petition, submit a written assurance to the SBE that a copy of the petition has been provided to the appropriate county superintendent(s) of school(s).

(b) (1) Prior to submitting a petition for a statewide benefit charter school to the SBE, and no later than 120 days prior to the commencement of instruction, the petitioner shall provide a written notice to the governing board of each school district where the petitioner proposes to locate a school site.

(2) The petitioner shall, with its original petition, submit a written assurance to the SBE that written notice has been provided to the governing board of each school district where the petitioner plans to locate a school site.

(c) (1) Prior to submitting an amendment to the SBE pursuant to section 11967.6(a)(13), adding new schools to the statewide benefit charter school's list of schools, the charter school shall submit an identical copy of the proposed amendment(s) to the county superintendent of schools of each county where the petitioning charter school proposes to locate a new school site and a written notice to the governing board of each school district where the charter school proposes to locate a new school site.

(2) The charter school shall, with its amendment, submit a written assurance to the SBE that a copy of the proposed amendment(s) has been provided to the appropriate county superintendent(s) of schools and that a written notice has been provided to the governing board of each school district where the charter school proposes to locate a new school site.

(d) When the meeting date for the SBE's consideration of an original petition under subdivisions (a) and (b), or a petition to amend under subdivision (c) becomes publicly available, the petitioner shall submit a written notice of the meeting date to the county superintendent of schools of each county where the petitioner proposes to locate a school site, and to the governing board of each school district where the petitioner plans to locate a school site.

Note: Authority cited: Sections 33031 and 47605.8, Education Code. Reference: Sections 47605 and 47605.8, Education Code.

California Education Code Section 47607: Charter Term; Renewal; Criteria; Material Revision of Charter; Revocation; Notice; Appeals

(a) (1) A charter may be granted pursuant to Sections 47605, 47605.5, and 47606 for a period not to exceed five years. A charter granted by a school district governing board, a county board of education or the state board, may be granted one or more subsequent renewals by that entity. Each renewal shall be for a period of five years. A material revision of the provisions of a charter petition may be made only with the approval of the authority that granted the charter. The authority that granted the charter may inspect or observe any part of the charter school at any time.

(2) Renewals and material revisions of charters are governed by the standards and criteria in Section 47605, and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.

(b) Commencing on January 1, 2005, or after a charter school has been in operation for four years, whichever date occurs later, a charter school shall meet at least one of the following criteria prior to receiving a charter renewal pursuant to paragraph (1) of subdivision (a):

(1) Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, or in the aggregate for the prior three years.

(2) Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.

(3) Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years.

(4) (A) The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.

(B) The determination made pursuant to this paragraph shall be based upon all of the following:

- i. Documented and clear and convincing data.
- ii. Pupil achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program established by Article 4 (commencing with Section 60640) for demographically similar pupil populations in the comparison schools.
- iii. Information submitted by the charter school.

(C) A chartering authority shall submit to the Superintendent copies of supporting documentation and a written summary of the basis for any determination made pursuant to this paragraph. The Superintendent shall review the materials and make recommendations to the chartering authority based on that review. The review may be the basis for a recommendation made pursuant to Section 47604.5.

(D) A charter renewal may not be granted to a charter school prior to 30 days after that charter school submits materials pursuant to this paragraph.

(5) Has qualified for an alternative accountability system pursuant to subdivision (h) of Section 52052.

(c) A charter may be revoked by the authority that granted the charter under this chapter if the authority finds, through a showing of substantial evidence, that the charter school did any of the following:

(1) Committed a material violation of any of the conditions, standards, or procedures set forth in the charter.

(2) Failed to meet or pursue any of the pupil outcomes identified in the charter.

(3) Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.

(4) Violated any provision of law.

(d) Prior to revocation, the authority that granted the charter shall notify the charter public school of any violation of this section and give the school a reasonable opportunity to remedy the violation, unless the authority determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils.

(e) Prior to revoking a charter for failure to remedy a violation pursuant to subdivision (d), and after expiration of the school's reasonable opportunity to remedy without successfully remedying the violation, the chartering authority shall provide a written notice of intent to revoke and notice of facts in support of revocation to the charter school. No later than 30 days after providing the notice of intent to revoke a charter, the chartering authority shall hold a public hearing, in the normal course of business, on the issue of whether evidence exists to revoke the charter. No later than 30 days after the public hearing, the chartering authority shall issue a final decision to revoke or decline to revoke the charter, unless the chartering authority and the charter school agree to extend the issuance of the decision by an additional 30 days. The chartering authority shall not revoke a charter, unless it makes written factual findings supported by substantial evidence, specific to the charter school, that support its findings.

(f) (1) If a school district is the chartering authority and it revokes a charter pursuant to this section, the charter school may appeal the revocation to the county board of education within 30 days following the final decision of the chartering authority.

(2) The county board may reverse the revocation decision if the county board determines that the findings made by the chartering authority under subdivision (e) are not supported by substantial evidence. The school district may appeal the reversal to the state board.

(3) If the county board does not issue a decision on the appeal within 90 days of receipt, or the county board upholds the revocation, the charter school may appeal the revocation to the state board.

(4) The state board may reverse the revocation decision if the state board determines that the findings made by the chartering authority under subdivision (e) are not supported by substantial evidence. The state board may uphold the revocation decision of the school district if the state board determines that the findings made by the chartering authority under subdivision (e) are supported by substantial evidence.

(g) (1) If a county office of education is the chartering authority and the county board revokes a charter pursuant to this section, the charter school may appeal the revocation to the state board within 30 days following the decision of the chartering authority.

(2) The state board may reverse the revocation decision if the state board determines that the findings made by the chartering authority under subdivision (e) are not supported by substantial evidence.

(h) If the revocation decision of the chartering authority is reversed on appeal, the agency that granted the charter shall continue to be regarded as the chartering authority.

(i) During the pendency of an appeal filed under this section, a charter school, whose revocation proceedings are based on paragraph (1) or (2) of subdivision (c), shall continue to qualify as a charter school for funding and for all other purposes of this part, and may continue to hold all existing grants, resources, and facilities, in order to ensure that the education of pupils enrolled in the school is not disrupted.

(j) Immediately following the decision of a county board to reverse a decision of a school district to revoke a charter, the following shall apply:

(1) The charter school shall qualify as a charter school for funding and for all other purposes of this part.

(2) The charter school may continue to hold all existing grants, resources, and facilities.

(3) Any funding, grants, resources, and facilities that had been withheld from the charter school, or that the charter school had otherwise been deprived of use, as a result of the revocation of the charter shall be immediately reinstated or returned.

(k) A final decision of a revocation or appeal of a revocation pursuant to subdivision (c) shall be reported to the chartering authority, the county board, and the department.

California Education Code Section 47605: Petition process to establish charter school; public hearing to review petition; grounds for grant or denial; statewide standards and pupil assessments; requirements for school relating to programs, admissions, practices and operations; information required of petitioners; preferences given to petitioners; notice of approval; denial of petition; criteria for review; oversight responsibilities; teacher qualifications; financial audit report.

(a) (1) Except as set forth in paragraph (2), a petition for the establishment of a charter school within a school district may be circulated by one or more persons seeking to establish the charter school. A petition for the establishment of a charter school shall identify a single charter school that will operate within the geographic boundaries of that school district. A charter school may propose to operate at multiple sites within the school district, as long as each location is identified in the charter school petition. The petition may be submitted to the governing board of the school district for review after either of the following conditions are met:

(A) The petition has been signed by a number of parents or legal guardians of pupils that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the school for its first year of operation.

(B) The petition has been signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation.

(2) A petition that proposes to convert an existing public school to a charter school that would not be eligible for a loan pursuant to subdivision (b) of Section 41365 may be circulated by one or more persons seeking to establish the charter school. The petition may be submitted to the governing board of the school district for review after the petition has been signed by not less than 50 percent of the permanent status teachers currently employed at the public school to be converted.

(3) A petition shall include a prominent statement that a signature on the petition means that the parent or legal guardian is meaningfully interested in having his or her child or ward attend the charter school, or in the case of a teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition.

(4) After receiving approval of its petition, a charter school that proposes to establish operations at one or more additional sites shall request a material revision to its charter and shall notify the authority that granted its charter of those additional locations. The authority that granted its charter shall consider whether to approve those additional locations at an open, public meeting. If the additional locations are approved, they shall be a material revision to the charter school's charter.

(5) A charter school that is unable to locate within the jurisdiction of the chartering school district may establish one site outside the boundaries of the school district, but within the county in which that school district is located, if the school district within the jurisdiction of which the charter school proposes to operate is notified in

advance of the charter petition approval, the county superintendent of schools and the Superintendent are notified of the location of the charter school before it commences operations, and either of the following circumstances exist:

- (A) The school has attempted to locate a single site or facility to house the entire program, but a site or facility is unavailable in the area in which the school chooses to locate.
- (B) The site is needed for temporary use during a construction or expansion project.

(6) Commencing January 1, 2003, a petition to establish a charter school may not be approved to serve pupils in a grade level that is not served by the school district of the governing board considering the petition, unless the petition proposes to serve pupils in all of the grade levels served by that school district.

(b) No later than 30 days after receiving a petition, in accordance with subdivision (a), the governing board of the school district shall hold a public hearing on the provisions of the charter, at which time the governing board of the school district shall consider the level of support for the petition by teachers employed by the district, other employees of the district, and parents. Following review of the petition and the public hearing, the governing board of the school district shall either grant or deny the charter within 60 days of receipt of the petition, provided, however, that the date may be extended by an additional 30 days if both parties agree to the extension. In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged. The governing board of the school district shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

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

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

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

(B) The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program.

(C) The method by which pupil progress in meeting those pupil outcomes is to be measured.

(D) The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement.

(E) The qualifications to be met by individuals to be employed by the school.

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

(G) The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.

(H) Admission requirements, if applicable.

(I) 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.

(J) The procedures by which pupils can be suspended or expelled.

(K) 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.

(L) The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.

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

(N) The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.

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

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

(c) (1) Charter schools shall meet all statewide standards and conduct the pupil assessments required pursuant to Sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in noncharter public schools.

(2) Charter schools shall, on a regular basis, consult with their parents, legal guardians, and teachers regarding the school's educational programs.

(d) (1) In addition to any other requirement imposed under this part, a charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of the characteristics listed in Section 220. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school.

(2) (A) A charter school shall admit all pupils who wish to attend the school.

(B) However, if the number of pupils who wish to attend the charter school exceeds the school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the district

except as provided for in Section 47614.5. Other preferences may be permitted by the chartering authority on an individual school basis and only if consistent with the law.

(C) In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and in no event shall take any action to impede the charter school from expanding enrollment to meet pupil demand.

(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information. This paragraph applies only to pupils subject to compulsory full-time education pursuant to Section 48200.

(e) The governing board of a school district shall not require any employee of the school district to be employed in a charter school.

(f) The governing board of a school district shall not require any pupil enrolled in the school district to attend a charter school.

(g) The governing board of a school district shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the school, including, but not limited to, the facilities to be utilized by the school, the manner in which administrative services of the school are to be provided, and potential civil liability effects, if any, upon the school and upon the school district. The description of the facilities to be used by the charter school shall specify where the school intends to locate. The petitioner or petitioners shall also be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation.

(h) In reviewing petitions for the establishment of charter schools within the school district, the governing board of the school district shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioner or petitioners as academically low achieving pursuant to the standards established by the department under Section 54032 as it read prior to July 19, 2006.

(i) Upon the approval of the petition by the governing board of the school district, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the applicable county superintendent of schools, the department, and the state board.

(j) (1) If the governing board of a school district denies a petition, the petitioner may elect to submit the petition for the establishment of a charter school to the county board of education. The county board of education shall review the petition pursuant to

subdivision (b). If the petitioner elects to submit a petition for establishment of a charter school to the county board of education and the county board of education denies the petition, the petitioner may file a petition for establishment of a charter school with the state board, and the state board may approve the petition, in accordance with subdivision (b). A charter school that receives approval of its petition from a county board of education or from the state board on appeal shall be subject to the same requirements concerning geographic location to which it would otherwise be subject if it received approval from the entity to which it originally submitted its petition. A charter petition that is submitted to either a county board of education or to the state board shall meet all otherwise applicable petition requirements, including the identification of the proposed site or sites where the charter school will operate.

(2) In assuming its role as a chartering agency, the state board shall develop criteria to be used for the review and approval of charter school petitions presented to the state board. The criteria shall address all elements required for charter approval, as identified in subdivision (b) and shall define "reasonably comprehensive" as used in paragraph (5) of subdivision (b) in a way that is consistent with the intent of this part. Upon satisfactory completion of the criteria, the state board shall adopt the criteria on or before June 30, 2001.

(3) A charter school for which a charter is granted by either the county board of education or the state board based on an appeal pursuant to this subdivision shall qualify fully as a charter school for all funding and other purposes of this part.

(4) If either the county board of education or the state board fails to act on a petition within 120 days of receipt, the decision of the governing board of the school district to deny a petition shall, thereafter, be subject to judicial review.

(5) The state board shall adopt regulations implementing this subdivision.

(6) Upon the approval of the petition by the county board of education, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition to the department and the state board.

(k) (1) The state board may, by mutual agreement, designate its supervisory and oversight responsibilities for a charter school approved by the state board to any local educational agency in the county in which the charter school is located or to the governing board of the school district that first denied the petition.

(2) The designated local educational agency shall have all monitoring and supervising authority of a chartering agency, including, but not limited to, powers and duties set forth in Section 47607, except the power of revocation, which shall remain with the state board.

(3) A charter school that has been granted its charter through an appeal to the state board and elects to seek renewal of its charter shall, prior to expiration of the charter, submit its petition for renewal to the governing board of the school district that initially denied the charter. If the governing board of the school district denies

the school's petition for renewal, the school may petition the state board for renewal of its charter.

(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. These documents shall be maintained on file at the charter school and are subject to periodic inspection by the chartering authority. It is the intent of the Legislature that charter schools be given flexibility with regard to noncore, noncollege preparatory courses.

(m) A charter school shall transmit a copy of its annual, independent financial audit report for the preceding fiscal year, as described in subparagraph (l) of paragraph (5) of subdivision (b), to its chartering entity, the Controller, the county superintendent of schools of the county in which the charter school is sited, unless the county board of education of the county in which the charter school is sited is the chartering entity, and the department by December 15 of each year. This subdivision does not apply if the audit of the charter school is encompassed in the audit of the chartering entity pursuant to Section 41020.

California Code of Regulations, Title 5, Section 11967.5.1: Criteria for the Review and Approval of Charter School Petitions by the State Board of Education.

(a) For purposes of Education Code section 47605(b), a charter petition shall be “consistent with sound educational practice” if, in the SBE's judgment, it is likely to be of educational benefit to pupils who attend. A charter school need not be designed or intended to meet the educational needs of every student who might possibly seek to enroll in order for the charter to be granted by the SBE.

(b) For purposes of Education Code section 47605(b)(1), a charter petition shall be “an unsound educational program” if it is any of the following:

(1) A program that involves activities that the SBE determines would present the likelihood of physical, educational, or psychological harm to the affected pupils.

(2) A program that the SBE determines not to be likely to be of educational benefit to the pupils who attend.

(3) If the petition is for renewal of a charter school, and either the charter school has not met the standards for renewal pursuant to Education Code section 47607(b), as applicable, or the charter school has not met the measurable pupil outcomes as described in its charter.

(c) For purposes of Education Code section 47605(b)(2), the SBE shall take the following factors into consideration in determining whether charter petitioners are “demonstrably unlikely to successfully implement the program.”

(1) If the petitioners have a past history of involvement in charter schools or other education agencies (public or private), the history is one that the SBE regards as unsuccessful, e.g., the petitioners have been associated with a charter school of which the charter has been revoked or a private school that has ceased operation for reasons within the petitioners' control.

(2) The petitioners are unfamiliar in the SBE's judgment with the content of the petition or the requirements of law that would apply to the proposed charter school.

(3) The petitioners have presented an unrealistic financial and operational plan for the proposed charter school. An unrealistic financial and operational plan is one to which any or all of the following applies:

(A) In the area of administrative services, the charter or supporting documents do not adequately:

(1) Describe the structure for providing administrative services, including, at a minimum, personnel transactions, accounting and payroll that reflects an understanding of school business practices and expertise to carry out the necessary administrative services, or a reasonable plan and time line to

develop and assemble such practices and expertise.

- (2) For any contract services, describe criteria for the selection of a contractor or contractors that demonstrate necessary expertise and the procedure for selection of the contractor or contractors.

(B) In the area of financial administration, the charter or supporting documents do not adequately:

- (1) Include, at a minimum, the first-year operational budget, start-up costs, and cash flow, and financial projections for the first three years.

- (2) Include in the operational budget reasonable estimates of all anticipated revenues and expenditures necessary to operate the school, including, but not limited to, special education, based, when possible, on historical data from schools or school districts of similar type, size, and location.

- (3) Include budget notes that clearly describe assumptions on revenue estimates, including, but not limited to, the basis for average daily attendance estimates and staffing levels.

- (4) Present a budget that in its totality appears viable and over a period of no less than two years of operations provides for the amassing of a reserve equivalent to that required by law for a school district of similar size to the proposed charter school.

- (5) Demonstrate an understanding of the timing of the receipt of various revenues and their relative relationship to timing of expenditures that are within reasonable parameters, based, when possible, on historical data from schools or school districts of similar type, size, and location.

(C) In the area of insurance, the charter and supporting documents do not adequately provide for the acquisition of and budgeting for general liability, workers compensations, and other necessary insurance of the type and in the amounts required for an enterprise of similar purpose and circumstance.

(D) In the area of facilities, the charter and supporting documents do not adequately:

- (1) Describe the types and potential location of facilities needed to operate the size and scope of educational program proposed in the charter.

- (2) In the event a specific facility has not been secured, provide evidence of the type and projected cost of the facilities that may be available in the location of the proposed charter school.

- (3) Reflect reasonable costs for the acquisition or leasing of facilities to house the charter school, taking into account the facilities the charter school may be allocated under the provisions of Education Code section 47614.
- (4) The petitioners personally lack the necessary background in the following areas critical to the charter school's success, and the petitioners do not have a plan to secure the services of individuals who have the necessary background in these areas:
- (A) Curriculum, instruction, and assessment.
 - (B) Finance and business management.
- (d) For purposes of Education Code section 47605(b)(3), a charter petition that “does not contain the number of signatures required by subdivision (a)” of Education Code section 47605 shall be a petition that did not contain the requisite number of signatures at the time of the submission of the original charter to a school district governing board pursuant to Education Code section 47605(a). The SBE shall not disregard signatures that may be purported to have been withdrawn or to have been determined to be invalid after the petition was denied by the school district. The signature requirement set forth in Education Code section 47605(a) is not applicable to a petition for renewal.
- (e) For purposes of Education Code section 47605(b)(4), a charter petition that “does not contain an affirmation of each of the conditions described in subdivision (d)” of Education Code section 47605 shall be a petition that fails to include a clear, unequivocal affirmation of each such condition, not a general statement of intention to comply. Neither the charter nor any of the supporting documents shall include any evidence that the charter will fail to comply with the conditions described in Education Code section 47605(d).
- (f) For purposes of Education Code section 47605(b)(5), the SBE shall take the following factors into consideration in determining whether a charter petition does not contain a “reasonably comprehensive” description of each of the specified elements.
- (1) The description of the educational program of the school, as required by Education Code section 47605(b)(5)(A), at a minimum:
- (A) Indicates the proposed charter school's target student population, including, at a minimum, grade levels, approximate numbers of pupils, and specific educational interests, backgrounds, or challenges.
 - (B) Specifies a clear, concise school mission statement with which all elements and programs of the school are in alignment and which conveys the petitioners' definition of an “educated person” in the 21st century, belief of how learning best occurs, and goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners.

(C) Includes a framework for instructional design that is aligned with the needs of the pupils that the charter school has identified as its target student population.

(D) Indicates the basic learning environment or environments (e.g., site-based matriculation, independent study, community-based education, or technology-based education).

(E) Indicates the instructional approach or approaches the charter school will utilize, including, but not limited to, the curriculum and teaching methods (or a process for developing the curriculum and teaching methods) that will enable the school's pupils to master the content standards for the four core curriculum areas adopted by the SBE pursuant to Education Code section 60605 and to achieve the objectives specified in the charter.

(F) Indicates how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.

(G) Indicates how the charter school will meet the needs of students with disabilities, English learners, students achieving substantially above or below grade level expectations, and other special student populations.

(H) Specifies the charter school's special education plan, including, but not limited to, the means by which the charter school will comply with the provisions of Education Code section 47641, the process to be used to identify students who qualify for special education programs and services, how the school will provide or access special education programs and services, the school's understanding of its responsibilities under law for special education pupils, and how the school intends to meet those responsibilities.

(2) Measurable pupil outcomes, as required by Education Code section 47605(b)(5)(B), at a minimum:

(A) Specify skills, knowledge, and attitudes that reflect the school's educational objectives and can be assessed, at a minimum, by objective means that are frequent and sufficiently detailed enough to determine whether pupils are making satisfactory progress. It is intended that the frequency of objective means of measuring pupil outcomes vary according to such factors as grade level, subject matter, the outcome of previous objective measurements, and information that may be collected from anecdotal sources. To be sufficiently detailed, objective means of measuring pupil outcomes must be capable of being used readily to evaluate the effectiveness of and to modify instruction for individual students and for groups of students.

(B) Include the school's Academic Performance Index growth target, if applicable.

(3) The method by which pupil progress is to be measured, as required by Education Code section 47605(b)(5)(C), at a minimum:

(A) Utilizes a variety of assessment tools that are appropriate to the skills, knowledge, or attitudes being assessed, including, at a minimum, tools that employ objective means of assessment consistent with paragraph (2)(A) of subdivision (f) of this section.

(B) Includes the annual assessment results from the Statewide Testing and Reporting (STAR) program.

(C) Outlines a plan for collecting, analyzing, and reporting data on pupil achievement to school staff and to pupils' parents and guardians, and for utilizing the data continuously to monitor and improve the charter school's educational program.

(4) The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement in supporting the school's effort on behalf of the school's pupils, as required by Education Code section 47605(b)(5)(D), at a minimum:

(A) Includes evidence of the charter school's incorporation as a non-profit public benefit corporation, if applicable.

(B) Includes evidence that the organizational and technical designs of the governance structure reflect a seriousness of purpose necessary to ensure that:

(1) The charter school will become and remain a viable enterprise.

(2) There will be active and effective representation of interested parties, including, but not limited to parents (guardians).

(3) The educational program will be successful.

(5) The qualifications to be met by individuals to be employed by the school, as required by Education Code section 47605(b)(5)(E), at a minimum:

(A) Identify general qualifications for the various categories of employees the school anticipates (e.g., administrative, instructional, instructional support, non-instructional support). The qualifications shall be sufficient to ensure the health, and safety of the school's faculty, staff, and pupils.

(B) Identify those positions that the charter school regards as key in each category and specify the additional qualifications expected of individuals assigned to those positions.

(C) Specify that the requirements for employment set forth in applicable provisions of law will be met, including, but not limited to credentials as necessary.

(6) The procedures that the school will follow to ensure the health and safety of pupils and staff, as required by Education Code section 47605(b)(5)(F), at a minimum:

(A) Require that each employee of the school furnish the school with a criminal record summary as described in Education Code section 44237.

(B) Include the examination of faculty and staff for tuberculosis as described in Education Code section 49406.

(C) Require immunization of pupils as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school.

(D) Provide for the screening of pupils' vision and hearing and the screening of pupils for scoliosis to the same extent as would be required if the pupils attended a non-charter public school.

(7) Recognizing the limitations on admissions to charter schools imposed by Education Code section 47605(d), the means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted, as required by Education Code section 47605(b)(5)(G), shall be presumed to have been met, absent specific information to the contrary.

(8) To the extent admission requirements are included in keeping with Education Code section 47605(b)(5)(H), the requirements shall be in compliance with the requirements of Education Code section 47605(d) and any other applicable provision of law.

(9) 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, as required by Education Code section 47605(b)(5)(I), at a minimum:

(A) Specify who is responsible for contracting and overseeing the independent audit.

(B) Specify that the auditor will have experience in education finance.

(C) Outline the process of providing audit reports to the SBE, California Department of Education, or other agency as the SBE may direct, and specifying the time line in which audit exceptions will typically be addressed.

(D) Indicate the process that the charter school will follow to address any audit findings and/or resolve any audit exceptions.

(10) The procedures by which pupils can be suspended or expelled, as required by Education Code section 47605(b)(5)(J), at a minimum:

(A) Identify a preliminary list, subject to later revision pursuant to subparagraph (E), of the offenses for which students in the charter school must (where non-discretionary) and may (where discretionary) be suspended and, separately, the offenses for which students in the charter school must (where non-discretionary) or may (where discretionary) be expelled, providing evidence that the petitioners' reviewed the offenses for which students must or may be suspended or expelled in non-charter public schools.

(B) Identify the procedures by which pupils can be suspended or expelled.

(C) Identify the procedures by which parents, guardians, and pupils will be informed about reasons for suspension or expulsion and of their due process rights in regard to suspension or expulsion.

(D) Provide evidence that in preparing the lists of offenses specified in subparagraph (A) and the procedures specified in subparagraphs (B) and (C), the petitioners reviewed the lists of offenses and procedures that apply to students attending non-charter public schools, and provide evidence that the charter petitioners believe their proposed lists of offenses and procedures provide adequate safety for students, staff, and visitors to the school and serve the best interests the school's pupils and their parents (guardians).

(E) If not otherwise covered under subparagraphs (A), (B), (C), and (D):

(1) Provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in regard to suspension and expulsion.

(2) Outline how detailed policies and procedures regarding suspension and expulsion will be developed and periodically reviewed, including, but not limited to, periodic review and (as necessary) modification of the lists of offenses for which students are subject to suspension or expulsion.

(11) 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, as required by Education Code section 47605(b)(5)(K), at a minimum, specifies the positions to be covered under each system and the staff who will be responsible for ensuring that appropriate arrangements for that coverage have been made.

(12) The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools, as required by Education Code section 47605(b)(5)(L), at a minimum, specify that the parent or guardian of each pupil enrolled in the charter school shall be informed that the pupils has no right to admission in a particular school of any local educational agency (LEA) (or program of any LEA) as a consequence of enrollment in the charter school, except to the

extent that such a right is extended by the LEA.

(13) The description of the rights of any employees 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, as required by Education Code section 47605(b)(5)(M), at a minimum, specifies that an employee of the charter school shall have the following rights:

(A) Any rights upon leaving the employment of an LEA to work in the charter school that the LEA may specify.

(B) Any rights of return to employment in an LEA after employment in the charter school as the LEA may specify.

(C) Any other rights upon leaving employment to work in the charter school and any rights to return to a previous employer after working in the charter school that the SBE determines to be reasonable and not in conflict with any provisions of law that apply to the charter school or to the employer from which the employee comes to the charter school or to which the employee returns from the charter school.

(14) The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter, as required by Education Code section 47605(b)(5)(N), at a minimum:

(A) Include any specific provisions relating to dispute resolution that the SBE determines necessary and appropriate in recognition of the fact that the SBE is not an LEA.

(B) Describe how the costs of the dispute resolution process, if needed, would be funded.

(C) Recognize that, because it is not an LEA, the SBE may choose to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, provided that if the SBE intends to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, it must first hold a public hearing to consider arguments for and against the direct resolution of the dispute instead of pursuing the dispute resolution process specified in the charter.

(D) Recognize that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with Education Code section 47604.5, the matter will be addressed at the SBE's discretion in accordance with that provision of law and any regulations pertaining thereto.

(15) The declaration of whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the

purposes of the Educational Employment Relations Act. Education Code section 47605(b)(5)(O) recognizes that the SBE is not an exclusive public school employer. Therefore, the charter school must be the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (commencing with Government Code section 3540).

(g) A “reasonably comprehensive” description, within the meaning subdivision (f) of this section and Education Code section 47605(b)(5) shall include, but not be limited to, information that:

- (1) Is substantive and is not, for example, a listing of topics with little elaboration.
- (2) For elements that have multiple aspects, addresses essentially all aspects the elements, not just selected aspects.
- (3) Is specific to the charter petition being proposed, not to charter schools or charter petitions generally.
- (4) Describes, as applicable among the different elements, how the charter school will:
 - (A) Improve pupil learning.
 - (B) Increase learning opportunities for its pupils, particularly pupils who have been identified as academically low achieving.
 - (C) Provide parents, guardians, and pupils with expanded educational opportunities.
 - (D) Hold itself accountable for measurable, performance-based pupil outcomes.
 - (E) Provide vigorous competition with other public school options available to parents, guardians, and students.

Note: Authority cited: Sections 33031 and 47605, Education Code. Reference: Section 47605, Education Code.

History of Statewide Benefit Charter School Legislation

Assembly Bill (AB) 1994 (Chapter 1058, Statutes of 2002) added California *Education Code (EC)* Section 47605.8, which provides for the creation of statewide benefit charter schools to operate at multiple sites throughout the state. Statewide benefit charter petitions are submitted directly to the State Board of Education (SBE), in contrast to individual charter petitions that are presented to the SBE because the petitions have been denied (for initial approval or renewal) at the local level.

In November 2004, the SBE adopted the Title 5 regulations called for in AB 1994 to implement *EC* Section 47605.8, and the regulations took effect in June 2005.

Court Decision on Statewide Benefit Charters

The California School Boards Association, the California Teachers Association, and others brought legal action against the SBE, in *California School Boards Association, et al. v. California State Board of Education and Aspire Public Schools, Inc.*, Case No. A122485 (CSBA), challenging the SBE's approval of the Aspire Public Schools (APS) statewide benefit charter. In July 2010, the California Court of Appeal held that the SBE, in making its determination to approve the APS statewide benefit charter in January 2007, was required to make the following two separate findings regarding the approval of a statewide benefit charter under *EC* Section 47605.8, and that there was no evidence in the record that the SBE made the second of these findings:

- (1) The charter provides "instructional services of a statewide benefit," and
- (2) These instructional services of a statewide benefit cannot be provided by a series of locally-approved charter schools.

California State Board of Education Actions and Relevant Attachments; Final Minutes, State Board of Education, January 2007, September 2009, January 2010, and 2011

**Final Minutes
California State Board of Education
January 10-11, 2007**

ITEM 36	Petition by Aspire Public Schools to establish a Statewide Benefit Charter School under the oversight of the State Board of Education: Hold Public Hearing, Make Finding, and Approve	ACTION INFORMATION PUBLIC HEARING
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President Noonan introduced the item and asked Ms. Reyes to describe this item for the Board. Following Ms. Reyes' introduction of this item, Mr. Noonan opened the public hearing. Several members of the public testified about this item during the public hearing. Following the public hearing, Board members engaged in lengthy discussion of this item. The Board took the following action:

ACTION: Member Chan moved to establish a statewide benefit charter with the condition that two Board members and the SBE Executive Director be given the opportunity for a review of the petitioner's comprehensive education program and that the two Board members provide a recommendation to the President about whether the education program is satisfactory, and then take the following actions:

1. Pursuant to Education Code (EC) Section 47605.8(b), make a finding that the proposed charter school will provide instructional services of statewide benefit that cannot be provided by a charter school operating in only one school district, or only in one county.
2. Approve the Aspire petition to establish a statewide benefit charter for a five-year period from July 1, 2007, to June 30, 2012, subject to both of the following:

Aspire complies with the conditions for the opening and operation of school sites as set forth in Attachment 1, which ensure that these school sites will be located in areas critically in need of academic improvement. The conditions are the same as those applied by the SBE to the first approved statewide benefit charter petition (High Tech High).

The Aspire petition is modified to incorporate the additions and changes proposed by the CDE and the Advisory Commission on Charter Schools (ACCS).

3. Assign the Aspire petition charter number 854.

4. Direct that, if the first two schools authorized under the petition (to be located in the Stockton Unified School District and the Los Angeles Unified School District) do not open on or before September 30, 2007, approval of the Aspire statewide benefit charter is terminated on October 1, 2007.

Member Estep seconded the motion. The motion was approved by a vote of 8-2.

FINAL MINUTES
State Board of Education
July 8-9, 2009

ITEM 21	Petition for Approval of Additional Sites Under the Aspire Public Schools Statewide Benefit Charter.	ACTION INFORMATION PUBLIC HEARING
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ACTION: Member Chan moved to approve the request from Aspire Public Schools to establish a school in Sacramento (within the San Juan Unified School District) and in Huntington Park (within Los Angeles Unified School District) under its previously approved statewide benefit charter, on the condition that Aspire Public Schools meets the following conditions:

- The traditional Conditions of Opening and Operation that are placed on all SBE-approved charter schools
- The school demonstrates, to the satisfaction of the Executive Director of the SBE, that it has doubled its API growth target at the Clarendon School.

Member Belisle seconded the motion. The board voted by a show of hands 6-2 to approve the motion. Members Aschwanden and J. Lopez voted against the motion. President Mitchell had recused himself from this item.

FINAL MINUTES
State Board of Education
Regular Board Meeting
September 16-17, 2009

Carol Barkley, Director of the Charter Schools Division, updated the Board regarding Item 21 from the July Board meeting, and stated that Aspire Public Schools met the preopening conditions (i.e., doubling of API growth at its Clarendon School), which the SBE had placed conditions on Aspire Public Schools Statewide Benefit Charter at the July 2009 meeting, to allow for the opening of the Sacramento school.

FINAL MINUTES
State Board of Education
Regular Board Meeting
January 5-7, 2010

ITEM 7	Aspire Public Schools Statewide Benefit Charter: Consideration of a Material Amendment of the Charter to Expand Grades Served from Kindergarten through Grade Eight to Kindergarten through Grade Twelve and to Add Sites.	ACTION INFORMATION PUBLIC HEARING
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ACTION: Member Belisle moved to approve the material revision of Aspire Public Schools Statewide Benefit Charter to (1) expand from serving students in grades K-8 to K-12, (2) authorize two high school sites to serve students in grades 6-12 in the Sacramento and Los Angeles areas and two elementary sites in the Stockton and Oakland areas. The motion further stipulated that if facility issues in Oakland cannot be solved, the SBE provided Aspire Public Schools with the authority to open one elementary school in the Los Angeles area. Member Chan seconded the motion. The board voted, by show of hands, 8-0 to approve the motion. Member Williams was absent for the vote.

List of Potential Sites to be Operated under the Aspire Public Schools Statewide Charter

FEEDER PATTERN	LOCATION	PROPOSED SCHOOLS
ASPIRE SACRAMENTO	Sacramento (Sacramento, West Sacramento, Citrus Heights)	Aspire College Preparatory Sacramento* Aspire College Preparatory Academy Secondary Aspire College Elementary Academy Capital City Aspire College Preparatory Academy Capital City
ASPIRE LOS ANGELES	Los Angeles (Los Angeles, Compton, Inglewood, Culver City, Santa Monica, Fontana)	Aspire College Elementary Academy Los Angeles Aspire College Preparatory Academy Los Angeles Aspire College Elementary Academy South LA Aspire College Preparatory Academy South LA
ASPIRE SOUTH CITIES	South Cities (Bell, Maywood, Cudahy,	Aspire Clarendon Elementary School* Aspire College Preparatory Academy

	Huntington Park, South Gate, Vernon, Walnut Park)	Huntington Park Aspire Titan Academy* Aspire College Preparatory Academy South Cities
ASPIRE BAY AREA	Bay Area (Oakland, Richmond, Hayward, San Leandro, San Francisco)	Aspire College Elementary Academy Bay Area Aspire College Preparatory Academy Bay Area Aspire College Elementary Academy Richmond Aspire College Preparatory Academy Richmond
ASPIRE SOUTH BAY	South Bay (San Jose, East Palo Alto)	Aspire College Elementary Academy South Bay Aspire College Preparatory Academy South Bay Aspire College Elementary Academy San Jose Aspire College Preparatory Academy San Jose
ASPIRE CENTRAL VALLEY	Central Valley (Stockton, Modesto, Turlock, Merced)	Aspire Port City Academy* Aspire College Preparatory Academy Central Valley Aspire College Elementary Academy Merced Aspire College Preparatory Academy Merced
ASPIRE FRESNO	Fresno (Fresno)	Aspire College Elementary Academy South Fresno Aspire College Preparatory Academy South Fresno Aspire College Elementary Academy Fresno Aspire College Preparatory Academy Fresno

- i. Aspire reserves the right to adjust the name of schools based on community input.
- ii. Aspire will open schools within the identified areas, but reserves the right to open sites in districts or counties adjacent to those identified if conditions require or permit.

* Already operational school under statewide benefit charter.

**Final Minutes
State Board of Education
May 11-12, 2011**

ITEM 8	Statewide Benefit Charter Schools: Consideration of Material Revisions to the Aspire Public Schools Statewide Benefit Charter.	ACTION INFORMATION PUBLIC HEARING
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ACTION: Vice President Williams moved to have the Board find that Aspire Public Schools Statewide Benefit Charter's (Aspire) benefit in terms of funding and its ability to get statewide bonds constitutes a statewide benefit in accordance with *Education Code (EC) Section 47605.8 (b)* and Title 5, *California Code of Regulations Section 11967.6 (b)*. Member Straus seconded the motion. The board voted by roll call, 6-2 with one abstention, to pass the motion. Member Rucker had recused herself from participating in the item and vote.

Yes votes: Members Chan, Kirst, Molina, Ramos, Straus, and Williams
No votes: Members Aschwanden and Cohn
Abstention: Member Cushman

ACTION: Vice President Williams moved to have the Board find that Aspire's benefit in terms of funding could not be provided by a series of local charters. Member Straus seconded the motion. The board voted by roll call, 6-2 with one abstention, to pass the motion. Member Rucker had recused herself from participating in the item and vote.

Yes votes: Members Chan, Kirst, Molina, Ramos, Straus, and Williams
No votes: Members Aschwanden and Cohn
Abstention: Member Cushman

ACTION: Vice President Williams moved to have the Board find that Aspire's benefit in terms of being able to expand its teacher residency program constitutes a statewide benefit in accordance with *EC Section 47605.8 (b)* and Title 5, *California Code of Regulations Section 11967.6 (b)*. Member Chan seconded the motion. The board voted by roll call, 6-2 with one abstention, to pass the motion. Member Rucker had recused herself from participating in the item and vote.

Yes votes: Members Chan, Cushman, Kirst, Molina, Straus, and Williams
No votes: Members Aschwanden and Cohn
Abstention: Member Ramos

ACTION: Vice President Williams moved to have the Board find that Aspire's benefit related to the teacher residency program could not be provided through a series of local

charters. Member Chan seconded the motion. The board voted by roll call, 7-2 to pass the motion. Member Rucker had recused herself from participating in the item and vote.

Yes votes: Members Chan, Cushman, Kirst, Molina, Ramos, Straus, and Williams
No votes: Members Aschwanden and Cohn

ACTION: Vice President Williams moved to have the Board find that Aspire has fully or substantially complied with all pre-opening conditions for operation for approval that were established by the state board and/or the CDE for its statewide charter, and to waive any deadline that may or may not have been met in a timely fashion by Aspire. Member Chan seconded the motion. The board voted by roll call, 6-3 to pass the motion. Member Rucker had recused herself from participating in the item and vote.

Yes votes: Members Chan, Cushman, Kirst, Ramos, Straus, and Williams
No votes: Members Aschwanden, Cohn, and Molina

ACTION: Vice President Williams moved to vote on Aspire Public Schools Statewide Benefit Charter's Proposed Material Revisions by affirming the previous five actions as a whole package as the board's response to Aspire's request for consideration of Material Revisions (i.e., the first two-step finding that the benefit in terms of funding constitutes a statewide benefit, and that this benefit cannot be accomplished through a series of locally-approved charters; the second two-step finding that the expansion of Aspire's teacher residency program constitutes a statewide benefit, and that this benefit cannot be provided through a series of locally-approved charters; and the finding that Aspire has met the Proposed Conditions Prior to Opening and Operation, and that the board waived any deadline that may have been missed previously). Member Chan seconded the motion. The board voted by roll call, 7-2 to pass the motion. Member Rucker had recused herself from participating in the item and vote.

Yes votes: Members Chan, Cushman, Kirst, Molina, Ramos, Straus, and Williams
No votes: Members Aschwanden and Cohn



**STATEWIDE BENEFIT CHARTER SCHOOL
CHARTER**

Original Charter Approved by the State Board of Education
January 11, 2007

Material Revision Approved
September 5, 2009

Material Revision Approved
May 11, 2011

TABLE OF CONTENTS

INTRODUCTION.....	3
STATEWIDE BENEFIT	8
STATEWIDE BENEFIT #1	9
STATEWIDE BENEFIT #2	10
STATEWIDE BENEFIT #3	13
STATEWIDE BENEFIT #4	14
SUMMARY OF STATEWIDE BENEFITS	16
KEY FINDINGS BY THE STATE BOARD OF EDUCATION (MAY 11, 2011)	18
PETITION ELEMENTS	22
ELEMENT A: ASPIRE STATEWIDE BENEFIT CHARTER EDUCATIONAL PROGRAM	23
ELEMENT B: MEASURABLE PUPIL OUTCOMES	41
ELEMENT C: METHODS BY WHICH PUPIL PROGRESS TOWARD MEETING OUTCOMES IS MEASURED.....	42
ELEMENT D: GOVERNANCE STRUCTURE OF SCHOOL	46
ELEMENT E: EMPLOYEE QUALIFICATIONS.....	49
ELEMENT F: HEALTH AND SAFETY PROCEDURES.....	52
ELEMENT G: MEANS TO ACHIEVE RACIAL/ETHNIC BALANCE	55
ELEMENT H: ADMISSION REQUIREMENTS	56
ELEMENT I: FINANCIAL AUDIT	58
ELEMENT J: PUPIL SUSPENSION AND EXPULSION PROCEDURES	59
ELEMENT K: EMPLOYEE RETIREMENT SYSTEM	74
ELEMENT L: PUPIL SCHOOL ATTENDANCE ALTERNATIVES.....	75
ELEMENT M: DESCRIPTION OF EMPLOYEE RIGHTS.....	76
ELEMENT N: DISPUTE RESOLUTION PROCEDURES.....	77
ELEMENT O: EXCLUSIVE PUBLIC SCHOOL EMPLOYER DECLARATION	78
ELEMENT P: PROCESS FOR CHARTER SCHOOL CLOSURE	79
IMPACT ON THE CHARTER AUTHORIZER.....	82
ASPIRE STATEWIDE BENEFIT CHARTER SCHOOLS: FINANCIAL PLANNING, REPORTING, AND ACCOUNTABILITY ...	83
ASPIRE STATEWIDE BENEFIT CHARTER PLAN FOR OPERATIONS/ DESCRIPTION OF DISTINCTION BETWEEN CENTRALIZED AND INDIVIDUAL SCHOOL LEVEL RESPONSIBILITIES	85
ASPIRE STATEWIDE BENEFIT CHARTER – LIST OF POTENTIAL SITES OF OPERATION.....	86
ASPIRE STATEWIDE BENEFIT CHARTER – ASSURANCES REGARDING NOTIFICATION TO COUNTIES AND SCHOOL DISTRICTS	87
ASPIRE STATEWIDE BENEFIT CHARTER: ASSURANCES	88
APPENDIX	90
APPENDIX 1: 2007-2012 MEASURABLE PUPIL OUTCOMES – PROGRESS TOWARDS GOALS.....	91
APPENDIX 2: CONDITIONS FOR OPENING NEW SCHOOLS.....	98
APPENDIX 3: LIST OF EXISTING AND POTENTIAL SITES TO BE OPERATED UNDER THE ASPIRE PUBLIC SCHOOLS STATEWIDE CHARTER .	100
APPENDIX 4: SAMPLE VIEWS FROM TEACHER DATA PORTAL	112
APPENDIX 5: CHART OF ASPIRE’S PERFORMANCE OVER TIME.....	113
APPENDIX 6: FINANCIALS	115
APPENDIX 7: ASPIRE CORPORATE DOCUMENTS – ARTICLES OF INCORPORATION, BYLAWS, AND CONFLICTS CODE	116
APPENDIX 8: SAMPLE SCHOOL SITE HEALTH AND SAFETY PLAN.....	117

INTRODUCTION

California's future economy rests on an educated workforce. Currently there are approximately 6 million students in California public schools according to the California Department of Finance. If past trends hold true in the future, only about 16% of all African-American and Latino students in California will leave high school prepared to enter the University of California ("UC") and the California State University ("CSU") systems, (see "California Educational Opportunity Report," 2011, by UCLA IDEA and UC/ACCORD).

This is particularly true in our urban communities. Reversing this trend must begin at an early age. Pre-school programs, robust elementary experiences and a sense of efficacy about college by the time the student is attending middle school are all essential. These supports are readily present in many California communities but absent in a significant number of urban neighborhoods. It is clear that there are two very distinct ways of looking at college as an option. In many communities across our state, the question asked is not "if" one goes to college, but "where." Unfortunately, the odds are stacked against our most underserved communities across California, especially for families who live at or below the poverty line and families who have yet to benefit from the choices and economic benefits that accompany Californians who have earned their college degree.

In 1998 the California legislature passed AB 544 by a vote of 89-7 and Governor Wilson enthusiastically signed that legislation two weeks later. The new law enacted public policy to promote vigorous competition within the public school system, to increase student achievement, and to provide additional opportunities for students who were identified as academically low achieving. Aspire Public Schools ("Aspire" or "School") was founded 4 months later to specifically address the purposes of AB544, to serve the needs of children and families living in overcrowded and underperforming neighborhoods, and to dramatically increase number of students in those neighborhoods who both attend post-secondary education and graduate.

Since its opening, Aspire has

- Opened 34 schools serving more than 12,000 students. 71% of these students qualify for free and reduced lunch; 29% are English Language Learners;
- Reached an average API score of 820 in the 2010-11 school year with more than two-thirds of schools above 800, making Aspire California's top-performing large system serving two-thirds or more low-income students and outperforming every similar district in California;
- Achieved an impressive 4 year college acceptance rate of 100% for graduating seniors in the classes of 2010 and 2011;
- Graduated 508 students from 5 Aspire secondary schools;
- Enrolled secondary students in over 100 college courses in our Early College High School model;
- Opened six Statewide benefit charter schools in Los Angeles, Stockton and Sacramento; three of which achieved a similar schools ranking of 10 in their first year;

- Issued a \$93 million dollar bond that allowed Aspire to construct or purchase ten Aspire schools, including Statewide Benefit Charter schools, resulting in overall cost savings, increased capacity to serve 2,000 more students and enhanced ability to provide a full and complete program through appropriate and complete facilities;
- Received re-authorization from the California Commission on Teacher Credentialing to operate an Induction Program;
- Completed annual financial audits with no uncorrected audit findings or exceptions;
- Launched a web-based data portal built by the Godzilla team in partnership with the Data & Assessment team that provides interactive reports that Aspire teachers and principals can use to identify growth and areas for improvement;
- Launched Schoolzilla (www.schoolzilla.org), a free service designed to empower school and district colleagues across California to use data to drive decision making through its CST Explorer, which transforms raw CST data into easy-to-use student performance reports;
- Received a Statewide Benefit Charter by California's State Board of Education in grades K-12; and
- Been named by McKinsey & Company as one of the world's 20 most improved school systems and the only charter school organization in the nation to receive this award.

Aspire's current system of schools consists of the following:

- Aspire Vincent Shalvey Academy ("VSA"), previously named University Public School ("UPS"). The VSA charter was granted by the Lodi Unified School District ("LUSD") on January 19, 1999. The LUSD renewed the charter until 2014. VSA is a K-5 school providing instruction to 381 students.
- Aspire Monarch Academy ("Monarch"). The Monarch charter was granted by the Oakland Unified School District ("OUSD") on March 26, 1999. The OUSD renewed the charter until 2014. Monarch is a K-5 school providing instruction to 383 students.
- Aspire University Charter School ("UCS"). The UCS charter was granted by the Keyes Unified Elementary School District ("KUESD") on May 9, 2000. The Sylvan Union Elementary School District renewed the charter until 2013. UCS is a K-5 school providing instruction to 264 students.
- Aspire River Oaks Charter School ("ROCS"). The ROCS charter was granted by the Lodi Unified School District ("LUSD") on August 15, 2000. The LUSD renewed the charter until 2016. ROCS is a K-5 school providing instruction to 373 students.
- Aspire Summit Charter School ("Summit"). The Summit charter was granted by the KUESD on October 9, 2001. The Ceres Unified School District has renewed the charter until 2016. Summit is a K-5 school providing instruction to 402 students.
- Aspire Lionel Wilson College Preparatory Academy ("Wilson Prep"). The Wilson Prep charter was granted by the OUSD on March 27, 2002. The OUSD renewed the charter until 2012. Wilson Prep is a 6-12 school providing instruction to 485 students.

- Aspire Benjamin Holt College Preparatory Academy (“Ben Holt”). The Ben Holt charter was granted by the LUSD on March 4, 2003. The LUSD has renewed the charter until 2013. Ben Holt is a 6-12 school providing instruction to 664 students.
- Aspire East Palo Alto Charter School (“EPACS”). The EPACS charter was granted by the Ravenswood City School District (“RCSD”) on April 24, 1997. The RCSD granted the charter renewal on May 9, 2002. Aspire began operating EPACS pursuant to a management contract on July 1, 2003. The agreement between Aspire and the non-profit corporate entity, to which the charter was granted, East Palo Alto Learning Foundation (“EPALF”), was finalized on June 27, 2005. The RCSD has renewed the charter until 2014. EPACS is a K-8 school and is providing instruction to 396 students.
- Aspire Capitol Heights Academy (“CHA”). The CHA charter was granted by the Sacramento City Unified School District (“SCUSD”) on July 21, 2003. The SCUSD renewed the charter until 2013. CHA is a K-5 school providing instruction to 296 students.
- Aspire Millsmont Academy (“MMA”). The MMA charter was granted by the OUSD on October 27, 2004. The OUSD renewed the charter until 2013. MMA is a K-5 school providing instruction to 306 students.
- Aspire Rosa Parks Academy (“RPA”). The Rosa Parks Academy charter was granted by the Stockton Unified School District (“SUSD”) on April 23, 2003. The SUSD renewed the charter until 2015. RPA is a K-5 school providing instruction to 381 students.
- Aspire Antonio Maria Lugo Academy (“AMLA”). The Antonio Maria Lugo Academy charter was granted by the Los Angeles Unified School District (“LAUSD”) on June 13, 2003. The LAUSD renewed the charter until 2014. AMLA is a K-5 school providing instruction to 234 students.
- Aspire Centennial College Preparatory Academy (“CCPA”). The Centennial College Preparatory Academy charter was granted by the Los Angeles Unified School District (“LAUSD”) on June 13, 2003. The LAUSD renewed the charter until 2014. CCPA is a 6-8 school providing instruction to 540 students.
- Aspire Berkley Maynard Academy (“BMA”). The BMA charter was granted by the OUSD on November 17, 2004. The OUSD renewed the charter until 2015. BMA is a K-8 school providing instruction to 578 students.
- Aspire California College Preparatory Academy (“Cal Prep”). The Cal Prep charter was granted by the OUSD on November 17, 2004. In 2008, Cal Prep was chartered by Alameda County Office of Education until 2013. Cal Prep is a 9-12 school providing instruction to 223 students.
- Aspire Port City Academy (“PCA”). PCA was chartered by the State Board of Education under Aspire’s Statewide Benefit charter in 2007. PCA is a K-5 school providing instruction to 401 students.

- Aspire Junior Collegiate Academy (“JCA”). JCA was chartered by the State Board of Education under Aspire’s Statewide Benefit charter in 2007. JCA is a K-5 school providing instruction to 296 students.
- Aspire East Palo Alto Phoenix Academy (“EPAPA”). The EPAPA charter was granted by Sequoia Union High School District in 2008. SUHSD renewed the charter until 2016. EPAPA is a 9-12 school and is providing instruction to 308 students.
- Aspire Langston Hughes Academy (“LHA”). The LHA charter was granted by SUSD in 2008. LHA is a 6-11 school providing instruction to 535 students.
- Aspire Huntington Park Charter School (“HP”). The HP charter was granted by LAUSD in 2008. HP is a K-5 school providing instruction to 222 students.
- Aspire Golden State College Preparatory Academy (“GSP”), previously named Millsmont Secondary (“MMS”). The GSP charter was granted by OUSD in 2008. GSP is a 6-12 school providing instruction to 410 students.
- Aspire Alexander Twilight College College Preparatory (“ATCPA”). ATCPA was chartered by the State Board of Education under Aspire’s Statewide Benefit charter in 2009. ATCPA is a K-5 school providing instruction to approximately 415 students.
- Aspire Titan Academy (“TTN”). TTN was chartered by the State Board of Education under Aspire’s Statewide Benefit charter in 2009. TTN is a K-5 school providing instruction to 294 students.
- Aspire Vanguard College Preparatory Academy (“VCPA”). The VCPA charter was approved by the State Board of Education after being denied by Stanislaus County Office of Education and Modesto City School District in 2009. VCPA is a 6-11 school providing instruction to 326 students.
- Aspire ERES Academy (“ERES”). The ERES charter was approved by OUSD in 2009. ERES is a K-8 school providing instruction to 221 students.
- Aspire Alexander Twilight Secondary Academy (“ATSA”). ATSA was chartered by the State Board of Education under Aspire’s Statewide Benefit charter in 2010. ATSA is a 6-10 school providing instruction to 193 students.
- Aspire APEX Academy (“APEX”). APEX was chartered by the State Board of Education under Aspire’s Statewide Benefit charter in 2010. APEX is a K-5 school serving 276 students.
- Aspire Firestone Academy (“AFA”). AFA was chartered by LAUSD in 2010. AFA is a K-5 school serving 362 students.

- Aspire Gateway Academy (“AGA”). AGA was chartered by LAUSD in 2010. AGA is a K-5 school serving 362 students.
- Aspire Pacific Academy (“APA”). APA was chartered by LAUSD in 2010. APA is a 9-11 school serving 480 students.
- Aspire Inskeep Academy (“AIA”). AIA was chartered by LAUSD in 2011. AIA is a K-5 school serving 296 students.
- Aspire Slauson Academy (“ASA”). ASA was chartered by LAUSD in 2011. ASA is a K-5 school serving 296 students.
- Aspire Tate Academy (“ATA”). ATA was chartered by LAUSD in 2011. ATA is a K-5 school serving 296 students.
- Aspire College Academy (“ACA”). ACA operates as a second campus under Aspire’s countywide charter, authorized by Alameda County Office of Education. A material revision to include K-5 was approved by the Alameda County Office of Education in 2011. ACA is a K-5 school serving 236 students.

In order to continue serving California students, Aspire is requesting a renewal of its statewide benefit charter for the period of July 2012 to June 2017.

Californians desire to see more students qualify for college and earn college degrees. College ready high school graduates are better prepared to earn college degrees and also better prepared for certification programs in jobs and professions that will enable them to earn a family sustaining income. The goal is clear: You graduate from high school “college ready” and college prepared. The more California youth with that standard of preparation, the greater the quality of life will be for them and for all Californians. Students from families with little college matriculation must aspire to college and see themselves as college prepared. They must experience the college milieu and enter college without the hardship of remedial level work when they enter. Only then is systemic change possible. A profound and sustainable difference is made when a neighborhood has more adult college graduates. Studies suggest that crime decreases, property values increase, and volunteerism and community engagement take root. All Californians will then be the beneficiaries.

STATEWIDE BENEFIT

Aspire respectfully seeks renewal of this statewide charter to facilitate the provision of instruction in a multi-county and multi-site setting. Through this statewide benefit charter Aspire Public Schools proposes a unique model that demonstrates how to effectively close the achievement gap among diverse students in different parts of the state, while, at the same time, ensuring that the achievement of all participating students improves. This unique model provides the following statewide benefits:

- Systematic and rigorous pursuit of the vision and specific provisions of the federal No Child Left Behind Act of 2001;
- Targeted instruction and support services to accelerate growth among students traditionally under-prepared for high school success, and (as a consequence) underrepresented among high school graduates, college goers and college graduates. Increase the number of underrepresented students in the UC/CSU systems;
- Creation of alternative credentialing pathways and professional development activities (for credentialed teachers) that focuses on the skills and knowledge necessary to work effectively with diverse students; and
- Effective integration of data collection, organization, review and analysis in all phases of instruction and assessment.

Aspire Public Schools proposes to:

- Open up to two families of schools per year that serve grades K-12 (a K-5 elementary and 6-12 secondary school site comprise a K-12 family), in the districts that are most in need of a high quality school, where Aspire can also provide statewide benefits to Californians

Statewide Benefit #1

Systematic and rigorous pursuit of the vision and specific provisions of the federal No Child Left Behind Act of 2001

The State of California and the United States Federal government are holding schools up to high standards through the No Child Left Behind Act and the Public Schools Accountability Act. These initiatives have given many schools the resources and information to better serve students. Unfortunately, not all of the identified schools have been able to dramatically improve or reduce the gap between students. Aspire can help California in continuing their improvement efforts by providing alternatives to the families in these neighborhoods, where performance has been chronically low and choice relatively non-existent.

Aspire's growth through a statewide benefit charter would be in areas with high levels of students in failing schools as identified by the State of California. *Not only does this serve the students and families, it assists the State of California in implementing and complying with the No Child Left Behind Act.* By providing schools where achievement meets and exceeds state and federal expectations through a statewide charter, Aspire can provide both an alternative school choice required for parents under the No Child Left Behind Act and a local example of practices that can be examined by other public schools serving similar students.

Throughout Aspire's 12-year history, the organization has been advised by the work of the Education Trust. The Education Trust's research and reports on teacher quality describe how staff assignments and transfers have provided the most underserved students with the least prepared staff (www.edtrust.org). The Education Trust also reports the fact that less prepared and newer staff also reduce the per pupil expenditure. Aspire's policies allow and encourage the most capable teachers to educate at-risk youngsters and the funds generated by the students remain in the program for each specific school. This in turn increases the likelihood that achievement targets will be met or exceeded.

To meet the expectations of No Child Left Behind and provide a statewide benefit Aspire Public Schools is consistent and persistent in the implementation of the following beliefs and systems that have been recognized in the recent EdSource research project, "Similar Students, Different Results: Why Do Some Schools Do Better?" (www.edsource.org). Student achievement is the highest priority at our schools. Meeting AYP and API subgroup targets are an explicit expectation and demanding targets are established annually. Aspire has a value-add system of performance compensation that considers both school-wide and individual staff member accomplishments related to academic performance of students. Assessment data is used to evaluate the principal based upon student achievement. The implementation of a coherent, aligned and integrated standards-based system is the expectation of every member of Aspire Public Schools. Instructional materials that have assessments and a monitoring system matched to standards, weekly joint planning by teachers of the same age level of students or subject, the use of frequent assessments and the principal's personal use of assessment data to identify struggling students in order to make instructional and support system adjustments are part of the culture at every school. Rigorous attention to these practices will enable Aspire Public Schools to meet the NCLB requirements, close the achievement gap and offer opportunities for other professionals to consider these systems for their local schools.

In addition to benefiting the state in meeting NCLB, a statewide benefit charter also has the effect of invigorating local communities in the area of jobs and the economy. Aspire has constructed 8 new school facilities using funds raised with the \$93M bond that Aspire issued in 2010. These constructed facilities house 10 schools. We also purchased the facilities upon which Alexander Twilight College Preparatory Academy (ATCPA) and Alexander Twilight Secondary Academy sit. The construction and purchase of these facilities have energized their communities.

For example, the Lionel Wilson College Preparatory Academy has helped to transform the Sobrante Park neighborhood of East Oakland. Wilson Prep is the first newly constructed high school in Oakland in 42 years. Neighbors are employed; the school hosts community events and adult education programs. As neighbor Evelyn Markham stated to Council member Larry Reid: "This school is revitalizing the neighborhood."

Another example of Aspire's impact on local communities is the construction of the campus for two Statewide Benefit charter schools – Junior Collegiate Academy and Titan Academy. The campus was built in close collaboration with Pacific Charter School Development (PCSD) and the City of Huntington Park. The construction of this new campus revitalized a semi-industrial area with neighborhoods nearby. Aspire eventually purchased this facility from PCSD with the bond issuance in 2010. Port City Academy, another Statewide Benefit charter school, sits on a campus, also built with bond funds, that is located in an old lumberyard that is now vibrant with students.

Statewide Benefit #2

Targeted instruction and support services to accelerate academic growth among students traditionally under-prepared for high school success, and (as a consequence) underrepresented among high school graduates, college goers and college graduates. Increase the number of underrepresented students in the UC/CSU systems.

Despite numerous outreach programs by the UC and CSU systems, enrollment of minority students, particularly African-American and Hispanic students, is much lower than their white and Asian American counterparts. The statistics are even lower when one looks at the college graduation rates of these underrepresented students. By closing the achievement gap and creating a pipeline for college bound and college ready students, Aspire can help the State of California solve this very important challenge.

Preparation for college begins in kindergarten. Students must learn to read by grade three so they can read to learn when the content becomes more rigorous. Students and their families must have a sense of efficacy about college that begins in kindergarten. Aspire Public Schools designs and implements a K-12 grade programs focused on high student achievement and fosters a College for Certain® culture. Students that stay with Aspire from kindergarten to high school graduation benefit from consistent and positive exposure to a rigorous curriculum and academic discourse, high expectations set in every classroom, college gear strewn across every wall and hallway, and a community of students and faculty that believe each student can

go to college. The ability to create this type of culture and environment conducive to learning on Aspire campuses is a cornerstone of Aspire's success.

Aspire Junior Collegiate Academy and Aspire Titan Academy in Los Angeles, both serving grades K-5, have each achieved a similar schools ranking of 10 since their opening. In 2010-11, JCA achieved an API score of 868, an increase of 24 points from the previous year. Titan grew 25 points for an API score of 849. These schools performed better than 96% of all schools within a 5 mile radius of their location. In 2010-11, more than 92% of the students at each school were classified as socioeconomically disadvantaged. These schools are located on one campus, which facilitates more collaboration amongst educators and sharing of operational resources while still maintaining the benefits of a small school, such as smaller class sizes that allow more focused attention on individual students and higher sense of community amongst students and staff.

Aspire Port City Academy, a K-5 school, also opened with a similar schools ranking of 10 and an API score of 779 in 2007-08. Port City has demonstrated progress, having increased their API in 2008-09 to 837 and 870 in 2009-10. In 2010-11, Port City grew to serve more students, increasing its enrollment by 50%. The school achieved an API score of 868 in 2011. Port City is co-located on one campus with Aspire Langston Hughes Academy, which is currently serving grades 6-11. By 2012-13, this campus will offer grades K through 12.

Alexander Twilight College Preparatory Academy in Sacramento is also chartered under Aspire's Statewide Benefit charter. In its first year of operation (2009-10) operating as a K-8, ATCPA opened with an API score of 766, which was higher than all but one school within a 2 mile radius of the school. In addition, ATCPA earned an API higher than 21 other Aspire schools in their first year of operation. In the 2010-11 school year, Aspire designated ATCPA as a "focus school", allocating more instructional and operational support to this school. In 2010-11, ATCPA's API score improved 36 points to 802, exceeding the state growth target by a multiple of 7.

After high achievement in K-5, Aspire students go on to an Aspire Early College High School, like Alexander Twilight Secondary Academy. Early College High Schools are small secondary schools in which students graduate with not only a high school diploma, but with up to two years of college credit toward a Bachelor's degree. The students leaving these high schools are not only college bound, but with the experiences of college classes, they are college ready. This occurs due to the size of the school and the fact that the study skills, habits of mind and recognition that problem solving and memorization skills are developed consistently across content areas beginning in the primary grades.

In an Early College High School, students receive college credit by taking A-G approved classes through a community college, on-line or through a four-year university. Students are motivated to take college courses and to have that opportunity, they must pass pre-requisite assessments. In these settings the work and struggle of the transition into college are undertaken with supportive adults the students have known for years. This support and the earned credits increase students' chances of attending and succeeding in college. In this way, students also experience the rigor of a college course. They understand the culture, expectations, and responsibilities of a post-secondary class while in the supportive environment

of a small high school. Students not only learn more, but the experience gives students exposure to the demands of college. The kindergarten through grade 12 design at Aspire is developed around the research of Dr. David Conley at the University of Oregon. Dr. Conley's seminal work, *College Knowledge*, describes the backward mapping of both content standards as well as personal and academic habits required of college ready students. The high school provides the opportunity and support for the students academically, as well as financially. As a secondary benefit, the burden of paying for college is dramatically reduced as the number of years of tuition cost is reduced by the number of college credits already completed during high school.

The model also allows students to choose from a wider variety of topics within a given subject. For instance, students can meet the "F" requirement in the arts through a much wider selection of courses than can be offered on the small high school campus. Students also have a larger selection of advanced courses in math and science, as well as a large selection of foreign languages. These opportunities for students to make choices about their classes make their educational experience more relevant and engaging.

We have successfully replicated the Early College High School model at 9 schools throughout California, including Alexander Twilight Secondary Academy, over the past 12 years with different university and community college partners, like UC Berkeley, Laney Community College in Oakland, and Delta College in Stockton. As an example, Aspire California College Preparatory Academy (Cal Prep) was designed in a partnership with the University of California at Berkeley. It opened in 2005 with 6th and 7th graders and exceeded the statewide target of 800 in 2009. In the 2010-11 school year, 64 students completed and passed one or more college courses. Cal Prep also graduated its first class in 2011, all of whom got accepted into a 4-year university.

Alexander Twilight Secondary Academy is a product of this replication. ATSA serves approximately 193 students in grades 6 through 10. About 77% of students are eligible for free or reduced lunch. It is co-located on the same campus with Alexander Twilight College Preparatory Academy. By 2012-13, these state-chartered schools will serve K-12 on one campus.

Aspire's statewide charter has yielded success in K-5 grades and demonstrated positive signs in 6-12. As Aspire continues to open statewide charter schools across California, we would help California solve the low college enrollment rate of underrepresented students. It would also make the success of these students more likely by having exposed them early in their education to a College for Certain culture and a rigorous curriculum and by providing them with college level experiences in a familiar and supportive environment. To make this a reality for more students, the commitment and collective responsibility must begin in kindergarten. The seamless kindergarten through UC/CSU design with university professors formally joining Aspire educators will establish a model that can be replicated by other schools and school districts.

Statewide Benefit #3

The creation of alternative credentialing pathways and professional development activities (for credentialed teachers) that focuses on the skills and knowledge necessary to work effectively with diverse students.

California is in a staffing crisis. In a 2010 report published by the Center for the Future of Teaching and Learning, a combination of increasing student enrollment, increasing number of retiring teachers, and higher demands on teachers will culminate in a shortage of high quality teachers. Student enrollment is expected to increase by more than 230,000 students over the next decade while more than 30% of California teachers (or 100,000 teachers) are eligible for retirement. The data suggests that California will need to replace these 100,000 retiring teachers plus provide a teacher pipeline for the projected increase in student enrollment. The current pattern of credentialing is adequate but not sufficient. The preparation is more general than specific and those current successful focused programs like UCLA's Center X are few in number. When an organization is focused upon the needs of urban at-risk youngsters and the teacher and administrative preparation programs are equally focused, then greater success is likely. In addition, when the preparation program has a "teaching hospital" philosophy and candidates are seamlessly supported by instructional coaches who serve as both their credential candidate instructors and supporters when they begin their official roles as teachers, then the likelihood for student success increases more so. A simple example is that when teacher preparation programs develop skills in the same aligned instructional system that the hiring organization uses, then many of the first year teacher challenges are reduced.

Aspire addresses this problem directly and offers solutions. *Aspire operates three programs which would take an interested educator through teacher credentialing, Beginning Teacher Support and, if desired, onto an administrative credential.* All of these programs have the effect of providing an increased pipeline of high quality individuals to educate our children statewide.

First, the Aspire Teacher Residency Program, in partnership with the University of the Pacific, is designed to alleviate the teacher shortage on a statewide level throughout the State of California. Graduates of this program who receive multiple subject and single subject credentials are then utilized in various geographic settings. The program is currently funded by The Bill and Melinda Gates Foundation and the federally funded Charter Schools Program: Grants for Replication and Expansion of High-Quality Charter Schools.

This is a four-year comprehensive program that includes course work, field practicum, and observational components. The program offers three learning environments: (1) work alongside an Aspire Mentor Teacher four days a week to gain practical classroom experience, (2) attend an all-day seminar once a week with their cohort to discuss coursework theories and classroom practices, and (3) complete online courses in education theory. Those residents that successfully complete the program earn a Masters degree in Education, a California preliminary credential and a job at an Aspire school. In 2010, the program began with 20 residents, 18 of which completed the program and obtained a California teaching credential and Masters degree as well as a job with Aspire for the 2011-12 school year. For the 2011-12 cohort, 19 residents out of 153 applicants have been accepted and matched with Aspire mentors. About 50% of the new residents reflect our student population of non-white students.

Second, Aspire is a statewide Induction provider. For four years, Aspire has provided this additional level of support to new teachers. The program allows a tight alignment between classroom instruction, Aspire's professional support and the completion of a teacher's credential. Since 2008-09, we have averaged over 100 participants each year; about half are first year teachers. About 167 have been recommended for a clear credential and 85-90% of these teachers remain with Aspire. In May 2011, the Committee on Accreditation assigned the status of *Accreditation* to Aspire, allowing us to continue induction work for multiple and single subject credentials. We met all standards set forth by the committee and the Commission on Teacher Credentialing.

Third, in conjunction with San Jose State University, Aspire initiated an Educational Leadership Cohort with the goal of infusing California's educational system with new leaders for the 21st Century. The Educational Leadership Cohort was a two-year master's program for Aspire employees who were interested in achieving the role of principal. A total of 36 residents completed the program. The Educational Leadership Cohort program ended in 2009 and re-emerged as Aspire's Principal Residency program in 2011. The Principal Residency Program is a year-long program that matches residents with a Mentor Principal and supports residents in taking the Schools Leaders Licensure Assessment. One principal resident is participating in the first year of the program and we plan to expand to 5 principal residents each year.

An educator who chooses to pursue education as a profession could join Aspire as a teacher credentialing candidate, become an Aspire teacher, receive ongoing support as a new teacher and ultimately move onto becoming a principal. This cohesive and seamless program not only improves the quality of our candidates by assuring complete and consistent instruction; it also increases the number of teachers and principals available for all of California's schools. This benefit will clearly help the students currently being taught by uncredentialed and unqualified adults throughout the State of California.

In summary, creating a deliberate and predictable pattern of schools will enable interested teacher and school leader candidates, whether from other professions or new professionals, to participate in a residence credential program that develops their preparation in strategies that specifically address the needs of underserved students and provides them with employment and invaluable skills. These three programs allow Aspire to provide a new teacher the necessary supports to earn their credential, develop skills that will help them succeed in their teaching careers, and gain an administrative credential.

Statewide Benefit #4

Effective integration of data collection, organization, review and analysis in all phases of instruction and assessment.

In the current state and federal accountability climate, it is essential for teachers to be able to effectively analyze a range of student achievement data in order to identify their students' skill gaps and the degree to which the students are mastering the state's content standards. While teacher education programs focus on how to teach students content area skills, *few focus on how to effectively analyze data to drive instruction in California's state and* Aspire Public Schools: Statewide Benefit Charter (2012-2017)

federal accountability context. As a result, Aspire has created a model for using data to drive and refine its instructional program, most of which could serve as model for the rest of the state.

Aspire's data analysis model incorporates state mandated (e.g. STAR and CELDT), internal (e.g. Developmental Reading Assessment and Aspire's standards-based assessments), and classroom assessments. Aspire has developed data tools and processes, analysis frameworks and reflection prompts, and training and coaching support to ensure that its staff effectively interpret their assessment results. This allows staff to modify their instruction and to target specific students for additional academic supports.

With the STAR for example, the Data & Assessment and Godzilla teams at Aspire have developed a Data Portal that houses STAR data analysis products that allow individual teachers to see how their students performed on the California Standards Test (CST) by subject and strand, principals to see and compare scores across teachers by subject, grade level, and strand and for those across the organization to see how Aspire performed by grade level and subject for any given year. The individual teacher data product contains analysis for each individual teacher on the CST proficiency level changes and CA content strand results for their classroom. Also, the product contains teacher rosters displaying their student's proficiency level change and strand results along with prompts to guide them through analyzing and reflecting on their data. This analysis and related coaching has helped the organization, schools, and individual teachers identify curricular areas and skills that need to be emphasized as well as specific students who need their learning accelerated. In addition, Aspire creates data for each of its schools that summarize the school's California Standards Test (CST) results within an analytical frame that reflects California's state and federal accountability context. The analysis summarizes the school's API and AYP growth, how much the school grew on the CSTs, which key student groups grew, if the school has any achievement gaps, and which strand areas students struggled with at each grade.

At the classroom level, Aspire's schools engage in two week Cycles of Inquiry where all teachers at a grade level or a subject area teach a key standard, assess the results using Edusoft software, analyze the results, and modify their instruction accordingly. During their grade level meetings, teachers discuss their students' achievement results, share effective instructional strategies grounded in their student's achievement results, identify skills they need to learn, and develop shared accountability for student achievement. Standards are often chosen based on areas where students didn't do well on either externally mandated or internal assessments and Aspire provides professional development and coaching to strengthen the skill deficits identified.

Given the numbers of California students with below grade level skills and the increasing Adequate Yearly Progress achievement demands, the state would benefit by having a model of how districts can provide their principals and teachers with the data and training they need in order to improve their instruction and increase student achievement. A sample of the data packet is attached and incorporated herein by reference.

SUMMARY OF STATEWIDE BENEFITS

It should be noted that while this chart describes each statewide benefit in a separate column, the benefits should be considered as benefits of one unique model.

Element	Implementation of No Child Left Behind and the Public Schools Accountability Act	Increase Graduation Rates of Under-represented Students in the UC/CSU Systems	Creation of Alternative Credentialing Pathways	Provide an Integrated Model for Effective Use of Data for Teachers and Principals
State of California	By establishing accountable public schools in neighborhoods where current schools have not met the requirements of these two acts, the state of California is better able to comply with the requirements of the laws as well as operationalizing the AB544 strategy as a model for others to follow.	The state of California's higher education system has a mandate to serve all students. Formal Early College High Schools with higher education partners will increase the number of underrepresented students who will graduate from the UC/CSU systems.	Over the next 10 years, California will require more than 100,000 teachers to replace retiring teachers and accommodate the projected increase in student enrollment. Aspire's partnership with the University of the Pacific will provide "residence programs" where the emphasis will be devoted to preparing teachers and leaders to address the needs of urban students and English Language Learners	The effective use of data is an important function to address student achievement. As a statewide benefit charter the CDE staff and the State Board of Education can work with Aspire Public Schools to directly develop school level data models that can be shared with other districts.
The local communities	High performing schools invigorate communities. The prices of homes increase, jobs are added, the school can serve as a community center for adult education and when new construction or	Increased college graduates help revitalize local neighborhoods. Housing prices increases, community involvement goes up and crime is reduced. In addition, the economy is	Many teachers leave the profession before their fourth year. Teachers leave urban schools because their personal needs and desires change as they mature. Professionals will	As communities continue to become involved with student performance, effective data systems can be helpful and, to the extent allowed by law, informative to school volunteers/tutors,

Element	Implementation of No Child Left Behind and the Public Schools Accountability Act	Increase Graduation Rates of Under-represented Students in the UC/CSU Systems	Creation of Alternative Credentialing Pathways	Provide an Integrated Model for Effective Use of Data for Teachers and Principals
	modernization is undertaken the economy is more robust.	enriched as a result of the increased earned income of an increased number of college graduates.	have the opportunity to continue serving urban learners and stay with the same organization, as they relocate to a place where they can own a home. More talent will remain when a multi-geographic option is available.	approved after school providers under NCLB and city sponsored recreation programs
The students and their families	Student performance will increase as well as aspiration for a college degree.	Students will earn at least 15 units of college credit while still in high school. This will increase their college going rates, cost less money to continue their education and see themselves as college graduates.	EdTrust describes the impact on student learning of students who have excellent teachers for 3 straight years as opposed to 3 poor teachers for 3 years. Highly trained teachers and leaders who work with collective responsibility in a specific system will enrich students.	Students and families can benefit greatly when data systems can provide deep insight about youngsters' academic strengths in all core content areas as well as focus families on supports that can be provided at home.

With a statewide benefit charter, Aspire is in the unique position to assist the state in increasing the levels of all students' achievement. These four elements combine to be a robust program that can be replicated throughout the state and help students, families and communities realize their aspirations.

Key Findings by the State Board of Education (May 11, 2011)

Based upon the following argument (i.e., Finding #1 below) (and substantial evidence) submitted by Aspire to the State Board of Education (“SBE”) the SBE found that Aspire’s benefit in terms of funding and its ability to get statewide bonds constitutes a statewide benefit in accordance with Education Code section 47605.8(b) and Title 5, California Code of Regulations section 11967.6(b) (as well as the Court of Appeal decision – *California School Boards Assoc. v. State Board of Education* (2010) 186 Cal.App.4th 1298). The SBE further found that Aspire’s benefit in terms of funding could not be provided by a series of local charters.

Finding #1:

The State Board found that Aspire’s Statewide Benefit Charter provides a statewide benefit of accelerating academic growth among students traditionally under-prepared for high school success, and underrepresented among high school graduates, college goers, and college graduates. In addition, the Board found that this benefit could not provide this benefit with a series of locally approved charters.

With locally approved charters, Aspire’s ability to offer the full and complete academic program to our students as outlined in the attached charter (and therefore our statewide benefit) is **substantially limited** due ***to inadequate facilities and a failure of school districts universally to comply with Proposition 39***. With a statewide benefit charter, Aspire is able to access affordable forms of financing -- and through it, develop and access adequate facilities for our students. An adequate fully furnished and equipped facility enables Aspire to offer its full academic program.

For example, in 2010, Aspire passed a \$93 million dollar bond that allowed the organization to offer complete and full facilities to several Aspire schools -- including five statewide benefit charter schools. Both the rating agency report from Fitch and bond offering materials cited the statewide benefit charter as a contributing factor towards supporting the bond issuance. In the rating agency report in the section describing risks facing investors, the agency states:

“Charter Renewal

...In January 2007, the State Board of Education awarded Aspire a statewide benefit charter (SBC) making Aspire one of only of two charter management organizations to receive an SBC. Under the SBC, Aspire may open up to 20 additional schools serving grades K-12 anywhere in the state.”

In conversations during rating diligence visits, it became clear to the Aspire management team that investors, and the rating agency, valued the reduction in risk for charter renewal that results when the charter authorizer does not have a financial interest in the decision to renew a charter petition (i.e. local district authorizers have an inherent conflict of interest in approving charters [and in overseeing and revoking charters] in that the local school districts and charter schools are competing for the same students and therefore state funding). Local charter authorizers also have an inherent conflict of interest in reviewing charter petitions

[and in overseeing and revoking charters] because of the financial exposure to special education risk in Ed. Code 47646 and based upon the risk and expense of allocating school facilities to charter schools under Proposition 39 (Ed. Code 47614). For these reasons local authorizers are more likely to deny a valid charter petition or revoke a legally compliant charter operator.

Reduced risks result in a better investment rating, which lowers interest rates on the funds borrowed, therefore freeing up additional funds to be used to operate the schools. Aspire gained access to affordable financing as a result of its statewide benefit charter and was therefore able to provide a full and complete program through appropriate and complete facilities. The bond financed schools in five cities across California. Other statewide benefits that resulted from this bond:

- Cumulative facilities savings of \$1.67M over 10 years as compared to the next best alternative (leasing or other financing terms) which will now support Aspire’s educational program rather than facilities expense
- Lower interest rate of 2010 bond issue (6.23%) vs. 2001 Aspire bond issue (7.25%); more expensive bond was refinanced by the 2010 bond that benefited from the statewide benefit charter
- Increased capacity within Aspire schools for 2,000 additional students, and therefore increased statewide benefit due to the increased number of students able to access Aspire’s high quality program across the state due to the facilities that were built and made possible by the bond.
- A full program is now possible for six Aspire secondary schools and four elementary schools. Five of the schools operated under the statewide benefit charter were part of the bond issuance.

Based upon the following argument (i.e., Finding #2 below) (and substantial evidence) submitted by Aspire to SBE the SBE found that Aspire’s benefit in terms of being able to expand its teacher residency program constitutes a statewide benefit in accordance with Education Code section 47605.8(b) and Title 5, California Code of Regulations section 11967.6(b) (as well as the Court of Appeal decision – *California School Boards Assoc. v. State Board of Education* (2010) 186 Cal.App.4th 1298). The SBE further found that Aspire’s benefit related to the teacher residency program could not be provided by a series of local charters.

Finding #2

The State Board found that Aspire’s Statewide Benefit Charter provides a statewide benefit by creating alternative credentialing pathways and professional development activities that focus on the skills and knowledge necessary to work effectively with diverse students. In addition, Aspire could not provide this benefit with a series of locally approved charters.

The statewide benefit of an alternative credentialing program as described in the charter will not materialize as proposed if this work is pursued using a series of locally approved charters. Today Aspire is limited to 20 Residents in the Aspire Teacher Residency due to constrained financial resources. Aspire’s resources are constrained for many reasons, not the

least of which is low per pupil funding. If Aspire is forced to grow through a series of locally approved charters as opposed to a statewide charter it will force Aspire to invest scarce funds into managing multiple authorizer relationships to achieve the statewide benefit and effectively prevent the development of the alternative credentialing pathways and professional development activities. The cost of duplicative oversight, redundant reporting, and monitoring unique local demands for operating multiple district-approved charters requires a substantial investment of financial resources. There is a very real, substantial, and significant administrative expense associated with overseeing an operating multiple locally approved charter schools as opposed to a single multi-sited statewide benefit charter. If Aspire is forced to grow its program with locally approved charter schools it will have:

1. 50 separate charters to review, manage, and monitor¹;
2. 50 separate renewal applications two separate and distinct local authorizers that have varying policies practices and procedures on charter school approval or renewal;
3. 50 separate CDS codes and 50 separate funding streams with 50 separate oversight fees to pay the local authorizers;
4. 50 separate annual audits;
5. 50 different sets of annual reporting requirements to local authorizers;
6. 50 separate authorizers upon which to respond to information requests;
7. 50 separate authorizers upon which to seek a material revision for a single change in the charter;
8. 50 separate attendance areas in which to prefer for enrollment purposes;
9. 50 separate special education agreements with local authorizers;
10. 50 separate memorandums of understanding with local authorizers;
11. 50 separate API, AYP scores to review and analyze.

Under a statewide benefit charter, and the benefits of a single charter authorizer for all statewide benefit schools, Aspire can redirect the resources saved by not having to administer to 50 separate schools into, among other things, expanding the size of the Aspire Teacher Residency program—a source of the statewide benefit that Aspire creates for California. Aspire estimates the cost savings of statewide chartering versus local charter approval to be 25 full time positions (approximately .50 FTE for each school) and an annual cost of approximately \$2,000,000 across 50 schools. With a statewide benefit charter, Aspire is able to maximize its benefit to California statewide by reallocating significant resources into professional development to ensure the maximum number of highly effective teachers are appropriately trained each year and available to serve the state’s most needy student population. The cost to support a teacher resident through the Aspire Teacher Residency is approximately \$24,000. Through the savings from charter compliance activities and management alone for 50 schools more than 80 new teacher residents could be supported, bringing the size of the residency to 100 residents per year. At our current size were the six existing statewide benefit schools to be transitioned to local authorizers, in addition to the extraordinary cost and instability in our communities due to this transition the ongoing cost to manage those relationships and

¹ Certain charter authorizers like Los Angeles Unified School District have substantially different policies and practices for the review and approval of charter schools that lead to substantially different charter language; indeed, LAUSD has over 40 pages of boilerplate language they require charter schools to include in their petitions. Some of this boilerplate language incorporates by reference many of the District policies (including, conflicts of interest, ethics, facilities issues etc.)

compliance would be approximately \$240,000. That is equivalent to 10 teacher residents who we would not be able to train, therefore reducing the statewide benefit.

PETITION ELEMENTS

California Code of Regulations, Title 5, Section 11967.6(a)(1) states that “a petition to establish a statewide benefit charter school pursuant to Education Code Section 47605.8 shall ... address all charter elements specified in Education Code Section 47605 adapted appropriately for application at the statewide level.” These sections of law and the required descriptions are discussed below.

Element A: Aspire Statewide Benefit Charter Educational Program

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

MISSION OF ASPIRE STATEWIDE BENEFIT CHARTER

Aspire’s mission is to provide all students with an exceptional education that will allow them to excel inside and outside the classroom. Aspire seeks to achieve this mission by offering students a rigorous core curriculum, an outstanding staff, high standards and expectations, extended instructional hours, and personalized learning opportunities. Aspire will strive to ensure that students are prepared for college and for the 21st Century world and workplace by enabling them to learn to learn.

Through the Aspire Statewide Benefit Charter, Aspire seeks to:

1. Provide targeted instruction and support services to accelerate growth among students traditionally under-prepared for high school success, and (as a consequence) underrepresented among high school graduates, college goers and college graduates. Increase the number of underrepresented students in the UC/CSU systems.
2. Create alternative credentialing pathways and professional development activities (for credentialed teachers) that focuses on the skills and knowledge necessary to work effectively with diverse students

WHOM THE ASPIRE STATEWIDE BENEFIT CHARTER SCHOOLS ARE ATTEMPTING TO EDUCATE

Aspire’s educational program is based on the instructional needs of our target student profile. Aspire targets the following students:

- Students who are not currently successful in their current core academic subjects;
- Students whose academic or English learning needs necessitate a small school environment with personalized attention;

- Students whose academic or English language learning needs are not being met in a traditional school environment; and
- Students whose diversity represents their respective communities.

In education, one size does not fit all and Aspire is dedicated to providing students and families throughout the State of California with a small school option that can meet their unique needs.

HOW LEARNING BEST OCCURS: ASPIRE STATEWIDE EDUCATIONAL PROGRAM

Aspire's education program is designed to give students the content knowledge and habits of mind necessary to face the challenges of the 21st century. The California content standards drive the instruction of Aspire by providing the road map of what students need to know. Students will have the skills and habits of mind to graduate with the A-G approved coursework in order to gain admission to a postsecondary school of their choice.

In order to succeed in college, Aspire's educational program has drawn on the Center for Educational Policy Research's study *Standards for Success*. This research gathered information about the required skills to succeed in college from more than 400 staff and faculty members at research universities. They believe college students need "critical thinking, analytic thinking and problem solving; an inquisitive nature and interest in taking advantage of what a research university has to offer; the willingness to accept critical feedback and to adjust based on such feedback; openness to possible failures from time to time; and the ability and desire to cope with frustrating and ambiguous learning tasks." Aspire has interwoven these habits into their core curriculum.

Additionally, Aspire has built a College For Certain® culture. Beginning in kindergarten, students are informed and inspired to succeed in high school and attend college. Classrooms are named after universities with the year the class will graduate from college above the door. Teachers and principals proudly share their college going experiences, diplomas and challenges. Through Aspire's schools, students are given the will, the skills and the habits of mind to attend college and succeed in life by becoming self-motivated, competent, and lifelong learners.

Community

Aspire schools are small with approximately 60 students per grade level. They are broken into divisions and small classes to create a community where each student is known personally.

- *Small Schools:* Students are more likely to succeed in small schools, where teachers and the principal know each family well. Students and their needs are not lost in the crowd. Target enrollment for elementary schools (K-5) is between 320 and 400 students. Target enrollment for our secondary schools (6-12) is between 420 and 600 students.

- *Small Class Sizes:* In smaller classes, teachers can give each individual student the time and individual attention necessary to realize his or her personal academic goals. Aspire strives to maintain a 20:1 student-teacher ratio in kindergarten through third grade and a 29:1 ratio in grades four through twelve. Also, students in the 6th through 12th grade spend part of each day in seminars with a student-teacher ratio of approximately 17:1.
- *Looped Grouping:* In grade K-5, teachers typically teach the same group of students for two years. This longer time with one teacher, allows students to develop a deep relationship with one individual. The teacher saves instructional time during the second year of instruction as she/he knows the individual student's strengths and weaknesses on the first day of school. Instruction can begin as soon as the school year does. Students remain with the same teacher for kindergarten and first grade; second grade and third grade; and fourth and fifth grade.
- *Advisory Groups:* Beginning in the 6th grade, each student is assigned to an advisory group of approximately 17 students that meets on a regular basis with an adult advisor. The advisor acts as a bridge between the school and the students' other communities (e.g. family, work, clubs, social service agencies). The same group stays together through graduation, and provides a support structure for students.

Learning Time

Aspire provides 15% more learning time for students, and uses time more effectively during the year and day to maximize in-depth learning.

- *Longer School Day:* Students learn more when they are given more time to learn each day. With more time, teachers can create more effective projects to build higher order thinking skills. Aspire schools have, on average, a 7.5 hour school day for grades 1-12, and at least a 5-hour school day for kindergarten. In other words, Aspire students receive about one hour more instruction each day than students in traditional public schools.
- *Longer School Year:* Aspire schools provide approximately 187 to 190 days of instruction, which is 17 more days than traditional public schools. Some of these additional days are on Saturday, when parents can attend class with their children.
- *Modified Traditional Calendar:* After its first year of operation, the school uses a modified traditional calendar (shorter summer recess) to decrease the loss of learning during extended recesses.
- *Block Scheduling:* The daily schedule at grade 6th through 12th is typically organized around blocks of 90-120 minutes. Students can delve more deeply into subjects with these extended periods of time, and teachers work together to integrate the curriculum more seamlessly.

Teaching Methods

All educators at Aspire Public Schools use a variety of pedagogical strategies to ensure all students learn and grow continuously. Strategies are selected based on the teacher's knowledge of how students best learn different topics, and are usually used in combination. Aspire has created Instructional Guidelines in math, language arts, science and humanities, that spell out the frequency and purpose for each type of instruction. These guidelines, as well as the purchased curriculum materials, provide the structure for a standards-based curriculum. Aspire educators are also trained to adapt these methods in ways that maximize personalized experiences each child receives. The major strategies used include:

- *Explicit Instruction:* in this traditional form of teaching, the teacher presents the lesson, which includes: a purpose; specific instructions; modeling; guided practice; and checking for understanding. At the conclusion, students individually demonstrate their new skills or knowledge.
- *Massed and Distributed Practice:* this retention strategy provides students with many opportunities to practice new skills upon initial learning. Practice is then distributed over the course of many months to increase the retention of previously learned skills and knowledge.
- *Problem Solving:* this method provides students with a step-by-step process for determining the solution.
- *Inquiry:* in this process, students are presented with a problem or question, and formulate and test theories to work towards a solution.
- *Project-based Instruction:* In this approach, students apply learning to complex problems, and are required to conduct extended research, analyze and synthesize information across subject areas, and develop written and oral end products. Projects are also ideal for developing the "habits of mind" necessary for success in college and the world beyond, such as perseverance, responsibility, and time management. Projects are linked with students' real world experiences, making learning relevant. Many projects are community service oriented.
- *Apprenticeship:* Students may spend part of their time in the community and local businesses, applying their learning by doing real work alongside professionals in the field. These may take place in the summer, after school or during the day. In the past, Aspire students have held internships at non-profits, schools and community agencies.
- *Distance Learning:* In grades 11 and 12, students may elect to take some specialized coursework on-line, through colleges and universities.

Curriculum

Aspire uses a combination of adopted programs and curriculum developed in-house to meet Aspire standards and build basic skills, higher-order thinking skills, and life-skills. The curriculum is clearly articulated as a K-12 system and based on the California state standards. All elements of the curriculum are research-based and have been proven effective in schools.

- *Language Arts:* Students communicate ideas clearly and effectively in various modes of expression appropriate to audience and purpose. This may be through oral reports and debates, written letters and essays. Through the examination of various texts, students demonstrate critical reading and active listening skills in order to comprehend interpret and evaluate ideas. Students write extensively in both expository and creative forms.

When students are learning to read, instruction will focus on phonemic awareness, phonics instruction, fluency, and text comprehension. Writing is integrated into the learning process.

One of the main resources in K-6 literacy instruction may be the Open Court Reading materials. Writing is be supplemented with vocabulary and instruction based on the Six Traits of Writing. Grades 9 -12 use California's Recommended Literature list for the core of its English Language Arts program. This may be supplemented with real life readings such as editorials, non-fiction texts and additional resources such as Write Source.

- *Social Science:* Aspire's history and social studies curriculum ensures that students are historically literate (including culture, geography, politics, economics, and ethics) and become active, informed citizens (including U.S. policy and effective research techniques). Students apply historical, political, philosophical, geographical, economic and sociological knowledge to local and global situations in order to comprehend contexts and events, predict and evaluate the outcomes of human actions, and act responsibly as world citizens. Students learn to apply chronological, thematic and integrative thinking, develop and test hypotheses about cause and effect, gather evidence to support conclusions, use methods of historiography, conduct in-depth and relevant research, critically examine sources, and synthesize ideas. Materials at both the elementary and secondary level include primary sources, historical literature, History Alive! Interact and a variety of non-fiction texts.

Throughout the K-12 instructional program, social science and language arts are interwoven. The stories and facts in history are the vehicles for instructing students to read and write.

- *Mathematics:* Students apply mathematical concepts and processes, including number systems, operations, graphics and logic, in order to problem-solve within and outside of mathematics. Students demonstrate facility with the language of mathematics and express generalizations discovered through investigation. Students are expected to be competent in symbolic reasoning and in constructing logical arguments.

A balanced approach provides both the conceptual understanding of math and the skills to solve problems. By providing extensive math time in elementary classrooms and a double block of math in secondary schools, our state adopted math materials, Harcourt

Brace, Prentice Hall and California Preparatory Mathematics can be interwoven with other real-life problems.

A key tool in mathematics instruction is the standards-based software program Edusoft. Edusoft creates, scores and reports standards-based assessments. Aspire uses these assessments as both benchmark exams and formative assessments. The Edusoft reports in all subjects inform the teacher on whether the students have mastered a standard or need further instruction.

For example, the results of a standards-based assessment given in 5th grade might show that 90% of the students mastered Math Standard Number Sense 1.2, but only 15% mastered Number Sense 2.3. The teacher would provide remediation for students who did not understand one standard and reteach the whole class the other standard. Teachers use this data on a daily cycle. Grade level teams, principals and subject level teams look at this assessment data every two weeks.

- *Science*: Students demonstrate understanding of scientific concepts and ideas through real-world applications. Students utilize scientific research and inquiry methods to conduct investigations and problem-solve. They apply conceptual knowledge and processes from the major branches of science (biology, chemistry, the earth sciences and physics) in order to further the study of science and relate the study of science to other disciplines. Aspire uses a variety of curriculum materials and the state adopted textbooks may be supplemented with AIMS, FOSS, and local scientific resources such as guest speakers, field trips, and presentations.
- *Spanish/Second Language*: Students work with the fundamentals of language structure, pronunciations, grammar, vocabulary, idioms and phrases in Spanish to develop competency in oral and written Spanish. Students work with Spanish texts to develop an understanding and appreciation of the various Spanish-speaking cultures. Although Aspire primarily offers Spanish as a foreign language, our schools encourage 9th through 12th grade students to take advantage of courses on-line or at local colleges to receive instruction in other languages.

Other subjects essential to a healthy and balanced life are also covered in a variety of ways:

- *Visual and Performing Arts*: Appreciation and participation in the arts are essential to each student's development. At the elementary level, arts are integrated into thematic units to inspire students, help ideas come to life by using multiple intelligences, and ensure cultural literacy. Visiting artists and parent docents also provide special programs in the arts. Aspire secondary schools offer some on-campus electives in visual and performing arts and establish partnerships with local arts organizations and colleges to provide additional programs for students.
- *Health*: Students develop an understanding of the importance of health and nutrition through classroom instruction, selected special programs, collaborations with local health agencies, and thematic units. Health instruction follows the California Health

Framework. Data from the California Healthy Kids survey or our own internal surveys will inform additional needed interventions.

- *Physical Education:* Students receive regular physical education instruction. Emphasis is placed on activities that students are likely to engage in throughout their lives (e.g. running, dancing).

Early College Model

All Aspire secondary schools follow the Early College High School model, which is recognized by the California Department of Education as an important option for removing major barriers for “young people who are underrepresented in postsecondary education.” The California Department of Education partners with the Chancellor's Office for the California Community Colleges to support the Early College High School (ECHS) Initiative of the Foundation for California Community Colleges.

As an Early College High School, Aspire aims to blend high school and college into a coherent educational program, making it possible for all students to earn two years of college credit at the same time they are earning a high school diploma (within four to five years of entering ninth grade). (AB 967 and California Education Code 48800 – 48802 provides for high school students to concurrently enroll in high school and college courses.) College classes may be provided online, on the School’s campus, or on a local college campus. The courses may be taught by a college instructor or an employee of the School who has been qualified by a local college.

Alignment with California state standards and UC A-G requirements

All secondary courses that are tested through California’s Standardized Testing and Reporting (“STAR”) program are offered as high school courses, ensuring that all students master the California standards. For non-tested courses, Aspire will work closely with the local institutions of higher education to design and provide courses that both meet the college’s requirements and work within the California Frameworks.

Sample Scope and Sequence

A – G Reqm’t	9 th Grade		10th Grade		11th Grade		12th Grade	
	S1	S2	S1	S2	S1	S2	S1	S2
A: Social Science			World History	World History	US History	US History	Econ	<i>PoliSci</i>
B: English	English 1	English 1	English 2	English 2	English 3	English 3	Expos. Read/Wri t	<i>English 1A</i>
C: Math*	Geometry	Geometry	Alg 2	Alg 2	Trig	Trig	<i>Statistics</i>	<i>Pre-Calc</i>
D: Lab Science	Physics	Physics	Biology	Biology	Chemistry	Chemistry		<i>Biology</i>
E: Foreign Language			<i>Spanish or ASL</i>	<i>Spanish or ASL</i>				
F: Art					Art 1	Art 2	<i>Drama</i>	

G: Electives						<i>Psych</i>	<i>Anthro</i>	<i>AA Lit</i>
Aspire Add'l	<i>Tech</i>	<i>Tech</i>					Internship	Internship
	AVID	AVID	Advisory	Advisory	Advisory	Advisory	Advisory	Advisory
	English Comp	English Comp						

* Students are expected to pass Algebra in the 8th grade

** Courses in *italics* and highlighted will be community college or university classes.

Assessment

At Aspire Public Schools, assessment is a critical tool for observing individual student progress, determining the efficacy of individual teachers, and evaluating the success of the program as a whole. Multiple assessments are used because no single assessment provides sufficient information on students' learning regarding all three outcomes. Aspire students are assessed through:

- All standardized tests required for traditional public schools that are mandated in the California Education Code (including, but not limited to, CST, CELDT and Physical Fitness Test)²;
- Other nationally recognized norm-referenced and/or developmentally based tests (e.g. Developmental Reading Assessment, SRI Reading Assessment, SAT and ACT)
- Specialized assessments developed by Aspire Public Schools for all areas of the academic core (e.g. project rubrics);
- Day-to-day assessments related to specific content or skills (running record for language arts; Open Court phonics, Edusoft assessments; math computation quizzes, unit tests);
- Qualitative observations of the process of learning (teachers' anecdotal notes, a child's reflection log, internship mentor reports); and
- Examination of final products (a final draft of a paper, an interdisciplinary final project, 5th and 8th grade Rites of Passage (ROPES) project) based on criteria and standards clearly communicated at the beginning of the project.

Technology as a Tool

At Aspire, technology is used as a tool for research, communication, and production—just as it is in everyday life. Each school has 3 to 5 computers in a classroom with Internet

² The growing emphasis on norm-reference tests is much debated. Educationally, standardized tests are only a single indicator of mastery in basic skills; however, they are regarded by employers and policymakers as broadly meaningful. Aspire Public Schools believes that students should be prepared to be successful on the tests that they are held accountable for; these tests are often the key to future opportunity.

access, a computer lab or access to banks of laptop computers. Students exercise their higher-order thinking skills through simulations and presentations, their communication and production skills through electronic mail and publishing, and their research skills through use of electronic references, including the Internet.

THE EDUCATED PERSON IN THE 21ST CENTURY

Aspire recognizes that to be an Educated Person in the 21st century, our students need have a foundation of knowledge and skills to access this world of ideas, as well as the ability to analyze information, ask good questions and innovate new ideas, and express themselves thoughtfully. They must also have habits of mind that include self-motivation, intellectual curiosity, analytic ability, creative thinking, moral reasoning, self-confidence, and empathic action. Thus equipped, students will excel in college and become engaged and empowered citizens in their community and beyond.

Support for English Learners

Aspire is committed to the success of its English Learner population, and supports will be offered both within academic classes and in supplemental settings for students who need additional support for English learning. The Charter School will meet all applicable legal requirements for English Learners (“EL”) as it pertains to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirement. The Charter School will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents. The Charter School’s program for English Learners is research-based, supported by budget resources and professional development and evaluated regularly for efficiency and needed improvements.

- Home Language Survey

The School will administer the home language survey upon a student’s initial enrollment into the Charter School (on enrollment forms). Spanish-speaking students in the country less than twelve months will be given the state’s Designated Primary Language Test (currently the Aprenda and Standards-Based Tests in Spanish) to determine the student’s academic proficiency when tested in his/her home language of Spanish.

- CELDT Testing

All students who indicate that their home language is other than English will be California English Language Development Test (“CELDT”) tested within thirty days of initial enrollment³ and at least annually thereafter between July 1 and October 31st until

³ The thirty-day requirement applies to students who are entering a California public school for the first time or for students who have not yet been CELDT tested. All other students who have indicated a home language other than English will continue with annual CELDT testing based upon the date last tested at the prior school of enrollment.

re-designated as fluent English proficient.

The Charter School will notify all parents of its responsibility for CELDT testing and of CELDT results within thirty days of receiving results from publisher. The CELDT shall be used to fulfill the requirements under the No Child Left Behind Act for annual English proficiency testing.

Reclassification Procedures

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

- Assessment of language proficiency using an objective assessment instrument including, but not limited to, the CELDT.
- Participation of the pupil's classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil's curriculum mastery.
- Parental 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.
- Comparison of the pupil's performance in basic skills against an empirically established range of performance and 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.
- The Student Oral Language Observation Matrix will be used by teachers to measure progress regarding comprehension, fluency, vocabulary, pronunciation, and grammar usage.

Strategies for English Learner Instruction and Intervention

To meet the needs of English learners, Aspire has added a number of bilingual teaching strategies to its core program, including Specially Designed Academic Instruction in English (SDAIE). Specifically, those strategies include:

- realia (real objects and materials)
- manipulatives (drawings, posters, brainstorming-clusters, graphs, tables, maps, props, multimedia presentations, storyboards, storymaps)

- visuals (study-prints, text book illustrations, overheads-projected prints, reproductions of paintings and documents, and documents)
- graphic organizers (matrices, Venn diagrams and webs)
- planned opportunities for interaction between all individuals in the classrooms (creating a skit and acting it out, cooperative learning, collaborative groups and student-generated writing based on personal experience)

All teachers will be given professional development in teaching English Learners in their appropriate content areas, including having the opportunity to participate in Guided Language Acquisition Development (GLAD) training. The English Language Development Standards have been mapped to Aspire's Instructional Guidelines.

Ongoing Assessment of EL Students

The School's use of achievement data will also drive the instruction and professional development as it relates to English Learners. The School will analyze the achievement data by this subgroup, and continue to assess the students through teacher-designed assessments and Aspire's benchmark assessments.

Monitoring and Evaluation of Program Effectiveness

The evaluation for the program effectiveness for ELs in the Charter School will include:

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

SUPPORT FOR STUDENTS

Highly Qualified Teachers

At the center of the educational program are the teachers. The faculty will consist of well-prepared and certified teachers. All core teachers and paraprofessionals will meet the requirements of the No Child Left Behind Act. Teachers are typically encouraged to pursue National Board Certification within their first five years at Aspire. Professional development and teacher collaboration will be scheduled on a regular and on-going basis to support teachers throughout their career. In establishing a professional teaching environment, Aspire will ensure collaborative planning time for teachers to design student focused curriculum, pedagogy and assessment through which students can make connections, deepen their understanding of concepts and achieve at high levels.

Personalized Learning Plans

The School will create and maintain a Personalized Learning Plan (PLP) for each student. The PLP will provide the teacher, parents and student with a common understanding of the student's learning style and objectives; all parties may then act based on that understanding. Once each trimester during Student-Led Conferences, the teacher, parent and student will discuss the student's learning strengths and weaknesses, and set goals for the next semester. By working closely with each student and family to develop an appropriate PLP, the School will be able to respond to the needs of every individual student, including those who are achieving above or below expected levels. This allows all students to receive the appropriate interventions, if needed, provided by the school (e.g. in- school, after-school or specialized classroom instruction). The high standards, deep interventions, and rigorous caring provided to all students can be personalized in the PLP. Indeed, the PLP will allow the School to help meet the general education needs of students with disabilities (who may also have Individualized Education Programs ("IEPs") or 504 plans as required by law), English learners, students achieving substantially above or below grade level expectation, and other special student populations.

Support for Students Achieving Below Grade Level

Aspire sets high expectations for *all* students and is committed to working with students who are not meeting outcomes to help them achieve at expected levels. Students who perform below the acceptable level may receive a mix of intervention services, including: in-class individual tutoring by classroom teachers; in-class small-group tutoring by classroom teachers; before- or after-school tutoring by non-classroom educators in a one-on-one or in small groups; participation in a specialized support class taught by a literacy specialist or other educator. Materials for intervention services may be designed by the educator or based on an off-the-shelf package such as READ 180.

Students targeted for additional intervention will include, but are not limited to, students who meet the following criteria:

Assessment	Criteria For Additional Intervention
CST – ELA or Math	Far Below Basic, Below Basic, Basic
DRA	Not at grade level
Parent Recommendation	Any
Teacher Recommendation	Any

Aspire uses the Response to Intervention framework (Rtl) to support all students below grade level. Rtl is a process by which schools are proactive and universal in assessing students' academic, behavioral and socio-emotional development needs and providing students with timely, targeted and effective research-based interventions. The interventions involve classroom differentiation, specific interventions and additional services, including special education services.

Aspire's Rtl framework strives to offer a comprehensive approach to assessing, supporting and monitoring the progress of all students. Rtl's framework encompasses and extends Aspire's data driven, student-focused approach to instruction and student support, and encourages us to deepen coordination across our core classroom, intervention, special education and non-academic services.

Support for Students Achieving Above Grade Level

Because Aspire's Instructional Guidelines are designed to differentiate and individualize instruction for students at different levels, students achieving above grade level can be effectively served at the School.⁴ For instance, the instruction during language arts allows students to be reading at their own instructional level. One student reading at grade level can sit next to another student doing the same activity at three grade levels higher. Small class sizes and looping also aid in differentiation of instruction because classroom teachers understand each individual student's needs. The variety of instructional techniques and materials provided in Aspire's program are cited as important features by the National Association for Gifted Children in the Gifted Educational Program Standards. Finally, any student achieving above grade level can be accelerated to a higher grade level at the discretion of the parent and principal.

Students in grades 9-12 achieving above grade level may also have the opportunity to take additional college courses and access internship opportunities commensurate with their skills and abilities.

Support for Special Education Students

In accordance with state and federal law, each student eligible under IDEA (Individuals with Disabilities Education Act) will be provided a free appropriate education in the least restrictive environment. The decisions regarding the specific services each student will receive

⁴ Gifted Education Program Standards, National Association for Gifted Children.
Aspire Public Schools: Statewide Benefit Charter (2012-2017)

are the responsibility of the Individualized Education Team. The Team includes the involvement of parents and the decisions are formulated in a written plan (referred to as an IEP).

The identification process for students who would be eligible for special education services begins when students have been accepted and enrolled in any Aspire Public School. All incoming students participate in a series of diagnostic assessments in Language Arts and mathematics. In addition students are also eligible through the “child find” process which is an ongoing aspect of the instructional program at all schools. Through an extensive use of the Student Study Team process and comprehensive professional development about the characteristics of special education handicapping conditions and the referral process, parents and students have extensive opportunities to be served.

Aspire Public Schools is a LEA Member in the EDCOE Charter SELPA

Schools founded under the Aspire Public Schools Statewide Benefit Charter shall participate as LEA members of the El Dorado County Office of Education Charter SELPA for the purposes of special education. All Aspire Public Schools, which are LEA members of EDCOE Charter SELPA, make the following assurances:

- Free Appropriate Public Education - Schools founded under the Aspire Public Schools Statewide Benefit Charter will assure that a free appropriate public education shall be provided to all enrolled students including children with disabilities who have been suspended or expelled from school.
- Child Find - Schools founded under the Aspire Public Schools Statewide Benefit Charter will assure that all students with disabilities are identified.
- Full Educational Opportunity - Schools founded under the Aspire Public Schools Statewide Benefit Charter will assure that all students with disabilities have access to the full range of programs available to non-disabled students.
- Least Restrictive Environment - Schools founded under the Aspire Public Schools Statewide Benefit Charter will assure that students with disabilities are educated with students who are not disabled to the maximum extent appropriate. This will be addressed through the use of supplementary aids and services in the general education environment.
- Individualized Education Program - Schools founded under the Aspire Public Schools Statewide Benefit Charter will assure that an Individualized Education Plan is developed, reviewed and revised for each child who is eligible.
- Assessments - Schools founded under the Aspire Public Schools Statewide Benefit Charter will assure that an IEP review shall be conducted on an annual basis at a minimum. In addition a reassessment shall be conducted at least once every three years, and more often if conditions warrant or requested by the student’s parents or teacher.

- Confidentiality and Procedural Safeguards - Schools founded under the Aspire Public Schools Statewide Benefit Charter will assure that the confidentiality of identifiable data shall be protected at collection, storage, disclosure and destruction. In addition, students and their parents shall be provided with safeguards through the identification evaluation and placement process and provisions for a free appropriate public education.
- Personnel Standards - Schools founded under the Aspire Public Schools Statewide Benefit Charter will assure that good faith efforts will be made to attract, recruit and hire appropriately trained and credentialed personnel to provide special education services to children with disabilities.
- State Assessments - Schools founded under the Aspire Public Schools Statewide Benefit Charter will assure that students with disabilities are included in State assessment programs with appropriate accommodations and modifications when necessary and appropriate.

In addition, each school chartered under the statewide benefit charter shall comply with the EDCOE Local Area Master Plan and perform all corrective actions deemed necessary by Aspire Public Schools and/or the EDCOE SELPA. The Director of Special Education at Aspire Public Schools will work with each school to develop an annual budget, hire necessary staff, contract for appropriate services and document the qualifications and competency of school leadership to meet the special education compliance and quality requirements.

The Director of Special Education, the Program Specialist and other team members will work with the EDCOE leadership to provide monthly professional development that builds the capacity of the special education staff in the areas of research-based best instructional practices, compliance with state and federal statutes, reporting requirements and use of instructional data. In addition, all staff members will be provided annual professional development about practices that support the needs of special education students in the least restrictive environment. To assist the professional development of the professional team at Aspire Public Schools a comprehensive plan for professional development as well as Induction for the Education Specialist Credential are provided.

Informing Parents about the Transferability of Courses to Other Public High Schools and the Eligibility of Courses to Meet College Entrance Requirements

Parents will receive a letter at the beginning of each school year that describes the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Aspire's current plans and expectations regarding course transferability and eligibility for college entrance requirements are described below.

Each school established under the Aspire Public Schools Statewide Benefit Charter will seek to earn accreditation by the Western Association of Schools and Colleges (WASC) and to ensure that every student has the opportunity to graduate with University of California/California State University (UC/CSU) approved coursework. With WASC accreditation

and UC/CSU course approval, students' coursework is recognized by other schools and out of state universities and colleges and by the admissions committees of the UC/CSU system.

To earn WASC accreditation, each School will apply for accreditation by WASC in the fall of the School's second year. This is the earliest date that WASC recommends new schools to apply. To apply for WASC accreditation, the School will fill out the "Request for WASC Affiliation" form – a form requiring only basic information (e.g., name, address, etc.). Once the "Request for WASC Affiliation" form is received by WASC, they will then send the School an "Initial Visit Application." The School will then fill out this "Initial Visit Application" form. It is a form that requires the school to report on largely the same things that this charter details (e.g., purpose of school, population and goals of school, governance and funding structures, etc.).

By the late winter of the school's second year, WASC will send a team to do a one day visit at the School. After their visit (and typically within two months) WASC will notify the School of its status. Each school anticipates receiving the highest approval rating for two reasons. First, much of the criteria that WASC seeks are criteria the School must meet in order to be granted a charter. Second, statistically, over one third of the schools that apply earn Interim Accreditation (the school has met all criteria and will conduct a self study the following year to gain full accreditation) and well over half earn Candidacy Status (the school is progressing and promises to meet all criteria and will conduct a self study in two years).

On such a timeline, each school is likely to earn WASC accreditation with Interim Accreditation by the end of its third year and WASC Accreditation with Candidacy Status by the end of its fourth year.

The secondary portion of the curriculum will develop both a foundation of basic skills and cultivate higher-order thinking skills; it will be simultaneously rigorous and relevant to students. The educational program emphasizes interdisciplinary thinking among subject areas. Upon completion of the graduation requirements, students will have met the University of California system A-G subject requirements.

Graduation and Course Requirements: Aspire Statewide Benefit Charter Schools

- Complete course requirements (See below).
- Pass portfolio and exhibition reviews (See below).
- Passing of the California High School Exit Exam
- College readiness and acceptance at a four-year college or university (See below).

Course Requirements

Students may fulfill course requirements through coursework at the School or through approved on-line coursework or approved coursework at a local college or community college. Students will complete course work within a course of study in alignment with the University of California and California State University (UC/CSU) system A-G requirements and earn a designated number of credits:

Subject	Credits Required	Comments
History/ Social Sciences	30	1 year of World History, 1 year of US History, 1 semester each of US Government & Economics
English	40	Emphasis in Literature and Composition
Mathematics	30	Courses must be Algebra 1 or higher
Laboratory Science	20	In at least two areas: biological and physical lab science
World Languages	20	Twenty credits must be earned in the same language
Visual & Performing Art	10	The 10 credits must be in the same form of art
Electives	50	Courses can be additional years in any of the above subject areas
Advisory/ AVID	40	
Technology	10	May waive by exam or juried assessment; if waived, credits substituted by another college preparatory elective
Total	250	All students must earn a C- or better for credit

In addition, students must earn the equivalent of 15 college credits.

Portfolio and Exhibition Requirements

In grades 9-12, students will be expected to demonstrate mastery through portfolios (a collection of student work) in the four core subject areas and in selected elective courses. These portfolios will include research papers, scientific experiments, essays and other products of students' inquiries. They may also include tests, teacher or employer/internship evaluations, or other assessments of student work. Students will also be expected to present and defend a number of their portfolios before a panel of judges including teachers and outside assessors. Students must complete an exhibition in each grade level: 9, 10, 11 and 12.

College Readiness and Acceptance to a Four-Year University

Throughout a student's educational experience at Aspire, they will receive support and counseling about getting accepted into four year universities. One-on-one counseling, parent workshops and a culture of college aspirations will allow every student to leave Aspire and attend a four year university. These services begin in sixth grade. College readiness and acceptance at one of these institutes of higher education are also graduation requirements.

Specifically, in order to graduate, each student is expected to fulfill the following requirements:

- Students must apply for and take the prescribed college board entrance examinations
- Students must apply to at least three (3) 4-year colleges or universities (in addition to or instead of community colleges)
- Students must apply to at least one (1) scholarship
- Students must be accepted to a 4 year university

By creating a College for Certain® culture, providing the necessary skills and coursework and supporting students through the process, Aspire is preparing the students for a successful postsecondary experience.

Element B: Measurable Pupil Outcomes

The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program.

- *California Education Code Section 47605(b) (5) (B)*

An Aspire education provides students with access to opportunities for success in future endeavors – in higher education, work, and citizenship. Through personalized learning experiences, students master *basic skills*, acquire the *thinking skills* needed for the rigorous work of the real world, and develop productive *life skills*. Aspire's educational program is designed to help all of its students to develop the following measurable pupil outcomes:

To establish a foundation for success, Aspire ensures students will:

- *Basic Skills*: Master at least grade level competency in the four core subjects: mathematics, science, social studies, and language arts (including reading, writing, listening and speaking);
- *Thinking Skills*: Be able to apply classroom learning to their real world experiences in a relevant and valuable way, using higher-order thinking skills (including critical thinking, creativity, decision-making, problem solving, reasoning, knowing how to learn); and
- *Life Skills*: Have developed personal qualities of individual responsibility, intellectual curiosity, sociability, self-management, confidence, and integrity.⁵

Aspire sets high standards for all students, based on California State Content Standards, Newmann's Standards for Authentic Instruction and Assessment, and the Secretary's Commission on Achieving Necessary Skills (SCANS). In addition, each student has a Personal Learning Plan (PLP), developed in collaboration with his/her teacher and parent(s) that outlines the student's specific learning goals each semester. Students will participate in the legally required statewide assessments pursuant to Education Code Section 47605(c). Through these assessments, Aspire shall demonstrate student mastery of state standards.

Please see specific measurable pupil outcomes below in Element C.

⁵ Based on important workplace skills as determined by the U.S. Department of Labor Secretary's Commission on Achieving Necessary Skills (SCANS), *Learning a Living: A Blueprint for High Performance*. April, 1992.

Element C: Methods by Which Pupil Progress Toward Meeting Outcomes is Measured

The method by which pupil progress in meeting those pupil outcomes is to be measured.

- California Education Code Section 47605(b) (5) (C)

Aspire’s academic program is standards-based and data driven. The California state content and performance standards and multiple sources of data form the basis of the School’s teachings. Performance assessments will be evaluated with the use of common benchmarks and rubrics and will be analyzed on a regular basis to help drive the School’s educational program. The rubrics will be used to inform students and parents about the standards for student work. Both teachers and students will use the rubric to score the work and make improvements. Rubrics used throughout the year will show growth over time.

In the 2007-2012 charter term, the Aspire Statewide Benefit Charter committed to pursuing the following pupil outcomes:

MEASURABLE PUPIL OUTCOMES 2007-2012

Desired Outcomes	Metrics	Frequency of Assessment
<i>Basic Skills:</i> In order to demonstrate basic skills, students will be assessed in each of the core subjects by classroom assessments and the tests utilized in California’s Standardized Testing and Reporting (STAR) Program.	100% students passing core academic classes	At end of each term
	Increase of 10% each year of students scoring proficient or advanced proficient based on STAR	Annually
<i>Thinking Skills:</i> Students will demonstrate thinking skills in the four core subject areas and in selected elective courses through interdisciplinary projects.	100% of students meeting interdisciplinary project requirements. Rubrics based on Newmann’s standards for rigor will be used to assess the final projects	Annually
	100% of students passing ROPE(s)/ exhibitions	Annually
<i>Life Skills:</i> Students will demonstrate life skills through regular attendance at School, participating in co-/extra-curricular activities, and continuing/graduating from the School.	95% or higher attendance rate	3 times a year
	90% of students participating in co-/extracurricular activities	Annually
	100% of students are promoted.	Annually

A detailed set of tables demonstrating the progress made by each school under the Aspire Statewide Benefit Charter 2007-2012 pupil outcomes is attached hereto and is incorporated herein by reference.

MEASUREABLE SCHOOL OUTCOMES 2007-2012

Desired Outcomes	Metrics	Frequency of Assessment
School meets or exceeds school wide Annual Academic Performance Index (“API”) growth target	CST	Annually
School’s numerically significant subgroups demonstrate comparable improvement in meeting or exceeding their annual API growth targets	CST	Annually

Aspire schools have demonstrated significant academic achievement and student growth, as measured by exceeding the state’s API growth targets, and/or achieving an 8 or above on the state’s similar school ranking after the 2nd year of operation. For 2010-11, all Aspire Statewide Benefit Charter schools with two or more years of API scores have achieved 800 or higher. Detailed charts setting forth Aspire’s growth and performance over the course of a school’s lifetime is attached. (A copy is attached hereto and is incorporated herein by reference.)

For the 2012-2017 charter term, the Aspire Statewide Benefit Charter commits to pursuing the following pupil outcomes:

MEASURABLE PUPIL OUTCOMES 2012-17

Desired Outcomes	Metrics	Frequency of Assessment
<i>Basic Skills:</i> In order to demonstrate basic skills, students will be assessed in each of the core subjects by classroom assessments and the tests utilized in California’s Standardized Testing and Reporting (STAR) Program.	Year 1: Baseline year Year 2: All subgroups meet or exceed double the State Growth Target Year 3: All subgroups meet or exceed double the State Growth Target Year 4: School meets or exceeds Academic Performance Index (“API”) of 800	Annually
<i>Thinking Skills:</i> Students will demonstrate thinking skills in the four core subject areas and in selected elective courses through interdisciplinary projects, demonstrated by participating in writing and open-ended math	100% of students participate in 2 Aspire-wide Writing assessments and 2 open-ended Math assessments, which are aligned with Common Core.	Annually

assessments		
<i>Life Skills:</i> Students will demonstrate life skills through regular attendance at School.	Attendance rate of 95% or higher	Annually

Collecting, Analyzing, and Reporting Data

Aspire will collect and analyze data on student achievement on a regular basis and will provide student achievement data to staff, parents and guardians, and the State Board of Education:

- Staff will receive data on student achievement during staff meetings using the Data Portal and will use this data to help monitor and improve Aspire’s education program;
- Parents and guardians will receive data on student achievement when they meet with their child’s teacher to develop, modify, or review their child’s PLP; and
- The State Board of Education will receive data on student achievement through School reports and/or presentations.

Aspire uses the State Testing and Assessment Reports to assist in identifying strengths and weaknesses at a student, classroom, grade level, school and organization. Additionally, the SABE/2 and the California Physical Fitness test will be administered and used to inform the school program. Every summer each school will have a staff retreat where the data will be analyzed. School wide plans for professional development will be based on these plans.

Aspire uses many in-house assessments which inform daily instruction. Three Aspire assessments provide the best benchmarks of a student’s progress towards reaching the state standards.

Reading Assessment

In grades K-8, the Developmental Reading Assessment (DRA) is used to benchmark students reading achievement at least three times a year. This assessment tool measures students’ independent reading level and instructional path to help teachers guide students to the next reading level. It not only allows a teacher to listen for decoding, fluency and strategies, it also allows a teacher to measure comprehension. The DRA levels span from 1 to 70 to show incremental reading growth. Aspire has set benchmarks for every grade level. Each teacher has similar weekly assessments that she/he uses in the classroom for instruction.

If students are not proficient readers when they reach the 9th grade level, teachers will switch the assessment to the Stanford Reading Inventory. This tool allows a broader diagnosis

of students reading at grade levels 1st through 12th. The scores are collected and analyzed on a regular basis.

Aspire Writing Assessment

Two times a year every student in the school takes a writing assessment. The prompts change and are aligned with the genres specific to the grade level standards. The papers are scored with other Aspire staff including teachers and instructional coaches to ensure validity of scores. The rubric for scoring is aligned with the writing rubric used by the state. Benchmarks are set for every grade level. These scores are analyzed two times a year.

Aspire Math Assessment

Every student takes an Aspire math assessment based on the specific grade level standards. The papers include both computation and a problem solving section. The computation is scored with Edusoft software. The problem solving is scored with Aspire teachers. A task analysis is done of every paper, so that teachers can identify standards that need to be re-taught. After every administration of the benchmark exams, the student data is analyzed at several levels – classroom, grade level, school and Aspirewide.

If any student is not making sufficient progress to meet the benchmarks created by Aspire, teachers, parents or administrators begin a Student Success Team. From this meeting an action plan is created to support the student.

Annually, the status of the school will be reported using a School Health Dashboard. This tool allows Aspire's Management Team to evaluate a school on more than one facet. At the beginning of the year, the dashboard will help Management Team identify schools that require more focused attention and support. On an on-going basis, this dashboard will also be used to monitor progress of schools on a monthly basis. Specifically, the dashboard reports on:

- Student achievement: Academic Performance Index, course grades, behavior, and internal benchmark scores;
- Affiliation: results on the staff, parent, and student surveys, teacher retention; and
- Financial: actual versus budget and forecast; average daily attendance.

Element D: Governance Structure of School

The governance structure of the 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)

ASPIRE PUBLIC SCHOOLS BOARD OF DIRECTORS

Each school under the Aspire Statewide Benefit Charter will be an independent charter school governed by the Aspire Board of Directors. Aspire is a California, nonprofit, public benefit corporation. The current members of the Aspire Board of Directors are:

- Bill Hughson
San Rafael, CA 94901
- Melvin Kaplan, CEO
Wellington Financial Group
- Steven Merrill
Grass Valley, California
- Louise Muhlfield Patterson
San Francisco, California
- Don Shalvey, Ed.D., Founder
The Bill and Melinda Gates Foundation
- Richard (Dick) Spalding
Thomas Weisel Healthcare Venture Partners
- Jonathan Garfinkel
TPG Capital

Aspire is governed by the Aspire Public Schools Board of Directors in accordance with California's Charter Schools Act and the Nonprofit Public Benefit Corporation Law. The School will be governed pursuant to the bylaws adopted by the incorporators, as subsequently amended pursuant to the amendment process specified in the bylaws. Copies of the current Aspire Board's articles of incorporation, by-laws, and a conflicts code are attached but not incorporated herein by reference.

Aspire is non-sectarian in its programs, admissions policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any student or employee on the basis of race, ethnicity, national origin, gender, sexual orientation or disability or any other characteristic described in Education Code Section 220. Aspire complies with all

applicable federal, state and local laws applicable to its operation. It will retain its own legal counsel when necessary. It will purchase and maintain as necessary general liability, property, workers' compensation and unemployment insurance policies.

The Aspire Board of Directors currently consists of a maximum of 11 regular members plus one seat for every previously-identified sponsoring authority. At its option, the SBE may therefore designate a board designee to sit on the Aspire Board of Directors. The Board of Directors is responsible for establishing broad policies that affect all Aspire schools. For example, the Board of Directors and its Executive Committee may set policies related to staff hiring, benefits and compensation, conditions for student suspension or expulsion, controversial issues that affect more than one school site and teacher, and principal and staff compensation criteria. Members of the Board may also participate in raising funds and increasing public awareness of Aspire's work.

PARENT AND COMMUNITY INVOLVEMENT

Aspire encourages all groups to participate in and share responsibility for the educational process and educational results. In order to achieve this important end, the School plans to share local control with an Advisory School Council ("ASC"), consisting of parent and school representatives. Each school's ASC may participate in developing school policies and share in efforts to engage the support of the community. The ASC may make recommendations about issues related to the school and participate in reviewing parental and community concerns. The ASC will consist of representatives of the following parties: the principal, teachers, and parents. The principal is responsible for communicating all ASC policy recommendations to the Aspire Board of Directors. In short, Aspire's Board of Directors oversees issues related to Aspire schools in general, while the ASC's focus on the day-to-day concerns of each respective Aspire school.

ADDITIONAL OPPORTUNITIES FOR PARENT INVOLVEMENT

- Parents, students and teachers meet at least twice a year to plan and assess the students' learning progress and determine goal
- Exhibition panels – parents may sit on panels to judge student work
- School and staff evaluations – parents fill out a survey each year evaluating the strengths and weaknesses they identify with the program at the School
- Student-led conferences – students will lead conferences on their work during the year to keep parents informed
- Volunteer Opportunities – various opportunities will arise for parents to volunteer, such as helping in classrooms, leading extra-curricular activities, assisting in event planning, attending study trips, and serving on parent committees

- Fundraising – parents and community members may work with the school to raise additional resources to support students and the school program
- Advocacy – parents and community members communicate the school design and outcomes to the public, educators and policy makers and advocate for necessary policies and resources
- Aspire Board of Directors meetings – parents and community members are welcome to the Board meeting. In compliance with the Brown Act, Aspire posts the agenda for Aspire Board of Directors meetings at least 72 hours prior to the meeting.

ADDRESSING PARENT CONCERNS AND COMPLAINTS

Aspire is committed to working with parents to address parental concerns and complaints. Parents will be encouraged to share their ideas and concerns with the School and Aspire throughout the school year. In addition, an Ombudsman will serve as an objective, third party resource for parents or community members who wish to express a grievance to Aspire about the School. The Ombudsman, a respected community leader from the School's local community, will use his/her discretion to ameliorate specific parental concerns and may choose to discuss the problem with Aspire's Board of Directors in serious cases. Also, Aspire has established a formal complaint process to address any parent complaints about the employees or employment practices of the organization and has issued Community Complaint Procedures and a Community Complaint Form. Finally, Aspire is committed to providing a safe, discrimination-free and harassment-free education to its students. To help achieve this important end, Aspire has established a formal Discrimination/Harassment Policy and Complaint Procedure.

Element E: Employee Qualifications

The qualifications to be met by individuals to be employed by the school.

- California Education Code Section 47605(b) (5) (E)

Aspire will recruit professional, effective, and qualified personnel to serve in administrative, instructional, instructional support, and non-instructional support capacities. Aspire believes that all of its employees play a key role in creating a successful learning environment and will recruit qualified employees throughout the organization. Aspire recognizes that employment is voluntary, and the Aspire Board of Directors shall not require any employee to be employed at an Aspire school. The School will conduct background checks on employee candidates to provide for the health and safety of the School's faculty, staff, and pupils and the academic success of the pupils. Aspire's Human Resources department, along with the Chief Academic Officer, shall monitor compliance with this policy. Employees will meet specific qualifications for employment as outlined in their job descriptions. Teachers at each school will meet all requirements for employment set forth in applicable provisions of law, including credential requirements outlined in Section 47605(l) of Charter Schools Act.

PRINCIPAL QUALIFICATIONS

Principals are the instructional leaders at each Aspire Statewide Benefit Charter school and will be responsible for helping the Schools and students achieve the outcomes outlined in this charter petition. The Principal will have the following qualifications:

Required knowledge, skills, and abilities:

- Superb communication and community-building skills
- Deep knowledge of curriculum development and program design
- A record of success in developing teachers
- Entrepreneurial passion

Required educational level:

- Bachelors degree
- Graduate coursework in educational administration

Required experience:

- 5 plus years teaching and administrative experience
- Experience in performance assessment

OFFICE MANAGER QUALIFICATIONS

The Office Managers are responsible for overall front office activities, will report to the Principal, and will work with students, parents, and outside parties. The Office Manager will have the following qualifications:

Required knowledge, skills, and abilities:

- Strong organizational, time management, and multi-tasking skills
- Strong interpersonal and communication skills
- Expedience in office management capacity
- Ability to work independently as well as with a team

Required educational level:

- A.A. degree or equivalent work experience

Required experience:

- 3 plus years in fast-paced administrative support position
- Experience in school front office preferable
- Proficiency with Microsoft Office

TEACHER QUALIFICATIONS

Criteria for the selection of teachers are adapted from the five standards used for certification from the National Board for Professional Teaching Standards. During the hiring process, candidates are evaluated using these standards:

1. Committed to students and learning
2. Knowledgeable about their subject matter
3. Skilled in management of learning
4. Reflective in their practice
5. Community-oriented

In addition, teachers of core, college preparatory courses at each Aspire school will be required to hold a CCTC certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. Teachers who are hired to teach a specific subject (e.g. math) will be required to hold a subject-specific credential or permit from the CCTC. In accordance with Education Code Section 47605(l), flexibility shall be given with regard to noncore, noncollege preparatory courses.

Additionally, teachers shall meet all applicable highly qualified requirements under the No Child Left Behind Act.

TEACHER HIRING

As a public charter school organization with a clearly defined focus, Aspire tends to attract educators interested in working in more accountable, innovative, collaborative environments—teachers and principals who are themselves educational entrepreneurs. A rigorous and sound process for selecting from the pool of teacher candidates is essential.

Aspire's multiple-stage approach includes: a resume screen; interview with a site hiring committee (discussed below); demonstration lesson with students; and reference checks.

The principal will be in charge of School hiring decisions and may have the opportunity to work with other staff and community members in making these decisions. The School may utilize a hiring team that includes some or all of the following individuals:

- *Principal:* Chairs the hiring committee and makes all final decisions on hiring for the School.
- *Office Manager:* Helps organize the process and paper trail, including: scheduling candidates for interviews and demonstration lessons; collecting score sheets; coordinating with current staff or participating students for demonstration lessons; and sending declined candidates' paperwork to Aspire's Home Office.
- *Teachers:* Actively participate in evaluating candidates through interview and demonstration lesson observation.
- *Parents:* Actively participate in evaluating candidates through the interview process, observe demonstration lessons and provide input.

PROFESSIONAL DEVELOPMENT

Once teachers are hired, Aspire invests in their continued professional development. Teachers new to Aspire participate in 2 weeks of training to become fluent in the Aspire education program; Aspire culture, literacy instruction, math instruction, rigorous interdisciplinary instruction, parent engagement and time with other team members examining student data. Each subject training includes professional development about assessing student achievement, classroom management and differentiating instruction.

In addition, Aspire conducts several school-year workshops in specific areas. The School Principal, in his/her capacity as instructional leader, provides on-site coaching. Teachers are organized into teams, led by an experienced "lead teacher" who has the skills to mentor others. Teachers are then able to collaborate and support each other to reach the Schools' and individual students' learning goals. Aspire also has instructional coaches who provide additional support, provide one-on-one consultation, conduct experience-based group sessions (e.g. New Teacher Support Program), and guide educators in their application for certification from the National Board for Professional Teaching Standards. Teachers are evaluated by their School Principal at least twice a year according to research-based criteria.

Element F: Health and Safety Procedures

The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Section 44237.

- California Education Code Section 47605(b) (5) (F)

In order to provide safety for all students and staff, Aspire has adopted and implemented full health and safety procedures and risk management policies at each school site in consultation with its insurance carriers and risk management experts. A sample school site health and safety plan is attached and incorporated herein by reference.

PROCEDURES FOR BACKGROUND CHECKS

Employees and contractors of Aspire Public Schools 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. New employees not possessing a valid California Teaching Credential must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. Aspire's Human Resources department, along with the Chief Academic Officer, shall monitor compliance with this policy. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

ROLE OF STAFF AS MANDATED CHILD ABUSE REPORTERS

All non-certificated and certificated staff will be mandated child abuse reporters and will follow all applicable reporting laws.

TUBERCULOSIS TESTING

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

IMMUNIZATIONS

All students enrolled and staff 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. Beginning July 1, 2011, all rising and enrolled students in grades 7-12 must be immunized with a pertussis

(whooping cough) vaccine booster. Beginning July 1, 2012, this requirement applies only to rising 7th graders.

MEDICATION IN SCHOOL

Each Aspire school will adhere to Education Code Section 49423 regarding administration of medication in school.

VISION, HEARING, AND SCOLIOSIS

Students will be screened for vision, hearing and scoliosis. Aspire will adhere to Education Code Section 49450, *et seq.*, as applicable to the grade levels served by the Charter School.

DIABETES

Aspire will provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7th grade students, pursuant to Education Code Section 49452.7. The information sheet shall include, but shall 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 of methods of type 2 diabetes.
5. A description of the different types of diabetes screening tests available.

EMERGENCY PREPAREDNESS

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

BLOOD BORNE PATHOGENS

Aspire schools shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the work place. Whenever exposed to blood or other bodily fluids through injury or accident, staff and students shall follow the latest medical protocol for disinfecting procedures.

DRUG FREE/ALCOHOL FREE/SMOKE FREE ENVIRONMENT

Aspire schools shall function as a drug, alcohol and tobacco free workplace.

FACILITY SAFETY

Each Aspire school shall comply with Education Code Section 47610 by either utilizing facilities that are compliant with the Field Act or facilities that are compliant with the California Building Standards Code. Aspire schools agree to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. The schools shall conduct fire drills as required under Education Code Section 32001.

COMPREHENSIVE SEXUAL HARASSMENT POLICIES AND PROCEDURES

Aspire is committed to providing a school that is free from sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability. Aspire has developed a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at the school (including employee to employee, employee to student, and student to employee misconduct).

Element G: Means to Achieve Racial/Ethnic Balance

The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population...

- California Education Code Section 47605(b) (5) (G)

Aspire will strive to ensure that the student population at each Aspire school will be reflective of the general population residing within the territorial jurisdiction of the school district in which each Aspire school is located. Aspire will monitor the racial and ethnic balance among its students on an annual basis and will engage in a variety of means and strategies, including monitoring and revising its student outreach plan on an annual basis, to try to achieve a racially and ethnically diverse student population. A copy of Aspire recruitment strategies is attached and incorporated herein by reference. These strategies will include:

- Developing an enrollment timeline and process that allows for a broad-based recruiting and application process,
- Engaging in outreach efforts and making presentations via neighborhood groups, community organizations, churches, and other leadership organizations, and local preschools
- Advertising openings through marketing brochures, posting flyers in neighborhoods, distributing flyers at local grocery stores, and/or TV/radio public service announcements targeted towards diverse populations, and when needed, in various languages.

Aspire shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).

Element H: Admission Requirements

Admission requirements, if applicable.

- California Education Code Section 47605(b) (5) (H)

Aspire will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition nor discriminate against any student based upon any of the characteristics listed in Education Code Section 220.

Aspire shall admit all pupils who wish to attend the Charter School. No test or assessment shall be administered to students prior to acceptance and enrollment into the school. Aspire will comply with all laws establishing minimum and maximum age for public school attendance in charter schools.

The Aspire application process is comprised of the following:

- Completion of a Student Interest Form for each child who is interested in attending the school

Applications will be accepted during a publicly advertised open application 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 grade level has received more applications than availability. In the event that this happens, the Charter School will hold a public random drawing to determine enrollment for the impacted grade level, with the exception of existing students who are guaranteed enrollment in the following school year. Enrollment preferences in the case of a public random drawing shall be as follows:

- All students currently enrolled
- All students who seek to continue their preparation and readiness for college from other Aspire schools, including those matriculating from an Aspire elementary school to an Aspire secondary school
- Children of Aspire Regular, Full-time employees
- Siblings of students already admitted to the Charter School
- Children of founding families of the Charter School, as defined by Aspire Board policy
- All other students in the state of California

At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be given the option to put their name on a wait list according to their draw in the lottery. This wait list will allow students the option of enrollment in the case of an opening during the current school year.

In no circumstance will a waitlist carry over to the following school year.

Upon confirmation that a student has secured a spot at the school, parents must submit a completed Registration Form.

PLANNED APPLICATION, PUBLIC RANDOM DRAWING, AND ADMISSION SCHEDULE

Aspire typically utilizes the following application, public random drawing, and admission schedule. The schedule below may be abbreviated to ensure all steps are followed within a shorter timeframe if required by the opening date of a particular Aspire school.

December – January	Recruit students (via referrals, networking, and holding enrollment and option fairs). Collect Student Interest Forms.
January - March	Send re-enrollment forms to existing students to identify open seats. Public random drawing conducted (if necessary).
March - May	Waitlist letters distributed to applicants not selected in the public random drawing. Acceptance letters and registration packets distributed to parent and children who have been drawn in the public random drawing.

Element I: Financial Audit

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 fiscal audit, required under the Charter Schools Act, will be conducted by an auditor with experience in education finance and will use generally accepted accounting principles. That audit will cover each of Aspire's schools including those under the statewide charter umbrella. Because Aspire has only one legal entity, only one set of audited financial statements will be produced for Aspire, but those financial statements will include supplementary information showing site-by-site results.

Aspire's Audit Committee, in conjunction with Aspire's Chief Financial Officer, is responsible for contracting with the independent auditor, who shall be selected from the Certified Public Accountant's Directory published by the State Controller's Office. The audit shall be conducted in accordance with Education Code Section 47605(m) and the applicable portions of Standards and Procedures for Audits of California K-12 LEAs as published in the *California Code of Regulations*. Aspire's Chief Financial Officer is responsible for overseeing the independent audit. Aspire shall transmit a copy of its annual independent financial audit report for the preceding fiscal year to the State Board of Education or designated staff and any other entities (including the California Department of Education, the California Department of Education Charter Schools Division, the California Department of Education Audit Resolution Office, the State Controller's Office, the County Office of Education, in which each Aspire school is located, and any other agency as the State Board of Education may direct) as required by law and by December 15 of each year. The Executive Committee of the Aspire Board of Directors will resolve audit exceptions and deficiencies in a timely fashion, and will report to the State Board of Education regarding how the exceptions and deficiencies have been or will be resolved to the satisfaction of the State Board of Education. Any disputes regarding the resolution of audit exceptions and deficiencies will be referred to the dispute resolution process contained in this charter, or if applicable, referred to the Education Audit Appeal Panel (EAAP) appeal process as required by Education Code Section 41344.

Aspire will comply with the Public Records Act (Government Code Section 6250) and the Brown Act (Government Code Section 54950).

Aspire shall promptly respond to all reasonable inquiries pursuant to the requirements of California Education Code Section 47604.3.

Element J: Pupil Suspension and Expulsion Procedures

The procedures by which pupils can be suspended or expelled.

- California Education Code Section 47605(b) (5) (J)

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at Aspire Public Schools. In creating this policy, Aspire has reviewed Education Code Section 48900 *et seq.* which describes the noncharter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* Aspire 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 to comply with applicable law.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as Aspire'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. Aspire 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. Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

Aspire administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this Policy and Procedures are available on request at the School Administrator's office.

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

A student identified as an individual with disabilities or for whom Aspire has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. Aspire 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 Aspire 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.

GROUNDS FOR SUSPENSION AND EXPULSION OF STUDENTS

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

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 of violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property.
- g) Stole or attempted to steal school property or private property.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.

- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l) Knowingly received stolen school property or private property.
- 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) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
- r) Made terrorist threats against school officials and/or school property. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
- s) 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.

- t) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261 of the Education Code, directed specifically toward a pupil or school personnel.
- w) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
- x) 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 School Administrator or designee's concurrence.

2. Non- Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the School Administrator or designee's concurrence.

3. Discretionary Expellable Offenses: Students may be expelled 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 of violence upon the person of another, except self-defense.

- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property.
- g) Stole or attempted to steal school property or private property.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l) Knowingly received stolen school property or private property.
- 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) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.

- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- r) Made terrorist threats against school officials and/or school property. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
- s) 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.
- t) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261 of the Education Code, directed specifically toward a pupil or school personnel.

- w) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
 - x) 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 expelled for any of the following acts when it is determined pursuant to the procedures below that the pupil:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the School Administrator or designee's concurrence.

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.

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.

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 School Administrator or designee with the student and his or her parent and, whenever practical, the teacher, supervisor or Aspire employee who referred the student to the School Administrator.

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

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense. This conference shall be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil’s parent or guardian to attend a conference with Aspire 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 of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If Aspire 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. Upon a recommendation of Expulsion by the School Administrator, the pupil and the pupil’s guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the School Administrator 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.

AUTHORITY TO EXPEL

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

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 School Administrator or designee determines that the Pupil has committed an expellable offense.

In the event an administrative panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. 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 three (3) days prior to the hearing.

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

1. The date and place of the expulsion hearing;
2. A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
3. A copy of Aspire'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 Aspire to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

SPECIAL PROCEDURES FOR EXPULSION HEARINGS INVOLVING SEXUAL ASSAULT OR BATTERY OFFENSES

Aspire 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 Aspire 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. Aspire must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the person or panel conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The person conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The person conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The person conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, Aspire must present evidence that the witness' presence is both desired by the witness and will be helpful to Aspire. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person

conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

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.

PRESENTATION OF EVIDENCE

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

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

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

WRITTEN NOTICE TO EXPEL

The School Administrator or designee following a decision of the Board to expel shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the student or parent/guardian. This notice shall also include the following: Notice of the specific offense committed by the student; and 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 Aspire.

The School Administrator 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 b) The specific expellable offense committed by the student.

DISCIPLINARY RECORDS

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

NO RIGHT TO APPEAL

The pupil shall have no right of appeal from expulsion from Aspire as Aspire Board's decision to expel shall be final.

EXPELLED PUPILS/ALTERNATIVE EDUCATION

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

REHABILITATION PLANS

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

READAMMISSION

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 the Board following a meeting with the Director of Student Services or designee and the pupil and guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Director of Student Services or designee shall make a recommendation to the Board following the meeting regarding his or her determination. The pupil's readmission is also contingent upon Aspire's capacity at the time the student seeks readmission.

SPECIAL PROCEDURES FOR THE CONSIDERATION OF SUSPENSION AND EXPULSION OF STUDENTS WITH DISABILITIES

1. Notification of SELPA

Aspire shall 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 the Aspire 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, and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment or functional analysis, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

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, the Aspire, 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 Aspire, 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 Aspire, 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 the Aspire 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 the Aspire agree to a change of placement as part of the modification of the behavioral intervention plan.

If Aspire, 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 Plan, then Aspire 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 Aspire 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 Aspire, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and Aspire agree otherwise.

5. Special Circumstances

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

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

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

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

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

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

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

Element K: Employee Retirement System

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)

All employees of Aspire who qualify for membership in STRS or PERS shall be covered under the appropriate system. Employees will contribute at the rate established by STRS or PERS. The Payroll/Benefits Manager of Aspire will ensure that appropriate arrangements for the coverage have been made. Aspire will make all employer contributions as required. Aspire will also make contributions for workers' compensation insurance, unemployment insurance and any other payroll obligations of an employer.

Element L: Pupil School Attendance Alternatives

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)

Aspire recognizes that pupil attendance is voluntary and the Aspire Board of Directors shall not require any pupil to attend an Aspire school. Students who opt not to attend the School may attend other public schools in accordance with existing enrollment and transfer policies of their county of residence. The parent or guardian of each student enrolled in the charter school will be notified that their student shall have no right to admission in a particular school of any local educational agency (or program of any local educational agency) as a consequence of enrollment in the School, except to the extent that such a right is extended by the local educational agency.

Element M: Description of Employee Rights

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

- California Education Code Section 47605(b) (5) (M)

The rights of any employees to take employment at the School, as well as the right to return, shall include: Any rights upon leaving the employment of a local education agency to work in the School that the local education agency may specify; any rights of return to employment in a local education agency after employment in the School as the local education agency may specify; and, any other rights upon leaving employment to work in the School and any rights to return to a previous employer after working in the School that the State Board of Education determines to be reasonable and not in conflict with any provisions of law that apply to the School or to the employer from which the employee comes to the School or to which the employee returns from the School.

Element N: Dispute Resolution Procedures

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)

Aspire agrees to any specific provisions relating to dispute resolution that the State Board of Education determines necessary and appropriate in recognition of the fact that the State Board of Education is not a local educational agency. In further recognition of the fact that the State Board of Education is not a local educational agency, Aspire acknowledges that the State Board of Education may choose to resolve a dispute directly instead of pursuing any given dispute resolution process, provided that if the State Board of Education intends to resolve a dispute directly instead of pursuing any given dispute resolution process, it must first hold a public hearing to consider arguments for and against the direct resolution of the dispute instead of pursuing any given dispute resolution process. Aspire further recognizes that if the substance of a dispute is a matter that could result in the taking of appropriate action, including but not limited to, revocation of the charter in accordance with Education Code section 47604.5, the matter will be addressed at the State Board of Education's discretion in accordance with that provision of law and any regulations pertaining thereto. Finally, Aspire represents that it is committed to working with the State Board of Education in a spirit of cooperation, and Aspire will agree to have matters unable to be resolved may be referred to a mutually agreed upon legally licensed mediator at standard cost and that any costs and fees other than attorney's fees associated with the mediation shall be shared equally by the parties.

Element O: Exclusive Public School Employer Declaration

A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 4 of Title 1 of the Government Code).

- California Education Code Section 47605(b) (5) (O)

For the purposes of the Educational Employment Relations Act, Aspire is deemed the exclusive public school employer of the employees of the School.

Element P: Process for Charter School Closure

A description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.

- California Education Code Section 47604(b) (5) (P)

In the event that the statewide charter closes and does not continue operating under this charter or a different charter, the following procedures, which are adapted from the procedures recommended by the California Department of Education (“CDE”), shall be utilized to ensure a final audit of the School to determine the disposition of all assets and liabilities of the School, including plans for disposing any net assets and for the maintenance and transfer of pupil records.

DOCUMENTATION OF CLOSURE ACTION

The decision to close the statewide charter for any reason will be documented by an official action of the Aspire Board of Directors. The action will identify the reason for the statewide charter’s closure (i.e. whether the charter was revoked, not renewed or closed voluntarily) and the effective date of the closure, and an entity and person or persons responsible for closure-related activities.

NOTIFICATION TO THE CALIFORNIA DEPARTMENT OF EDUCATION

Notification will be given to the Charter Schools Unit at the CDE. The notification will include the following information:

- a. Statewide charter name, charter number, and CDS code;
- b. Date of closure action;
- c. Effective date of the closure, if different; and
- d. Reason for the closure. (Note: If the charter is revoked pursuant to Education Code Section 47604.5 or revoked or not renewed pursuant to Education Code Section 47607, the notice should clearly state that the charter has been revoked or not renewed, as appropriate. If it is being closed for other reasons, the notice should specify the reason(s) and clarify that the charter school is being closed, but not revoked).

NOTIFICATION TO PARENTS AND STUDENTS

The Aspire Board of Directors will promptly notify parents and students of the statewide charter schools, the State Board of Education, the County Office of Education in which the schools are located, the Charter School’s SELPA, the retirement systems in which the School’s employees participate (e.g., Public Employees’ Retirement System, State Teachers’ Retirement System, and federal social security), and the California Department of Education of the closure

as well as the effective date of the closure. This notice will also include the name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure; the pupils' school districts of residence; and the manner in which parents/guardians may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.

The Board will ensure that the notification to the parents and students of the schools 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 statewide charter.

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

STUDENT AND SCHOOL RECORDS RETENTION AND TRANSFER

As applicable, Aspire will provide parents and students and with copies of all appropriate student records and will otherwise assist students in transferring to their next school. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act ("FERPA") 20 U.S.C. § 1232g. In the event that Aspire is unable to transfer student records for any reason, the School will maintain them in a safe and secure location and will provide authorized employees with access to these records. Aspire will maintain all school records, including financial and attendance records, for a reasonable period after the statewide charter closure.

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.

FINANCIAL CLOSE-OUT

As soon as reasonably practical, Aspire will prepare final financial records. Aspire will also have an independent audit completed within six months after closure. Aspire will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by Aspire and will be provided to the State Board of Education 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 Aspire for the operation of the statewide charter.

Aspire will complete and file any annual reports required pursuant to Education Code section 47604.33

DISSOLUTION OF ASSETS

On closure of the statewide charter, all assets of the statewide charter, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending the statewide charter schools, remain the sole property of Aspire and upon the dissolution of the non-profit public benefit corporation shall be distributed in accordance with the Articles of Incorporation. 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, Aspire shall remain solely responsible for all liabilities arising from the operation of the School.

As the statewide charter is operated by a non-profit public benefit corporation, should the corporation dissolve, 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.

Aspire will utilize the statewide charter reserve fund to undertake any expenses associated with the closure procedures identified above.

Impact on the Charter Authorizer

Potential civil liability effects, if any, upon the school and upon the District.

- California Education Code Section 47605(g)

Charter schools established under the Aspire Statewide Benefit Charter shall be operated by Aspire Public Schools, a California non-profit 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 23701d.

Pursuant to Education Code Section 47604(c), an entity 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 Aspire if the authority has complied with all oversight responsibilities required by law. Aspire shall work diligently to assist the California Department of Education and State Board of Education (CDE/SBE) in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other authorizer-requested protocol to ensure the CDE/SBE shall not be liable for the operation of Aspire's statewide charter schools.

Further, Aspire and CDE/SBE shall enter into a MOU, wherein Aspire shall indemnify the CDE/SBE for the actions of Aspire under this charter.

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

As stated above, insurance amounts will be determined by recommendation of the CDE/SBE and Aspire's insurance company for schools of similar size, location, and student population. The CDE/SBE shall be named an additional insured on the general liability insurance of Aspire.

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

Aspire Statewide Benefit Charter Schools: Financial Planning, Reporting, and Accountability

BUDGETS AND FINANCIAL REPORTING

The statewide charter shall also be required to provide financial statements that include a proposed first year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation.

- California Education Code Section 47605(g)

Attached, as an Appendix, please find the following documents for each existing Aspire statewide benefit charter school:

- Budget assumptions
- 3-year budget and cash flow
- 3-year budgeted Profit & Loss Statement

Aspire shall provide reports to the California Department of Education as follows, and may provide additional fiscal reports as requested:

1. By July 1, a preliminary budget for the current fiscal year.
2. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of the Charter School's annual, independent financial audit report for the preceding fiscal year shall be delivered to the CDE/SBE, State Controller, and the County Superintendent of Schools where each school is located.
3. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
4. By September 15, a final unaudited report for the full prior year. The report submitted to the CDE shall include an annual statement of all the Charter School's receipts and expenditures for the preceding fiscal year.

INSURANCE

Aspire 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 CDE/SBE and the Charter School's insurer. The State Board of Education shall be named as an additional insured on all policies of the Charter School. Prior to opening, the Charter School will provide evidence of the above insurance coverage to the CDE/SBE.

ADMINISTRATIVE SERVICES

The manner in which administrative services of the school are to be provided.

- California Education Code Section 47605(g)

The Aspire Statewide Benefit Charter Schools have designated the San Joaquin County Office of Education as the responsible entity for funding and STRS/PERS payments in accordance with Section 11967.8 of Title 5 of the California Code of Regulations.

Aspire has an experienced administrative staff that handles a variety of “back office” services like payroll, accounting, and purchasing. Aspire will be responsible for all of its own personnel salary and benefit plans, provisions and costs.

FACILITIES

Governing Law: The facilities to be utilized by the school. The description of the facilities to be used by the charter school shall specify where the school intends to locate.”

- California Education Code Section 47605(g).

Aspire seeks to obtain and retain facilities via numerous mechanisms, including but not limited to, leases, bond measures, and local facilities. All facilities have the “look and feel” of an Aspire Public School. This includes using school colors and the naming of classrooms after local and national universities.

TRANSPORTATION

Aspire will not provide transportation to and from school, except as required by law for students with disabilities in accordance with a student’s IEP.

Aspire Statewide Benefit Charter Plan for Operations/ Description of Distinction Between Centralized and Individual School Level Responsibilities

A petition to establish a statewide benefit charter school pursuant to Education Code section 47605.8 shall ... contain a plan for operations of the statewide benefit charter school that describes the distinction between centralized and individual school responsibilities and includes a staffing plan to implement the activities at the designated level. This plan shall be a part of the petition as initially approved by the SBE. If amendments to the plan are proposed, these amendments must be submitted to the SBE for approval. The plan shall address statewide benefit charter school operations including, but not limited to:

- (A) Academic program,*
- (B) Facilities and school operations,*
- (C) Legal and programmatic compliance,*
- (D) Financial administration,*
- (E) Governance, and*
- (F) Decision-making authority.*

- California Code of Regulations, Title 5, Section 11967.6(a)(12)

Aspire is governed by a Board of Directors, who is responsible for establishing broad policies that effect all Aspire schools. For example, the Board of Directors and its Executive Committee may set policies related to staff hiring, benefits and compensation, conditions for student suspension and expulsion, and controversial issues that impact more than one school site.

The Home Office sets strategy and designs core systems and processes, as well as provides support services that are best managed centrally, such as Human Resources, Information Technology, and Accounting/Finance support. The Home Office has primary responsibility for defining overall academic program, securing facilities, and oversight of legal and programmatic compliance.

Each individual Aspire school is responsible for implementing the academic program in a manner that best supports its students, selecting instructional materials and resources that help their students achieve, handling day-to-day operations of the school site, and managing its own budget. Each individual Aspire principal is concerned with day-to-day hiring and staffing. Reflecting the values of charter legislation at the State level, each individual Aspire school is granted this power and autonomy in exchange for accountability and results.

Aspire Statewide Benefit Charter – List of Potential Sites of Operation

A petition to establish a statewide benefit charter school pursuant to Education Code section 47605.8 shall ... provide a list that includes each school the statewide benefit charter school proposes to operate. This shall be a part of the petition as initially approved by the SBE. This list shall include:

(A) A timeline for the commencement of instruction at each charter school. Commencement of instruction must begin during the term of the charter.

(B) The general location of each school and the school district and county in which each school is to be located.

(C) A description of the potential facilities to be used at each school.

(D) The approximate number of pupils that can safely be accommodated by each school facility.

- California Code of Regulations, Title 5, Section 11967.6(a)(13)

A list of potential sites of operation for charter schools under the Aspire Statewide Benefit Charter and other required information was approved by the State Board of Education in January 2010. Amendments to this list are included with this charter renewal petition. Please see Appendix 3.

Aspire Statewide Benefit Charter – Assurances Regarding Notification to Counties and School Districts

In January 2010, the State Board of Education approved a material revision to Aspire's statewide benefit charter, which included a list of sites to be operated under that charter. With this petition for charter renewal, Aspire has proposed amendments to its list of potential sites of operation under its Statewide Benefit Charter (see Appendix 3). Aspire makes the following assurances to the State Board of Education:

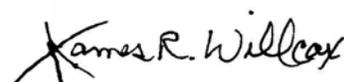
- Aspire has submitted all required notifications to the county superintendents of schools and the governing boards of each school district where Aspire proposes to locate a school site as specified in Appendix 3 pursuant to the requirements of Education Code Section 47605.8(a) and Section 11967.6.1 of Title 5 of the California Code of Regulations.
- When the meeting date for the State Board of Education's consideration of the Aspire Statewide Benefit Charter petition for renewal, including consideration of Aspire's proposed amendments to its list of potential sites of operation under its Statewide Benefit Charter, becomes publicly available, Aspire shall submit a written notice of the meeting date to the county superintendents of schools and the governing boards of each school district where Aspire proposes to locate a school site pursuant to the requirements of Section 11967.6.1(d) of Title 5 of the California Code of Regulations.
- Should Aspire seek to amend its list of potential sites of operation for charter schools under the Aspire Statewide Benefit Charter pursuant to Section 11967.6(a)(13) of Title 5 of the California Code of Regulations, Aspire shall comply with all notification requirements to county superintendent(s) of schools and governing board(s) of school districts contained in Education Code Section 47605.8(a) and Section 11967.6.1 of Title 5 of the California Code of Regulations.

Aspire Statewide Benefit Charter: Assurances

I hereby certify that the information submitted in this petition for a Statewide Benefit Charter School for Aspire Public Schools is true to the best of my knowledge and belief, that this petition does not constitute the conversion of a private school to the status of a public charter school, and that if awarded a charter, each of the sites of the Aspire Statewide Charter School:

1. Shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools;
2. Shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Act;
3. Shall be nonsectarian in its programs, admissions, policies, employment practices, and all other operations;
4. Shall not charge tuition;
5. Shall admit all students who wish to attend the school, and who submit a timely application, unless the school receives a greater number of applications than there are spaces for students, in which case, subject to legal priority, each applicant will be given equal chance of admission through a random lottery process;
6. Shall not discriminate against any student on the basis of ethnic background, national origin, gender or disability, or any other characteristic listed in Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics);
7. Shall adhere to all provisions of federal law relating to students with disabilities, including the IDEA, Section 504 of the Rehabilitation Act of 1974, and Title II of the Americans with Disabilities Act of 1990, that are applicable to it;
8. Shall meet all requirements for employment set forth in applicable provisions of law, including but not limited to credentials, as necessary;
9. Shall ensure that teachers in the school hold a CCTC certificate, permit, or other document equivalent to that which teachers in other public schools are required to hold, and flexibility will be given to non-core, non-college preparatory teachers;
10. Shall at all times maintain all necessary and appropriate insurance coverage;
11. 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).

12. If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. [Ref. California Education Code Section 47605(d)(3)]
13. Shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. California Education Code Section 47612.5(a)]
14. Shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs. [Ref. California Education Code Section 47605(c)]
15. Shall comply with all laws establishing the minimum and maximum age for public school enrollment. [[Ref. California Education Code Section 47612(b), 47610]
16. Shall comply with all applicable portions of the No Child Left Behind Act.
17. Shall comply with the Public Records Act.
18. Shall comply with the Family Educational Rights and Privacy Act.
19. Shall comply with the Ralph M. Brown Act.
20. Shall meet or exceed the legally required minimum of school days.[Ref. Title 5 California Code of Regulations Section 11960]
21. Shall follow any and all other federal, state, and local laws and regulations that pertain to the applicant or the operation of the school;
22. Shall provide an annual report to the SBE reflecting student achievement data, performance benchmarks, and other pertinent data supporting state charter goals;
23. Shall comply with all notification requirements to counties and school districts contained in Education Code Section 47605.8(a) and Section 11967.6.1 of Title 5 of the California Code of Regulations; and
24. Shall assure that the instructional services for similar student populations described in this charter will be essentially similar at each school and, thus, that each pupil's educational experience will be reasonably the same with regard to instructional methods, instructional materials, staffing configuration, personnel requirements course offerings, and class schedules.



JAMES WILLCOX
CEO, Aspire Public Schools

September 13, 2011

DATE

APPENDIX

Appendix 1: Progress Towards 2007-2012 Measurable Pupil Outcomes

Appendix 2: Conditions for opening new schools

Appendix 3: List of Existing and Potential SBC sites

Appendix 4: Sample views from data portal

Appendix 5: Charts of Aspire's performance over time

Appendix 6: Financials

Appendix 7: Aspire Corporate Documents – Articles of Incorporation, Bylaws, and Conflicts

Code

Appendix 8: Sample School Site Health and Safety Plan

Appendix 1: 2007-2012 Measurable Pupil Outcomes – Progress Towards Goals

ASPIRE JUNIOR COLLEGIATE ACADEMY

Desired Outcomes	2007-08	2008-09	2009-10	2010-11
100% students passing core academic classes	100% of students passed the core academic classes	100% of students passed the core academic classes	100% of students passed the core academic classes	100% of students passed the core academic classes
Increase of 10% each year of students scoring proficient or advanced proficient based on STAR	Achieved API score of 768. Growth – NA, baseline year	Achieved API score of 795. In ELA, the school went from 37% proficient/advanced proficient to 46%. In math, the school went from 65% proficient/advanced to 68%.	Achieved API score of 844. In ELA, the school went from 45.2% proficient/advanced proficient to 58% In math, the school went from 68% to 75.6%.	Achieved API score of 868. In ELA, the school went from 58% proficient/advanced proficient to 63.6% In math, the school went from 75.6% to 85.4%.
100% of students meeting inter-disciplinary project requirements. Rubrics based on Newmann’s standards for rigor will be used to assess the final projects	The school focused on starting up its core academic program.	The school used this year as a planning year for interdisciplinary units.	Units were rolled out in grade kindergarten and first grade. All students met the requirement.	All grades participated in inter-disciplinary projects.
100% of students passing ROPE(s)/ exhibitions	The school focused on starting up its core academic program.	The school used this year as a planning year for ROPE(s)	All 5th graders passed ROPE(s) project.	95% of 5 th graders passed ROPE(s) project.
95% or higher attendance rate	97% attendance rate	95% attendance rate	95% attendance rate	97% attendance rate
90% of students participating in co-/extracurricular activities	The school focused on starting up its core academic program.	The school used this year as a planning year for extracurricular activities.	Extracurricular activities include: JCA Newspaper (15 students), Before school Physical Education Club (30	85% of students participated in extracurricular activities such as state-funded afterschool programs, and

Desired Outcomes	2007-08	2008-09	2009-10	2010-11
			students), After-School program which includes Science, Art, Literacy and Physical Education instruction (60 students)	Physical Education Club.
100% of students are promoted.	95% of students were promoted.	100% of students were promoted.	100% of students were promoted.	100% of students were promoted.

ASPIRE PORT CITY ACADEMY

Desired Outcomes	2007-08	2008-09	2009-10	2010-11
100% students passing core academic classes	100% of students passed the core academic classes	100% of students passed the core academic classes	100% of students passed the core academic classes	100% of students passed the core academic classes
Increase of 10% each year of students scoring proficient or advanced proficient based on STAR	Achieved API score of 779.	Achieved API score of 837. In ELA, the school went from 41% proficient/advanced proficient to 57%. In math, the school went from 69% proficient/advanced to 82%.	Achieved API score of 870. In ELA, the school went from 57% proficient/advanced proficient to 67% In math, the school went from 82% proficient/advanced to 84%.	Achieved API score of 868. In ELA, the school went from 67% proficient/advanced proficient to 64.7% In math, the school went from 84% proficient/advanced to 82.6%.
100% of students meeting inter-disciplinary project requirements. Rubrics based on Newmann's standards for rigor will be used to assess the final	The school focused on starting up its core academic program.	The school used this year as a planning year for interdisciplinary units.	Units were rolled out in two grades. All students met the requirement.	All 4 th and 5 th grade students participated in the math steeplechase competition and interdisciplinary science projects.

Desired Outcomes	2007-08	2008-09	2009-10	2010-11
projects				
100% of students passing ROPE(s)/ exhibitions	The school focused on starting up its core academic program.	The school used this year as a planning year for ROPE(s)	All 5th graders passed ROPE(s) project as part of the Science Fair.	100% of students passed ROPE(s).
95% or higher attendance rate	96% attendance rate	95% attendance rate	95% attendance rate	96% attendance rate
90% of students participating in co-/extracurricular activities	The school focused on starting up its core academic program.	The school used this year as a planning year for extracurricular activities.	Extracurricular activities include approximately 50 students with most taking place afterschool.	Approximately 65% of students participated in the Grant Funded After School Program that featured, art, science, literacy, and homework support. Approximately 35% of students participated in special events sports such as dodge ball tournaments. About 15 students participated in a drama program that also included students from Langston Hughes Academy.
100% of students are promoted.	93% of students were promoted	100% of students were promoted.	100% of students were promoted.	99% of students were promoted

ASPIRE TITAN ACADEMY

Desired Outcomes	2009-10	2010-11
100% students passing core academic classes	100% of students passed the core academic classes	100% of students passed the core academic classes
Increase of 10% each year of students scoring proficient or advanced proficient	N/A – Baseline year	In ELA, the school went from 55% proficient/advanced proficient to 60%

Desired Outcomes	2009-10	2010-11
based on STAR		In math, the school went from 64% to 78%
100% of students meeting interdisciplinary project requirements. Rubrics based on Newmann’s standards for rigor will be used to assess the final projects	The school used this year as a planning year for interdisciplinary units.	100% of students met the interdisciplinary project requirements.
100% of students passing ROPE(s)/ exhibitions	The school used this year as a planning year for ROPE(s)	School focused on implementation of core academic program and interdisciplinary projects
95% or higher attendance rate	95% attendance rate	97% attendance rate
90% of students participating in co- /extracurricular activities	The school used this year as a planning year for extracurricular activities.	School focused on implementation of core academic program and interdisciplinary projects
100% of students are promoted.	100% of students were promoted.	100% of students were promoted.

ASPIRE ALEXANDER TWILIGHT COLLEGE PREPARATORY ACADEMY

Desired Outcomes	2009-10	2010-11
100% students passing core academic classes	Over 95% of students passed core academic classes	100% of students passed the core academic classes
Increase of 10% each year of students scoring proficient or advanced proficient based on STAR	N/A – Baseline year	In ELA, the school went from 45% proficient/advanced proficient to 51% In math, the school went from 54% to 71%
100% of students meeting interdisciplinary project requirements. Rubrics based on Newmann’s standards for rigor will be used to assess the final projects	The school used this year as a planning year for interdisciplinary units.	All grades participated in interdisciplinary projects.
100% of students passing ROPE(s)/ exhibitions	The school planned ROPE(s) during this initial year.	100% of 5 th graders passed ROPE(s)

95% or higher attendance rate	95% attendance rate	95% attendance rate
90% of students participating in co- /extracurricular activities	The school used this year as a planning year for extracurricular activities. Some were offered, but the numbers of participants was not tracked.	65% of 2 nd -5 th graders participated in extra-curricular sports activities (basketball, soccer, track)
100% of students are promoted.	100% of students were promoted.	100% of students were promoted.

ASPIRE ALEXANDER TWILIGHT SECONDARY ACADEMY

Desired Outcomes	2010-11
100% students passing core academic classes	Semester 2 Passing Rates: English – 82% Math – 75% History – 95% Science – 95%
Increase of 10% each year of students scoring proficient or advanced proficient based on STAR	NA – Baseline year
100% of students meeting interdisciplinary project requirements. Rubrics based on Newmann’s standards for rigor will be used to assess the final projects	The school used this year as a planning year for interdisciplinary units. School focused on core academic program.
100% of students passing ROPE(s)/ exhibitions	100% of 6 th -9 th graders passed Exhibitions
95% or higher attendance rate	96% attendance rate
90% of students participating in co- / extracurricular activities	40% of 6 th -8 th graders participated in extra-curricular sports activities (basketball, soccer, track)
100% of students are promoted.	100% of students were promoted

ASPIRE APEX ACADEMY

Desired Outcomes	2010-11
100% students passing core academic classes	100% of students passed the core academic classes
Increase of 10% each year of students scoring proficient or advanced proficient based on STAR	NA – Baseline year

100% of students meeting interdisciplinary project requirements. Rubrics based on Newmann’s standards for rigor will be used to assess the final projects	Interdisciplinary projects were rolled out to 3 rd grade students only.
100% of students passing ROPE(s)/ exhibitions	The school planned ROPE(s) during this initial year
95% or higher attendance rate	96% attendance rate
90% of students participating in co- / extracurricular activities	The school used this year as a planning year for extracurricular activities.
100% of students are promoted.	98% of students were promoted

2007-2012 Measurable School Outcomes – Progress Towards Goals

2010-11 API Scores and Growth

School	Years since founding year	2011 API	2010 API	Actual Growth	Cumulative Actual Growth	Cumulative State Targets	Multiple of State targets
APEX	1	742	NA	NA			
ATSA	1	699	NA	NA			
ATCPA	2	802	766	36	36	5	7.2
TTN		849	824	25	25	0	25.0
JCA	4	868	844	24	100	10	10.0
PCA	4	868	870	-2	89	5	17.8

2010-11 API Results and Growth by Subgroup

Sub Group	APEX		ATSA		ATCPA		Titan		JCA		PCA	
	API	Actual Growth	API	Actual Growth	API	Actual Growth	API	Actual Growth	API	Actual Growth	API	Actual Growth
Black or African American	839	NA	704	NA	800	54					848	14
American Indian or Alaska Native												
Asian											927	
Filipino												
Hispanic or Latino	717	NA	655	NA	779	31	848	25	868	24	861	-20
Native Hawaiian or Pacific Islander												

Sub Group	APEX		ATSA		ATCPA		Titan		JCA		PCA	
	API	Actual Growth	API	Actual Growth	API	Actual Growth	API	Actual Growth	API	Actual Growth	API	Actual Growth
White			728	NA	848						876	
Two or More Races											905	
Socioeconomically Disadvantaged	709	NA	687	NA	781	52	846	23	866	24	858	8
English Learners	727	NA	555	NA	719		840	21	860	36	873	
Students with Disabilities			474	NA	757		665		752		727	

 Statistically significant group that met State growth targets

Appendix 2: Conditions for Opening New Schools

1. Aspire will provide the CDE information regarding its statewide benefit charter schools sufficient to update the SBE periodically (and prior to the opening of any schools under the charter) on the organization's progress in implementing the charter and the MOU. It is the intent of the CDE, unless circumstances otherwise dictate, to include this information in the standing item for updates on SBE-chartered schools.

2. Before opening additional statewide benefit schools, Aspire will provide evidence that:
 - Each existing statewide benefit school has met the stated Measurable Pupil Outcomes appropriate to the age of the school.

 - Aspire shall present a list of potential geographic areas in which it may open new schools. The list shall be considered to be part of the statewide benefit charter, and any material revision of it shall require the SBE's approval. Locations in which Aspire chooses to locate will meet one or more of the following criteria:
 - At least 50% of the district-operated Title I schools are in Program Improvement; or
 - At least 50% or more of district-operated Title I schools within a 2-mile radius of the proposed location are in Program Improvement; or
 - 60% or less of high school graduates within the district are UC/CSU eligible; or
 - 60% or less of high school graduates within a 2-mile radius of the proposed location are UC/CSU eligible

 - Each additional site will be financially viable, as supported by the following documents:
 - Budget Assumptions
 - 3-year budget at cash Flow
 - 3-year budgeted Profit & Loss Statement

 - Each additional site shall initially open between July 1 and September 30.

 - The specific location of each site (within the districts indicated in the charter) shall be identified to the CDE, which shall notify the SBE, in the January immediately preceding its opening.

3. Aspire will provide an annual report on all statewide benefit charter schools to the SBE via the CDE, with detailed information regarding student achievement at each school site, with particular emphasis on core subjects, as may be specified by the CDE and SBE staff.

4. The SBE may assign an SBE member or designee to the statewide benefit charter school's governing board.

Appendix 3: List of Existing and Potential Sites to be Operated under the Aspire Public Schools Statewide Charter

Approved as a Material Revision to the Aspire Public Schools
Statewide Charter by the State Board of Education January 2010
(Updated August 2011 to Reflect Newly Operational Schools & Revised School Names)

AREA	LOCATION	PROPOSED SCHOOLS
ASPIRE SACRAMENTO	Sacramento (e.g. Sacramento, West Sacramento, Citrus Heights)	Aspire Alexander Twilight College Preparatory Academy* Aspire Alexander Twilight Secondary Academy* Aspire College Elementary Academy Capital City Aspire College Preparatory Academy Capital City
ASPIRE LOS ANGELES	Los Angeles (e.g. Los Angeles, Montebello, Whittier, El Monte, Norwalk)	Aspire College Elementary Academy Los Angeles Aspire College Preparatory Academy Los Angeles Aspire College Elementary Academy South LA Aspire College Preparatory Academy South LA
ASPIRE SOUTH CITIES	South Cities (e.g. Inglewood, Compton, Bell, Maywood, Cudahy, Huntington Park, South Gate, Vernon, Walnut Park)	Aspire Junior Collegiate Academy* Aspire College Preparatory Academy Huntington Park Aspire Titan Academy* Aspire College Preparatory Academy South Cities
ASPIRE BAY AREA	Bay Area (e.g. Oakland, Richmond, Hayward, San Leandro, San Francisco)	Aspire College Elementary Academy Bay Area Aspire College Preparatory Academy Bay Area Aspire College Elementary Academy Richmond Aspire College Preparatory Academy Richmond
ASPIRE SOUTH BAY	South Bay (e.g. San Jose, East Palo Alto, Redwood City)	Aspire College Elementary Academy South Bay Aspire College Preparatory Academy South Bay Aspire College Elementary Academy San Jose Aspire College Preparatory Academy San Jose
ASPIRE CENTRAL VALLEY	Central Valley (e.g. Stockton, Modesto, Turlock, Merced)	Aspire Port City Academy* Aspire College Preparatory Academy Central Valley Aspire APEX Academy* Aspire College Preparatory Academy Merced
ASPIRE FRESNO	Fresno (e.g. Fresno, Clovis)	Aspire College Elementary Academy South Fresno Aspire College Preparatory Academy South Fresno Aspire College Elementary Academy Fresno Aspire College Preparatory Academy Fresno

* Already operational school under statewide benefit charter.

- i. Aspire reserves the right to adjust the name of schools based on community input.
- ii. Aspire plans to open schools within the identified areas, but reserves the right to open sites in districts or counties adjacent to those identified if conditions require or permit.

iii. Each school will be no larger than Aspire’s model # of students per school, and the facility will hold no more students than can safely be accommodated by the facility.

CURRENTLY OPERATIONAL ASPIRE STATEWIDE BENEFIT CHARTER SCHOOLS

School	Year Opened	Year Built	Square Footage	Construction Type
Port City Academy 1040 West Lane Stockton, CA 95205	2007	2010	71,183 (shared with Langston Hughes Academy)	Wood frame
Junior Collegiate Academy 6720 S. Alameda Street Huntington Park, CA 90255	2007	1962/ 2009	19,461	Brick
Alexander Twilight College Preparatory Academy 2360 El Camino Avenue Sacramento, CA 95281	2009	1955/ 1998	63,800 (shared with Alexander Twilight Secondary Academy)	Concrete Block/ Wood Frame
Titan Academy 6724 S. Alameda Street Huntington Park, CA 90255	2009	1962/ 2009	19,363	Brick
Alexander Twilight Secondary Academy 2360 El Camino Avenue Sacramento, CA 95281	2010	1955/ 1998	63,800 (shared with Alexander Twilight College Preparatory Academy)	Concrete Block/ Wood Frame
APEX Academy 444 N. American Stockton, CA 95202	2010	1964/ 1985	15,000	Concrete Block/ Wood Frame

DEMOGRAPHICS OF PROPOSED ASPIRE STATEWIDE BENEFIT CHARTER SCHOOLS

	Sacramento Unified	Los Angeles Unified	Oakland Unified	San Jose Unified	Stockton Unified	Fresno Unified
American Indian	0.9%	0.3%	0.4%	0.8%	4.1%	0.7%
Asian	18.7%	3.8%	13.2%	13.0%	10.9%	13.0%
Pacific Islander	1.5%	0.3%	1.0%	0.5%	0.6%	0.4%
Filipino	1.0%	1.7%	0.8%	1.9%	5.1%	0.4%
Hispanic	35.6%	73.6%	39.3%	51.5%	57.5%	61.1%
African American	18.2%	10.3%	32.5%	3.4%	12.3%	10.6%
White	18.5%	8.9%	7.4%	26.7%	9.1%	13.7%
Multiple/No Response	5.6%	1.1%	5.4%	2.2%	0.3%	0.0%
% Free and Reduced Lunch	65.9%	76.4%	70.7%	45.0%	80.5%	80.6%
% English Language Learners	25.2%	31.2%	32.8%	27.0%	27.3%	26.4%
% Grads meeting A-G	45.4%	46.8%	44.6%	42.0%	16.6%	20.7%

ASPIRE SACRAMENTO

Location

Within Sacramento County or county adjacent to Sacramento County. Potential districts include: Sacramento City USD, Elk Grove USD, Folsom-Cordova USD, Natomas USD, Robla Elementary SD, San Juan USD, and Twin Rivers USD.

Timeline

Ultimately, the families of schools in Sacramento County may consist of the following four sites:

- Aspire Alexander Twilight College Preparatory Academy*
- Aspire Alexander Twilight Secondary Academy*
- Aspire College Elementary Academy Capital City
- Aspire College Preparatory Academy Capital City

Aspire may initiate replication of its Sacramento families of schools as early as 2012. Aspire reserves the right to adjust the timing for site openings as local conditions require.

School Background

Aspire currently operates a complete K-12 through two statewide benefit charter schools in Sacramento, as well as a locally-chartered K-5 school, Capitol Heights Academy (CHA). CHA is a high performing school with a similar school rank of 10 and an API over 800.

Plan for Community Input and Notification

Aspire will engage in extensive community engagement in Sacramento County regarding the development of Aspire Sacramento. Events will include hosting events at our existing schools, local homeowners associations, community centers and other establishments which serve the local community. The school will begin with a group of Founding Families who will help develop the school.

Per state guidelines, Aspire will:

- Hold a minimum of one publicly noticed meeting for this school with a summary of the input received at the meeting posted on the school's website; and
- Inform the local school district and county superintendents of the location of the proposed school at least 120 days prior to the commencement of instruction.

Aspire will also gather and submit to the SBE the necessary signatures of parents/guardians and/or prospective teachers for the site.

Potential Facilities

Aspire will work with work with facilities partners, and with local districts as able, to identify facilities in the area.

Estimated Enrollment

Target enrollment for elementary schools (K-5) is between 320 and 400 students. Target enrollment for our secondary schools (6-12) is between 420 and 600 students.

ASPIRE LOS ANGELES

Location

Within Los Angeles County or county adjacent to Los Angeles County. Potential districts include: LAUSD, Baldwin Park USD, El Monte City Elementary SD, El Monte Union High SD, Garvey Elementary SD, Hacienda al Puente USD, Montebello USD, Mountain View Elementary SD, Norwalk-La Mirada USD, Rowland USD, South Whittier Elementary SD, and Whittier City Elementary SD.

Timeline

Ultimately, the families of schools in Los Angeles County may consist of the following four sites:

- Aspire College Elementary Academy Los Angeles
- Aspire College Preparatory Academy Los Angeles
- Aspire College Elementary Academy South LA
- Aspire College Preparatory Academy South LA

Aspire may initiate development of the Los Angeles families of schools as early as 2012. Aspire reserves the right to adjust the timing for site openings as local conditions require.

School Background

The overcrowding in Los Angeles, as well as the intense need of students, makes Los Angeles an ideal place for an Aspire statewide benefit school. Several community organizations and individuals have approached Aspire to open a school in the greater Los Angeles area.

The schools would be developed in the same manner as our current Aspire schools were created. Aspire's experience with opening thirty-four schools makes the creation of a strong school seamless. The processes, procedures and systems have been developed and well-tested.

Plan for Community Input and Notification

Aspire will engage in extensive community engagement in Los Angeles County regarding the development of Aspire Los Angeles. Events will include hosting events at potential facilities, homeowners associations, community centers and other establishments which serve the local community. The school will begin with a group of Founding Families who will help develop the school.

Per state guidelines, Aspire will:

- Hold a minimum of one publicly noticed meeting for this school with a summary of the input received at the meeting posted on the school's website; and
- Inform the local school district and county superintendents of the location of the proposed school at least 120 days prior to the commencement of instruction.

Aspire will also gather and submit to the SBE the necessary signatures of parents/guardians and/or prospective teachers for the site.

Potential Facilities

Aspire will work with work with facilities partners, and with local districts as able, to identify facilities in the area.

Estimated Enrollment

Target enrollment for elementary schools (K-5) is between 320 and 400 students. Target enrollment for our secondary schools (6-12) is between 420 and 600 students.

ASPIRE SOUTH CITIES

Location

Within Los Angeles County or county adjacent to Los Angeles County. This cluster would focus on the cities in the south part of the county. Potential districts include: Los Angeles Unified School District (LAUSD), Compton USD, Downey USD, Inglewood USD, Lennox USD, Long Beach USD, and Lynnwood USD.

Timeline

Ultimately, the families of schools in the South Cities may consist of the following four sites:

- Aspire Junior Collegiate Academy*
- Aspire College Preparatory Academy Huntington Park
- Aspire Titan Academy*
- Aspire College Preparatory Academy South Cities

Aspire may continue the development of the South Cities families of schools with additional grades as early as 2012. The school(s) would reside in LAUSD, or in districts adjacent to LAUSD within the southern part of Los Angeles County. Aspire reserves the right to adjust the timing for site openings as local conditions require.

School Background

Aspire currently serves over 2,500 students in Huntington Park and South Gate. Two of the schools in this cluster are Aspire statewide benefit schools. The mayors of several other cities in the area, several community organizations, and parents have approached Aspire to open schools in the South Cities area.

The schools would be developed in the same manner as our current Aspire schools were created. Aspire's experience with opening thirty-four schools makes the creation of a strong school seamless. The processes, procedures and systems have been developed and well-tested.

Plan for Community Input and Notification

Aspire will engage in extensive community engagement in the South Cities regarding the development of Aspire South Cities. Events will include hosting events at existing schools, potential facilities, homeowners associations, community centers and other establishments which serve the local community. The school will begin with a group of Founding Families who will help develop the school.

Per state guidelines, Aspire will:

- Hold a minimum of one publicly noticed meeting for this school with a summary of the input received at the meeting posted on the school's website; and
- Inform the local school district and county superintendents of the location of the proposed school at least 120 days prior to the commencement of instruction.

Aspire will also gather and submit to the SBE the necessary signatures of parents/guardians and/or prospective teachers for the site.

Potential Facilities

Aspire will work with work with facilities partners, and with local districts as able, to identify facilities in the area.

Estimated Enrollment

Target enrollment for elementary schools (K-5) is between 320 and 400 students. Target enrollment for our secondary schools (6-12) is between 420 and 600 students.

ASPIRE BAY AREA

Location

Within the Alameda County or adjacent to Alameda County. Potential districts include: Oakland USD, Berkeley USD, Hayward USD, San Leandro USD, San Lorenzo USD, Antioch USD, Mt. Diablo USD, Pittsburg USD, and West Contra Costa USD.

Timeline

Ultimately, the families of schools in the Bay Area may consist of the following four sites:

- Aspire College Elementary Academy Bay Area
- Aspire College Preparatory Academy Bay Area
- Aspire College Elementary Academy Richmond
- Aspire College Preparatory Academy Richmond

Aspire may initiate development of the Bay Area families of schools as early as 2012. The first school would likely reside in the Oakland Unified School District. Aspire reserves the right to adjust the timing for site openings as local conditions require.

School Background

Aspire currently serves over 2,800 students in the Bay Area in grades K-12. These schools are located in high poverty areas of Oakland. The waitlist at these schools exceeds 800. The community demand is high.

The schools would be developed in the same manner as our current Aspire schools were created. Aspire's experience with opening thirty-four schools makes the creation of a strong school seamless. The processes, procedures and systems have been developed and well-tested.

Plan for Community Input and Notification

Aspire will engage in extensive community engagement in the Bay Area regarding the development of Aspire East Bay. Events will include hosting events at existing schools, potential facilities, homeowners associations, community centers and other establishments which serve the local community. The school will begin with a group of Founding Families who will help develop the school.

Per state guidelines, Aspire will:

- Hold a minimum of one publicly noticed meeting for this school with a summary of the input received at the meeting posted on the school's website; and
- Inform the local school district and county superintendents of the location of the proposed school at least 120 days prior to the commencement of instruction.

Aspire will also gather and submit to the SBE the necessary signatures of parents/guardians and/or prospective teachers for the site.

Potential Facilities

Aspire will work with work with facilities partners, and with local districts as able, to identify facilities in the area. Aspire also rents a closed school from Oakland Unified School District. If OUSD were to close more schools, we would work with them to rent a facility.

Estimated Enrollment

Target enrollment for elementary schools (K-5) is between 320 and 400 students. Target enrollment for our secondary schools (6-12) is between 420 and 600 students.

ASPIRE SOUTH BAY

Location

Within Santa Clara County or county adjacent to Santa Clara County. Potential districts include: San Jose USD, Alum Rock Union Elementary SD, East Side Union High SD, Franklin-McKinley Elementary SD, Gilroy USD, Oak Grove Elementary SD, Sunnyvale SD, Jefferson Elementary SD, Ravenswood City Elementary SD, Redwood City Elementary SD, San Mateo-Foster City USD, Sequoia Union High SD, and Sunnyvale USD

Timeline

Ultimately, the families of schools in the South Bay may consist of the following four sites:

- Aspire College Elementary Academy South Bay
- Aspire College Preparatory Academy South Bay
- Aspire College Elementary Academy San Jose
- Aspire College Preparatory Academy San Jose

Aspire may initiate the development of the South Bay families of schools as early as 2012. Aspire reserves the right to adjust the timing for site openings as local conditions require.

School Background

Aspire has received numerous invitations to open schools in the Santa Clara County, particularly in San Jose. Community groups, elected officials and parents have reached out to Aspire and encouraged the organization to open schools in the South Bay. In order to serve more students and extend the statewide benefits, Aspire would open schools in the South Bay.

The schools would be developed in the same manner as our current Aspire schools were created. Aspire's experience with opening thirty-four schools makes the creation of a strong school seamless. The processes, procedures and systems have been developed and well-tested.

Plan for Community Input and Notification

Aspire will engage in extensive community engagement in the South Bay regarding the development of Aspire South Bay. Events will include hosting events at potential facilities, homeowners associations, community centers and other establishments which serve the local community. The school will begin with a group of Founding Families who will help develop the school.

Per state guidelines, Aspire will:

- Hold a minimum of one publicly noticed meeting for this school with a summary of the input received at the meeting posted on the school's website; and
- Inform the local school district and county superintendents of the location of the proposed school at least 120 days prior to the commencement of instruction.

Aspire will also gather and submit to the SBE the necessary signatures of parents/guardians and/or prospective teachers for the site.

Potential Facilities

Aspire will work with work with facilities partners, and with local districts as able, to identify facilities in the area.

Estimated Enrollment

Target enrollment for elementary schools (K-5) is between 320 and 400 students. Target enrollment for our secondary schools (6-12) is between 420 and 600 students.

ASPIRE CENTRAL VALLEY

Location

Within San Joaquin County or county adjacent to San Joaquin County. Potential districts include: Stockton USD, Lodi USD, Tracy Joint USD, Ceres USD, Modesto City Elementary SD, Patterson Joint USD, Turlock USD, Merced City Elementary SD, and Merced Union High SD.

Timeline

Ultimately, the families of schools in the Central Valley may consist of the following four sites:

- Aspire Port City Academy*

- Aspire College Preparatory Academy Central Valley
- Aspire APEX Academy*
- Aspire College Preparatory Academy Merced

Aspire may continue the development of the Central Valley families of schools with additional grades as early as 2012. Aspire reserves the right to adjust the timing for site openings as local conditions require.

School Background

The need in San Joaquin County, especially Stockton, for strong schools is high. The local economy is struggling particularly from the real estate downturn. Even with six Aspire schools currently running in Stockton, the demand continues. This is particularly felt in the secondary grades.

The schools would be developed in the same manner as our current Aspire schools were created. Aspire's experience with opening thirty-four schools makes the creation of a strong school seamless. The processes, procedures and systems have been developed and well-tested.

Plan for Community Input and Notification

Aspire will engage in extensive community engagement in the Central Valley regarding the development of Aspire Central Valley. Events will include hosting events at existing schools, potential facilities, homeowners associations, community centers and other establishments which serve the local community. The school will begin with a group of Founding Families who will help develop the school.

Per state guidelines, Aspire will:

- Hold a minimum of one publicly noticed meeting for this school with a summary of the input received at the meeting posted on the school's website; and
- Inform the local school district and county superintendents of the location of the proposed school at least 120 days prior to the commencement of instruction.

Aspire will also gather and submit to the SBE the necessary signatures of parents/guardians and/or prospective teachers for the site.

Potential Facilities

Aspire will work with work with facilities partners, and with local districts as able, to identify facilities in the area.

Estimated Enrollment

Target enrollment for elementary schools (K-5) is between 320 and 400 students. Target enrollment for our secondary schools (6-12) is between 420 and 600 students.

ASPIRE FRESNO

Location

Within Fresno County or county adjacent to Fresno County. Potential districts include: Fresno USD, Central USD, and Clovis USD.

Timeline

Ultimately, the families of schools in the Fresno may consist of the following four sites:

- Aspire College Elementary Academy South Fresno
- Aspire College Preparatory Academy South Fresno
- Aspire College Elementary Academy Fresno
- Aspire College Preparatory Academy Fresno

Aspire may initiate the development of the Fresno families of schools with additional grades as early as 2012. Aspire reserves the right to adjust the timing for site openings as local conditions require.

School Background

According to the 2000 Census, Fresno has the deepest neighborhood poverty in the country. In order to help break the cycle of poverty, Aspire would open schools that would provide the necessary skills, habits and knowledge for students to attend and graduate from college.

The schools would be developed in the same manner as our current Aspire schools were created. Aspire's experience with opening thirty-four schools makes the creation of a strong school seamless. The processes, procedures and systems have been developed and well-tested.

Plan for Community Input and Notification

Aspire will engage in extensive community engagement in the Fresno area regarding the development of Aspire Fresno. Events will include hosting events at existing schools, potential facilities, homeowners associations, community centers and other establishments which serve the local community. The school will begin with a group of Founding Families who will help develop the school.

Per state guidelines, Aspire will:

- Hold a minimum of one publicly noticed meeting for this school with a summary of the input received at the meeting posted on the school's website; and
- Inform the local school district and county superintendents of the location of the proposed school at least 120 days prior to the commencement of instruction.

Aspire will also gather and submit to the SBE the necessary signatures of parents/guardians and/or prospective teachers for the site.

Potential Facilities

Aspire will work with work with facilities partners, and with local districts as able, to identify facilities in the area.

Estimated Enrollment

Target enrollment for elementary schools (K-5) is between 320 and 400 students. Target enrollment for our secondary schools (6-12) is between 420 and 600 students.

Appendix 4: Sample Views from Teacher Data Portal

Home Page

Teacher Data Portal

Summary Reports

- [Student Profile](#)
- [Class Snapshot](#)
Excel Version

Quick Guides

- [Portal Guide \(pdf\)](#)

State Assessments

- [CST Reports](#)
- [CELDT Reports](#)
- [CAHSEE Reports](#)
- [SAT / ACT Reports](#)

Non-Assessment Reports

- [Student Attendance](#)
- [Student Demographics](#)

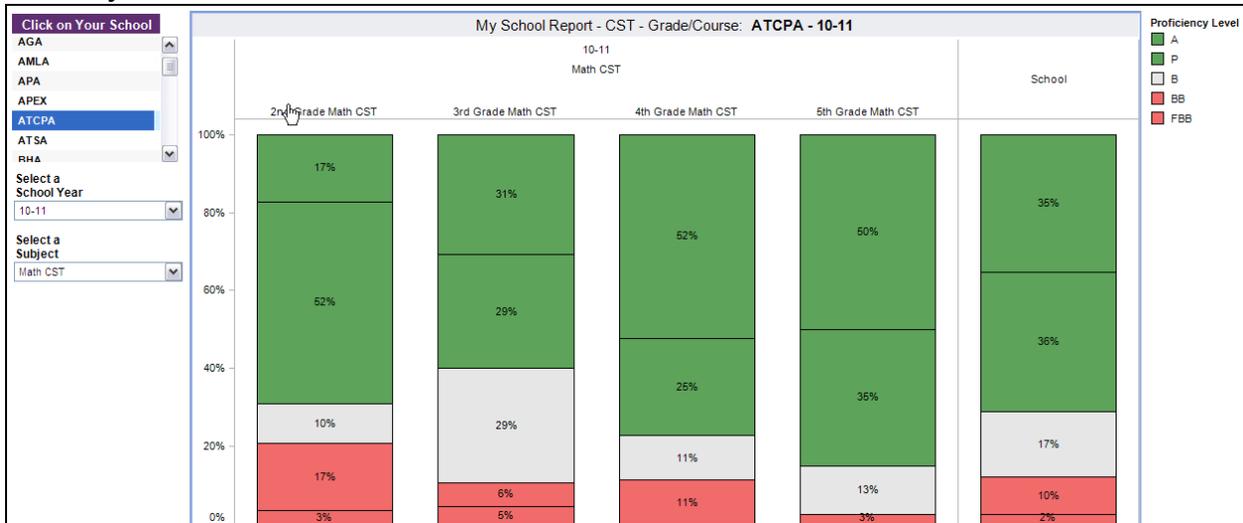
Aspire Assessments

- [Benchmark/Interim Reports](#)
- [DRA / SRI Reports](#)
- [CAHSEE Diagnostic Reports](#)
- [EAP Diagnostic Reports](#)
- [Writing Snapshot Reports](#)
- [Math Basic Skills Reports](#)

A Teacher's View of a Students' 2010-11 CST Scores by Strand

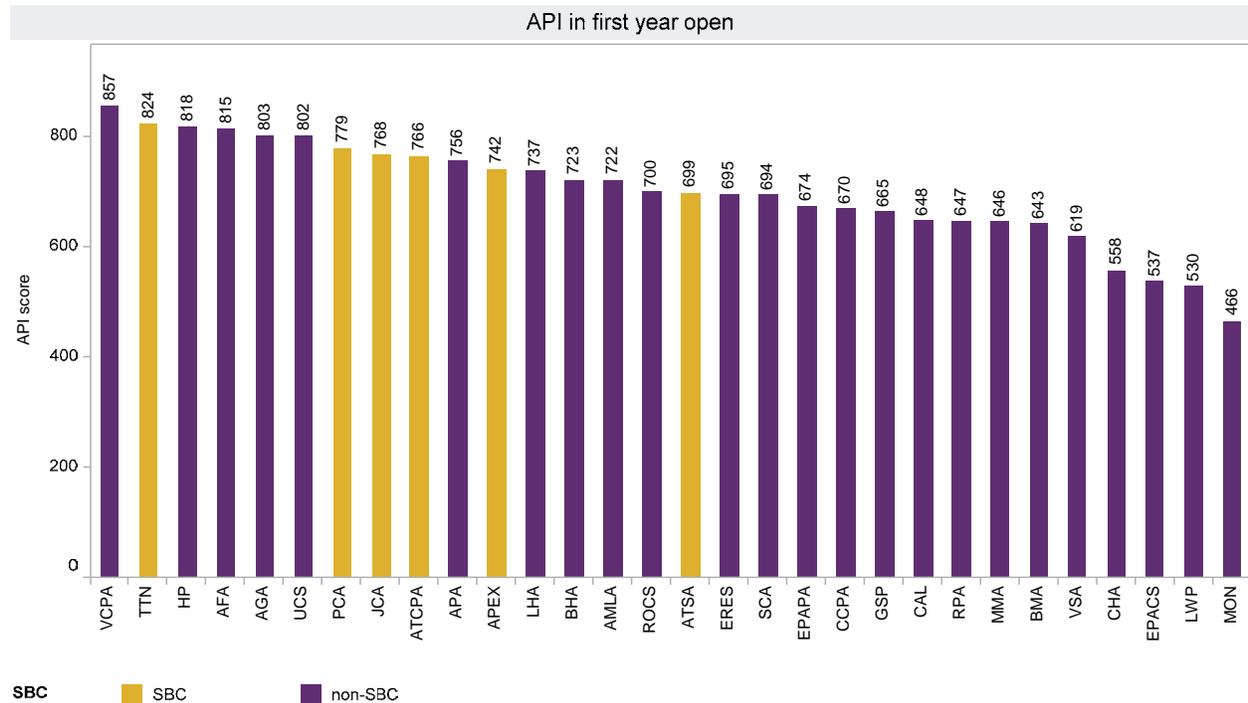
Click on a School	CST - Scores by Strand													Proficiency Level
	4th Grade ELA 10-11						4th Grade Math 10-11							
	4th Grade ELA CST	4th Grade ELA CST Strand 1	4th Grade ELA CST Strand 2	4th Grade ELA CST Strand 3	4th Grade ELA CST Strand 4	4th Grade ELA CST Strand 5	4th Grade Math CST	4th Grade Math CST Strand 1	4th Grade Math CST Strand 2	4th Grade Math CST Strand 3	4th Grade Math CST Strand 4	4th Grade Math CST Strand 5		
Click on a Teacher	WA	RC	LRA	WC	WS	----	NS (DFNN)	NS (OF)	AF	MG	SDP			
Click on a Section	4	4	4	5	4	3	3	2	4	4	2	4		
Attendance 1(A)	4	5	3	4	4	4	4	4	5	3	4			
	5	5	5	5	4	5	5	5	5	5	5			
	4	5	3	5	5	3	4	5	5	5	4	4		
	5	5	5	5	4	4	5	5	5	5	5	4		
	5	5	5	5	5	5	5	5	5	5	4	5		
	4	5	3	5	5	4	5	5	5	5	5	5		
	3	4	1	5	4	3	4	4	3	3	4	5		
	3	4	3	3	4	2	5	5	4	5	4	5		
	5	5	5	4	5	5	4	5	4	5	3	2		
	5	5	5	5	5	5	5	5	4	5	5	5		

CST Subject Scores Across Grade Levels

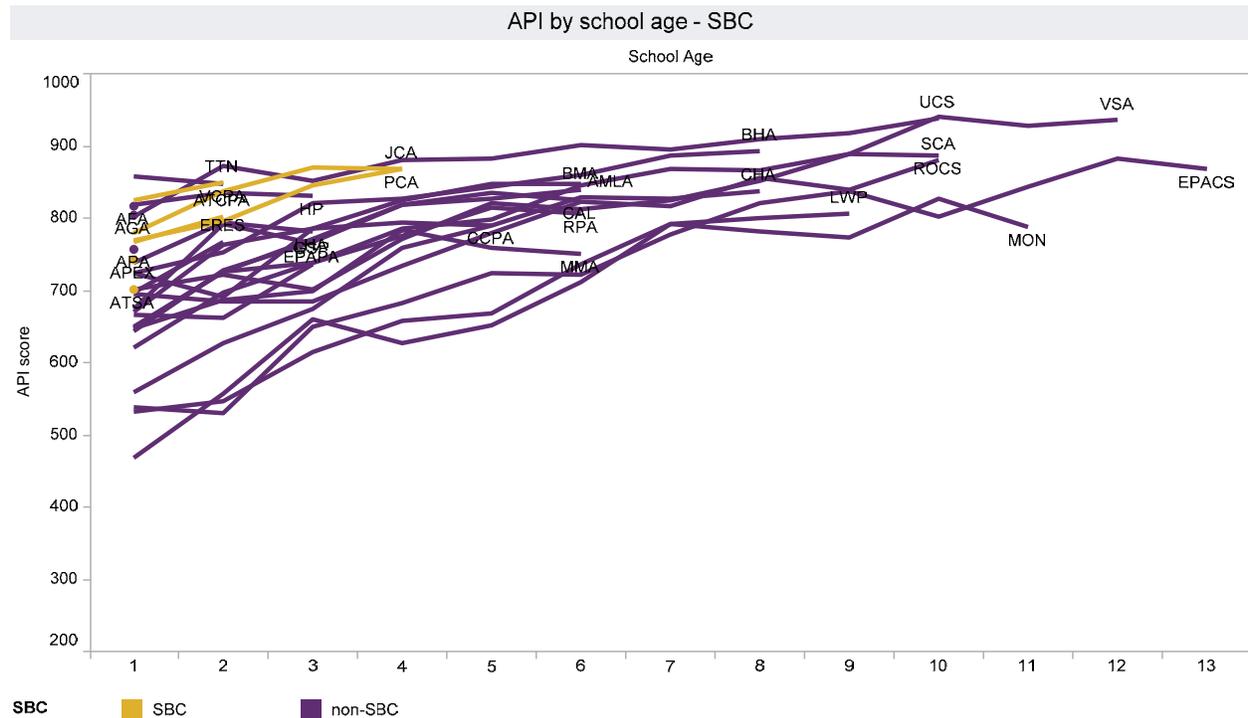


Appendix 5: Chart of Aspire's Performance Over Time

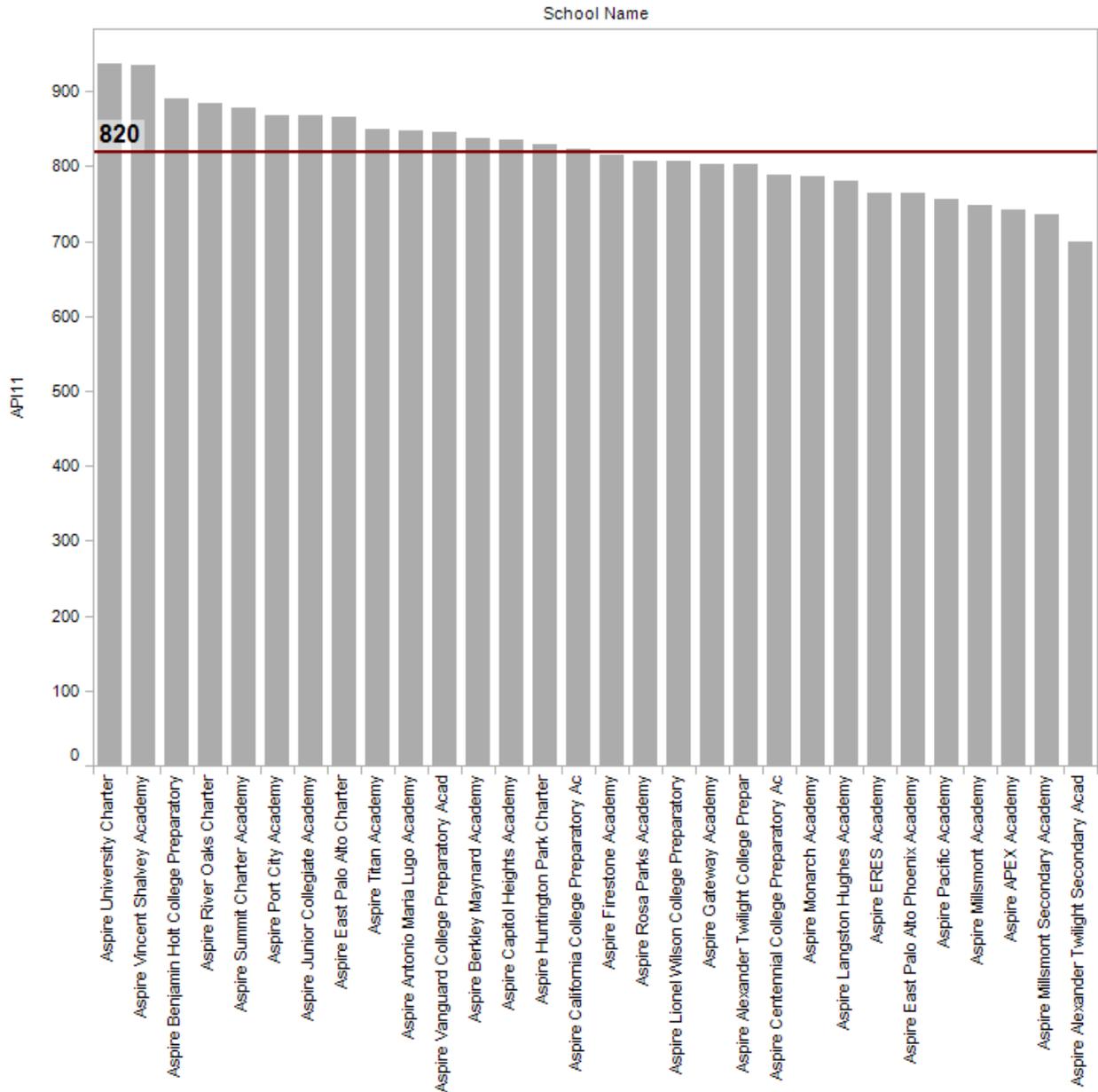
Most of Aspire's SBC schools opened with higher APIs than two-thirds of Aspire schools that have been open at least one year.



Aspire schools have a track record of increasing API over time.



Aspire schools 2010-11 API Scores and Aspire-wide Average



Appendix 6: Financials

See attachments.

Each existing school has three documents:

1. Assumptions
2. 3-year Cash Flow
3. 3-year Budgeted Profit & Loss Statement

As of June 30, 2011, the unaudited financials show all Aspire statewide benefit schools to have positive fund balances, except Alexander Twilight College Preparatory Academy. In 2009-10, its first year of operation, ATCPA had anticipated Class Size Reduction funds and had allocated those funds for school resources. Aspire later learned after committing these funds that new schools were not eligible for Class Size Reduction. In addition, the school was not at its full enrollment.

Based on the unaudited actuals for 2010-11, ATCPA is projecting a net income of \$300,000 which will significantly offset the negative balance it had from its first year of operations. By the end of next fiscal year, the school will have a positive fund balance through strategic cost savings efforts. Aspire Public Schools has sufficient cash to cover the school's obligations while it builds up its fund balance back to a healthy reserve. Attached is a copy of the unaudited financials for fiscal year 2010-11.

**Appendix 7: Aspire Corporate Documents – Articles of Incorporation, Bylaws, and
Conflicts Code**

See attachments.

Appendix 8: Sample School Site Health and Safety Plan

COMPREHENSIVE SCHOOL SAFETY PLAN Table of Contents

INTRODUCTION.....	118
CAMPUS SAFETY AND SECURITY.....	118
ENTRANCES AND EXITS.....	118
RELEASING STUDENTS.....	118
VISITORS POLICY.....	119
FINGERPRINTING POLICY.....	120
REGISTERED SEX OFFENDER POLICY.....	121
EMERGENCY PREPAREDNESS.....	123
DRILLS.....	123
CIVIL DEFENSE PROCEDURES.....	123
ALERT SIGNALS.....	124
STAFF RESPONSIBILITIES.....	124
EMERGENCY PROCEDURES.....	125
FIRST AID.....	126
DISASTER PLANS.....	126
FIRE.....	126
EARTHQUAKE.....	127
FLOOD/ SEVERE WEATHER.....	127
ELECTRICAL FAILURE.....	127
GAS LINE BREAK.....	127
WATER MAIN BREAK.....	127
WATER CONTAMINATION.....	128
CHEMICAL SPILL/ INCIDENT.....	128
LOCKDOWN/SHOOTING INCIDENT.....	128
BOMB THREAT.....	128
EXPLOSION.....	129
DEATH/SUICIDE.....	129
INTRUDERS/ VICIOUS ANIMALS.....	130
SCHOOL UNIFORMS.....	130
STUDENT DISCIPLINE.....	130
DISCIPLINE IN GENERAL.....	131
SUSPENSION.....	131
EXPULSION.....	135
ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY.....	136
STUDENTS.....	137
EMPLOYEES – SEXUAL HARASSMENT.....	138
EMPLOYEES – ALL OTHER KINDS OF DISCRIMINATION OR HARASSMENT.....	140
PREVENTION OF CHILD ABUSE POLICY.....	141
REPORTING SUSPECTED ABUSE/NEGLECT.....	141
REPORTING PROBLEMS AT THE SCHOOL SITE.....	141
EMPLOYEE CONDUCT WITH STUDENTS.....	142

INTRODUCTION

Aspire Public Schools is committed to maintaining safe and secure campuses for all of its pupils and staff. To that end, this Comprehensive School Safety Plan covers Aspire's policies and expectations regarding the practices of each school in maintaining the security of the physical campus, responding appropriately to emergencies, increasing the safety and protection of students and staff, and creating a safe and orderly environment that is conducive to learning.

All school employees should receive training in the Comprehensive School Safety Plan upon joining the school, and should review any changes to the Plan annually.

CAMPUS SAFETY AND SECURITY

Each school and its staff members will maintain policies, practices and procedures so that the campus is physically secure and safe.

Entrances and Exits

The school principal and office manager should develop procedures so that students, staff, parents and community members can enter and exit the building in a safe and orderly way, and that the building is secure from unauthorized entry during non-school hours, as follows:

- Designating individuals to lock the school building and/or grounds when not in use
- Training school staff members to maintain the security of the building when working during non-regular working hours (e.g. not propping doors open, re-securing the building after leaving)
- Maintaining a practice of locking doors that are not being regularly used, even during school hours

- Posting signs requesting that visitors sign in at the main office
- Establishing a culture in which any adults without a visitor or staff badge and any children not enrolled at the school are escorted immediately to the main office

- Periodically testing the security system according the manufacturer or vendor instructions, to ensure it is functioning
- Creating a dismissal plan and student pick-up traffic plan to avoid congestion of the parking lot and local streets, and to prevent students from crossing traffic unnecessarily

Releasing Students

Aspire employees are responsible for releasing students to parents, legal guardians or other persons designated by parents or legal guardians, unless formally modified by a court order served to the school.

In the event that employees are uncertain of the propriety of releasing a student, they should locate or contact the school principal, principal's designee or Aspire counsel before releasing the student.

Visitors Policy

Aspire encourages interested members of the community to visit our schools. To avoid potential disruptions to learning, to provide visitors with the information they need, and for the safety of students and staff, ALL visitors should register immediately upon entering any school building or grounds. Visitors shall sign in at the beginning of their visit, receive a visitor badge, and sign out at the end of their visit. Students from other schools as well as students who have ended their school day are not to be on campus unless accompanied by parents/guardians or with the permission of the site administrator.

In registering as a visitor, the sign-in form should include spaces for the following information

- Name;
- His/her purpose for entering school grounds;
- Destination within the school
- Time in and out

At his/her discretion, the principal, office manager or designee may also request

- proof of identity
- address
- occupation and company affiliation
- age (if less than 21); and any other information consistent with law.

Parents and guardians visiting during the school day for any purpose other than picking up at or dropping off a child at the beginning or end of the school day as part of the normal school day schedule should also be requested to sign into the visitor log or a special log for parents. This applies to parents and guardians who are picking up a student early (e.g. for a medical reason) or dropping off a student late (e.g. tardy), as well as parents and guardians who are on campus to volunteer in their child's classroom.

Aspire employees from school campuses and the Home Office are strongly encouraged to notify the office manager and principal upon arrival and should wear badges signifying that they are Aspire employees. However, formal visitor registration is at the discretion of the school principal or designee.

VIP Visitors accompanied by any Aspire management team member (Vice-President level and above only) may be requested to register as a visitor at the discretion of the accompanying Aspire management team member.

Students not enrolled at the school who wish to use the school grounds for recreation during the school day are, at the discretion of the principal, also subject to Aspire's visitor policy.

The principal or designee may refuse to register any visitor if he or she reasonably concludes that the visitor's/outsider's presence would disrupt the school, students or employees, would result in damage to property, or would result in the distribution or use of a controlled substance. (Penal Code 627.4).

The principal or designee may request that a visitor/outsider who has failed to register, or whose registration privileges have been denied or revoked, to promptly leave school grounds.

If necessary, the principal or designee may call the local police to enforce the departure of the visitor/outsider. When a visitor/outsider is directed to leave, the principal or designee shall inform the visitor/outsider that if he or she reenters the school within seven (7) days, he or she will be guilty of a misdemeanor and subject to a fine and/or imprisonment. (Penal Code 627.7).

All schools shall inform parents annually about the school's policies regarding visitors/outsiders, and remind parents that to maximize safety and security they should also register when visiting the school.

This visitor/outsider policy is subject to the further terms and conditions contained in Aspire's Registered Sex Offender Policy, set forth below.

Fingerprinting Policy

For the protection of students, California State law requires criminal background checks for all public school employees, as well as any individual working alone with minors in a school setting. In most cases, fingerprinting is completed with a "Live Scan" machine which takes an electronic picture of the fingerprints (rather than using an ink pad). The fingerprints are then compared to the Federal Bureau of Investigations (FBI) and/or Department of Justice (DOJ) databases.

WHO SHOULD BE FINGERPRINTED

All new school site employees must be fingerprinted and cleared before they begin work. Individuals who were previously fingerprinted when they worked in another school district must be fingerprinted again to ensure that Aspire is notified if the person subsequently commits a felony or misdemeanor.

In addition, any volunteers who have the occasion to be alone with an Aspire pupil while not in the presence of a credentialed Aspire employee must receive fingerprint clearance prior to volunteering on campus. Volunteers do not have to be fingerprinted only if they are working under the direct and continual supervision of a credentialed school employee in the same room, and will have no occasion to be alone with an Aspire pupil. This policy also applies to parents/guardians of Aspire students who volunteer at the school and may have the occasion to be alone with an Aspire pupil other than their own child.

The actual background check depends on the individual's residency history. If the individual has resided in the state of California for more than 5 years, only DOJ check is required. If the individual has resided in the state of California for less than 5 years, DOJ and FBI checks are both required.

Note that most DOJ background checks take less than seven days, sometimes more. FBI background checks take considerably longer. Individuals who wish to work or volunteer at Aspire schools should plan to get fingerprinted as quickly as possible to avoid delays in commencing work or volunteer activities.

WHO PAYS FOR FINGERPRINTING

Aspire pays for Live Scan (fingerprinting) services for employees, using school general funds. Volunteers are requested to cover the cost of their own fingerprinting. If a potential volunteer

is not able to pay for such fingerprinting, then the cost of the fingerprinting may be paid by the school's booster club. If that entity does not have funds available, the cost will be paid by Aspire Home Office.

Please see complete Fingerprinting Policy & Procedure for specific details about how to get fingerprinted.

Registered Sex Offender Policy

For the protection of pupils while they are traveling to and from school, attending school, or at a school-related activity, principals and their designees should respond appropriately when apprised of information that a registered sex offender resides or works within two (2) miles of an Aspire school, or otherwise may be likely to attempt to visit an Aspire school for any reason whatsoever.

In accordance with "Megan's Law", the principal or designee shall notify parents/guardians annually of the availability of the CD-ROM from local law enforcement regarding registered sex offenders, and recommend that they utilize the information contained on the disk, and that information about registered sex offenders may be obtained from the California Attorney General's Megan's Law website, found at <http://meganslaw.ca.gov>, (Penal Code 290.4 and Parra Act), subject to the disclaimer found on said website.

Aspire and its employees shall be immune from liability for the good faith dissemination of sex offender information so long as the dissemination is in the manner and to the extent authorized by law. (Penal Code 290).

When a school has received information about a registered sex offender from any source, the principal or designee may, on a case-by-case basis, notify staff, including but not limited to, campus supervisors, bus drivers, staff who may be involved in visitor/outside registration, and teachers. If the principal or designee informs any staff member of the information about a registered sex offender, the principal or designee shall also inform the staff member of the following:

- a) Aspire schools will share public registered sex offender information with staff members of a particular school to assist in identifying a danger;
- b) Any person who uses registered sex offender information to commit a felony will be subject to criminal penalties; and
- c) Staff is not permitted to notify any parents or any other members of the community of any information received pursuant to this policy without the written permission of the principal or designee.

If a suspected registered sex offender is seen on or nearby school grounds, and is not a parent or guardian of a pupil at the school, staff members shall immediately inform the principal or designee. When the principal or designee receives information that a suspected registered sex offender may be on or nearby school grounds or around any pupil, he or she will determine whether the suspected registered sex offender has received written permission for the entry onto school grounds, is a parent or guardian of a pupil at the school, and if possible, is actually a registered sex offender. Any such registered sex offender who does not have written permission for the entry onto school grounds or is not a parent or guardian of a pupil attending

the school will be promptly directed to leave by the principal, who will notify law enforcement immediately. Law enforcement will determine if the registered sex offender is in violation of parole or probation conditions.

If a school learns or is notified that a registered sex offender is a parent/guardian of one or more pupils who attend the school, the principal or designee should attempt to schedule a meeting with the parent/guardian for the following purposes:

- a) To establish a positive, cooperative working relationship to the extent possible;
- b) To discuss the incident(s) leading to the registration requirement, (Aspire recognizes that the parent/guardian is not required to discuss any criminal or personal history with representatives of Aspire);
- c) To explain the limitations placed upon the parent's/guardian's participation in school programs, activities or visits, as specified in this policy;
- d) To advise the parent/guardian that the regulations limiting his/her access to children at school will be strictly enforced with the assistance of law enforcement personnel, if required;
- e) To develop joint strategies with the parent/guardian for "normalizing" the educational experience of his/her children to the fullest extent possible; and
- f) To be advised of any judicial restraining orders or conditions of probation or parole that may limit the parent's/guardian's ability to participate in school activities.

This meeting shall be held on school grounds unless there is a concern for the safety or welfare of pupils or staff, and in that event, it may be held at a location within the principal's or designee's discretion. If this meeting with the parent is not held, the principal or designee shall notify the parent/guardian in writing of the information contained in this policy. Aspire recognizes the following rights of the parent/guardian to participate in his/her child's education:

- a) To transport his/her child to and from school;
- b) To attend regularly scheduled parent conferences with the teacher, principal or other school official; and
- c) To attend a regularly scheduled school program or activity in which their child is a participant.

The parent/guardian may not extend their presence at school beyond what is reasonable to exercise the aforesaid parental rights, and to that end, a registered sex offender shall not:

- a) Serve as a school or class volunteer;
- b) Act as a chaperone on a school field trip;
- c) Be in the presence of children for any reason other than for the parent rights stated herein; and
- d) Make individual contact with any student other than his/her own while at school or during a school activity.

Staff shall provide observation and/or supervision of a parent/guardian registered sex offender who is visiting a school or participating in a school activity defined herein.

When a parent/guardian is a registered sex offender, the school will make an effort to preserve the confidentiality of information obtained pursuant to the Megan's Law notification process to the fullest degree possible. School officials may share relevant information with employees as needed but will not share the information with unauthorized employees, other parents or with the community at large. In order to avoid a breach of confidentiality, copies of forms, materials or information distributed or used in connection with the implementation of this policy should be collected and/or destroyed. Under no circumstances is it appropriate to post notices, photographs, or the identity of a parent/guardian registered sex offender on school bulletin boards.

All schools shall inform parents annually about the existence of this policy regarding registered sex offenders. All schools shall cooperate to the fullest extent possible with local law enforcement for receiving, communicating and disseminating information concerning registered sex offenders.

NOTE: Pursuant to Penal Code 290(q), any person who uses registered sex offender information to commit a felony will receive a five-year state prison term; any person who uses registered sex offender information to commit a misdemeanor will be fined at least \$500 and not more than \$1000.

EMERGENCY PREPAREDNESS

Every school should have emergency preparedness procedures readily on hand, including a list of up to date emergency contact numbers. This information should be discussed and disseminated before school starts, ideally at an all school staff meeting just when the teachers return to duty.

Drills

It is the principal's responsibility to schedule emergency drills throughout the year, and record the date and time of each drill. The Office Manager may be asked to help out. Those drills are:

- **Fire Drill:** At least once per quarter, a fire drill should be conducted in which all pupils, teachers, and other employees are required to vacate the building.
- **Civil Defense Drill:** A Civil Defense Drill should be conducted at least twice each school year following the (school's or Aspire's) Civil Defense Procedure.
- **Earthquake Duck & Cover Drill:** This drill should be performed twice per school year.
- **Major Disaster Drill:** This drill should be performed twice per school year so personnel are oriented to the (School or Aspire) Major Disaster Plan.

Civil Defense Procedures

Civil defense procedures are established to promote the safety of children and adults during a period of civil emergency. The local Civil Defense and Disaster Council is responsible for coordinating disaster planning among the cities in your area. It is through this coordination that information and warning notifications are communicated. An Emergency Warning System, which includes sirens strategically positioned throughout the school's county, becomes the major Civil Defense alarm.

In addition, schools will receive warning through telephone communications from the local county office.

Alert Signals

The ability to respond quickly and efficiently when a major disaster strikes is important so that we are to provide protection for students and school staff. In order to be better prepared, the staff, students and parents should be informed of their responsibilities following a major disaster.

At the sound of the “Alert” signal:

- All students in transit between classrooms, in restrooms, etc., will walk to their assigned classrooms.
- Children on the playground or library will return to their assigned classrooms.
- Each teacher will stay in the classroom with his/her students.
- Each custodian will report to the school office for instructions.

At the sound of the “Take Cover” signal:

- Students will position themselves under desks or tables.
- Students on the playground or out of doors will drop, face down on the ground.
- Open all doors; leave windows as they are.
- The teacher should be ready with stories, songs, guessing games, etc., in case of an extended waiting period.

At the “All Clear” signal:

- Children will resume their regular class activities.
- When a building is unsafe to resume classroom instruction or if the situation has made the streets and sidewalks hazardous, the superintendent (or designee) will declare the premises unsafe.
- If an evacuation is found necessary, the principal will post on a conspicuous place, the new location of the students. A notice or letter to parents designating a site as well as procedures should be included in the first day packet going home with students.

Staff Responsibilities

In the event of a disaster or civil defense alert, individuals on the school site have the following responsibilities:

PRINCIPAL

- Sound appropriate alarm to evacuate building (fire drill) or take cover within the building (civil defense).
- Following fire drill procedures, check the building to ensure that all students, personnel and visitors have evacuated the building.
- Provide for administration of first aid and request other emergency assistance as needed.
- Keep the Home Office and your local county office informed and, if necessary, set up a telephone communications at a nearby residence or business.
- Give directions to police in search clearing procedures and take full responsibility for search.

- Coordinate supervision of students and all clean-up or security efforts.

TEACHERS

- Carry out appropriate emergency procedures to ensure the safety and welfare of students.
- Supervise children and maintain calm and order.
- Make sure you have access to the classroom copy of the students' emergency cards.

OFFICE MANAGER

- Assist and take direction from the principal.
- Make sure first aid supplies are handy in case they are needed.
- Carry out other duties as assigned.

CUSTODIAL ENGINEERS

Shut off the valves for gas, water, electricity and air conditioning (if necessary).
Open all gates and doors to assembly and exit areas.

AIDES, VOLUNTEERS AND OTHER ADULTS

Should assist teachers working with students to keep them safe, orderly and comfortable.
Be on call for Administrators' requests.

COMMUNITY COUNCIL

In advance of emergencies, the Community Council should ensure the following emergency supplies are stored:

Student Emergency Packets (1 per student)

2 quarts of water
Solar blanket
Food for two days
Note from parents with emergency instructions

School Emergency Supplies:

First aid kits
Flashlights
Batteries
Radios
Megaphone
Walkie-talkies

Emergency Procedures

All classrooms should have emergency exit charts posted near the door(s). In the case of an emergency, every adult should be aware of his/her role and responsibilities and follow these procedures:

1. Principal assesses the situation.
2. Principal notifies all staff members of the emergency via PA, fire alarm, and/or megaphone.
3. Assigned person calls 911.
4. Assigned person notifies APS headquarters.
5. Principal or assigned person meets with emergency crews.
6. Assigned person(s) ensures all classrooms, hallways and restrooms on first floor are empty after escorting students their students to assigned location.
7. Assigned person(s) ensures all classrooms, hallways and restrooms on second floor are empty after escorting students their students to assigned location
8. Assigned person(s) ensures the cafeteria and gym are empty.
9. Assigned person(s) greet, organize and comfort students outside the building.
10. Each teacher takes role and Lead Teachers pick up the names of any missing students and report these names to the emergency crew chief and the Principal.
11. Assigned person(s) will direct students who need first aid to an assigned location.
12. Principal determines, in consultation with the emergency crews, whether to release students to their homes or to return students to classes and makes announcement via megaphone.
13. If students and staff are dismissed for the day, an assigned person(s) will be responsible for securing the building against vandalism and theft.
14. All classroom teachers will ensure that students are released to guardians' care.
15. In the case that counseling services are subsequently needed by any students, the Principal and an assigned person will coordinate that effort.
16. In the case that media coverage is an issue, Principal and an assigned person will control and organize press releases and media requests.

First Aid

The First Aid area should be located at an assigned place and properly stocked at all times. The First Aid team will consist of individuals assigned by the principal or designee.

DISASTER PLANS

Whenever there is any type of disaster, the primary concern is the safety of the students. The following general guidelines will offer assistance in a variety of disaster situations. Each teacher should also display Disaster Plan guidelines prominently in each classroom.

Fire

1. Principal, custodians and/or office manager will determine the location of the fire.
2. Office manager will phone 911, picks up emergency card binder and student medication and leaves the building prepared to phone parents of any injured child.
3. Custodian or principal will sound the fire alarms.
4. Staff will follow emergency procedures previously described.
5. Students should leave the room in a single file, walk briskly but carefully, and stay in their class group when they reach their designated spot.

Earthquake

If indoors:

1. All drop down to the floor and duck and cover.
2. Turn away from windows.
3. Take cover under a desk or table or against an interior wall.
4. Cover head with arms or hold to the cover and be prepared to move with it.
5. Hold the position until the ground stops shaking.
6. When initial shaking stops, principal or office manager sounds alarms to evacuate the building.
7. Staff to follow emergency procedures previously described.

If outdoors:

1. Move away from buildings, poles and overhead wires.
2. Lie down or crouch low to the ground.
3. Look out for dangers that demand movement.
4. Be prepared to duck and cover again due to after shocks.
5. Staff to follow emergency procedures previously described.

Flood/ Severe Weather

Warnings of severe weather are usually received via public radio or the State Warning Center. If time and conditions permit, students may be sent home. However, if the weather conditions develop during school hours, without sufficient warning, students should be held at school.

The principal will assess the situation and make an announcement over the PA or megaphone to A) evacuate, B) stay in classes or C) release students to go home.

See emergency procedures previously described for evacuation directions.

Electrical Failure

1. Principal and/or custodian notify the electrical company (PG&E) at 800-743-5000.
2. Office staff and classroom teachers turn off computers and other equipment that might be damaged by a power surge when the service is restored.

Gas Line Break

1. Principal and/or custodian notify PG&E.
2. Principal and/or custodian notify the Fire Department.
3. Staff to follow the emergency procedures previously described.

Water Main Break

1. Principal and/or custodian notifies the water department.
2. Custodian shuts off water.

3. Principal or notifies the police.
4. Principal determines if it is necessary to follow the emergency procedures on page 6 to evacuate students and staff.

Water Contamination

1. Instruct teachers to move students away from drinking fountains and sinks.
2. Notify school office and APS headquarters.
3. Have custodian turn off pressure to drinking fountains and sinks.

Chemical Spill/ Incident

If Indoors:

1. Block or rope off area – DO NOT TOUCH ANYTHING.
2. Evacuate room and TURN OFF air conditioning system.
3. Notify school office and Head Custodian of the incident - contact 911 if necessary.
4. Head Custodian should check for chemical safety data to determine clean up procedure.

If Outdoors:

1. Upon hearing of a chemical leak (usually from the fire department or other city office) the principal will determine if students should be evacuated.
2. Move away from buildings, poles and overhead wires.
3. Close doors and windows and TURN OFF air conditioning system.
4. If it is necessary to leave the site, move crosswind, never more directly with or against the wind which may carry fumes.
5. Give first aid.
6. Staff to follow the emergency procedures previously described.

Lockdown/Shooting Incident

If a shooting takes place the first priority is to shelter students and staff. On hearing shots or an announcement from Principal:

1. Teachers close and lock all classroom doors and windows immediately.
2. Teachers take roll.
3. Teachers calmly direct students to duck under their desks.
4. Principal calls 911.
5. Principal assigned person ensure students are not in the hallways or bathrooms. Students found in these areas are immediately escorted to a secure classroom or office.
6. Office personnel close and lock all office doors and windows immediately.
7. Nobody leaves their secure sites until emergency crew members escort them to safety.
8. Assigned person(s) will control and organize media.
9. Assigned person(s) will ensure that counseling services are available as soon as possible.

Bomb Threat

There are two primary ways a bomb threat may arise. One is through a phone call or written letter in which a bomb is discussed. The other is through a citing of a suspicious object. Threats should be handled quickly and efficiently as if they were real and life threatening.

If there is a phone call or written threat of a bomb on campus, the person who took the call or read the note will:

1. Notify Principal immediately.
2. Try to obtain information from the caller such as where the bomb is, where it is set to explode, what it looks like, what kind of bomb it is, why it is there and who the caller is. Note any identifying features about the caller (i.e. gender, speech patterns).

If there is a citing of a suspicious object, the person would:

1. Notify Principal immediately.
2. Do not touch the object but note any identifying features to describe it to the Principal and emergency crews.

In all cases:

1. If Principal determines to evacuate, staff follows emergency procedures previously described.
2. Before emergency crews are on campus, do not search for any bomb, or explosive. Search only for people who should be evacuated.
3. If you see any suspicious object, steer clear of it and report it to the Principal and the emergency crew chief. Follow all emergency crew and bomb squad directives.
4. Use radios, walkie-talkies and phones only if absolutely necessary as the frequencies may set off the bomb(s).

Explosion

If indoors:

1. All drop down to the floor and duck and cover.
2. Turn away from the windows.
3. Take cover under a desk or table or against an interior wall.
4. Cover head with arms or hold to the cover.
5. Hold the position until directed to the building.
6. Staff to follow the emergency procedures previously described.

If outdoors:

1. Move away from buildings, poles and overhead wires.
2. Lie down or crouch low to the ground.
3. Look out for dangers that demand movement.
4. Staff to follow emergency procedures previously described.

Death/Suicide

1. Principal will be notified in the event of a death or suicide on campus.
2. Assigned person(s) will phone 911.
3. Assigned person(s) will phone APS headquarters.
4. Principal will notify teachers to keep students in their classrooms until informed otherwise.
5. Assigned person(s) will control and organize media.

6. Assigned person(s) will notify relatives where the victim(s) have been taken and not divulge unnecessary details.
7. Assigned person(s) will ensure that counseling services are available as soon as possible.

Intruders/ Vicious Animals

1. Call the school main office and office staff will check out the situation and take appropriate action (i.e., contact Police or animal control agency).
2. Administration should initiate a code to alert staff of a potential suspicious intruder.
3. Keep the students in the classroom until the threat is cleared.
4. Implement shelter in place if necessary; lock classroom doors and windows, move away from windows, draw curtains, remain silent.
5. Notify office of who is with you, if possible.
6. All students outside of the building are to be quietly and cautiously led into the building.
7. Wait for further instructions from administration and/or police/animal agency.

SCHOOL UNIFORMS

Aspire policy requires all students at Aspire schools to wear uniforms, beginning in the 2005-06 school year. Aspire Public Schools is committed to create a culture of academic rigor in our schools. A uniform dress code encourages this atmosphere. Implementation of this policy will reduce distractions and disruptions caused by clothing, make economic disparities between students less obvious, minimize the use of clothing to signal gang affiliation and other risks to student safety, and promote student achievement and create an orderly learning environment.

- *Uniform selection:* The specific uniform (i.e. colors and other specifications) will be determined by the school site with consideration for feeder schools.
- *Support for needy families:* Each school will designate philanthropy or general funds to support families who may need assistance in meeting the uniform requirements.
- *Exceptions:* Because Aspire schools are schools of choice, there will be NO exemptions for students.

STUDENT DISCIPLINE

Aspire believes that one of the major functions of education is the preparation of youth for responsible citizenship. Aspire shall foster a learning environment that reinforces self-discipline and the acceptance of personal responsibility. In addition, Aspire shall work with students and families to provide a safe school environment that provides students with the opportunity to have a quality education.

The following policies and procedures are designed to guide Aspire schools and personnel in dealing with student discipline issues, while providing students and parents with a clear set of expectations regarding student behavior and an understanding of the consequences of misconduct.

As provided in Aspire charter petitions, the policies and procedures for suspension and expulsion of Aspire students set forth in this document comply with the policies and procedures identified in the California Education Code. These policies and procedures will be periodically reviewed and the lists of offenses for which students are subject to suspension or expulsion will be modified as necessary.

These policies and procedures will be enforced fairly, uniformly, and consistently without regard to sex, ethnic group, religion, sexual orientation, color, race, national origin and physical or mental disability

Discipline in General

Each school should develop a process for handling, and if necessary escalating, individual cases of student misbehavior. Strategies may include but are not limited to:

- Relocating the student's desk to a different part of the classroom;
- Assigning different or additional work appropriate to the infraction;
- Utilizing a peer mediation or student conflict resolution program;
- Individual conversation with the classroom teacher about behavior and consequences;
- Utilizing a written referral framework;
- Designating selected classrooms and teachers (typically, lead teachers or advisors) as places for "time out";
- Referring students to the principal or a designee;
- Contacting parents/guardians; and/or
- Requiring the student to attend before/after school detention or Saturday detention;

All Aspire employees will report unmanageable or unusual behavior of students to the school principal or designee as soon as possible. The school principal or designee shall investigate the report and exercise his or her discretion for purposes of notification of parents, legal guardians, law enforcement, or local child protection services.

Suspension

Suspension is the temporary removal of a student from class instruction for adjustment or disciplinary reasons. A suspension does not mean any of the following:

1. Reassignment to another class at the same school where the student will receive continuing instruction for the school day.
2. Referral to an advisor assigned that role by the Principal.

While on suspension from school, the student is not to loiter on or about any school grounds at any time, nor to attend any Aspire activity at any time, no matter where such activity may be taking place. Violation may result in further disciplinary action.

Except in cases where suspension for a first offense is warranted in accordance with law, each school site shall consider suspension from school only when other means have not been successful or where the student's presence would constitute a danger to persons or property or seriously disrupt the educational process.

AUTHORITY TO SUSPEND:

1. A teacher may suspend a student only from his/her classroom for the day of the suspension plus the following school day.
2. The Principal or his/her designee may suspend a student from class, classes or the school campus for a period not to exceed five school days.
3. The Superintendent or his/her designee may extend a student's suspension pending final decision by the Aspire Board of Directors – Executive Committee ("Aspire Executive Committee") on a recommendation for expulsion.
4. A Special Education student being considered for expulsion may be suspended for ten (10) consecutive days pending assessment and an IEP Team meeting. The suspension may also be extended pending final decision by the Aspire Executive Committee on a recommendation for expulsion.

A pupil may not be suspended or expelled for any of the acts enumerated unless the act is related to school activity or school attendance occurring within a school under the jurisdiction of the Chief Executive Officer or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in the section and related to school activity or attendance that occur at any time, including, but not limited to any of the following:

- While on school grounds.
- While going to or coming from school.
- During the lunch period whether on or off the campus.
- During, or while going to or coming from, a school sponsored activity.

GROUNDS FOR SUSPENSION AND EXPULSION

The following information is provided in order to provide uniformity within Aspire in matters of student misconduct requiring disciplinary action. The following offenses constitute grounds for suspension and expulsion and require police notification for the grade levels indicated:

- **Physical Injury:** Caused, attempted to cause, or threatened to cause physical injury to another person (Ed. Code 48900(a)(1)) or willfully used force or violence upon the person of another, except in self-defense. (Ed. Code 48900(a)(2)) Notification to police required for students in grades K-12.
- **Weapons, Explosives, Dangerous Objects:** Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal. (Ed.Code 48900(b)) Notification to police required for students in grades K-12.
- **Controlled Substances/Alcohol:** Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind. (Ed.Code 48900(c)) Notification to police required for students in grades K-12.
- **Substances in Lieu of Controlled Substances:** Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled

substance, alcoholic beverage, or intoxicant. (Ed.Code 48900(d)) Notification to police required for students in grades K-12.

- **Robbery or Extortion:** Committed or attempted to commit robbery or extortion. (Ed.Code 48900(e)) Notification to police required for students in grades K-12.
- **Damage to Property:** Caused or attempted to cause damage to school property or private property. (Ed. Code 48900(f)) Notification to police required for students in grades K-12.
- **Theft of Property:** Stole or attempted to steal school property or private property. (Ed. Code 48900(g)) Notification to police required for students in grades 4-12.
- **Tobacco:** Possessed or used tobacco, or any product containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products. (Ed.Code 48900(h))
- **Obscenity/Profanity:** Committed an obscene act or engaged in habitual profanity or vulgarity. (Ed.Code 48900(i))
- **Drug Paraphernalia:** Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Ed.Code 48900(j)) Notification to police required for students in grades K-12.
- **Disruption/Defiance:** Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, or other school personnel engaged in the performance of their duties. (Ed.Code 48900(k)) Notification to police required for students in grades K-12.
- **Received Stolen Property:** Knowingly received stolen school property or private property. (Ed.Code 48900(l)) Notification to police required for students in grades 4-12.
- **Imitation Firearm:** Possessed an imitation firearm. (Ed. Code 48900(m)) Notification to police required for students in grades 4-12.
- *Definition of Imitation Firearm:* a replica of a firearm that is so substantially similar in physical properties to an existing firearm to lead a reasonable person to conclude that the replica is a firearm. (Ed.Code 48900(m))
- **Sexual Assault/Sexual Battery:** Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code. (Ed.Code 48900(n)) Notification to police required for students in grades 4-12.
- *Definition of Sexual Assault:* includes rape, various types of sexual abuse, and lewd and lascivious conduct. (Penal Code 261, 266c, 286, 288, 288a, 289.)
- *Definition of Sexual Battery:* the touching of an intimate part of another person, if the touching is against the will of the person touched, and is for the specific purpose of sexual arousal, sexual gratification, or sexual abuse. (Penal Code 243.4.)
- **Harassment of Witness:** Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both. (Ed.Code 48900(o))
- **Sexual Harassment:** Committed sexual harassment. (Ed.Code 48900.2)
- *Definition of Sexual Harassment:* an act which, upon review of a reasonable person of the same gender as the victim, is determined to be sufficiently severe or pervasive so as to cause negative impact on one's academic performance or to create an intimidating, hostile

or offensive educational environment. Notification to police required for students in grades 4-12.

- **Limitation:** Sexual harassment must be unwelcomed by the recipient in order to constitute a violation of Education Code 48900.2.
- **Limitation:** Only students in grades 4-12 are subject to suspension for sexual harassment.
- **Hate Violence:** Caused, attempted to cause, threatened to cause, or participated in an act of hate violence. (Ed.Code 48900.3) Notification to police required for students in grades K-12.
- **Definition of Hate Violence:** the use of force or threat of force to intimidate a person in the exercise of a constitutional or statutory right, or damage or destruction of property for the purpose of intimidating or interfering with a person because of that individual's "race, color, religion, ancestry, national origin, disability, gender, or sexual orientation."
- **Intentional Harassment:** Created a hostile educational environment (Ed.Code 48900.4)
- **Definition of Intentional Harassment:** engaging in harassment, threats or intimidation, directed against a student or group of students, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting a classroom, creating substantial disorder, and invading the rights of the students or group of students by creating an intimidating or hostile educational environment.
- **Terrorist Threats Against School Officials and/or Property:** Committed a terroristic threat against school officials, school property or both (Ed.Code 48900.7)
 - **Definition of Terrorist Threat:** includes 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 (\$1,000.00),
 - 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,
 - his or her immediate family's safety,
 - the protection of school property, and/or
 - the personal property of the person threatened or of his or her immediate family.
- **Electronic Signaling Device:** Possessed electronic signaling device, including cell phones and pagers while on school grounds while attending school sponsored activities or while under the supervision and control of school employees (Ed. Code 48901.5)
- **Hazing:** Engaged in hazing activities or any act that causes or is likely to cause personal humiliation or disgrace (Ed.Code 32050-32052)
- **Vandalism/Malicious Mischief:** Defaced, damaged or destroyed any school property including, books, supplies of all kinds, equipment, buildings and grounds.
- **Note:** Parents can be held financially liable for damages up to \$10,000 and shall also be liable for the amount of any reward not exceeding \$10,000 pursuant to Section 53069.5 of the Government Code (Ed.Code 48904).

See complete Suspension/Expulsion Policy and Procedures for steps taken in cases requiring suspension and appeals process.

Expulsion

Expulsion is the involuntary removal of a student from all schools and programs of Aspire for an extended period of time for acts of specified misconduct. Except for single acts of a grave nature, expulsion is used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. Final action is only taken by vote of the Aspire Board of Directors – Executive Committee (“Aspire Executive Committee”).

In the event that a student is recommended for expulsion from Aspire, he or she is entitled to a hearing and, among other things, advance written notice of the rights and responsibilities enumerated in Education Code section 48918. Written notice of these due process rights shall be provided at least 10 days in advance of the date set for the hearing. (Ed. Code 48918)

Expulsion proceedings for a currently identified Special Education student require additional due process procedures. Aspire will follow all due process procedures for Special Education students included in this document and in the Education Code.

While under expulsion, a student cannot enroll in another California school district without approval of that district's Board of Education. Certain expelled students may enroll only in Juvenile Court Schools, County Community Schools, or District operated Community Day Schools (AB922) during the duration of the expulsion.

The Aspire Executive Committee, upon voting to expel a pupil, may suspend the enforcement of the expulsion order for a period of not more than one calendar year and may, as a condition of the suspension of enforcement, assign the pupil to a school, class, or program that is deemed appropriate for the rehabilitation of the pupil. The rehabilitation program to which the pupil is assigned may provide for the involvement of the pupil's parent or guardian in his or her child's education in ways that are specified in the rehabilitation program. A parent or guardian's refusal to participate in the rehabilitation program shall not be considered in the Aspire Executive Committee's determination as to whether the pupil has satisfactorily completed the rehabilitation program. (Ed. Code 48917)

EXPELLABLE OFFENSES:

Category I – Mandatory Expulsion

Under the mandatory provisions of Education Code 48915(c), a student who has committed one or more of the following acts **must be recommended for expulsion** and the Aspire Executive Committee **must expel** the student.

- Possessing, selling or otherwise furnishing a firearm when an Aspire employee verified firearm possession,
- Brandishing a knife at another person,
- Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, or

- Committing or attempting to commit a sexual assault or committing sexual battery

Category II – Mandatory Recommendation for Expulsion

Under the mandatory provision of Education Code 48915(a), a student who has committed one of the following acts of misconduct must be **recommended for expulsion** unless particular circumstances render it inappropriate.

- Causing serious physical injury to another person, except in self-defense;
- Possession of any knife, explosive, or other dangerous object of no reasonable use to the student;
- Unlawful possession of any controlled substance listed in Chapter 2 (Commencing with Section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis;
- Robbery or extortion;
- Assault or battery upon a school employee.

Category III – Expulsion May Be Recommended

In accordance with Education Code 48915 and by direction of the California Board of Education, a student may be considered for expulsion for committing any act not listed in Category I or II and enumerated in Education Code sections 48900, 48900.2, 48900.3, 48900.4, or 48900.7.

Note: The Aspire Executive Committee’s decision to expel a student for violations included in Categories II and III must be based on a finding of one or both of the following:

1. Other means of correction are not feasible or have repeatedly failed to bring about the proper conduct.
2. Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others. (Ed. Code 48915(b) and 48915(e).)

Note: If the Discipline Review Board chooses not to recommend the expulsion of the student, Aspire may, at its discretion, impose a lesser form of disciplinary action which may include assigning the student to another school or program. Such transferred students will not be permitted to re-enroll in their former school of assignment. (Ed. Code 48918(e).)

SEE COMPLETE SUSPENSION/EXPULSION POLICY AND PROCEDURES FOR PROCEDURES IN CASES INVOLVING EXPULSION, REQUIRING THE EXTENSION OF SUSPENSION AND/OR EXPULSION, AND THE APPEALS PROCESS.

ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY

Aspire Public Schools (“Aspire”) is committed to providing a cooperative and comfortable work and education environment free of discrimination and harassment of any kind. Accordingly, Aspire forbids discrimination against any employee, applicant for employment, or student, on the basis of sex, ethnic group, religion, sexual orientation, color, race, national origin and physical or mental disability. Aspire will not tolerate discrimination or harassment activity by

any of its employees, non-employee volunteers, or any other person subject to the control of school authorities. Furthermore, all programs and activities at Aspire shall be free from discrimination and harassment with respect to sex, ethnic group, religion, sexual orientation, color, race, national origin and physical or mental disability.

This policy is intended to be consistent with, and intended to be, enforced in conformity with the California Fair Employment and Housing Act and Title VII of the Civil Rights Act of 1964, which prohibits harassment in the workplace, as well as multiple sections of the Education Code.

Students

All students shall have equal opportunities in admission and access to the educational program, guidance and counseling programs, athletic programs, testing procedures, and other activities. Eligibility for choral and cheerleading groups shall be determined solely on the basis of objective competencies. School staff and volunteers shall carefully guard against segregation, bias and stereotyping in instruction, guidance and supervision.

Aspire schools may provide girls and boys with separate shower rooms and sex education classes in order to protect student modesty. In physical education, when objective standards have an adverse effect on students because of their gender, race, ethnic group or disability, other standards should be used to measure achievement and create comparable educational opportunities.

The Board prohibits intimidation or harassment of any student by any employee, student or other person in Aspire. Staff shall be alert and immediately responsive to student conduct that may interfere with another student's ability to participate in or benefit from school services, activities or privileges.

Students who harass or discriminate against other students shall be subject to appropriate counseling and discipline, up to and including expulsion. An employee who permits or engages in discrimination or harassment may be subject to disciplinary action, up to and including dismissal.

Any student who feels that he/she is being harassed or discriminated against should immediately contact the principal or designee. The student and/or parent may file a complaint verbally or in writing under Aspire's "Discrimination/Harassment Student/Parent Complaint Procedure." Upon receipt of a harassment complaint the Chief Executive Officer or designee will be notified. Complaints of harassment will be investigated immediately according to the procedures set forth in Aspire's "Discrimination/Harassment Student/Parent Complaint Procedure."

Aspire's "Anti-Discrimination and Anti-Harassment Policy" and the "Discrimination/Harassment Student/Parent Complaint Procedure" will be reviewed with students at the beginning of each school year, either in the classroom or in student assemblies.

At the start of each school year, this policy will be mailed to parents/guardians.

Employees – Sexual Harassment

Aspire forbids discrimination against any employee, applicant for employment, or student, on the basis of sex. Aspire will not tolerate sexual harassment activity by any of its employees. This policy similarly applies to non-employee volunteers or any other person subject to the control of school authorities.

A. DEFINITIONS

- (1) Conduct of a Sexual Nature - Conduct of a sexual nature may include, but is not limited to, verbal, visual or physical sexual advances, including subtle pressure for sexual activity; touching, staring, looking up and down, pinching, patting, or brushing against; comments regarding physical or personality characteristics of a sexual nature; sexually-oriented "kidding," "teasing," double-entendres, explicit or suggestive messages, cartoons, pictures and jokes, and any harassing conduct to which an employee would not be subjected but for such employee's sex.
- (2) Unwelcome Conduct of a Sexual Nature.
 - (a) Verbal, visual or physical conduct of a sexual nature may constitute sexual harassment when the allegedly harassed employee has indicated, by his or her conduct, that it is unwelcome.
 - (b) An employee who has initially welcomed such conduct by active participation must give specific notice to the alleged harasser that such conduct is no longer welcome in order for any such subsequent conduct to be deemed unwelcome.
 - (c) Aspire prohibits any conduct of a sexual nature directed toward students by teachers or others to whom this policy applies, and shall presume that any such conduct is unwelcome.

B. SEXUAL HARASSMENT PROHIBITED

- (1) For the purposes of this policy, unwelcome sexual advances or requests for sexual favors, and other unwelcome conduct of a sexual nature, constitute prohibited sexual harassment if:
 - (a) Submission to the conduct is made either an explicit or implicit condition of employment (as an illustration, and not as a limitation, where a person's continued employment is conditioned upon or impacted by prohibited sexual-based factors);
 - (b) Submission to or rejection of the conduct is used as a basis for an employment decision affecting the harassed employee; and
 - (c) The conduct substantially interferes with an employee's or student's performance, or creates an intimidating, hostile, or offensive work or school environment, regardless of whether the employee's continued employment or compensation is affected.
- (2) Specific Prohibitions--Administrators and Supervisors.
 - (a) It is sexual harassment for a manager or supervisor to use his or her authority to solicit sexual favors or attention from subordinates when the subordinate's failure to submit will result in adverse treatment, or when the subordinate's acquiescence will result in preferential treatment.

- (b) Administrators and supervisors who either engage in sexual harassment or tolerate such conduct by other employees shall be subject to sanctions, as described below.
- (3) Specific Prohibitions--Non-managerial and Non-supervisory Employees: It is sexual harassment for a non-administrative and non-supervisory employee to subject another such employee to any unwelcome conduct of a sexual nature. Employees who engage in such conduct shall be subject to sanctions as described below.
- (4) Specific Prohibitions--Employees and Students: It is sexual harassment for an employee to subject a student to any conduct of a sexual nature. Employees who engage in such conduct shall be subject to sanctions.

C. REPORTING, INVESTIGATION, AND SANCTIONS

- (1) It is the express policy of Aspire to encourage victims of sexual harassment to report such claims. Aspire understands that victims of harassment are often embarrassed and reluctant to report acts of harassment for fear of being blamed, concern about being retaliated against, or because it is difficult to discuss sexual matters openly with others. However, no employee of Aspire should have to endure harassing conduct, and therefore the School encourages everyone to promptly report any incidents of harassment so that corrective action can be taken.
 - (a) Employees who feel that their superiors are conditioning promotions, increases in wages, continuation of employment, or other terms or conditions of employment upon agreement to unwelcome conduct of a sexual nature, are encouraged to report these conditions to the appropriate administrator. If the employee's direct administrator or supervisor is the offending person, the report shall be made to the next higher level of authority.
 - (b) Employees are also urged to report any unwelcome conduct of a sexual nature by superiors or fellow employees if such conduct interferes with the individual's work performance, or creates a hostile or offensive working environment.
 - (c) Students are urged to report any conduct of a sexual nature by school employees or others to whom this policy applies to a school counselor or administrator.
- (2) Every reported complaint of harassment will be investigated promptly and thoroughly by Aspire. Typically the investigation will include interviewing the complainant, anyone who may have knowledge of the alleged harassment, and the alleged harasser. Once the investigation is completed, Aspire will notify the complainant of the results of the investigation. Aspire will make every effort to handle the investigation in as confidential a manner as possible consistent with a thorough, fair and proper investigation. Aspire will not tolerate reprisals or retaliation against anyone as a result of the good-faith reporting of charges of sexual harassment.
- (3) In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred have to be investigated.
- (4) Any employee found to have engaged in sexual harassment shall be subject to sanctions, including, but not limited to, warning or reprimand, suspension, or termination. Conduct of a sexual nature directed toward students shall be reported as child abuse for investigation by appropriate law enforcement and/or other authorities.

D. FILING COMPLAINTS WITH STATE AND FEDERAL AGENCIES

In addition to notifying Aspire of harassment or retaliation, aggrieved parties may wish to file complaints with other appropriate state and federal agencies, including the United States Equal Employment Opportunity Commission (EEOC) and/or the California Department of Fair Employment and Housing (DFEH), which have authority to conduct investigations of facts. Aggrieved parties are advised that statutory deadlines apply for the tender of complaint to either the EEOC and/or the DFEH and that if complaints are not timely filed they may be barred by law. If the EEOC and/or the DFEH believe that a complaint is valid and settlement efforts fail, aggrieved parties may seek an administrative hearing. Aggrieved parties may also be entitled to file a lawsuit in Federal or state court. Administrative agencies and the courts have the authority to award monetary and non-monetary relief in meritorious cases. Employees can contact the nearest EEOC or DFEH office at the locations listed on Aspire's employment law poster or by checking the state government listings in the local telephone directory.

Employees – All Other Kinds of Discrimination or Harassment

Prohibited harassment on the basis of race, ethnic group, color, national origin, ancestry, religion, physical or mental disability, marital status, medical condition, sexual orientation, veteran status, age, or any other protected basis, includes behavior similar to sexual harassment, such as:

- Verbal conduct such as threats, epithets, derogatory comments, or slurs;
- Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures;
- Physical conduct such as assault, unwanted touching, or blocking normal movement; and
- Retaliation for reporting harassment or threatening to report harassment.

COMPLAINT PROCEDURE

Aspire's complaint procedure provides for an immediate, thorough, and objective investigation of any claim of unlawful or prohibited harassment, appropriate disciplinary action against one found to have engaged in prohibited harassment, and appropriate remedies for any victim of harassment. A claim of harassment may exist even if the employee has not lost a job or some economic benefit.

Employees who believe they have been harassed on the job, or who become aware of the harassment of others are encouraged to inform the offender that this behavior is unwelcome. They should also immediately provide a written or verbal complaint to your supervisor, manager, Human Resources, or any other member of management as soon as possible. The complaint should be as detailed as possible, including the names of individuals involved, the names of any witnesses, direct quotations when language is relevant, and any documentary evidence (notes, pictures, cartoons, etc.).

All incidents of prohibited harassment that are reported will be investigated. Aspire will immediately undertake or direct an effective, thorough, and objective investigation of the harassment allegations. The investigation will be completed and a determination regarding the reported harassment will be made and communicated to the employee who complained and to the accused harasser(s).

If Aspire determines that prohibited harassment or other conduct that violates an Aspire policy has occurred, the organization will take effective remedial action commensurate with the circumstances. Appropriate action will also be taken to deter any future harassment. If a complaint of prohibited conduct is substantiated, appropriate disciplinary action, up to and including immediate termination, will be taken. Whatever action is taken against the wrongdoer will be communicated to the employee who complained. Applicable law prohibits retaliation against any employee who complains of prohibited harassment or who participates in an investigation.

LIABILITY FOR HARASSMENT

Any employee of Aspire, whether an employee, supervisor, or manager who is found to have engaged in prohibited harassment is subject to disciplinary action, up to and including immediate discharge from employment. Any employee who engages in prohibited harassment, including any supervisor or manager who knew about the harassment but took no action to stop it, may be held personally liable for monetary damages. Aspire does not consider conduct in violation of this policy to be within the course and scope of employment or the direct consequence of the discharge of one's duties. Accordingly, to the extent permitted by law, Aspire reserves the right not to provide a defense or pay damages assessed against employees for conduct in violation of this policy.

PREVENTION OF CHILD ABUSE POLICY

Aspire is committed to maintaining safe and secure campuses for students, and for following its legal responsibilities in reporting suspected child abuse/neglect to the proper authorities.

Reporting Suspected Abuse/Neglect

While the responsibility of enforcing legal prohibitions against child abuse and neglect lies with the protective agencies such as the local police department and Children's Protective Services, Aspire's child care custodians (including teachers, administrative officers, certificated personnel, etc.) are mandated reporters of known or suspected child abuse/neglect and are required to fulfill this legal responsibility. Every child care custodian of Aspire must sign a "Child Abuse Reporting" form indicating they understand their responsibilities to report known or suspected child abuse/neglect.

See complete Prevention of Child Abuse Policy and Procedure for specific steps regarding the reporting of suspected abuse and neglect.

Reporting Problems at the School Site

Aspire maintains zero tolerance for abuse. Every member of any Aspire community must participate actively in the protection of its students.

All Aspire schools will monitor the school buildings and grounds:

- All unused rooms, storage areas, and closet doors should be kept locked at all times;
- all unused buildings and areas must be designated, posted and enforced as off-limits to children;
- all students are required to remain in areas that are easily viewed by employees;

- Interior doors should be left open and unlocked when rooms are in use
- Blinds should be left open to allow informal monitoring by a passerby.

In the event that any current or future Aspire employee observes any suspicious or inappropriate behaviors on the part of any third party or other employee while on any Aspire premises, he or she is required to immediately report their observations to the principal or designee. Examples of suspicious or inappropriate behaviors include, but are not limited to:

- policy violations,
- neglectful supervision,
- “private time” with students,
- taking students off premises without adhering to procedures,
- buying unusual gifts for children and youth,
- swearing or making suggestive comments to students,
- or any other conduct as identified in this policy, or which is inappropriate or illegal in the eyes of the observer.

All reports of suspicious or inappropriate behavior with students will be taken seriously. The principal or designee will conduct an immediate investigation concerning the alleged act or omission. If at any point in gathering information about the allegedly suspicious, inappropriate or illegal behavior, a concern arises that there is a possibility of abuse of any kind, appropriate law enforcement and/or local child protection services will be contacted immediately and a report will be filed. If at any point any policy violations with students are confirmed, employees will be subject to disciplinary action, including but not limited to, administrative leave, termination and/or criminal prosecution.

Aspire will cooperate with any and all law enforcement and/or governmental entities in the implementation and enforcement of this policy.

Employee Conduct With Students

All Aspire employees are responsible for conducting themselves in ways that preserves the safety of students and that prevents either the reality of or perception of inappropriate interaction with students.

In general, all Aspire employees will treat all children with respect and consideration equally, regardless of sex, race, religion, culture or socio-economic status. Employees will portray a positive role model for youth by maintaining an attitude of respect, patience and maturity.

Alcohol, Tobacco, and Controlled Substances

All Aspire employees are prohibited from the use, possession, or distribution of alcohol, tobacco products, or any illegal controlled substances while in the presence of students or at any time on school grounds. They are also prohibited from being under the influence of alcohol or any illegal controlled substances while in the presence of students or at any time on school grounds.

Transportation of Students

Aspire employees may occasionally be in a position to provide transportation for students. The following guidelines should be observed in such circumstances:

- a) With the exception of emergency situations related to medical necessity, employees should avoid transporting students without the written permission of his or her parent or guardian;
- b) If written permission is not possible, the employee should make a written record of any verbal permission granted by the parent or guardian;
- c) Students should be transported directly to their destination and no unauthorized or unnecessary stops should be made;
- d) Employees will avoid unnecessary and/or inappropriate physical contact with students while in vehicles;
- e) Drivers who are assigned to transport students must be at least 21 years old and must abide by standards related to insurance and other legal requirements;
- f) The employee should make a written record of the trip, including departure and arrival times and locations and students involved; and
- g) Whenever possible, two Aspire employees should collectively engage in the transportation activity.

Language

Employees will not speak to students in a way that is or could be construed by any observer as harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning, or humiliating. Employees are to refrain from swearing in the presence of students. Employees are cautioned against initiating sexually oriented conversations with students, except in the context of Aspire's health education or advisory curriculum. Employees are not permitted to discuss their own sexual activities with students.

Gifts

Money will not be given to students. Gifts will not be given to individual students, except as an award related to a previously announced academic competition; or as a group award given to all participants in celebration of classroom or school accomplishment or special event.

Attire

Employees must be appropriately and professionally dressed in presence of students. Each school may adopt its own dress code for employees and employees will be expected to follow that code.

Behavior

One-to-one counseling with students will be done in a public place insofar as possible, where private conversations are possible but occur in full view of others.

Employees will refrain from intimate displays of affection towards others in the presence of students, parents, and other personnel.

Employees are prohibited from possessing any sexually oriented materials (magazines, cards, videos, films, clothing, etc) on school grounds or in the presence of students.

Physical contact with students

Some forms of physical contact between adults and children are appropriate and that other forms are inappropriate, illegal, or have been used by adults to initiate inappropriate or illegal contact with children.

Appropriate physical contact between employees and students include, but are not limited to:

- Handshakes;
- “High Fives” or hand slapping;
- briefly touching tops of heads, shoulders or upper back in acknowledgement, congratulation or consolation;
- brief sideways hugs; and
- holding hands while walking with small children.

Inappropriate physical contact between employees and students include, but are not limited to:

- full body hugs or lengthy embraces;
- kisses;
- holding small children on the lap;
- touching bottoms, chests, knees, legs, , and/or genital areas;
- showing affection in isolated or private areas;
- sleeping with a student;
- wrestling with students;
- tickling students;
- piggyback rides;
- any type of massage;
- any form of unwanted affection; and/or
- any compliments that relate to physique or body development.

All Aspire employees are prohibited from using physical punishment in any way for behavior management of students. No form of physical discipline is acceptable. This prohibition includes spanking, slapping, pinching, hitting or any other physical force as retaliation or correction for inappropriate behaviors by students. Other prohibitions include, but are not limited to,

- isolation except as needed for the child to gain self-control (and then only under the supervision of an adult, and no longer than 15 minutes),
- withholding food or water,
- degrading punishment,
- work assignments unrelated to a natural or logical consequence,
- excessive exercise,
- withholding access to contact with parents or guardians,
- withholding or using medications for punishment,
- mechanical restraint such as rope or tape to restrict movement, or
- any type of physical restraint.

Appendix 9: Aspire Student Outreach Strategies

Strategies for Student Recruitment

In the student recruiting process, site principals do the following:

1. Raise awareness of Aspire as a choice among targeted (i.e. low income) population
2. Persuade families to visit an Aspire school or come to a presentation
3. Manage parent expectations about the school, to ensure a good fit

Raising Awareness

In the first stage, a variety of methods can be used to make families aware that Aspire is an alternative for their children. Aspire’s core target market of low-income families tends to have limited access to information about public school choices, so it’s important to get information out in a targeted way.

Approach	Cost	Time	Ability to target	Comments
Presentations at community centers & churches	Low	High	High	Community groups, including churches, are an important and respected source of information for families.
Presentations at feeder schools	Low	High	High	Pre-school programs, especially Head Start, provide the best access to low-income families of would-be kindergarteners. Local parochial schools and even other neighborhood schools are also possibilities, if the relationship is friendly.
Word-of-mouth	Low	Low	Moderate	Effectiveness depends on current constituency and reputation
Flyers	Low	Moderate	Moderate	The process of posting flyers (i.e. in-person conversations with local small business owners) is a good way to make community connections and get a better feel for the neighborhood dynamics
Direct mail	High	High	Moderate	Ability to target depends on the source of the mailing list (district, community group)
Banner	Low	Low	Low	A very passive but easy way to let people at large know about the school
Billboard	High	Low	Low	Passive, not very targeted, and can be expensive unless there are some discounts for “public service announcements”
Newspaper	High	Low	Low	Not recommended—very expensive

advertisements				and not very targeted
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In general, mass media (newspapers, TV, radio) should be used only if its core constituency is Aspire’s target population (e.g. a local Spanish-language newspaper). All recruiting materials should be translated into other languages as appropriate for the community.

Information Sessions

We strongly encourage families to sign up after they have received full information about Aspire. The information sessions are the best way to generate excitement about the school, but also help ensure that the parents know what they really can expect from the school.

Information sessions for new schools can be held at local community centers, churches or neighborhood schools. If another Aspire school already exists in the area, a tour should be added. The session usually includes a presentation by the principal and/or teacher, a testimonial by an existing Aspire parent, and a question/answer session. Aspire has a sample PowerPoint presentation that can be refined to address the specific needs of the neighborhood. Sign-in sheets that ask for full contact info should be provided, and informational brochures and enrollment packets should be readily available. Childcare and translation services should be offered to ensure maximum turnout.

2158316

ENDORSED - FILED
IN THE OFFICE OF THE
SECRETARY OF STATE
OF THE STATE OF CALIFORNIA

MAR 19 1999

BILL JONES, SECRETARY OF STATE

ARTICLES OF INCORPORATION
OF
UNIVERSITY PUBLIC SCHOOLS

A CALIFORNIA PUBLIC BENEFIT CORPORATION

ONE: The name of this corporation is University Public Schools.

TWO: This corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for charitable purposes. The specific purpose for which this corporation is organized is to manage, guide, direct and promote University Public Schools, charter public schools that provide quality education to California youth in pre-K, primary, and secondary grades.

THREE: The name and address in the State of California of this corporation's initial agent for service of process is:

Don Shalvey
1564 Laurel Street
San Carlos, CA 94070

FOUR: (a) This corporation is organized and operated exclusively for educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code.

(b) Notwithstanding any other provision of these Articles, the corporation shall not carry on any other activities not permitted to be carried on (1) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code or (2) by a corporation contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.

(c) No substantial part of the activities of this corporation shall consist of carrying on propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate or intervene in any political campaign (including the publishing or distribution of statements) on behalf of, or in opposition to, any candidate for public office.

FIVE: The names and addresses of the persons appointed to act as the initial Directors of this corporation are:

Name	Address
Don Shalvey	131 Kelton Avenue, San Carlos, CA 94070
Reed Hastings	604 Lighthouse Avenue Santa Cruz, CA 95060
Bill Jackson	965 Mission Street, Suite 650 San Francisco, CA 94103

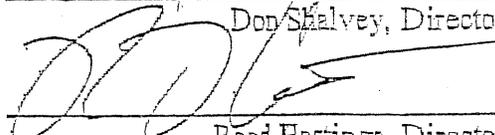
SIX: The property of this corporation is irrevocably dedicated to educational purposes meeting the requirements of Section 214 of the California Revenue and Taxation Code and no part of the net income or assets of the organization shall ever inure to the benefit of any director, officer or member thereof or to the benefit of any private person.

On the dissolution or winding up of the corporation, its assets remaining after payment of, or provision for payment of, all debts and liabilities of this corporation, shall be distributed to a nonprofit fund, foundation, or corporation which is organized and operated exclusively for educational purposes and which has established its tax-exempt status under Section 501(c)(3) of the Internal Revenue Code.

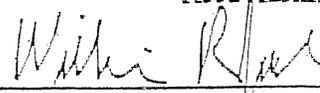
Date: 12/21/98



Don Shalvey, Director



Reed Hastings, Director



Bill Jackson, Director

We, the above-mentioned initial directors of this corporation, hereby declare that we are the persons who executed the foregoing Articles of Incorporation, which execution is our act and deed.

Date: 12/21/98

Don Shafray
Don Shafray, Director

Reed Hastings
Reed Hastings, Director

Bill Jackson
Bill Jackson, Director



A0551743

ENDORSED FILED
in the office of the Secretary of State
of the State of California

SEP 8 2000

BILL JONES, Secretary of State

CERTIFICATE OF AMENDMENT TO
ARTICLES OF INCORPORATION OF
UNIVERSITY PUBLIC SCHOOLS
A CALIFORNIA PUBLIC BENEFIT CORPORATION

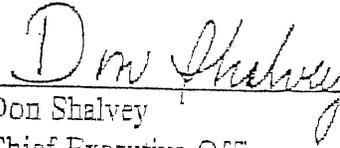
The undersigned certify that:

1. They are the Chief Executive Officer and Secretary, respectively, of University Public Schools, a California Public Benefit Corporation.
2. Article I of the Articles of Incorporation of this corporation is amended to read as follows:

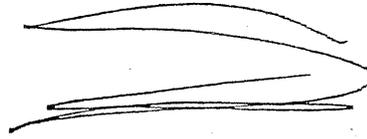
"The name of this Corporation is Aspire Public Schools."
3. The foregoing amendment to the Articles of Incorporation has been duly approved by the Board of Directors of this Corporation.
4. The Corporation has no members.

We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our knowledge.

Executed on July 1, 2000.



Don Shalvey
Chief Executive Officer



Sayed Darwish
Secretary



A0604947

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

CERTIFICATE OF AMENDMENT TO
ARTICLES OF INCORPORATION OF
ASPIRE PUBLIC SCHOOLS
A CALIFORNIA PUBLIC BENEFIT CORPORATION

NOV 03 2003
KEVIN SHELLEY
Secretary of State

The undersigned certify that:

1. They are the Chief Executive Officer and Secretary, respectively, of Aspire Public Schools, a California Public Benefit Corporation.
2. Article Six of the Articles of Incorporation of this Corporation is amended to read as follows:

“The property of this corporation is irrevocably dedicated to charitable and educational purposes meeting the requirements for exemption provided by section 214 of the Revenue and Taxation Code and no part of the net income or assets of this organization shall inure to the benefit of any private person. Upon the dissolution of the corporation, its assets remaining after payment, or provisions for payment, of all debts and liabilities of this corporation, shall be distributed to a non-profit fund, foundation, or corporation which is organized and operated exclusively for charitable and educational purposes meeting the requirements for exemption provided by section 214 of the Revenue and Taxation Code and which has established its tax exempt status under section 501(c)(3) of the Internal Revenue Code.

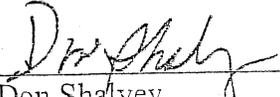
“If this corporation holds any assets in trust, or the corporation is formed for charitable purposes, such assets shall be disposed of in such manner as may be directed by decree of the superior court of the county in which the corporation has its principal office, upon petition therefor by the Attorney General or by any person concerned in the liquidation, in a proceeding to which the Attorney General is a party.”

3. The foregoing amendment to the Articles of Incorporation has been duly approved by the Board of Directors of this Corporation.
4. The Corporation has no members.

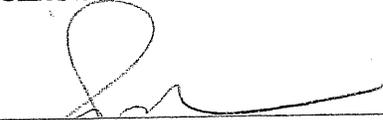
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We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our knowledge.

Executed on May 15, 2003.



Don Shalvey
Chief Executive Officer



Gloria Lee
Secretary



AMENDED AND RESTATED BYLAWS OF ASPIRE PUBLIC SCHOOLS,
a California Nonprofit Public Benefit Corporation

ARTICLE 1: OFFICES

Section 1.1 Principal Office

The principal office for the transaction of the business of the Corporation shall be located at 1001 – 22nd Avenue, Oakland, California, in Alameda County, California. The Board of Directors may change the principal office from one location to another, and this section shall be amended accordingly.

Section 1.2 Other Offices

The Board of Directors may at any time establish branch offices, either within or outside the State of California, in order to advance the proper purposes of the Corporation.

ARTICLE 2: OBJECTIVES AND PURPOSES

This Corporation has been formed under the California Nonprofit Public Benefit Corporation Law for the purposes stated in the Articles of Incorporation, including any amendments thereto. The Corporation shall not carry on any other activities not permitted to be carried on by: (a) a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code; or (b) a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code. No substantial part of the activities of the Corporation shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distributing of statements) any political campaign of or in opposition to any candidate for public office.

ARTICLE 3: DEDICATION OF ASSETS

The properties and assets of this Corporation are irrevocably dedicated to public benefit and/or charitable purposes. No part of the net earnings, properties, or assets of this Corporation, on dissolution or otherwise, shall inure to the benefit of any private person or individual, or any Director or Officer of this Corporation. On liquidation or dissolution, all properties and assets remaining after payment, or provision for payment, of all debts and liabilities of this Corporation shall be distributed to a nonprofit fund, foundation, or corporation which is organized and operated exclusively for charitable purposes and which has established its exempt status under Internal Revenue Code §501(c)(3).

ARTICLE 4: NO MEMBERS

This Corporation shall have no members within the meaning of the California Nonprofit Public Benefit Corporation Law. All rights which would otherwise by law vest in the members shall vest in the Board.

ARTICLE 5: DIRECTORS

Section 5.1 Powers

(a) General Corporate Powers. The business and affairs of the Corporation shall be managed, and all corporate powers shall be exercised, by or under the direction of the Board of Directors.

(b) Specific Powers. Without prejudice to their general powers, the Directors shall have the power to:

(i) Select and remove the Officers of the Corporation; prescribe any powers and duties for them that are consistent with the law, with the Articles of Incorporation, and with these Bylaws; and fix their compensation, if any.

(ii) Change the principal executive office or the principal business office in the State of California from one location to another; cause the Corporation to be qualified to do business in any other state, territory, dependency, or country, and conduct business within or outside the State of California; and designate any place within the State of California for the holding of any meeting.

(iii) Borrow money and incur indebtedness on behalf of the Corporation and cause to be executed and delivered for the Corporation's purposes, in the Corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations, and other evidences of debt.

(iv) Adopt, make, and use a corporate seal and alter the form of the seal.

Section 5.2 Number of Directors

The number of Directors shall be not less than three (3) nor more than eleven (11), with the exact authorized number of Directors to be determined by the Board from time to time.

Section 5.3 Board of Directors; Term of Office.

(a) The members of the Board of Directors are those persons whose names are attached to these Bylaws as Exhibit A. The Directors shall each serve until the later of the date of Annual Meeting designated beside his or her name in Exhibit A, or the date his or her successor is elected. Subsequent Directors shall be elected by a majority vote of the Directors at each Annual Meeting, including the vote(s) of any Director whose term of office expires with that meeting. A term may not exceed six (6) years.

(b) The Chairperson of the Board shall be selected by a majority vote of the Directors following the appointment or election of Directors at each Annual Meeting.

(c) A vacancy on the Board shall occur in the event of (i) the death, resignation or removal of any Director; (ii) the declaration by resolution of the Board of Directors of a vacancy in the office of a director who has been convicted of a felony, declared of unsound mind by a court order, or found by final order or judgment of any court of competent jurisdiction to have breached a duty under the California Nonprofit Public Benefit Corporation Law; (iii) the failure of the Board of Directors, at any meeting at which any Director is to be elected, to elect the number of Directors required to be elected at such meeting; or (iv) the increase in the number of Directors. Vacancies on the Board of Directors may be filled by approval of the Board of Directors or, if the number of Directors is less than a quorum, by (i) the unanimous consent of the Directors then in office, (b) the affirmative vote of the majority of Directors then in office at a meeting held according to notice in compliance with the provisions of the Ralph M. Brown Act, or (c) a sole remaining Director.

(d) Except as designated below, any Director may resign by giving written notice to the Chairperson of the Board, to the Secretary, or to the Board of Directors. The resignation shall be effective when notice is given unless the notice specifies a later time for the resignation to become effective. Except on notice to the California Attorney General, no Director may resign if the Corporation would be left without a duly elected Director.

(e) Any Director may be removed, with or without cause, by a vote of the majority of the entire Board of Directors at a special meeting called for that purpose, or at a regular meeting, provided that notice of the meeting and of the removal questions are given in compliance with the provisions of the Ralph M. Brown Act.

Section 5.4 Place of Meetings

Meetings shall be conducted at the principal office of the Corporation. The Board of Directors may also designate that a meeting be held at any place within California that has been identified notice in compliance with the provisions of the Ralph M. Brown Act.

Section 5.5 Meetings; Annual Meeting

All meetings of the Board of Directors, including the Annual Meeting, shall be called, noticed and held in compliance with the provisions of the Ralph M. Brown Act. The Board of Directors shall meet annually for the purpose of organization, appointment of officers, and the transaction of such other business as may properly be brought before the meeting. The Annual Meeting shall be held at a time, date and place as may be specified and noticed by the Board of Directors.

Section 5.6 Regular Meetings

Regular meetings of the Board of Directors, including the Annual Meeting, shall be held at such times and places as may from time to time be fixed by the Board of Directors. At least seventy-two (72) hours before a regular meeting, the Board of Directors, or its designee, shall post an agenda containing a brief description of each item of business to be transacted or discussed at the meeting.

Section 5.7 Special Meetings

(a) Special meetings of the Board of Directors for any purpose may be called at any time by the Chairperson of the Board, the President, or any two (2) Directors. The party calling a special meeting shall determine the place, date and time. In accordance with the Ralph M. Brown Act, special meetings may be held only after twenty-four (24) hours notice is given to each Director and to the public through the posting of an agenda containing a description of the general nature of the business proposed. Pursuant to the Ralph M. Brown Act, the Board of Directors shall adhere to the following notice requirements for special meetings:

(b) Any such notice shall be addressed or delivered to each Director at the Director's address as it is shown on the records of the Corporation, or as may have been given to the Corporation by the Director for purposes of notice, or, if an address is not shown on the Corporation's records or is not readily ascertainable, at the place at which the meetings of the Directors is regularly held.

(c) Notice by mail or email shall be deemed received at the time a properly addressed written notice is deposited in the United States mail, postage prepaid. Any other written notice shall be deemed received at the time it is personally delivered to the recipient or is delivered to a common carrier for transmission, or is actually transmitted by the person giving the notice by electronic means to the recipient. Oral notice shall be deemed received at the time it is communicated, in person or by telephone or wireless, to the recipient whom the person giving the notice has reason to believe will promptly communicate it to the receiver.

(d) The notice of special meeting shall state the time of the meeting, and the place if the place is other than the principal office of the Corporation, and the general

nature of the business proposed to be transacted at the meeting. No business, other than the business the general nature of which was set forth in the notice, may be transacted at a special meeting.

Section 5.8 Quorum

During open session, a majority of the directors then in office shall constitute a quorum. For purposes of closed session, a majority of the directors then in office and eligible to vote on the closed session item shall constitute a quorum. All acts or decisions of the Board of Directors shall be by majority vote based upon the presence of a quorum. Should there be fewer than a majority of Directors present at any meeting, the meeting shall be adjourned. Directors may not vote by proxy.

Section 5.9 Telephone Conference Meetings

Members of the Board of Directors may participate in teleconference meetings so long as all of the following requirements in the Ralph M. Brown Act are followed:

(a) At a minimum, a quorum of the members of the Board of Directors shall participate in the teleconference meeting from locations within the boundaries of the school districts in which the Corporation's schools operate;

(b) All votes taken during a teleconference meeting shall be by roll call;

(c) If the Board of Directors elects to use teleconferencing, it shall post agendas at all teleconference locations with each teleconference location being identified in the notice and agenda of the meeting;

(d) All locations where a member of the Board of Directors participates in a meeting via teleconference must be fully accessible to members of the public and shall be listed on the agenda;

(e) Members of the public must be able to hear what is said during the meeting and shall be provided with an opportunity to address the Board of Directors directly at each teleconference locations; and

(f) The agenda shall indicate that members of the public attending a meeting conducted via teleconference need not give their name when entering the conference call.

Section 5.10 Adjournment

A majority of the Directors present, whether or not constituting a quorum, may adjourn any meeting to another time and place. Notice of the time and place of holding

an adjourned meeting need not be given, unless the meeting is adjourned for more than twenty-four (24) hours, in which case notice of such adjournment to another time or place shall be given, prior to the time schedule for the continuation of the meeting, to the Directors who were not present at the time of the adjournment, and to the public in the manner prescribed by the provisions of the Ralph M. Brown Act.

Section 5.11 Compensation of Directors

Directors shall serve without compensation except that they shall be allowed reasonable advancement or reimbursement of actual reasonable expenses incurred in carrying out his or her duties. Directors shall not otherwise be compensated.

Section 5.12 Restriction on Interested Directors

Not more than forty-nine (49) percent of the persons serving on the Board of Directors at any time may be interested persons. An interested person is (a) any person compensated by the Corporation for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor, or otherwise; and (b) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, mother-in-law, or father-in-law of any such person. The Board of Directors may adopt other policies circumscribing potential conflicts of interest.

Section 5.13 Non-Liability of Directors

No Director shall be personally liable for the debts, liabilities or other obligations of this Corporation.

Section 5.14 Contracts with Non-Director Designated Employees

This Corporation shall not enter into a contract or transaction in which a non-Director designated employee directly or indirectly has a material financial interest unless all of the requirements of the Corporation's Conflict of Interest Policy have been fulfilled.

Section 5.15 Compliance with Laws Governing Student Records

This Corporation and the Board of Directors shall comply with all applicable provisions of the Family Education Rights Privacy Act ("FERPA").

Section 5.16 Non-Discrimination

This Corporation shall not discriminate on the basis of race, religion, national origin, gender, age or sexual orientation in hiring, firing or admissions.

ARTICLE 6: COMMITTEES

Section 6.1 Committees of Directors

The Board of Directors may, by resolution adopted by a majority of the Directors then in office, designate one or more committees consisting of two (2) or more Directors, and only of directors, to serve at the pleasure of the Board. Meetings of committees shall comply with the provisions of the Ralph M. Brown Act, if applicable. Minutes of each such meeting shall be kept and filed with the corporate records. Any committee, to the extent provided in the resolution of the Board, shall have all or a portion of the authority of the Board, except that no committee, regardless of the Board resolution, may:

(a) Take any final action on any matter that under the California Nonprofit Public Benefit Law also requires approval of the members or approval by a majority of the members;

(b) Fill vacancies on the Board of Directors or on any committee;

(c) Amend or repeal the Articles of Incorporation or Bylaws or adopt new Bylaws;

(d) Amend or repeal any resolution of the Board that by its express terms is not so amendable or subject to repeal;

(e) Designate any other committee of the Board or appoint the members of any committee;

(f) Approve any transaction (i) to which the Corporation is a party and as to which one or more Directors has a material financial interest, or (ii) between the Corporation and one or more of its Directors or between the Corporation and any corporation or firm in which one or more of its Directors has a material financial interest.

Section 6.2 Executive Committee

The Board may appoint two (2) or more Directors and the Chairperson to serve as the Executive Committee of the Board. The Chairperson shall serve as chairperson of the Executive Committee. The Executive Committee, unless limited by a resolution of the Board, shall have and may exercise all the authority of the Board in the management of the business and affairs of the Corporation between meetings of the Board.

Section 6.3 Compensation Committee and Compensation Review

At any time this Corporation compensates its CEO or CFO, the Corporation shall have a Compensation Committee consisting of at least three (3) Directors and exclusively of Directors. Directors who are also employees of the Corporation may not serve on the Compensation Committee. The Compensation Committee shall review the compensation of the CEO and CFO, as well as of such other Officers of the Corporation as the Compensation Committee determines appropriate. This review shall occur when such officer is hired, when the term of employment of such officer is renewed or extended, and when the compensation of such officer is modified, unless the modification applies to substantially all of the employees of this corporation. Based on its review, the Compensation Committee shall recommend just and reasonable compensation amounts to the Board. At the request of the CEO or the Board, the Compensation Committee shall review any issue involving staff compensation and benefits, including but not limited to housing, health, and retirement plans.

Section 6.4 Audit Committee

At all times that this Corporation is required by applicable law to have an independent audit, or at any time the Corporation voluntarily chooses to do so, the Corporation shall have an Audit Committee consisting of at least two (3) Directors. Directors who are employees of the Corporation or who receive, directly or indirectly, any consulting, advisory, or other compensatory fees from the Corporation (other than for service as Director) may not serve on the Audit Committee. The Audit Committee shall perform the duties and adhere to the guidelines set forth from time to time by the Board. These duties include, but are not limited to: (i) assisting the Board in choosing an independent auditor and recommending termination of the auditor, if necessary, (ii) negotiating the auditor's compensation, (iii) conferring with the auditor regarding the Corporation's financial affairs, and (iv) reviewing and accepting or rejecting the audit. Members of the Audit Committee shall not receive compensation for their service on the Audit Committee. If the Corporation has a Finance Committee, a majority of the members of the Audit Committee may not concurrently serve as members of the Finance Committee, and the Chair of the Audit Committee may not serve on the Finance Committee.

Section 6.5 Advisory Committees

The Board may establish one or more Advisory Committees to the Board. The members of any Advisory Committee may consist of Directors or nondirectors. Advisory committees may not exercise the authority of the Board to make decisions on behalf of the corporation, but shall be limited to making recommendations to the Board or the Board's authorized representatives and to implementing Board decisions and policies. Advisory Committees shall be subject to the supervision and control of the Board.

Section 6.6 Meeting and Action of Committees

The Board of Directors may adopt rules for any committee not inconsistent with the provisions of these Bylaws.

ARTICLE 7: OFFICERS

Section 7.1 Officers

The Corporation shall have the following Officers: Chief Executive Officer (CEO), Secretary, Chief Financial Officer (CFO), and any Officers as the Board may designate. Officers need not be Directors. One person may hold two or more offices, except those of CEO and Secretary, and CEO and CFO.

Section 7.2 Election of Officers

The officers of the corporation shall be chosen by the Board of Directors, and each shall serve at the pleasure of the Board.

Section 7.3 Removal of Officers

The Board of Directors may remove any officer with or without cause. An officer who was not chose by the Board of Directors may be removed by any other officer on whom the Board of Directors confers the powers of removal.

Section 7.4 Resignation of Officers

Any Officer may resign at any time by giving written notice to the Board of Directors, the CEO, or the Secretary of the Corporation. Any resignation shall take effect at the date of receipt of that notice or at any later time specified in that notice. Unless otherwise specified in that notice, the acceptance of the resignation shall not be necessary to make it effective. Any resignation shall be without prejudice to the rights, if any, of the Corporation under any contract to which the Officer is a party.

Section 7.5 Vacancies in Office

A vacancy in any Office because of death, resignation, removal, disqualification, or any other cause shall be filled only in the manner prescribed in these Bylaws for regular appointments to that Office.

Section 7.6 Responsibilities of Officers

(a) Chief Executive Officer (CEO). The CEO shall be the general manager of the Corporation and shall supervise, direct and control the Corporation's activities, affairs, and officers. The CEO shall be responsible to the Board of Directors, shall see that the Board is advised on all significant matters of the Corporation's business, and shall see that all orders and resolutions of the Board are carried into effect. The President shall be empowered to act, speak for, or otherwise represent the Corporation between meetings of the Board. The CEO shall perform other duties as may be prescribed by the Board of Directors or the Bylaws.

(b) Secretary. The Secretary shall keep or cause to be kept, at the Corporation's principal office or such other place as the Board of Directors may direct, a book of minutes of all meetings, proceedings and actions of Directors and committees of Directors. The minutes of meetings shall include the time and place that the meeting was held; whether the meeting was annual, regular, or special, and if special, how authorized; the notice given; and the names of those Directors present at such meetings. The Secretary shall keep or cause to be kept a copy of the Articles of Incorporation and Bylaws, as amended to date. The Secretary shall give, or cause to be given, notice of all meetings of the Board of Directors required by the Bylaws to be given. The Secretary shall have such other powers and perform such other duties as may be prescribed by the Board of Directors or the Bylaws.

(c) Chief Financial Officer (CFO). The CFO shall keep and maintain, or cause to be kept and maintained, adequate and correct books and records of accounts of the properties and business transactions of the Corporation. The books of account shall be open to inspection by any Director at all reasonable times. The CFO shall deposit all money and other valuables in the name and to the credit of the Corporation with such depositories as may be designated by the Board of Directors; shall disburse funds of the Corporation as may be ordered by the Board of Directors; shall render to the CEO and Directors, whenever they request it, an account of all financial transactions and of the financial condition of the Corporation; and shall have other powers and perform such other duties as may be prescribed by the Board of Directors or the Bylaws. If required by the Board of Directors, the CFO shall give the Corporation a bond in the amount and with the surety specified by the Board for the faithful performance of the duties of his or her office and for restoration to the Corporation of all its books, papers, vouchers, money, and other property of every kind in his or her possession or under his or her control on his or her death, resignation, retirement, or removal from office.

ARTICLE 8: RECORDS AND REPORTS

Section 8.1 Maintenance of Articles and Bylaws

The Corporation shall keep at its principal executive office the original or a copy of its Articles and Bylaws as amended to date.

Section 8.2 Maintenance of Other Corporate Records

The accounting books, records, and minutes of the proceedings of the Board of Directors and any committee(s) of the Board of Directors shall be kept at such place or places designated by the Board of Directors, or, in the absence of such designation, at the principal executive office of the Corporation. The minutes shall be kept in written or typed form, and the accounting books and records shall be kept in either written or typed form or in any other form capable of being converted into written, typed, or printed form.

Section 8.3 Inspection by Directors

Every Director shall have the absolute right at any reasonable time to inspect all books, records, and documents of every kind and the physical properties of the Corporation and each of its subsidiary corporations. This inspection by a Director may be made in person or by an agent or attorney, and the right of inspection includes the right to copy and make extracts of documents. This right of inspection may be limited by FERPA or other such similar laws.

Section 8.4 Annual Report

Within 120 days after the end of the Corporation's fiscal year, the CEO shall furnish or cause to be furnished a written report to all Directors containing the following information:

- (a) The assets and liabilities, including the trust funds, of the Corporation as of the end of the fiscal year;
- (b) The principal changes in assets and liabilities, including trust funds, during the fiscal year;
- (c) The revenue or receipts of the Corporation, both unrestricted and restricted for particular purposes, for the fiscal year;
- (d) The expenses or disbursements of the Corporation, for both general and restricted purposes, during the fiscal year;
- (e) Any transaction during the previous fiscal year involving more than \$50,000 in which the Corporation (or its parent or subsidiaries, if any) was a party and in which any Director or Officer of the Corporation has a direct or indirect financial interest, or any of a number of such transactions in which the same person had a direct or indirect financial interest and which transactions in the aggregate involved more than \$50,000; and

(f) Any other information required under these Bylaws.

The report shall be accompanied by any report of independent accountants or, if there is no such report, by the certificate of an authorized officer of this Corporation that such statements were prepared without an audit from the books and records of this Corporation.

Section 8.5 Financial Audit

The Corporation shall obtain a financial audit for any tax year in which it receives or accrues gross revenue of \$2 million or more, excluding grant or contract income from any governmental entity for which the governmental entity requires an accounting. Any audited financial statements obtained by the Corporation, whether or not required by law, shall be made available for inspection by the Attorney General and by the general public within 9 months after the close of the fiscal year to which the statements relate. For 3 years, such statements (a) shall be available at the Corporation's principal, regional, and district offices during regular business hours and (b) shall be made available either by mailing a copy to any person who so requests in person or in writing, or by posting them on the Corporation's website.

ARTICLE 9: INDEMNIFICATION OF DIRECTORS AND OFFICERS

Section 9.1 Right to Indemnification

To the fullest extent permitted by law, this Corporation shall indemnify any person who was or is a party, or is threatened to be made a party, to any action or proceeding by reason of the fact that such person is or was an Officer, Director, or agent of this Corporation, or is or was serving at the request of this Corporation as a Director, Officer, employee, or agent of another foreign or domestic corporation, partnership, joint venture, or other enterprise, against expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred in connection with such proceeding, to the fullest extent permitted under the California Nonprofit Corporation Law.

In determining whether indemnification is available to the Director, Officer, or agent of this Corporation under California law, the determination as to whether the applicable standard of conduct set forth in Corporations Code §5238 has been met shall be made by a majority vote of a quorum of Directors who are not parties to the proceeding. If the number of Directors who are not parties to the proceeding is less than two-thirds of the total number of Directors seated at the time the determination is to be made, the determination as to whether the applicable standard of conduct has been met shall be made by the court in which the proceeding is or was pending.

The indemnification provided herein shall not be deemed exclusive of any other rights to which those indemnified may be entitled, and shall continue as to a person who has ceased to be an agent and shall inure to the benefit of the heirs, executors, and administrators of such a person.

Section 9.2 Insurance

This Corporation shall have the power and shall use its best efforts to purchase and maintain insurance on behalf of any Director, Officer, or agent of the Corporation, against any liability asserted against or incurred by the Director, Officer, or agent in any such capacity or arising out of the Director's, Officer's, or agent's status as such.

ARTICLE 10: CONTRACTS AND LOANS WITH DIRECTORS AND OFFICERS

Section 10.1 Contracts with Directors and Officers

(a) No Director or Officer of this Corporation, nor any other corporation, firm, association, or other entity in which one or more of this Corporation's Directors or Officers are directors or have a material financial interest, shall be interested, directly or indirectly, in any contract or other transaction with this Corporation, unless (i) the material facts regarding such Director's or Officer's financial interest in such contract or transaction and/or regarding such common directorship, officership, or financial interest are fully disclosed in good faith and are noted in the minutes, or are known to all members of the Board prior to consideration by the Board of such contract or transaction; (ii) such contract or transaction is authorized in good faith by a majority of the Board by a vote sufficient for that purpose without counting the vote or votes of such interested Director(s); (iii) prior to authorizing or approving the transaction, the Board considers and in good faith determines after reasonable investigation under the circumstances that the Corporation could not obtain a more advantageous arrangement with reasonable effort under the circumstances; and (iv) this Corporation enters into the transaction for its own benefit, and the transaction is fair and reasonable to this Corporation at the time the transaction is entered into.

(b) The provisions of this Section do not apply to a transaction which is part of an educational or charitable program of the Corporation if it: (i) is approved or authorized by the Corporation in good faith and without unjustified favoritism; and (ii) results in a benefit to one or more Directors or Officers or their families because they are in the class of persons intended to be benefited by the educational or charitable program of this Corporation.

Section 10.2 Loans to Directors and Officers

The Corporation shall not make any loan of money or property to or guarantee the obligation of any Director or Officer, unless approved by the Attorney General of the State of California; provided, however, that the Corporation may advance money to a Director or Officer of the Corporation for expenses reasonably anticipated to be incurred in the performance of the duties of such Director or Officer, provided that in the absence of such advance such Director or Officer would be entitled to be reimbursed for such expenses by the Corporation.

ARTICLE 11: FISCAL YEAR

The fiscal year of the Corporation shall end on June 30.

ARTICLE 12: AMENDMENTS

These Bylaws may be adopted, amended, or repealed by a majority vote of the entire Board of Directors.

ARTICLE 13: CONSTRUCTION AND DEFINITIONS

Section 13.1 Construction and Definitions

Unless the context requires otherwise, the general provisions, rules of construction, and definitions in the California Nonprofit Corporation Law shall govern the construction of these Bylaws. Without limiting the generality of the above, the masculine gender includes the feminine and neuter, the singular number includes the plural, and the plural number includes the singular.

Section 13.2 Electronic Transmission

Subject to any guidelines and procedures that the Board of Directors may adopt from time to time, the terms "written", and "in writing" as used in these Bylaws include any form of recorded message in the English language capable of comprehension by ordinary visual means and may include electronic transmissions, such as facsimile or email, provided (i) for electronic transmissions from the Corporation, the Corporation has obtained an unrevoked written consent from the recipient to the use of such means of communication; (ii) for electronic transmissions to the Corporation, the Corporation has in effect reasonable measures to verify that the sender is the individual purporting to have sent such transmission; and (iii) the transmission creates a record that can be retained, retrieved, reviewed, and rendered into clearly legible tangible form.

CERTIFICATE OF SECRETARY

I, the undersigned, the duly elected Secretary of Aspire Public Schools, a California nonprofit public benefit corporation, do hereby certify:

That the foregoing Bylaws consisting of fourteen (14) pages were adopted as the Bylaws of the Corporation by the Directors of the Corporation on _____, 2010, and the same do now constitute the Bylaws of said Corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name this on _____, 2010.

By:
Its: Secretary

EXHIBIT A

MEMBERS OF THE BOARD OF DIRECTORS

<u>Name</u>	<u>Term Expires Annual Meeting</u>
Bill Hughson	
Melvin Kaplan	
Steven Merrill	
Louise Muhlfeld Patterson	
Donald Shalvey	
Richard Spalding	

CONFLICT-OF-INTEREST CODE FOR THE
ASPIRE PUBLIC SCHOOLS

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Sec. 18730) that contains the terms of a standard conflict-of-interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached appendices, designating positions and establishing disclosure categories, shall constitute the conflict-of-interest code of the **Aspire Public Schools ("Aspire")**

Individuals holding designated positions shall file their statements of economic interests with **Aspire**, which will make the statements available for public inspection and reproduction. (Gov. Code Sec. 81008.) Upon receipt of the statements for the Members of the Board, and the Chief Executive Officer/President, **Aspire** shall make and retain copies and forward the originals to the Fair Political Practices Commission. All other statements will be retained by **Aspire**.

APPENDIX A
DESIGNATED POSITIONS

<u>Designated Position</u>	<u>Assigned Disclosure Category</u>
Members of the Governing Board	I, II, III
CEO/President	I, II, III
Chief Academic Officer	I, II, III
Chief Financial Officer	I, II, III
Chief Operating Officer	I, II, III
Director of Expanded Learning Systems	II, III
Director of Finance	II, III
Director of Human Resources	II, III
Director of Information Technology	II, III
Director of Operations	I, II, III
Vice President of Education	II, III
Director of Strategy and Growth	I, II, III
Director of Secondary Program	II, III
Director of Special Projects	II, III
Director of Special Education	II, III
Director of Student Services	II, III
Director of Early College High School	II, III
Director of School Support Improvement & Sustainability	II, III
Director of Talent Strategy	II, III
Chief of Staff to the Chief Executive Officer	II, III
Director of Development	II, III
Financial Analyst	II, III
Principals	II, III
Area Superintendents	I, II, III
Consultants	*

*Consultants are included in the list of designated positions and shall disclose pursuant categories I, II, and III, subject to the following limitation:

The CEO/President may determine in writing that a particular consultant, although a “designated position,” is hired to perform a range of duties that are limited in scope and thus not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. This determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code.

APPENDIX B DISCLOSURE CATEGORIES

Category I:

- (a) Interest in real property which is located in whole or in part either (1) within the boundaries of any county in which Aspire Public Schools operates, or (2) within two miles of the boundaries of any county in which Aspire Public Schools operates, including any leasehold, beneficial or ownership interest or option to acquire such interest in real property.
- (b) Investments in and income (including gifts, loans, and travel payments) from sources which are or have been within the previous two-year period engaged in the performance of building construction or design within the counties in which Aspire Public Schools operates.
- (c) Investments, business positions in and income (including gifts, loans and travel payments) from sources engaged in the acquisition or disposal of real property within the jurisdiction.

Category II: Investments, business positions in, and income (including gifts, loans, and travel payments) from sources which manufacture or sell supplies, books, machinery, or equipment of the type to be utilized by the employee's department.

Category III: Investments, business positions in, and income (including gifts, loans, and travel payments) from sources which are engaged in the performance of work or services of the type to be utilized by the employee's department.

For purposes of this conflict-of-interest code:

The term department refers to the agency, Aspire Public Schools, and includes all school locations for the following positions: Members of the Governing Board, CEO/President, Chief Academic Officer, Chief Financial Officer, Chief Operating Officer, Director of Finance, Director of Operations, Director of Growth and Strategy, and Regional Vice Presidents.

The term department refers to the specific area of responsibility/section for the following positions: Director of Human Resources, Director Information Technology, Director of Professional Development, Director of Secondary Program, Director of Special Projects, Director of Special Education, Director of Student Services and Financial Analyst.

The term department refers to a specific school for all principal positions.

Aspire Alexander Twilight College Preparatory Academy

2011-2012 Budget - Output - Summary Charts

BUDGET ASSUMPTIONS

Enrollment Assumptions

Enrollment	Budget FY11-12	Budget FY12-13	Budget FY13-14
Kindergarten	69	69	69
1st grade	92	69	69
2nd grade	69	92	69
3rd grade	66	64	92
4th grade	60	60	60
5th grade	60	60	60
6th grade	0	0	0
7th grade	0	0	0
8th grade	0	0	0
9th grade	0	0	0
10th grade	0	0	0
11th grade	0	0	0
12th grade	0	0	0
Total Enrollment	416	414	419
ADA %	95%	95%	95%
ADA	395	393	398
FRL	253	283	282
EL	53	60	60

Revenue Assumptions

	Budget FY11-12	Budget FY12-13	Budget FY13-14
General Block Grant per K-3 ADA	4,700	4,785	4,895
General Block Grant per 4-6 ADA	4,776	4,862	4,974
General Block Grant per 7-8 ADA	0	0	0
General Block Grant per 9-12 ADA	0	0	0
Categorical Block Grant (per ADA)	410	417	427
Title I (per FRL student)	450	458	469
Title II (per FRL student)	30	31	31
Title III (per ELL student)	0	0	0
EIA (per ED and EL student)	319	325	332

EXPENSE ASSUMPTIONS

Estimated Personnel Staff

	Budget FY11-12	Budget FY12-13	Budget FY13-14
Total Teacher	18.81	18.81	18.81
Total Pupil Support	0.00	0.00	0.00
Total Administrators	1.00	1.00	1.00
Total Certified	19.81	19.81	19.81
Total Instructional Aides	3.89	3.89	3.89
Total Support Staff	0.25	0.25	0.25
Total Clerical	1.50	1.50	1.50
Total Other	4.15	4.15	4.15
Total Classified	9.79	9.79	9.79
Grand Total	29.60	29.60	29.60

Name of School Aspire Alexander Twilight Preparatory Academy

2011-12 Est. Cash Flow	Total Budget	July *	August	September	October	November	December	January	February	March	April	May	June	AR	Totals
Beginning Balance (cash)		\$ 20,835	\$ 13,641	\$ 337,033	\$ 330,695	\$ 17,978	\$ 16,130	\$ 148,657	\$ 146,810	\$ 144,962	\$ 23,242	\$ 81,562	\$ 30,219	\$ 97,202	
Revenue															
Federal															
Title I, II and III	\$ 121,382	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 48,553	\$ -	\$ -	\$ -	\$ 48,553	\$ -	\$ -	\$ 24,276	\$ 121,382
National Lunch Program	\$ 91,092	\$ 7,591	\$ 7,591	\$ 7,591	\$ 7,591	\$ 7,591	\$ 7,591	\$ 7,591	\$ 7,591	\$ 7,591	\$ 7,591	\$ 7,591	\$ 7,591	\$ -	\$ 91,092
CDE Grant	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other Federal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Federal	\$ 212,474	\$ 7,591	\$ 7,591	\$ 7,591	\$ 7,591	\$ 7,591	\$ 56,144	\$ 7,591	\$ 7,591	\$ 7,591	\$ 56,144	\$ 7,591	\$ 7,591	\$ 24,276	\$ 212,474
State															
State Aid	\$ 1,866,104	\$ -	\$ 93,305	\$ 93,305	\$ 167,949	\$ 167,949	\$ 167,949	\$ 167,949	\$ 167,949	\$ 24,259	\$ -	\$ 121,670	\$ 39,002	\$ 654,816	\$ 1,866,104
Class Size Reduction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Categorical Block Grant	\$ 264,112	\$ -	\$ 13,206	\$ 13,206	\$ 23,770	\$ 23,770	\$ 23,770	\$ 23,770	\$ 23,770	\$ 3,433	\$ -	\$ 17,220	\$ 5,520	\$ 92,677	\$ 264,112
Lottery	\$ 50,783	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,696	\$ -	\$ -	\$ 12,696	\$ -	\$ -	\$ 12,696	\$ 12,696	\$ 50,783
Prop 49/21st Century	\$ 112,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 73,125	\$ -	\$ -	\$ 28,125	\$ -	\$ -	\$ -	\$ 11,250	\$ -
Child Nutrition (State)	\$ 6,450	\$ 537	\$ 537	\$ 537	\$ 537	\$ 537	\$ 537	\$ 537	\$ 537	\$ 537	\$ 537	\$ 537	\$ 537	\$ -	\$ -
All Other State	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total State	\$ 2,299,949	\$ 537	\$ 107,048	\$ 107,048	\$ 192,257	\$ 192,257	\$ 278,078	\$ 192,257	\$ 192,257	\$ 69,051	\$ 537	\$ 139,428	\$ 57,755	\$ 771,439	\$ 2,299,949
Local															
In lieu of Property Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Donations	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Food Service Sales	\$ 17,907	\$ 1,492	\$ 1,492	\$ 1,492	\$ 1,492	\$ 1,492	\$ 1,492	\$ 1,492	\$ 1,492	\$ 1,492	\$ 1,492	\$ 1,492	\$ 1,492	\$ -	\$ 17,907
All Other Local Revenue	\$ 41,600	\$ 3,467	\$ 3,467	\$ 3,467	\$ 3,467	\$ 3,467	\$ 3,467	\$ 3,467	\$ 3,467	\$ 3,467	\$ 3,467	\$ 3,467	\$ 3,467	\$ -	\$ 41,600
Total Local	\$ 59,507	\$ 4,959	\$ 4,959	\$ 4,959	\$ 4,959	\$ 4,959	\$ 4,959	\$ 4,959	\$ 4,959	\$ 4,959	\$ 4,959	\$ 4,959	\$ 4,959	\$ -	\$ 59,507
Total Revenue	\$ 2,571,931	\$ 13,087	\$ 119,598	\$ 119,598	\$ 204,807	\$ 204,807	\$ 339,181	\$ 204,807	\$ 204,807	\$ 81,601	\$ 61,640	\$ 151,977	\$ 70,305	\$ 795,715	\$ 2,571,931
Expenses															
(1000) Certificated Salaries	\$ 922,909	\$ 76,909	\$ 76,909	\$ 76,909	\$ 76,909	\$ 76,909	\$ 76,909	\$ 76,909	\$ 76,909	\$ 76,909	\$ 76,909	\$ 76,909	\$ 76,909	\$ -	\$ 922,909
(2000) Classified Salaries	\$ 245,540	\$ 20,462	\$ 20,462	\$ 20,462	\$ 20,462	\$ 20,462	\$ 20,462	\$ 20,462	\$ 20,462	\$ 20,462	\$ 20,462	\$ 20,462	\$ 20,462	\$ -	\$ 245,540
(3000) Employee Benefits	\$ 290,289	\$ 24,191	\$ 24,191	\$ 24,191	\$ 24,191	\$ 24,191	\$ 24,191	\$ 24,191	\$ 24,191	\$ 24,191	\$ 24,191	\$ 24,191	\$ 24,191	\$ -	\$ 290,289
(4000) Books/Supplies	\$ 283,688	\$ 23,641	\$ 23,641	\$ 23,641	\$ 23,641	\$ 23,641	\$ 23,641	\$ 23,641	\$ 23,641	\$ 23,641	\$ 23,641	\$ 23,641	\$ 23,641	\$ -	\$ 283,688
(5000) Services/Other Operating Exp	\$ 173,958	\$ 14,497	\$ 14,497	\$ 14,497	\$ 14,497	\$ 14,497	\$ 14,497	\$ 14,497	\$ 14,497	\$ 14,497	\$ 14,497	\$ 14,497	\$ 14,497	\$ -	\$ 173,958
(6000) Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(7000) All Other Outgo	\$ 502,165	\$ 41,847	\$ 41,847	\$ 41,847	\$ 41,847	\$ 41,847	\$ 41,847	\$ 41,847	\$ 41,847	\$ 41,847	\$ 41,847	\$ 41,847	\$ 41,847	\$ -	\$ 502,165
(7300) Oversight Fee	\$ 21,302	\$ 1,775	\$ 1,775	\$ 1,775	\$ 1,775	\$ 1,775	\$ 1,775	\$ 1,775	\$ 1,775	\$ 1,775	\$ 1,775	\$ 1,775	\$ 1,775	\$ -	\$ 21,302
Total Expenses	\$ 2,439,850	\$ 203,321	\$ 203,321	\$ 203,321	\$ 203,321	\$ 203,321	\$ 203,321	\$ 203,321	\$ 203,321	\$ 203,321	\$ 203,321	\$ 203,321	\$ 203,321	\$ -	\$ 2,439,850
Surplus	\$ 132,081	\$ (190,233)	\$ (83,723)	\$ (83,723)	\$ 1,486	\$ 1,486	\$ 135,860	\$ 1,486	\$ 1,486	\$ (121,720)	\$ (141,680)	\$ (51,343)	\$ (133,016)	\$ 795,715	\$ 132,081
Loan From/(To) Aspire Public Schools	\$ -	\$ 250,000			\$ (400,000)						\$ 200,000		\$ 200,000	\$ -	\$ 250,000
Site Improvements	\$ -													\$ -	\$ -
AR	\$ 710,885	\$ -	\$ 474,076	\$ 147,679	\$ 89,130									\$ -	\$ 710,885
AP	\$ (200,883)	\$ (66,961)	\$ (66,961)	\$ (66,961)										\$ -	\$ (200,883)
CDE Revolving Loan (Current Portion)	\$ (20,000)			\$ (3,333)	\$ (3,333)	\$ (3,333)	\$ (3,333)	\$ (3,333)	\$ (3,333)					\$ -	\$ (20,000)
Month End Cash		\$ 13,641	\$ 337,033	\$ 330,695	\$ 17,978	\$ 16,130	\$ 148,657	\$ 146,810	\$ 144,962	\$ 23,242	\$ 81,562	\$ 30,219	\$ 97,202		
* End of 2010/2011 cash balance															

Name of School Aspire Alexander Twilight Preparatory Academy

2012-13 Est. Cash Flow	Total Budget	July *	August	September	October	November	December	January	February	March	April	May	June	AR	Totals
Beginning Balance (cash)		\$ 97,202	\$ 35,621	\$ 3,610	\$ 127,410	\$ 222,106	\$ 27,619	\$ 169,918	\$ 170,940	\$ 529,742	\$ 408,251	\$ 272,388	\$ 222,869	\$ 89,980	
Revenue															
Federal															
Title I, II and III	\$ 138,226	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 55,291	\$ -	\$ -	\$ -	\$ 55,291	\$ -	\$ -	\$ 27,645	\$ 138,226
National Lunch Program	\$ 90,654	\$ 7,555	\$ 7,555	\$ 7,555	\$ 7,555	\$ 7,555	\$ 7,555	\$ 7,555	\$ 7,555	\$ 7,555	\$ 7,555	\$ 7,555	\$ 7,555	\$ -	\$ 90,654
CDE Grant	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other Federal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Federal	\$ 228,881	\$ 7,555	\$ 7,555	\$ 7,555	\$ 7,555	\$ 7,555	\$ 62,845	\$ 7,555	\$ 7,555	\$ 7,555	\$ 62,845	\$ 7,555	\$ 7,555	\$ 27,645	\$ 228,881
State															
State Aid	\$ 1,890,603	\$ -	\$ -	\$ -	\$ 217,987	\$ -	\$ 170,154	\$ 170,154	\$ 481,537	\$ 24,956	\$ -	\$ 123,267	\$ 39,514	\$ 663,035	\$ 1,890,603
Class Size Reduction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Categorical Block Grant	\$ 281,712	\$ -	\$ -	\$ -	\$ 32,481	\$ -	\$ 25,354	\$ 25,354	\$ 71,752	\$ 3,719	\$ -	\$ 18,368	\$ 5,888	\$ 98,796	\$ 281,712
Lottery	\$ 51,449	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,862	\$ -	\$ -	\$ 12,862	\$ -	\$ -	\$ 12,862	\$ 12,862	\$ 51,449
Prop 49/21st Century	\$ 112,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 73,125	\$ -	\$ -	\$ 28,125	\$ -	\$ -	\$ -	\$ 11,250	\$ -
Child Nutrition (State)	\$ 6,534	\$ 545	\$ 545	\$ 545	\$ 545	\$ 545	\$ 545	\$ 545	\$ 545	\$ 545	\$ 545	\$ 545	\$ 545	\$ -	\$ -
All Other State	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total State	\$ 2,342,798	\$ 545	\$ 545	\$ 545	\$ 251,012	\$ 545	\$ 282,040	\$ 196,053	\$ 553,833	\$ 70,206	\$ 545	\$ 142,179	\$ 58,808	\$ 785,943	\$ 2,342,798
Local															
In lieu of Property Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Donations	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Food Service Sales	\$ 17,821	\$ 1,485	\$ 1,485	\$ 1,485	\$ 1,485	\$ 1,485	\$ 1,485	\$ 1,485	\$ 1,485	\$ 1,485	\$ 1,485	\$ 1,485	\$ 1,485	\$ -	\$ 17,821
All Other Local Revenue	\$ 41,400	\$ 3,450	\$ 3,450	\$ 3,450	\$ 3,450	\$ 3,450	\$ 3,450	\$ 3,450	\$ 3,450	\$ 3,450	\$ 3,450	\$ 3,450	\$ 3,450	\$ -	\$ 41,400
Total Local	\$ 59,221	\$ 4,935	\$ 4,935	\$ 4,935	\$ 4,935	\$ 4,935	\$ 4,935	\$ 4,935	\$ 4,935	\$ 4,935	\$ 4,935	\$ 4,935	\$ 4,935	\$ -	\$ 59,221
Total Revenue	\$ 2,630,900	\$ 13,034	\$ 13,034	\$ 13,034	\$ 263,502	\$ 13,034	\$ 349,820	\$ 208,542	\$ 566,323	\$ 82,696	\$ 68,325	\$ 154,669	\$ 71,298	\$ 813,588	\$ 2,630,900
Expenses															
(1000) Certificated Salaries	\$ 938,742	\$ 78,229	\$ 78,229	\$ 78,229	\$ 78,229	\$ 78,229	\$ 78,229	\$ 78,229	\$ 78,229	\$ 78,229	\$ 78,229	\$ 78,229	\$ 78,229	\$ -	\$ 938,742
(2000) Classified Salaries	\$ 249,959	\$ 20,830	\$ 20,830	\$ 20,830	\$ 20,830	\$ 20,830	\$ 20,830	\$ 20,830	\$ 20,830	\$ 20,830	\$ 20,830	\$ 20,830	\$ 20,830	\$ -	\$ 249,959
(3000) Employee Benefits	\$ 308,175	\$ 25,681	\$ 25,681	\$ 25,681	\$ 25,681	\$ 25,681	\$ 25,681	\$ 25,681	\$ 25,681	\$ 25,681	\$ 25,681	\$ 25,681	\$ 25,681	\$ -	\$ 308,175
(4000) Books/Supplies	\$ 263,705	\$ 21,975	\$ 21,975	\$ 21,975	\$ 21,975	\$ 21,975	\$ 21,975	\$ 21,975	\$ 21,975	\$ 21,975	\$ 21,975	\$ 21,975	\$ 21,975	\$ -	\$ 263,705
(5000) Services/Other Operating Exp	\$ 169,709	\$ 14,142	\$ 14,142	\$ 14,142	\$ 14,142	\$ 14,142	\$ 14,142	\$ 14,142	\$ 14,142	\$ 14,142	\$ 14,142	\$ 14,142	\$ 14,142	\$ -	\$ 169,709
(6000) Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(7000) All Other Outgo	\$ 498,236	\$ 41,520	\$ 41,520	\$ 41,520	\$ 41,520	\$ 41,520	\$ 41,520	\$ 41,520	\$ 41,520	\$ 41,520	\$ 41,520	\$ 41,520	\$ 41,520	\$ -	\$ 498,236
(7300) Oversight Fee	\$ 21,723	\$ 1,810	\$ 1,810	\$ 1,810	\$ 1,810	\$ 1,810	\$ 1,810	\$ 1,810	\$ 1,810	\$ 1,810	\$ 1,810	\$ 1,810	\$ 1,810	\$ -	\$ 21,723
Total Expenses	\$ 2,450,249	\$ 204,187	\$ 204,187	\$ 204,187	\$ 204,187	\$ 204,187	\$ 204,187	\$ 204,187	\$ 204,187	\$ 204,187	\$ 204,187	\$ 204,187	\$ 204,187	\$ -	\$ 2,450,249
Surplus	\$ 180,651	\$ (191,153)	\$ (191,153)	\$ (191,153)	\$ 59,315	\$ (191,153)	\$ 145,633	\$ 4,355	\$ 362,135	\$ (121,492)	\$ (135,863)	\$ (49,518)	\$ (132,890)	\$ 813,588	\$ 180,651
Loan From/(To) Aspire Public Schools	\$ -	\$ 50,000			\$ (200,000)									\$ -	\$ (150,000)
Site Improvements														\$ -	\$ -
AR	\$ 795,715	\$ 79,572	\$ 159,143	\$ 318,286	\$ 238,715									\$ -	\$ 795,715
AP	\$ -	\$ -	\$ -	\$ -	\$ -									\$ -	\$ -
CDE Revolving Loan (Current Portion)	\$ (20,000)			\$ (3,333)	\$ (3,333)	\$ (3,333)	\$ (3,333)	\$ (3,333)	\$ (3,333)					\$ -	\$ (20,000)
Month End Cash		\$ 35,621	\$ 3,610	\$ 127,410	\$ 222,106	\$ 27,619	\$ 169,918	\$ 170,940	\$ 529,742	\$ 408,251	\$ 272,388	\$ 222,869	\$ 89,980		
* End of 2011/2012 cash balance															

Name of School

Aspire Alexander Twilight Preparatory Academy

2013-14 Est. Cash Flow	Total Budget	July *	August	September	October	November	December	January	February	March	April	May	June	AR	Totals
Beginning Balance (cash)		\$ 89,980	\$ 35,229	\$ 1,837	\$ 127,829	\$ 431,798	\$ 232,355	\$ 378,073	\$ 381,060	\$ 754,493	\$ 629,515	\$ 489,695	\$ 440,234	\$ 104,450	
Revenue															
Federal															
Title I, II and III	\$ 140,726	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 56,290	\$ -	\$ -	\$ -	\$ 56,290	\$ -	\$ -	\$ 28,145	\$ 140,726
National Lunch Program	\$ 91,749	\$ 7,646	\$ 7,646	\$ 7,646	\$ 7,646	\$ 7,646	\$ 7,646	\$ 7,646	\$ 7,646	\$ 7,646	\$ 7,646	\$ 7,646	\$ 7,646	\$ -	\$ 91,749
CDE Grant	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other Federal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Federal	\$ 232,475	\$ 7,646	\$ 7,646	\$ 7,646	\$ 7,646	\$ 7,646	\$ 63,936	\$ 7,646	\$ 7,646	\$ 7,646	\$ 63,936	\$ 7,646	\$ 7,646	\$ 28,145	\$ 232,475
State															
State Aid	\$ 1,957,337	\$ -	\$ -	\$ -	\$ 225,681	\$ -	\$ 176,160	\$ 176,160	\$ 498,534	\$ 25,837	\$ -	\$ 127,618	\$ 40,908	\$ 686,438	\$ 1,957,337
Class Size Reduction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Categorical Block Grant	\$ 291,881	\$ -	\$ -	\$ -	\$ 33,654	\$ -	\$ 26,269	\$ 26,269	\$ 74,342	\$ 3,853	\$ -	\$ 19,031	\$ 6,100	\$ 102,363	\$ 291,881
Lottery	\$ 53,268	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 13,317	\$ -	\$ -	\$ 13,317	\$ -	\$ -	\$ 13,317	\$ 13,317	\$ 53,268
Prop 49/21st Century	\$ 112,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 73,125	\$ -	\$ -	\$ 28,125	\$ -	\$ -	\$ -	\$ 11,250	\$ -
Child Nutrition (State)	\$ 6,765	\$ 564	\$ 564	\$ 564	\$ 564	\$ 564	\$ 564	\$ 564	\$ 564	\$ 564	\$ 564	\$ 564	\$ 564	\$ -	\$ -
All Other State	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total State	\$ 2,421,750	\$ 564	\$ 564	\$ 564	\$ 259,899	\$ 564	\$ 289,435	\$ 202,993	\$ 573,439	\$ 71,695	\$ 564	\$ 147,213	\$ 60,889	\$ 813,367	\$ 2,421,750
Local															
In lieu of Property Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Donations	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Food Service Sales	\$ 18,036	\$ 1,503	\$ 1,503	\$ 1,503	\$ 1,503	\$ 1,503	\$ 1,503	\$ 1,503	\$ 1,503	\$ 1,503	\$ 1,503	\$ 1,503	\$ 1,503	\$ -	\$ 18,036
All Other Local Revenue	\$ 41,900	\$ 3,492	\$ 3,492	\$ 3,492	\$ 3,492	\$ 3,492	\$ 3,492	\$ 3,492	\$ 3,492	\$ 3,492	\$ 3,492	\$ 3,492	\$ 3,492	\$ -	\$ 41,900
Total Local	\$ 59,936	\$ 4,995	\$ 4,995	\$ 4,995	\$ 4,995	\$ 4,995	\$ 4,995	\$ 4,995	\$ 4,995	\$ 4,995	\$ 4,995	\$ 4,995	\$ 4,995	\$ -	\$ 59,936
Total Revenue	\$ 2,714,161	\$ 13,204	\$ 13,204	\$ 13,204	\$ 272,539	\$ 13,204	\$ 358,366	\$ 215,634	\$ 586,080	\$ 84,336	\$ 69,495	\$ 159,853	\$ 73,530	\$ 841,513	\$ 2,714,161
Expenses															
(1000) Certificated Salaries	\$ 959,338	\$ 79,945	\$ 79,945	\$ 79,945	\$ 79,945	\$ 79,945	\$ 79,945	\$ 79,945	\$ 79,945	\$ 79,945	\$ 79,945	\$ 79,945	\$ 79,945	\$ -	\$ 959,338
(2000) Classified Salaries	\$ 255,708	\$ 21,309	\$ 21,309	\$ 21,309	\$ 21,309	\$ 21,309	\$ 21,309	\$ 21,309	\$ 21,309	\$ 21,309	\$ 21,309	\$ 21,309	\$ 21,309	\$ -	\$ 255,708
(3000) Employee Benefits	\$ 328,324	\$ 27,360	\$ 27,360	\$ 27,360	\$ 27,360	\$ 27,360	\$ 27,360	\$ 27,360	\$ 27,360	\$ 27,360	\$ 27,360	\$ 27,360	\$ 27,360	\$ -	\$ 328,324
(4000) Books/Supplies	\$ 264,662	\$ 22,055	\$ 22,055	\$ 22,055	\$ 22,055	\$ 22,055	\$ 22,055	\$ 22,055	\$ 22,055	\$ 22,055	\$ 22,055	\$ 22,055	\$ 22,055	\$ -	\$ 264,662
(5000) Services/Other Operating Exp	\$ 170,332	\$ 14,194	\$ 14,194	\$ 14,194	\$ 14,194	\$ 14,194	\$ 14,194	\$ 14,194	\$ 14,194	\$ 14,194	\$ 14,194	\$ 14,194	\$ 14,194	\$ -	\$ 170,332
(6000) Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(7000) All Other Outgo	\$ 510,910	\$ 42,576	\$ 42,576	\$ 42,576	\$ 42,576	\$ 42,576	\$ 42,576	\$ 42,576	\$ 42,576	\$ 42,576	\$ 42,576	\$ 42,576	\$ 42,576	\$ -	\$ 510,910
(7300) Oversight Fee	\$ 22,492	\$ 1,874	\$ 1,874	\$ 1,874	\$ 1,874	\$ 1,874	\$ 1,874	\$ 1,874	\$ 1,874	\$ 1,874	\$ 1,874	\$ 1,874	\$ 1,874	\$ -	\$ 22,492
Total Expenses	\$ 2,511,767	\$ 209,314	\$ 209,314	\$ 209,314	\$ 209,314	\$ 209,314	\$ 209,314	\$ 209,314	\$ 209,314	\$ 209,314	\$ 209,314	\$ 209,314	\$ 209,314	\$ -	\$ 2,511,767
Surplus	\$ 202,395	\$ (196,110)	\$ (196,110)	\$ (196,110)	\$ 63,225	\$ (196,110)	\$ 149,052	\$ 6,320	\$ 376,766	\$ (124,978)	\$ (139,819)	\$ (49,461)	\$ (135,784)	\$ 841,513	\$ 202,395
Loan From/(To) Aspire Public Schools		\$ 60,000											\$ (200,000)	\$ -	\$ (140,000)
Site Improvements														\$ -	\$ -
AR	\$ 813,588	\$ 81,359	\$ 162,718	\$ 325,435	\$ 244,077									\$ -	\$ 813,588
AP	\$ -	\$ -	\$ -	\$ -	\$ -									\$ -	\$ -
CDE Revolving Loan (Current Portion)	\$ (20,000)			\$ (3,333.33)	\$ (3,333)	\$ (3,333)	\$ (3,333)	\$ (3,333)	\$ (3,333)	\$ (3,333)				\$ -	\$ (20,000)
Month End Cash		\$ 35,229	\$ 1,837	\$ 127,829	\$ 431,798	\$ 232,355	\$ 378,073	\$ 381,060	\$ 754,493	\$ 629,515	\$ 489,695	\$ 440,234	\$ 104,450		
* End of 2010/2011 cash balance															

Aspire Alexander Twilight College Preparatory Academy

2011-2012 Budget - Output - P&L

	FY10-11	FY11-12	FY12-13	FY13-14
	Actuals	Budget	Budget	Budget
REVENUES				
Per Pupil Revenues				
State Aid Total	1,816,094	1,866,104	1,890,603	1,957,337
In Lieu Property Tax	-	-	-	-
General Block Grant (includes in-lieu)	1,816,094	1,866,104	1,890,603	1,957,337
Federal Income	93,098	121,382	138,226	140,726
Class Size Reduction	-	-	-	-
Categorical Block Grant	204,784	264,112	281,712	291,881
Lottery	45,767	50,783	51,449	53,268
Prop 49 / 21st Century	112,500	112,500	112,500	112,500
One-Time Money				
CDE Grant	275,000	-	-	-
Other Federal Funding	59,840	-	-	-
Other State Revenue	-	-	-	-
Soft Money				
Donations	30,851	-	-	-
Other Local Revenue	72,953	41,600	41,400	41,900
Food Service Program				
National Lunch Program	88,000	91,092	90,654	91,749
Child Nutrition (State)	7,000	6,450	6,534	6,765
Food Services Sales	9,959	17,907	17,821	18,036
Interfund Transfer In				
TOTAL REVENUES	2,815,847	2,571,931	2,630,900	2,714,161
EXPENSES				
Personnel				
Total Salaries	873,421	879,649	895,482	916,078
Total Subs	21,746	24,300	24,300	24,300
Total Stipends	43,923	18,960	18,960	18,960
Certificated	939,091	922,909	938,742	959,338
Classified	215,673	245,540	249,959	255,708
Benefits	299,086	290,289	308,175	328,324
Total Personnel	1,453,850	1,458,737	1,496,877	1,543,371
Books & Supplies				
Books	30,779	27,000	27,000	27,000
Materials/Supplies	59,000	73,626	73,296	74,121
Software	10,460	10,962	10,909	11,041
Equipment/Furniture/Computer	27,688	32,600	13,000	13,000
Printing and Reproduction	23,216	23,500	23,500	23,500
Food Services	103,048	116,000	116,000	116,000
Tot Books/Supplies	254,192	283,688	263,705	264,662
Services & Other Operating Expenses				
Travel & Conferences	4,551	9,000	5,000	5,000
Dues & Subscriptions	3,262	3,000	3,000	3,000
Insurance	8,600	10,400	10,350	10,475
Operating and Housekeeping	65,052	68,412	68,412	68,412
Rentals, Leases, Repairs	8,500	6,000	6,000	6,000
Consultants	26,919	4,000	4,000	4,000
Special Education	34,675	41,496	41,297	41,795
Facilities Contractor	8,803	7,050	7,050	7,050
Transportation	-	-	-	-
Field Trips	5,000	5,000	5,000	5,000
Other Expenses	4,500	400	400	400
Communications	19,493	19,200	19,200	19,200
Tot Services	189,355	173,958	169,709	170,332
Other Expenses				
Net Facility Cost	291,200	321,316	319,771	323,633
Home Office Admin	151,236	169,042	173,214	178,900
Dist Admin	22,485	21,302	21,723	22,492
Growth	-	6,000	6,000	6,000
Reserve	7,185	5,808	(749)	2,377
Interfund Transfers Out	150,000	-	-	-
Tot Other Activity	622,106	523,468	519,960	533,402
TOTAL EXPENSES	2,519,503	2,439,850	2,450,249	2,511,767
Net Assets				
Unrestricted Carry Forward	(469,882)	-	-	-
Restricted Carry Forward	-	-	-	-
Total Carry Forward	(469,882)	(173,539)	(41,458)	139,193
Ending Fund Balance (projected)	(173,539)	(41,458)	139,193	341,587
Net Income	296,343	132,081	180,651	202,395

Aspire Alexander Twilight Secondary

2011-2012 Budget - Output - Summary Charts

BUDGET ASSUMPTIONS

Enrollment Assumptions

Enrollment	Forecast FY10-11	Budget FY11-12	Budget FY12-13	Budget FY13-14
Kindergarten	0	0	0	0
1st grade	0	0	0	0
2nd grade	0	0	0	0
3rd grade	0	0	0	0
4th grade	0	0	0	0
5th grade	0	0	0	0
6th grade	59	60	60	60
7th grade	29	60	60	60
8th grade	28	30	60	60
9th grade	17	25	30	56
10th grade	0	18	22	28
11th grade	0	0	18	22
12th grade	0	0	0	18
Total Enrollment	133	193	250	304
ADA %	96%	96%	96%	96%
ADA	127	185	240	291
FRL	96	101	139	180
EL	15	15	22	28

Revenue Assumptions

	Forecast FY10-11	Budget FY11-12	Budget FY12-13	Budget FY13-14
General Block Grant per K-3 ADA	5,077	0	0	0
General Block Grant per 4-6 ADA	5,153	4,776	4,862	4,974
General Block Grant per 7-8 ADA	5,306	4,922	5,011	5,126
General Block Grant per 9-12 ADA	6,158	5,767	5,871	6,006
Categorical Block Grant (per ADA)	398	410	417	427
Title I (per FRL student)	450	450	458	469
Title II (per FRL student)	30	30	31	31
Title III (per ELL student)	100	0	0	0
EIA (per ED and EL student)	317	319	325	332

EXPENSE ASSUMPTIONS

Estimated Personnel Staff

	Forecast FY10-11	Budget FY11-12	Budget FY12-13	Budget FY13-14
Total Teacher	0.00	8.40	10.40	12.40
Total Pupil Support	0.00	2.00	2.00	2.00
Total Administrators	0.00	1.00	1.00	1.00
Total Certified	0.00	11.40	13.40	15.40
Total Instructional Aides	0.00	0.80	0.80	0.80
Total Support Staff	0.00	0.25	0.25	0.25
Total Clerical	0.00	2.00	2.00	2.00
Total Other	0.00	2.71	2.71	2.71
Total Classified	0.00	5.76	5.76	5.76
Grand Total	0.00	17.16	19.16	21.16

Name of School Aspire Alexander Twilight Secondary

2011-12 Est. Cash Flow	Total Budget	July *	August	September	October	November	December	January	February	March	April	May	June	AR	Totals
Beginning Balance (cash)		\$ 22,627	\$ 1,441	\$ 25,553	\$ 56,794	\$ 195,127	\$ 191,339	\$ 271,137	\$ 267,349	\$ 263,561	\$ 241,864	\$ 161,298	\$ 131,036	\$ 17,773	
Revenue															
Federal															
Title I, II and III	\$ 48,243	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 19,297	\$ -	\$ -	\$ -	\$ 19,297	\$ -	\$ -	\$ 9,649	\$ 48,243
National Lunch Program	\$ 44,331	\$ 3,694	\$ 3,694	\$ 3,694	\$ 3,694	\$ 3,694	\$ 3,694	\$ 3,694	\$ 3,694	\$ 3,694	\$ 3,694	\$ 3,694	\$ 3,694	\$ -	\$ 44,331
CDE Grant	\$ 233,380	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 58,345	\$ -	\$ -	\$ 58,345	\$ -	\$ -	\$ 58,345	\$ 58,345	\$ -
All Other Federal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Federal	\$ 325,954	\$ 3,694	\$ 3,694	\$ 3,694	\$ 3,694	\$ 3,694	\$ 81,336	\$ 3,694	\$ 3,694	\$ 62,039	\$ 22,991	\$ 3,694	\$ 62,039	\$ 67,994	\$ 92,574
State															
State Aid	\$ 937,096	\$ -	\$ 46,855	\$ 46,855	\$ 84,339	\$ 84,339	\$ 84,339	\$ 84,339	\$ 84,339	\$ 12,182	\$ -	\$ 61,099	\$ 19,585	\$ 328,827	\$ 937,096
Class Size Reduction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Categorical Block Grant	\$ 130,407	\$ -	\$ 6,520	\$ 6,520	\$ 11,737	\$ 11,737	\$ 11,737	\$ 11,737	\$ 11,737	\$ 1,695	\$ -	\$ 8,503	\$ 2,725	\$ 45,760	\$ 130,407
Lottery	\$ 23,775	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,944	\$ -	\$ -	\$ 5,944	\$ -	\$ -	\$ 5,944	\$ 5,944	\$ 23,775
Prop 49/21st Century	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Child Nutrition (State)	\$ 3,162	\$ 264	\$ 264	\$ 264	\$ 264	\$ 264	\$ 264	\$ 264	\$ 264	\$ 264	\$ 264	\$ 264	\$ 264	\$ -	
All Other State	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total State	\$ 1,094,440	\$ 264	\$ 53,639	\$ 53,639	\$ 96,339	\$ 96,339	\$ 102,282	\$ 96,339	\$ 96,339	\$ 20,085	\$ 264	\$ 69,865	\$ 28,518	\$ 380,530	\$ 1,094,440
Local															
In lieu of Property Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Donations	\$ 282,378	\$ 23,532	\$ 23,532	\$ 23,532	\$ 23,532	\$ 23,532	\$ 23,532	\$ 23,532	\$ 23,532	\$ 23,532	\$ 23,532	\$ 23,532	\$ 23,532	\$ -	\$ 282,378
Food Service Sales	\$ 7,348	\$ 612	\$ 612	\$ 612	\$ 612	\$ 612	\$ 612	\$ 612	\$ 612	\$ 612	\$ 612	\$ 612	\$ 612	\$ -	\$ 7,348
All Other Local Revenue	\$ 57,600	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ -	\$ 57,600
Total Local	\$ 347,326	\$ 28,944	\$ 28,944	\$ 28,944	\$ 28,944	\$ 28,944	\$ 28,944	\$ 28,944	\$ 28,944	\$ 28,944	\$ 28,944	\$ 28,944	\$ 28,944	\$ -	\$ 347,326
Total Revenue	\$ 1,767,719	\$ 32,902	\$ 86,277	\$ 86,277	\$ 128,977	\$ 128,977	\$ 212,563	\$ 128,977	\$ 128,977	\$ 111,068	\$ 52,199	\$ 102,503	\$ 119,501	\$ 448,524	\$ 1,767,719
Expenses															
(1000) Certificated Salaries	\$ 605,195	\$ 50,433	\$ 50,433	\$ 50,433	\$ 50,433	\$ 50,433	\$ 50,433	\$ 50,433	\$ 50,433	\$ 50,433	\$ 50,433	\$ 50,433	\$ 50,433	\$ -	\$ 605,195
(2000) Classified Salaries	\$ 172,340	\$ 14,362	\$ 14,362	\$ 14,362	\$ 14,362	\$ 14,362	\$ 14,362	\$ 14,362	\$ 14,362	\$ 14,362	\$ 14,362	\$ 14,362	\$ 14,362	\$ -	\$ 172,340
(3000) Employee Benefits	\$ 188,019	\$ 15,668	\$ 15,668	\$ 15,668	\$ 15,668	\$ 15,668	\$ 15,668	\$ 15,668	\$ 15,668	\$ 15,668	\$ 15,668	\$ 15,668	\$ 15,668	\$ -	\$ 188,019
(4000) Books/Supplies	\$ 252,504	\$ 21,042	\$ 21,042	\$ 21,042	\$ 21,042	\$ 21,042	\$ 21,042	\$ 21,042	\$ 21,042	\$ 21,042	\$ 21,042	\$ 21,042	\$ 21,042	\$ -	\$ 252,504
(5000) Services/Other Operating Exp	\$ 121,152	\$ 10,096	\$ 10,096	\$ 10,096	\$ 10,096	\$ 10,096	\$ 10,096	\$ 10,096	\$ 10,096	\$ 10,096	\$ 10,096	\$ 10,096	\$ 10,096	\$ -	\$ 121,152
(6000) Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(7000) All Other Outgo	\$ 243,292	\$ 20,274	\$ 20,274	\$ 20,274	\$ 20,274	\$ 20,274	\$ 20,274	\$ 20,274	\$ 20,274	\$ 20,274	\$ 20,274	\$ 20,274	\$ 20,274	\$ -	\$ 243,292
(7300) Oversight Fee	\$ 10,675	\$ 890	\$ 890	\$ 890	\$ 890	\$ 890	\$ 890	\$ 890	\$ 890	\$ 890	\$ 890	\$ 890	\$ 890	\$ -	\$ 10,675
Total Expenses	\$ 1,593,177	\$ 132,765	\$ 132,765	\$ 132,765	\$ 132,765	\$ 132,765	\$ 132,765	\$ 132,765	\$ 132,765	\$ 132,765	\$ 132,765	\$ 132,765	\$ 132,765	\$ -	\$ 1,593,177
Surplus	\$ 174,543	\$ (99,863)	\$ (46,488)	\$ (46,488)	\$ (3,788)	\$ (3,788)	\$ 79,798	\$ (3,788)	\$ (3,788)	\$ (21,697)	\$ (80,566)	\$ (30,262)	\$ (13,264)	\$ 448,524	\$ 174,543
Loan From/(To) Aspire Public Schools	\$ -	\$ 100,000											\$ (100,000)	\$ -	\$ -
Site Improvements	\$ -													\$ -	\$ -
AR	\$ 333,095	\$ -	\$ 91,922	\$ 99,052	\$ 142,121									\$ -	\$ 333,095
AP	\$ (63,968)	\$ (21,323)	\$ (21,323)	\$ (21,323)										\$ -	\$ (63,968)
CDE Revolving Loan (Current Portion)	\$ -													\$ -	\$ -
Month End Cash		\$ 1,441	\$ 25,553	\$ 56,794	\$ 195,127	\$ 191,339	\$ 271,137	\$ 267,349	\$ 263,561	\$ 241,864	\$ 161,298	\$ 131,036	\$ 17,773		
* End of 2010/2011 cash balance															

Name of School

Aspire Alexander Twilight Secondary

2012-13 Est. Cash Flow	Total Budget	July *	August	September	October	November	December	January	February	March	April	May	June	AR	Totals
Beginning Balance (cash)		\$ 17,773	\$ 84,747	\$ 46,574	\$ 98,105	\$ 268,758	\$ 140,880	\$ 185,880	\$ 185,995	\$ 420,337	\$ 329,009	\$ 228,239	\$ 193,085	\$ 32,707	
Revenue															
Federal															
Title I, II and III	\$ 67,769	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 27,108	\$ -	\$ -	\$ -	\$ 27,108	\$ -	\$ -	\$ 13,554	\$ 67,769
National Lunch Program	\$ 57,424	\$ 4,785	\$ 4,785	\$ 4,785	\$ 4,785	\$ 4,785	\$ 4,785	\$ 4,785	\$ 4,785	\$ 4,785	\$ 4,785	\$ 4,785	\$ 4,785	\$ -	\$ 57,424
CDE Grant	\$ 39,760	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,940	\$ -	\$ -	\$ 9,940	\$ -	\$ -	\$ 9,940	\$ -	\$ -
All Other Federal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Federal	\$ 164,953	\$ 4,785	\$ 4,785	\$ 4,785	\$ 4,785	\$ 4,785	\$ 41,833	\$ 4,785	\$ 4,785	\$ 14,725	\$ 31,893	\$ 4,785	\$ 14,725	\$ 23,494	\$ 125,193
State															
State Aid	\$ 1,250,022	\$ -	\$ -	\$ -	\$ 144,128	\$ -	\$ 112,502	\$ 112,502	\$ 318,381	\$ 16,500	\$ -	\$ 81,501	\$ 26,125	\$ 438,383	\$ 1,250,022
Class Size Reduction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Categorical Block Grant	\$ 172,123	\$ -	\$ -	\$ -	\$ 19,846	\$ -	\$ 15,491	\$ 15,491	\$ 43,840	\$ 2,272	\$ -	\$ 11,222	\$ 3,597	\$ 60,363	\$ 172,123
Lottery	\$ 31,351	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,838	\$ -	\$ -	\$ 7,838	\$ -	\$ -	\$ 7,838	\$ 7,838	\$ 31,351
Prop 49/21st Century	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Child Nutrition (State)	\$ 4,170	\$ 347	\$ 347	\$ 347	\$ 347	\$ 347	\$ 347	\$ 347	\$ 347	\$ 347	\$ 347	\$ 347	\$ 347	\$ -	\$ -
All Other State	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total State	\$ 1,457,665	\$ 347	\$ 347	\$ 347	\$ 164,321	\$ 347	\$ 136,178	\$ 128,340	\$ 362,568	\$ 26,957	\$ 347	\$ 93,071	\$ 37,908	\$ 506,584	\$ 1,457,665
Local															
In lieu of Property Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Donations	\$ 100,000	\$ 8,333	\$ 8,333	\$ 8,333	\$ 8,333	\$ 8,333	\$ 8,333	\$ 8,333	\$ 8,333	\$ 8,333	\$ 8,333	\$ 8,333	\$ 8,333	\$ -	\$ 100,000
Food Service Sales	\$ 9,518	\$ 793	\$ 793	\$ 793	\$ 793	\$ 793	\$ 793	\$ 793	\$ 793	\$ 793	\$ 793	\$ 793	\$ 793	\$ -	\$ 9,518
All Other Local Revenue	\$ 57,600	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ -	\$ 57,600
Total Local	\$ 167,118	\$ 13,926	\$ 13,926	\$ 13,926	\$ 13,926	\$ 13,926	\$ 13,926	\$ 13,926	\$ 13,926	\$ 13,926	\$ 13,926	\$ 13,926	\$ 13,926	\$ -	\$ 167,118
Total Revenue	\$ 1,789,736	\$ 19,059	\$ 19,059	\$ 19,059	\$ 183,033	\$ 19,059	\$ 191,938	\$ 147,052	\$ 381,279	\$ 55,609	\$ 46,167	\$ 111,783	\$ 66,560	\$ 530,078	\$ 1,789,736
Expenses															
(1000) Certificated Salaries	\$ 705,676	\$ 58,806	\$ 58,806	\$ 58,806	\$ 58,806	\$ 58,806	\$ 58,806	\$ 58,806	\$ 58,806	\$ 58,806	\$ 58,806	\$ 58,806	\$ 58,806	\$ -	\$ 705,676
(2000) Classified Salaries	\$ 175,443	\$ 14,620	\$ 14,620	\$ 14,620	\$ 14,620	\$ 14,620	\$ 14,620	\$ 14,620	\$ 14,620	\$ 14,620	\$ 14,620	\$ 14,620	\$ 14,620	\$ -	\$ 175,443
(3000) Employee Benefits	\$ 225,285	\$ 18,774	\$ 18,774	\$ 18,774	\$ 18,774	\$ 18,774	\$ 18,774	\$ 18,774	\$ 18,774	\$ 18,774	\$ 18,774	\$ 18,774	\$ 18,774	\$ -	\$ 225,285
(4000) Books/Supplies	\$ 193,897	\$ 16,158	\$ 16,158	\$ 16,158	\$ 16,158	\$ 16,158	\$ 16,158	\$ 16,158	\$ 16,158	\$ 16,158	\$ 16,158	\$ 16,158	\$ 16,158	\$ -	\$ 193,897
(5000) Services/Other Operating Exp	\$ 132,814	\$ 11,068	\$ 11,068	\$ 11,068	\$ 11,068	\$ 11,068	\$ 11,068	\$ 11,068	\$ 11,068	\$ 11,068	\$ 11,068	\$ 11,068	\$ 11,068	\$ -	\$ 132,814
(6000) Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(7000) All Other Outgo	\$ 315,911	\$ 26,326	\$ 26,326	\$ 26,326	\$ 26,326	\$ 26,326	\$ 26,326	\$ 26,326	\$ 26,326	\$ 26,326	\$ 26,326	\$ 26,326	\$ 26,326	\$ -	\$ 315,911
(7300) Oversight Fee	\$ 14,221	\$ 1,185	\$ 1,185	\$ 1,185	\$ 1,185	\$ 1,185	\$ 1,185	\$ 1,185	\$ 1,185	\$ 1,185	\$ 1,185	\$ 1,185	\$ 1,185	\$ -	\$ 14,221
Total Expenses	\$ 1,763,248	\$ 146,937	\$ 146,937	\$ 146,937	\$ 146,937	\$ 146,937	\$ 146,937	\$ 146,937	\$ 146,937	\$ 146,937	\$ 146,937	\$ 146,937	\$ 146,937	\$ -	\$ 1,763,248
Surplus	\$ 26,488	\$ (127,878)	\$ (127,878)	\$ (127,878)	\$ 36,095	\$ (127,878)	\$ 45,000	\$ 115	\$ 234,342	\$ (91,328)	\$ (100,770)	\$ (35,154)	\$ (80,378)	\$ 530,078	\$ 26,488
Loan From/(To) Aspire Public Schools	\$ -	\$ 150,000											\$ (80,000)	\$ -	\$ 70,000
Site Improvements														\$ -	\$ -
AR	\$ 448,524	\$ 44,852	\$ 89,705	\$ 179,410	\$ 134,557									\$ -	\$ 448,524
AP	\$ -	\$ -	\$ -	\$ -	\$ -									\$ -	\$ -
CDE Revolving Loan (Current Portion)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Month End Cash		\$ 84,747	\$ 46,574	\$ 98,105	\$ 268,758	\$ 140,880	\$ 185,880	\$ 185,995	\$ 420,337	\$ 329,009	\$ 228,239	\$ 193,085	\$ 32,707		
* End of 2011/2012 cash balance															

Name of School Aspire Alexander Twilight Secondary

2013-14 Est. Cash Flow	Total Budget	July *	August	September	October	November	December	January	February	March	April	May	June	AR	Totals
Beginning Balance (cash)		\$ 32,707	\$ 79,478	\$ 29,258	\$ 81,719	\$ 289,113	\$ 129,543	\$ 180,197	\$ 182,940	\$ 482,715	\$ 362,274	\$ 241,959	\$ 203,309	\$ 46,755	
Revenue															
Federal															
Title I, II and III	\$ 89,803	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 35,921	\$ -	\$ -	\$ -	\$ 35,921	\$ -	\$ -	\$ 17,961	\$ 89,803
National Lunch Program	\$ 69,828	\$ 5,819	\$ 5,819	\$ 5,819	\$ 5,819	\$ 5,819	\$ 5,819	\$ 5,819	\$ 5,819	\$ 5,819	\$ 5,819	\$ 5,819	\$ 5,819	\$ -	\$ 69,828
CDE Grant	\$ 8,960	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,240	\$ -	\$ -	\$ 2,240	\$ -	\$ -	\$ 2,240	\$ 2,240	\$ -
All Other Federal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Federal	\$ 168,591	\$ 5,819	\$ 5,819	\$ 5,819	\$ 5,819	\$ 5,819	\$ 43,980	\$ 5,819	\$ 5,819	\$ 8,059	\$ 41,740	\$ 5,819	\$ 8,059	\$ 20,201	\$ 159,631
State															
State Aid	\$ 1,589,676	\$ -	\$ -	\$ -	\$ 183,290	\$ -	\$ 143,071	\$ 143,071	\$ 404,890	\$ 20,984	\$ -	\$ 103,647	\$ 33,224	\$ 557,499	\$ 1,589,676
Class Size Reduction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Categorical Block Grant	\$ 213,799	\$ -	\$ -	\$ -	\$ 24,651	\$ -	\$ 19,242	\$ 19,242	\$ 54,455	\$ 2,822	\$ -	\$ 13,940	\$ 4,468	\$ 74,979	\$ 213,799
Lottery	\$ 38,999	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,750	\$ -	\$ -	\$ 9,750	\$ -	\$ -	\$ 9,750	\$ 9,750	\$ 38,999
Prop 49/21st Century	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Child Nutrition (State)	\$ 5,187	\$ 432	\$ 432	\$ 432	\$ 432	\$ 432	\$ 432	\$ 432	\$ 432	\$ 432	\$ 432	\$ 432	\$ 432	\$ -	\$ -
All Other State	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total State	\$ 1,847,661	\$ 432	\$ 432	\$ 432	\$ 208,373	\$ 432	\$ 172,495	\$ 162,745	\$ 459,777	\$ 33,988	\$ 432	\$ 118,019	\$ 47,875	\$ 642,228	\$ 1,847,661
Local															
In lieu of Property Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Donations	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Food Service Sales	\$ 11,573	\$ 964	\$ 964	\$ 964	\$ 964	\$ 964	\$ 964	\$ 964	\$ 964	\$ 964	\$ 964	\$ 964	\$ 964	\$ -	\$ 11,573
All Other Local Revenue	\$ 57,600	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ 4,800	\$ -	\$ 57,600
Total Local	\$ 69,173	\$ 5,764	\$ 5,764	\$ 5,764	\$ 5,764	\$ 5,764	\$ 5,764	\$ 5,764	\$ 5,764	\$ 5,764	\$ 5,764	\$ 5,764	\$ 5,764	\$ -	\$ 69,173
Total Revenue	\$ 2,085,425	\$ 12,016	\$ 12,016	\$ 12,016	\$ 219,956	\$ 12,016	\$ 222,239	\$ 174,328	\$ 471,361	\$ 47,811	\$ 47,937	\$ 129,602	\$ 61,698	\$ 662,429	\$ 2,085,425
Expenses															
(1000) Certificated Salaries	\$ 813,038	\$ 67,753	\$ 67,753	\$ 67,753	\$ 67,753	\$ 67,753	\$ 67,753	\$ 67,753	\$ 67,753	\$ 67,753	\$ 67,753	\$ 67,753	\$ 67,753	\$ -	\$ 813,038
(2000) Classified Salaries	\$ 179,478	\$ 14,956	\$ 14,956	\$ 14,956	\$ 14,956	\$ 14,956	\$ 14,956	\$ 14,956	\$ 14,956	\$ 14,956	\$ 14,956	\$ 14,956	\$ 14,956	\$ -	\$ 179,478
(3000) Employee Benefits	\$ 267,571	\$ 22,298	\$ 22,298	\$ 22,298	\$ 22,298	\$ 22,298	\$ 22,298	\$ 22,298	\$ 22,298	\$ 22,298	\$ 22,298	\$ 22,298	\$ 22,298	\$ -	\$ 267,571
(4000) Books/Supplies	\$ 217,787	\$ 18,149	\$ 18,149	\$ 18,149	\$ 18,149	\$ 18,149	\$ 18,149	\$ 18,149	\$ 18,149	\$ 18,149	\$ 18,149	\$ 18,149	\$ 18,149	\$ -	\$ 217,787
(5000) Services/Other Operating Exp	\$ 135,100	\$ 11,258	\$ 11,258	\$ 11,258	\$ 11,258	\$ 11,258	\$ 11,258	\$ 11,258	\$ 11,258	\$ 11,258	\$ 11,258	\$ 11,258	\$ 11,258	\$ -	\$ 135,100
(6000) Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(7000) All Other Outgo	\$ 388,017	\$ 32,335	\$ 32,335	\$ 32,335	\$ 32,335	\$ 32,335	\$ 32,335	\$ 32,335	\$ 32,335	\$ 32,335	\$ 32,335	\$ 32,335	\$ 32,335	\$ -	\$ 388,017
(7300) Oversight Fee	\$ 18,035	\$ 1,503	\$ 1,503	\$ 1,503	\$ 1,503	\$ 1,503	\$ 1,503	\$ 1,503	\$ 1,503	\$ 1,503	\$ 1,503	\$ 1,503	\$ 1,503	\$ -	\$ 18,035
Total Expenses	\$ 2,019,026	\$ 168,252	\$ 168,252	\$ 168,252	\$ 168,252	\$ 168,252	\$ 168,252	\$ 168,252	\$ 168,252	\$ 168,252	\$ 168,252	\$ 168,252	\$ 168,252	\$ -	\$ 2,019,026
Surplus	\$ 66,399	\$ (156,236)	\$ (156,236)	\$ (156,236)	\$ 51,704	\$ (156,236)	\$ 53,987	\$ 6,076	\$ 303,108	\$ (120,441)	\$ (120,315)	\$ (38,650)	\$ (106,554)	\$ 662,429	\$ 66,399
Loan From/(To) Aspire Public Schools		\$ 150,000											\$ (50,000)	\$ -	\$ 100,000
Site Improvements														\$ -	\$ -
AR	\$ 530,078	\$ 53,008	\$ 106,016	\$ 212,031	\$ 159,023									\$ -	\$ 530,078
AP	\$ -	\$ -	\$ -	\$ -	\$ -									\$ -	\$ -
CDE Revolving Loan (Current Portion)	\$ (20,000)			\$ (3,333.33)	\$ (3,333)	\$ (3,333)	\$ (3,333)	\$ (3,333)	\$ (3,333)	\$ (3,333)				\$ -	\$ (20,000)
Month End Cash		\$ 79,478	\$ 29,258	\$ 81,719	\$ 289,113	\$ 129,543	\$ 180,197	\$ 182,940	\$ 482,715	\$ 362,274	\$ 241,959	\$ 203,309	\$ 46,755		
* End of 2012/2013 cash balance															

Aspire Alexander Twilight Secondary

2011-2012 Budget - Output - P&L

	FY10-11	FY11-12	FY12-13	FY13-14
	Actuals	Budget	Budget	Budget
REVENUES				
Per Pupil Revenues				
State Aid Total	689,422	937,096	1,250,022	1,589,676
In Lieu Property Tax	-	-	-	-
General Block Grant (includes in-lieu)	689,422	937,096	1,250,022	1,589,676
Federal Income	30,447	48,243	67,769	89,803
Class Size Reduction	-	-	-	-
Categorical Block Grant	91,014	130,407	172,123	213,799
Lottery	15,754	23,775	31,351	38,999
Prop 49 / 21st Century	-	-	-	-
One-Time Money				
CDE Grant	-	233,380	39,760	8,960
Other Federal Funding	249,538	-	-	-
Other State Revenue	-	-	-	-
Soft Money				
Donations	272,704	282,378	100,000	-
Other Local Revenue	15,628	57,600	57,600	57,600
Food Service Program				
National Lunch Program	45,000	44,331	57,424	69,828
Child Nutrition (State)	3,200	3,162	4,170	5,187
Food Services Sales	7,000	7,348	9,518	11,573
Interfund Transfer In				
	-	-	-	-
TOTAL REVENUES	1,419,706	1,767,719	1,789,736	2,085,425
EXPENSES				
Personnel				
Total Salaries	303,288	582,310	682,791	790,153
Total Subs	6,000	10,935	10,935	10,935
Total Stipends	18,378	11,950	11,950	11,950
Certificated	327,665	605,195	705,676	813,038
Classified	234,114	172,340	175,443	179,478
Benefits	160,934	188,019	225,285	267,571
Total Personnel	722,713	965,554	1,106,404	1,260,087
Books & Supplies				
Books	25,838	39,920	39,760	25,000
Materials/Supplies	60,208	68,963	43,750	53,200
Software	3,392	7,016	9,088	11,050
Equipment/Furniture/Computer	42,271	62,000	8,500	18,500
Printing and Reproduction	12,651	13,000	13,000	13,000
Food Services	62,000	61,606	79,800	97,037
Tot Books/Supplies	206,359	252,504	193,897	217,787
Services & Other Operating Expenses				
Travel & Conferences	5,271	7,600	7,600	7,600
Dues & Subscriptions	611	1,000	5,500	1,000
Insurance	3,475	4,825	6,250	7,600
Operating and Housekeeping	49,080	45,000	45,000	45,000
Rentals, Leases, Repairs	8,982	6,000	6,000	6,000
Consultants	8,829	15,000	15,000	15,000
Special Education	13,865	19,427	25,164	30,600
Facilities Contractor	6,586	7,000	7,000	7,000
Transportation	-	-	-	-
Field Trips	4,000	5,000	5,000	5,000
Other Expenses	1,200	300	300	300
Communications	6,051	10,000	10,000	10,000
Tot Services	107,952	121,152	132,814	135,100
Other Expenses				
Net Facility Cost	113,010	149,250	193,329	235,088
Home Office Admin	54,749	79,766	106,489	135,259
Dist Admin	7,324	10,675	14,221	18,035
Growth	-	6,000	6,000	6,000
Reserve	26,963	8,276	10,093	11,669
Interfund Transfers Out	60,000	-	-	-
Tot Other Activity	262,046	253,967	330,132	406,052
TOTAL EXPENSES	1,299,071	1,593,177	1,763,248	2,019,026
Net Assets				
Unrestricted Carry Forward	-	-	-	-
Restricted Carry Forward	-	-	-	-
Total Carry Forward	-	120,636	295,178	321,667
Ending Fund Balance (projected)	120,636	295,178	321,667	388,066
Net Income	120,636	174,543	26,488	66,399

Aspire APEX

2011-2012 Budget - Output - Summary Charts

BUDGET ASSUMPTIONS

Enrollment Assumptions

Enrollment	Budget FY11-12	Budget FY12-13	Budget FY13-14
Kindergarten	48	48	48
1st grade	72	48	48
2nd grade	48	72	48
3rd grade	48	44	72
4th grade	48	45	44
5th grade	12	45	42
6th grade	0	0	0
7th grade	0	0	0
8th grade	0	0	0
9th grade	0	0	0
10th grade	0	0	0
11th grade	0	0	0
12th grade	0	0	0
Total Enrollment	276	302	302
ADA %	96%	96%	96%
ADA	265	290	290
FRL	136	193	211
EL	37	48	53

Revenue Assumptions

	Budget FY11-12	Budget FY12-13	Budget FY13-14
General Block Grant per K-3 ADA	4,700	4,785	4,895
General Block Grant per 4-6 ADA	4,776	4,862	4,974
General Block Grant per 7-8 ADA	0	0	0
General Block Grant per 9-12 ADA	0	0	0
Categorical Block Grant (per ADA)	410	417	427
Title I (per FRL student)	450	458	469
Title II (per FRL student)	30	31	31
Title III (per ELL student)	0	0	0
EIA (per ED and EL student)	319	325	332

EXPENSE ASSUMPTIONS

Estimated Personnel Staff

	Budget FY11-12	Budget FY12-13	Budget FY13-14
Total Teacher	13.20	14.20	15.20
Total Pupil Support	0.00	0.00	0.00
Total Administrators	1.00	1.00	1.00
Total Certified	14.20	15.20	15.20
Total Instructional Aides	1.00	1.00	1.00
Total Support Staff	0.00	0.00	0.00
Total Clerical	2.00	2.00	2.00
Total Other	2.65	2.65	2.65
Total Classified	5.65	5.65	5.65
Grand Total	19.85	20.85	20.85

Name of School Aspire APEX Academy

2011-12 Est. Cash Flow	Total Budget	July *	August	September	October	November	December	January	February	March	April	May	June	AR	Totals
Beginning Balance (cash)		\$ 3,854	\$ 90,132	\$ 251,019	\$ 38,767	\$ 18,857	\$ 5,663	\$ 80,643	\$ 67,449	\$ 54,255	\$ 94,406	\$ 80,139	\$ 81,912	\$ 33,222	
Revenue															
Federal															
Title I, II and III	\$ 65,152	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 26,061	\$ -	\$ -	\$ -	\$ 26,061	\$ -	\$ -	\$ 13,030	\$ 65,152
National Lunch Program	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
CDE Grant	\$ 214,400	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 53,600	\$ -	\$ -	\$ 53,600	\$ -	\$ -	\$ 53,600	\$ 53,600	
All Other Federal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Total Federal	\$ 279,552	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 79,661	\$ -	\$ -	\$ 53,600	\$ 26,061	\$ -	\$ 53,600	\$ 66,630	\$ 65,152
State															
State Aid	\$ 1,250,019	\$ -	\$ 62,501	\$ 62,501	\$ 112,502	\$ 112,502	\$ 112,502	\$ 112,502	\$ 112,502	\$ 16,250	\$ -	\$ 81,501	\$ 26,125	\$ 438,632	\$ 1,250,019
Class Size Reduction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Categorical Block Grant	\$ 162,573	\$ -	\$ 8,129	\$ 8,129	\$ 14,632	\$ 14,632	\$ 14,632	\$ 14,632	\$ 14,632	\$ 2,113	\$ -	\$ 10,600	\$ 3,398	\$ 57,047	\$ 162,573
Lottery	\$ 34,056	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,514	\$ -	\$ -	\$ 8,514	\$ -	\$ -	\$ 8,514	\$ 8,514	\$ 34,056
Prop 49/21st Century	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Child Nutrition (State)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other State	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total State	\$ 1,446,649	\$ -	\$ 70,630	\$ 70,630	\$ 127,133	\$ 127,133	\$ 135,647	\$ 127,133	\$ 127,133	\$ 26,878	\$ -	\$ 92,101	\$ 38,037	\$ 504,193	\$ 1,446,649
Local															
In lieu of Property Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Donations	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Food Service Sales	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other Local Revenue	\$ 19,000	\$ 1,583	\$ 1,583	\$ 1,583	\$ 1,583	\$ 1,583	\$ 1,583	\$ 1,583	\$ 1,583	\$ 1,583	\$ 1,583	\$ 1,583	\$ 1,583	\$ -	\$ 19,000
Total Local	\$ 19,000	\$ 1,583	\$ 1,583	\$ 1,583	\$ 1,583	\$ 1,583	\$ 1,583	\$ 1,583	\$ 1,583	\$ 1,583	\$ 1,583	\$ 1,583	\$ 1,583	\$ -	\$ 19,000
Total Revenue	\$ 1,745,200	\$ 1,583	\$ 72,213	\$ 72,213	\$ 128,717	\$ 128,717	\$ 216,891	\$ 128,717	\$ 128,717	\$ 82,061	\$ 27,644	\$ 93,684	\$ 93,221	\$ 570,823	\$ 1,745,200
Expenses															
(1000) Certificated Salaries	\$ 732,882	\$ 61,074	\$ 61,074	\$ 61,074	\$ 61,074	\$ 61,074	\$ 61,074	\$ 61,074	\$ 61,074	\$ 61,074	\$ 61,074	\$ 61,074	\$ 61,074	\$ -	\$ 732,882
(2000) Classified Salaries	\$ 145,620	\$ 12,135	\$ 12,135	\$ 12,135	\$ 12,135	\$ 12,135	\$ 12,135	\$ 12,135	\$ 12,135	\$ 12,135	\$ 12,135	\$ 12,135	\$ 12,135	\$ -	\$ 145,620
(3000) Employee Benefits	\$ 244,994	\$ 20,416	\$ 20,416	\$ 20,416	\$ 20,416	\$ 20,416	\$ 20,416	\$ 20,416	\$ 20,416	\$ 20,416	\$ 20,416	\$ 20,416	\$ 20,416	\$ -	\$ 244,994
(4000) Books/Supplies	\$ 163,263	\$ 13,605	\$ 13,605	\$ 13,605	\$ 13,605	\$ 13,605	\$ 13,605	\$ 13,605	\$ 13,605	\$ 13,605	\$ 13,605	\$ 13,605	\$ 13,605	\$ -	\$ 163,263
(5000) Services/Other Operating Exp	\$ 117,348	\$ 9,779	\$ 9,779	\$ 9,779	\$ 9,779	\$ 9,779	\$ 9,779	\$ 9,779	\$ 9,779	\$ 9,779	\$ 9,779	\$ 9,779	\$ 9,779	\$ -	\$ 117,348
(6000) Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(7000) All Other Outgo	\$ 284,697	\$ 23,725	\$ 23,725	\$ 23,725	\$ 23,725	\$ 23,725	\$ 23,725	\$ 23,725	\$ 23,725	\$ 23,725	\$ 23,725	\$ 23,725	\$ 23,725	\$ -	\$ 284,697
(7300) Oversight Fee	\$ 14,126	\$ 1,177	\$ 1,177	\$ 1,177	\$ 1,177	\$ 1,177	\$ 1,177	\$ 1,177	\$ 1,177	\$ 1,177	\$ 1,177	\$ 1,177	\$ 1,177	\$ -	\$ 14,126
Total Expenses	\$ 1,702,929	\$ 141,911	\$ 141,911	\$ 141,911	\$ 141,911	\$ 141,911	\$ 141,911	\$ 141,911	\$ 141,911	\$ 141,911	\$ 141,911	\$ 141,911	\$ 141,911	\$ -	\$ 1,702,929
Surplus	\$ 42,271	\$ (140,327)	\$ (69,698)	\$ (69,698)	\$ (13,194)	\$ (13,194)	\$ 74,981	\$ (13,194)	\$ (13,194)	\$ (59,850)	\$ (114,267)	\$ (48,226)	\$ (48,690)	\$ 570,823	\$ 42,271
Loan From/(To) Aspire Public Schools	\$ -	\$ 250,000		\$ (200,000)	\$ (200,000)					\$ 100,000	\$ 100,000	\$ 50,000	\$ -	\$ -	\$ 100,000
Site Improvements	\$ -													\$ -	\$ -
AR	\$ 528,103	\$ -	\$ 253,979	\$ 80,840	\$ 193,284									\$ -	\$ 528,103
AP	\$ (70,183)	\$ (23,394)	\$ (23,394)	\$ (23,394)										\$ -	\$ (70,183)
CDE Revolving Loan (Current Portion)	\$ -													\$ -	\$ -
Month End Cash		\$ 90,132	\$ 251,019	\$ 38,767	\$ 18,857	\$ 5,663	\$ 80,643	\$ 67,449	\$ 54,255	\$ 94,406	\$ 80,139	\$ 81,912	\$ 33,222		
* End of 2010/2011 cash balance															

Name of School Aspire APEX Academy

2012-13 Est. Cash Flow	Total Budget	July *	August	September	October	November	December	January	February	March	April	May	June	AR	Totals
Beginning Balance (cash)		\$ 33,222	\$ 45,171	\$ 14,201	\$ 97,397	\$ 305,144	\$ 160,010	\$ 213,841	\$ 210,485	\$ 466,585	\$ 361,669	\$ 254,297	\$ 211,874	\$ 19,088	
Revenue															
Federal															
Title I, II and III	\$ 94,405	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 37,762	\$ -	\$ -	\$ -	\$ 37,762	\$ -	\$ -	\$ 18,881	\$ 94,405
National Lunch Program	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
CDE Grant	\$ 39,760	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,940	\$ -	\$ -	\$ 9,940	\$ -	\$ -	\$ 9,940	\$ 9,940	\$ -
All Other Federal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Federal	\$ 134,165	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 47,702	\$ -	\$ -	\$ 9,940	\$ 37,762	\$ -	\$ 9,940	\$ 28,821	\$ 94,405
State															
State Aid	\$ 1,394,203	\$ -	\$ -	\$ -	\$ 160,752	\$ -	\$ 125,478	\$ 125,478	\$ 355,104	\$ 18,403	\$ -	\$ 90,902	\$ 29,139	\$ 488,947	\$ 1,394,203
Class Size Reduction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Categorical Block Grant	\$ 181,116	\$ -	\$ -	\$ -	\$ 20,883	\$ -	\$ 16,300	\$ 16,300	\$ 46,130	\$ 2,391	\$ -	\$ 11,809	\$ 3,785	\$ 63,517	\$ 181,116
Lottery	\$ 37,935	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,484	\$ -	\$ -	\$ 9,484	\$ -	\$ -	\$ 9,484	\$ 9,484	\$ 37,935
Prop 49/21st Century	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Child Nutrition (State)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other State	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total State	\$ 1,613,255	\$ -	\$ -	\$ -	\$ 181,634	\$ -	\$ 151,263	\$ 141,779	\$ 401,234	\$ 30,278	\$ -	\$ 102,711	\$ 42,408	\$ 561,948	\$ 1,613,255
Local															
In lieu of Property Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Donations	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Food Service Sales	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other Local Revenue	\$ 20,790	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ -	\$ 20,790
Total Local	\$ 20,790	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ -	\$ 20,790
Total Revenue	\$ 1,768,210	\$ 1,732	\$ 1,732	\$ 1,732	\$ 183,367	\$ 1,732	\$ 200,697	\$ 143,511	\$ 402,966	\$ 41,951	\$ 39,495	\$ 104,443	\$ 54,080	\$ 590,769	\$ 1,768,210
Expenses															
(1000) Certificated Salaries	\$ 790,507	\$ 65,876	\$ 65,876	\$ 65,876	\$ 65,876	\$ 65,876	\$ 65,876	\$ 65,876	\$ 65,876	\$ 65,876	\$ 65,876	\$ 65,876	\$ 65,876	\$ -	\$ 790,507
(2000) Classified Salaries	\$ 148,241	\$ 12,353	\$ 12,353	\$ 12,353	\$ 12,353	\$ 12,353	\$ 12,353	\$ 12,353	\$ 12,353	\$ 12,353	\$ 12,353	\$ 12,353	\$ 12,353	\$ -	\$ 148,241
(3000) Employee Benefits	\$ 275,212	\$ 22,934	\$ 22,934	\$ 22,934	\$ 22,934	\$ 22,934	\$ 22,934	\$ 22,934	\$ 22,934	\$ 22,934	\$ 22,934	\$ 22,934	\$ 22,934	\$ -	\$ 275,212
(4000) Books/Supplies	\$ 113,178	\$ 9,431	\$ 9,431	\$ 9,431	\$ 9,431	\$ 9,431	\$ 9,431	\$ 9,431	\$ 9,431	\$ 9,431	\$ 9,431	\$ 9,431	\$ 9,431	\$ -	\$ 113,178
(5000) Services/Other Operating Exp	\$ 120,620	\$ 10,052	\$ 10,052	\$ 10,052	\$ 10,052	\$ 10,052	\$ 10,052	\$ 10,052	\$ 10,052	\$ 10,052	\$ 10,052	\$ 10,052	\$ 10,052	\$ -	\$ 120,620
(6000) Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(7000) All Other Outgo	\$ 298,887	\$ 24,907	\$ 24,907	\$ 24,907	\$ 24,907	\$ 24,907	\$ 24,907	\$ 24,907	\$ 24,907	\$ 24,907	\$ 24,907	\$ 24,907	\$ 24,907	\$ -	\$ 298,887
(7300) Oversight Fee	\$ 15,753	\$ 1,313	\$ 1,313	\$ 1,313	\$ 1,313	\$ 1,313	\$ 1,313	\$ 1,313	\$ 1,313	\$ 1,313	\$ 1,313	\$ 1,313	\$ 1,313	\$ -	\$ 15,753
Total Expenses	\$ 1,762,398	\$ 146,866	\$ 146,866	\$ 146,866	\$ 146,866	\$ 146,866	\$ 146,866	\$ 146,866	\$ 146,866	\$ 146,866	\$ 146,866	\$ 146,866	\$ 146,866	\$ -	\$ 1,762,398
Surplus	\$ 5,812	\$ (145,134)	\$ (145,134)	\$ (145,134)	\$ 36,500	\$ (145,134)	\$ 53,831	\$ (3,355)	\$ 256,100	\$ (104,916)	\$ (107,372)	\$ (42,423)	\$ (92,786)	\$ 590,769	\$ 5,812
Loan From/(To) Aspire Public Schools	\$ -	\$ 100,000											\$ (100,000)	\$ -	\$ -
Site Improvements														\$ -	\$ -
AR	\$ 570,823	\$ 57,082	\$ 114,165	\$ 228,329	\$ 171,247									\$ -	\$ 570,823
AP	\$ -	\$ -	\$ -	\$ -	\$ -									\$ -	\$ -
CDE Revolving Loan (Current Portion)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Month End Cash		\$ 45,171	\$ 14,201	\$ 97,397	\$ 305,144	\$ 160,010	\$ 213,841	\$ 210,485	\$ 466,585	\$ 361,669	\$ 254,297	\$ 211,874	\$ 19,088		
* End of 2011/2012 cash balance															

Name of School Aspire APEX Academy

2013-14 Est. Cash Flow	Total Budget	July *	August	September	October	November	December	January	February	March	April	May	June	AR	Totals
Beginning Balance (cash)		\$ 19,088	\$ 30,839	\$ 1,666	\$ 90,647	\$ 306,328	\$ 159,001	\$ 210,898	\$ 208,584	\$ 471,642	\$ 357,526	\$ 252,469	\$ 210,196	\$ 8,486	
Revenue															
Federal															
Title I, II and III	\$ 105,674	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 42,270	\$ -	\$ -	\$ -	\$ 42,270	\$ -	\$ -	\$ 21,135	\$ 105,674
National Lunch Program	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
CDE Grant	\$ 8,960	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,240	\$ -	\$ -	\$ 2,240	\$ -	\$ -	\$ 2,240	\$ 2,240	\$ -
All Other Federal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Federal	\$ 114,634	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 44,510	\$ -	\$ -	\$ 2,240	\$ 42,270	\$ -	\$ 2,240	\$ 23,375	\$ 105,674
State															
State Aid	\$ 1,425,966	\$ -	\$ -	\$ -	\$ 164,414	\$ -	\$ 128,337	\$ 128,337	\$ 363,194	\$ 18,823	\$ -	\$ 92,973	\$ 29,803	\$ 500,086	\$ 1,425,966
Class Size Reduction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Categorical Block Grant	\$ 185,282	\$ -	\$ -	\$ -	\$ 21,363	\$ -	\$ 16,675	\$ 16,675	\$ 47,191	\$ 2,446	\$ -	\$ 12,080	\$ 3,872	\$ 64,978	\$ 185,282
Lottery	\$ 38,808	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,702	\$ -	\$ -	\$ 9,702	\$ -	\$ -	\$ 9,702	\$ 9,702	\$ 38,808
Prop 49/21st Century	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Child Nutrition (State)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other State	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total State	\$ 1,650,056	\$ -	\$ -	\$ -	\$ 185,777	\$ -	\$ 154,714	\$ 145,012	\$ 410,385	\$ 30,970	\$ -	\$ 105,053	\$ 43,377	\$ 574,767	\$ 1,650,056
Local															
In lieu of Property Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Donations	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Food Service Sales	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other Local Revenue	\$ 20,790	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ -	\$ 20,790
Total Local	\$ 20,790	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ 1,732	\$ -	\$ 20,790
Total Revenue	\$ 1,785,480	\$ 1,732	\$ 1,732	\$ 1,732	\$ 187,509	\$ 1,732	\$ 200,956	\$ 146,745	\$ 412,117	\$ 34,943	\$ 44,002	\$ 106,786	\$ 47,350	\$ 598,141	\$ 1,785,480
Expenses															
(1000) Certificated Salaries	\$ 808,793	\$ 67,399	\$ 67,399	\$ 67,399	\$ 67,399	\$ 67,399	\$ 67,399	\$ 67,399	\$ 67,399	\$ 67,399	\$ 67,399	\$ 67,399	\$ 67,399	\$ -	\$ 808,793
(2000) Classified Salaries	\$ 151,651	\$ 12,638	\$ 12,638	\$ 12,638	\$ 12,638	\$ 12,638	\$ 12,638	\$ 12,638	\$ 12,638	\$ 12,638	\$ 12,638	\$ 12,638	\$ 12,638	\$ -	\$ 151,651
(3000) Employee Benefits	\$ 293,868	\$ 24,489	\$ 24,489	\$ 24,489	\$ 24,489	\$ 24,489	\$ 24,489	\$ 24,489	\$ 24,489	\$ 24,489	\$ 24,489	\$ 24,489	\$ 24,489	\$ -	\$ 293,868
(4000) Books/Supplies	\$ 98,178	\$ 8,181	\$ 8,181	\$ 8,181	\$ 8,181	\$ 8,181	\$ 8,181	\$ 8,181	\$ 8,181	\$ 8,181	\$ 8,181	\$ 8,181	\$ 8,181	\$ -	\$ 98,178
(5000) Services/Other Operating Exp	\$ 120,620	\$ 10,052	\$ 10,052	\$ 10,052	\$ 10,052	\$ 10,052	\$ 10,052	\$ 10,052	\$ 10,052	\$ 10,052	\$ 10,052	\$ 10,052	\$ 10,052	\$ -	\$ 120,620
(6000) Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(7000) All Other Outgo	\$ 299,488	\$ 24,957	\$ 24,957	\$ 24,957	\$ 24,957	\$ 24,957	\$ 24,957	\$ 24,957	\$ 24,957	\$ 24,957	\$ 24,957	\$ 24,957	\$ 24,957	\$ -	\$ 299,488
(7300) Oversight Fee	\$ 16,112	\$ 1,343	\$ 1,343	\$ 1,343	\$ 1,343	\$ 1,343	\$ 1,343	\$ 1,343	\$ 1,343	\$ 1,343	\$ 1,343	\$ 1,343	\$ 1,343	\$ -	\$ 16,112
Total Expenses	\$ 1,788,710	\$ 149,059	\$ 149,059	\$ 149,059	\$ 149,059	\$ 149,059	\$ 149,059	\$ 149,059	\$ 149,059	\$ 149,059	\$ 149,059	\$ 149,059	\$ 149,059	\$ -	\$ 1,788,710
Surplus	\$ (3,230)	\$ (147,327)	\$ (147,327)	\$ (147,327)	\$ 38,450	\$ (147,327)	\$ 51,897	\$ (2,314)	\$ 263,058	\$ (114,116)	\$ (105,057)	\$ (42,273)	\$ (101,710)	\$ 598,141	\$ (3,230)
Loan From/(To) Aspire Public Schools		\$ 100,000											\$ (100,000)	\$ -	\$ -
Site Improvements														\$ -	\$ -
AR	\$ 590,769	\$ 59,077	\$ 118,154	\$ 236,308	\$ 177,231									\$ -	\$ 590,769
AP	\$ -	\$ -	\$ -	\$ -	\$ -									\$ -	\$ -
CDE Revolving Loan (Current Portion)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Month End Cash		\$ 30,839	\$ 1,666	\$ 90,647	\$ 306,328	\$ 159,001	\$ 210,898	\$ 208,584	\$ 471,642	\$ 357,526	\$ 252,469	\$ 210,196	\$ 8,486		
* End of 2012/2013 cash balance															

Aspire APEX Academy

2011-2012 Budget - Output - P&L

	FY10-11	FY11-12	FY12-13	FY13-14
	Actuals	Budget	Budget	Budget

REVENUES

Per Pupil Revenues

State Aid Total	1,022,962	1,250,019	1,394,203	1,425,966
In Lieu Property Tax	-	-	-	-
General Block Grant (includes in-lieu)	1,022,962	1,250,019	1,394,203	1,425,966
Federal Income	60,480	65,152	94,405	105,674
Class Size Reduction	-	-	-	-
Categorical Block Grant	120,336	162,573	181,116	185,282
Lottery	24,582	34,056	37,935	38,808
Prop 49 / 21st Century	-	-	-	-
One-Time Money				
CDE Grant	-	214,400	39,760	8,960
Other Federal Funding	279,598	-	-	-
Other State Revenue	-	-	-	-
Soft Money				
Donations	160,913	-	-	-
Other Local Revenue	4,031	19,000	20,790	20,790
Food Service Program				
National Lunch Program	-	-	-	-
Child Nutrition (State)	-	-	-	-
Food Services Sales	-	-	-	-
Interfund Transfer In				
TOTAL REVENUES	1,672,902	1,745,200	1,768,210	1,785,480

EXPENSES

Personnel

Total Salaries	498,947	701,392	759,017	777,303
Total Subs	17,468	14,040	14,040	14,040
Total Stipends	26,077	17,450	17,450	17,450
Certificated	542,492	732,882	790,507	808,793
Classified	181,577	145,620	148,241	151,651
Benefits	176,594	244,994	275,212	293,868
Total Personnel	900,662	1,123,496	1,213,960	1,254,312

Books & Supplies

Books	72,907	50,000	30,000	20,000
Materials/Supplies	65,242	64,200	48,320	48,320
Software	7,681	7,273	7,958	7,958
Equipment/Furniture/Computer	68,410	21,790	6,900	1,900
Printing and Reproduction	19,411	20,000	20,000	20,000
Food Services	-	-	-	-
Tot Books/Supplies	233,651	163,263	113,178	98,178

Services & Other Operating Expenses

Travel & Conferences	11,079	11,700	11,700	11,700
Dues & Subscriptions	200	1,000	1,000	1,000
Insurance	4,500	6,900	7,550	7,550
Operating and Housekeeping	46,112	48,000	48,000	48,000
Rentals, Leases, Repairs	3,700	3,600	3,600	3,600
Consultants	2,532	-	-	-
Special Education	18,144	27,828	30,450	30,450
Facilities Contractor	9,000	6,600	6,600	6,600
Transportation	-	-	-	-
Field Trips	-	-	-	-
Other Expenses	700	400	400	400
Communications	8,984	11,320	11,320	11,320
Tot Services	104,951	117,348	120,620	120,620

Other Expenses

Net Facility Cost	188,257	165,877	169,483	169,483
Home Office Admin	82,761	105,826	119,536	122,901
Dist Admin	14,076	14,126	15,753	16,112
Growth	-	6,000	6,000	6,000
Reserve	38,154	6,994	3,868	1,104
Interfund Transfers Out	10,712	-	-	-
Tot Other Activity	333,960	298,822	314,640	315,601

TOTAL EXPENSES	1,573,224	1,702,929	1,762,398	1,788,710
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Net Assets

Unrestricted Carry Forward	-	-	-	-
Restricted Carry Forward	-	-	-	-
Total Carry Forward	-	99,678	141,950	147,762

Ending Fund Balance (projected)	99,678	141,950	147,762	144,532
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Net Income	99,678	42,271	5,812	(3,230)
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Aspire Junior Collegiate Academy

2011-2012 Budget - Output - Summary Charts

BUDGET ASSUMPTIONS

Enrollment Assumptions

Enrollment	Budget FY11-12	Budget FY12-13	Budget FY13-14
Kindergarten	44	46	46
1st grade	44	46	46
2nd grade	44	46	46
3rd grade	44	46	46
4th grade	60	60	60
5th grade	60	60	60
6th grade	0	0	0
7th grade	0	0	0
8th grade	0	0	0
9th grade	0	0	0
10th grade	0	0	0
11th grade	0	0	0
12th grade	0	0	0
Total Enrollment	296	304	304
ADA %	96%	96%	96%
ADA	284	292	292
FRL	271	272	280
EL	192	192	198

Revenue Assumptions

	Budget FY11-12	Budget FY12-13	Budget FY13-14
General Block Grant per K-3 ADA	4,700	4,785	4,895
General Block Grant per 4-6 ADA	4,776	4,862	4,974
General Block Grant per 7-8 ADA	0	0	0
General Block Grant per 9-12 ADA	0	0	0
Categorical Block Grant (per ADA)	410	417	427
Title I (per FRL student)	450	458	469
Title II (per FRL student)	30	31	31
Title III (per ELL student)	100	102	104
EIA (per ED and EL student)	319	325	332

EXPENSE ASSUMPTIONS

Estimated Personnel Staff

	Budget FY11-12	Budget FY12-13	Budget FY13-14
Total Teacher	14.63	14.63	14.63
Total Pupil Support	0.00	0.00	0.00
Total Administrators	2.00	2.00	2.00
Total Certified	16.63	16.63	16.63
Total Instructional Aides	1.80	1.80	1.80
Total Support Staff	0.25	0.25	0.25
Total Clerical	2.00	2.00	2.00
Total Other	5.30	5.30	5.30
Total Classified	9.35	9.35	9.35
Grand Total	25.98	25.98	25.98

Name of School Aspire Junior Collegiate Academy

2011-12 Est. Cash Flow	Total Budget	July *	August	September	October	November	December	January	February	March	April	May	June	AR	Totals
Beginning Balance (cash)		\$ 30,493	\$ 54,795	\$ 79,149	\$ 61,444	\$ 57,439	\$ 32,094	\$ 130,050	\$ 104,705	\$ 79,360	\$ 82,683	\$ 78,863	\$ 21,454	\$ 1,012	
Revenue															
Federal															
Title I, II and III	\$ 149,485	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 59,794	\$ -	\$ -	\$ -	\$ 59,794	\$ -	\$ -	\$ 29,897	\$ 149,485
National Lunch Program	\$ 134,168	\$ 11,181	\$ 11,181	\$ 11,181	\$ 11,181	\$ 11,181	\$ 11,181	\$ 11,181	\$ 11,181	\$ 11,181	\$ 11,181	\$ 11,181	\$ 11,181	\$ -	\$ 134,168
CDE Grant	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other Federal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Federal	\$ 283,654	\$ 11,181	\$ 11,181	\$ 11,181	\$ 11,181	\$ 11,181	\$ 70,975	\$ 11,181	\$ 11,181	\$ 11,181	\$ 70,975	\$ 11,181	\$ 11,181	\$ 29,897	\$ 283,654
State															
State Aid	\$ 1,344,307	\$ -	\$ 67,215	\$ 67,215	\$ 120,988	\$ 120,988	\$ 120,988	\$ 120,988	\$ 120,988	\$ 17,476	\$ -	\$ 87,649	\$ 28,096	\$ 471,717	\$ 1,344,307
Class Size Reduction	\$ 77,112	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 19,278	\$ -	\$ -	\$ 23,134	\$ -	\$ -	\$ -	\$ 34,700	\$ 77,112
Categorical Block Grant	\$ 284,619	\$ -	\$ 14,231	\$ 14,231	\$ 25,616	\$ 25,616	\$ 25,616	\$ 25,616	\$ 25,616	\$ 3,700	\$ -	\$ 18,557	\$ 5,949	\$ 99,873	\$ 284,619
Lottery	\$ 36,515	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,129	\$ -	\$ -	\$ 9,129	\$ -	\$ -	\$ 9,129	\$ 9,129	\$ 36,515
Prop 49/21st Century	\$ 54,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 35,100	\$ -	\$ -	\$ 13,500	\$ -	\$ -	\$ -	\$ 5,400	\$ 54,000
Child Nutrition (State)	\$ 9,831	\$ 819	\$ 819	\$ 819	\$ 819	\$ 819	\$ 819	\$ 819	\$ 819	\$ 819	\$ 819	\$ 819	\$ 819	\$ -	\$ 9,831
All Other State	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total State	\$ 1,806,383	\$ 819	\$ 82,266	\$ 82,266	\$ 147,423	\$ 147,423	\$ 210,929	\$ 147,423	\$ 147,423	\$ 67,758	\$ 819	\$ 107,025	\$ 43,992	\$ 620,819	\$ 1,806,383
Local															
In lieu of Property Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Donations	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Food Service Sales	\$ 11,113	\$ 926	\$ 926	\$ 926	\$ 926	\$ 926	\$ 926	\$ 926	\$ 926	\$ 926	\$ 926	\$ 926	\$ 926	\$ -	\$ 11,113
All Other Local Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Local	\$ 11,113	\$ 926	\$ 926	\$ 926	\$ 926	\$ 926	\$ 926	\$ 926	\$ 926	\$ 926	\$ 926	\$ 926	\$ 926	\$ -	\$ 11,113
Total Revenue	\$ 2,101,150	\$ 12,926	\$ 94,372	\$ 94,372	\$ 159,529	\$ 159,529	\$ 282,830	\$ 159,529	\$ 159,529	\$ 79,864	\$ 72,720	\$ 119,132	\$ 56,099	\$ 650,716	\$ 2,101,150
Expenses															
(1000) Certificated Salaries	\$ 787,179	\$ 65,598	\$ 65,598	\$ 65,598	\$ 65,598	\$ 65,598	\$ 65,598	\$ 65,598	\$ 65,598	\$ 65,598	\$ 65,598	\$ 65,598	\$ 65,598	\$ -	\$ 787,179
(2000) Classified Salaries	\$ 223,674	\$ 18,640	\$ 18,640	\$ 18,640	\$ 18,640	\$ 18,640	\$ 18,640	\$ 18,640	\$ 18,640	\$ 18,640	\$ 18,640	\$ 18,640	\$ 18,640	\$ -	\$ 223,674
(3000) Employee Benefits	\$ 267,376	\$ 22,281	\$ 22,281	\$ 22,281	\$ 22,281	\$ 22,281	\$ 22,281	\$ 22,281	\$ 22,281	\$ 22,281	\$ 22,281	\$ 22,281	\$ 22,281	\$ -	\$ 267,376
(4000) Books/Supplies	\$ 296,566	\$ 24,714	\$ 24,714	\$ 24,714	\$ 24,714	\$ 24,714	\$ 24,714	\$ 24,714	\$ 24,714	\$ 24,714	\$ 24,714	\$ 24,714	\$ 24,714	\$ -	\$ 296,566
(5000) Services/Other Operating Exp	\$ 153,857	\$ 12,821	\$ 12,821	\$ 12,821	\$ 12,821	\$ 12,821	\$ 12,821	\$ 12,821	\$ 12,821	\$ 12,821	\$ 12,821	\$ 12,821	\$ 12,821	\$ -	\$ 153,857
(6000) Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(7000) All Other Outgo	\$ 373,551	\$ 31,129	\$ 31,129	\$ 31,129	\$ 31,129	\$ 31,129	\$ 31,129	\$ 31,129	\$ 31,129	\$ 31,129	\$ 31,129	\$ 31,129	\$ 31,129	\$ -	\$ 373,551
(7300) Oversight Fee	\$ 16,289	\$ 1,357	\$ 1,357	\$ 1,357	\$ 1,357	\$ 1,357	\$ 1,357	\$ 1,357	\$ 1,357	\$ 1,357	\$ 1,357	\$ 1,357	\$ 1,357	\$ -	\$ 16,289
Total Expenses	\$ 2,118,492	\$ 176,541	\$ 176,541	\$ 176,541	\$ 176,541	\$ 176,541	\$ 176,541	\$ 176,541	\$ 176,541	\$ 176,541	\$ 176,541	\$ 176,541	\$ 176,541	\$ -	\$ 2,118,492
Surplus	\$ (17,342)	\$ (163,615)	\$ (82,169)	\$ (82,169)	\$ (17,012)	\$ (17,012)	\$ 106,289	\$ (17,012)	\$ (17,012)	\$ (96,677)	\$ (103,821)	\$ (57,409)	\$ (120,442)	\$ 650,716	\$ (17,342)
Loan From/(To) Aspire Public Schools	\$ -	\$ 100,000		\$ (100,000)	\$ (150,000)					\$ 100,000	\$ 100,000	\$ -	\$ 100,000	\$ -	\$ 150,000
Site Improvements	\$ -													\$ -	\$ -
AR	\$ 574,826	\$ -	\$ 168,606	\$ 234,880	\$ 171,340									\$ -	\$ 574,826
AP	\$ (186,249)	\$ (62,083)	\$ (62,083)	\$ (62,083)										\$ -	\$ (186,249)
CDE Revolving Loan (Current Portion)	\$ 100,000	\$ 150,000		\$ (8,333)	\$ (8,333)	\$ (8,333)	\$ (8,333)	\$ (8,333)	\$ (8,333)					\$ -	\$ 100,000
Month End Cash		\$ 54,795	\$ 79,149	\$ 61,444	\$ 57,439	\$ 32,094	\$ 130,050	\$ 104,705	\$ 79,360	\$ 82,683	\$ 78,863	\$ 21,454	\$ 1,012		
* End of 2010/2011 cash balance															

Name of School Aspire Junior Collegiate Academy

2012-13 Est. Cash Flow	Total Budget	July *	August	September	October	November	December	January	February	March	April	May	June	AR	Totals
Beginning Balance (cash)		\$ 1,012	\$ 50,913	\$ 15,886	\$ 102,669	\$ 320,781	\$ 147,277	\$ 252,062	\$ 231,864	\$ 492,214	\$ 395,706	\$ 291,597	\$ 237,488	\$ 37,463	
Revenue															
Federal															
Title I, II and III	\$ 152,653	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 61,061	\$ -	\$ -	\$ -	\$ 61,061	\$ -	\$ -	\$ 30,531	\$ 152,653
National Lunch Program	\$ 137,795	\$ 11,483	\$ 11,483	\$ 11,483	\$ 11,483	\$ 11,483	\$ 11,483	\$ 11,483	\$ 11,483	\$ 11,483	\$ 11,483	\$ 11,483	\$ 11,483	\$ -	\$ 137,795
CDE Grant	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other Federal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Federal	\$ 290,447	\$ 11,483	\$ 11,483	\$ 11,483	\$ 11,483	\$ 11,483	\$ 72,544	\$ 11,483	\$ 11,483	\$ 11,483	\$ 72,544	\$ 11,483	\$ 11,483	\$ 30,531	\$ 290,447
State															
State Aid	\$ 1,405,250	\$ -	\$ -	\$ -	\$ 162,025	\$ -	\$ 126,473	\$ 126,473	\$ 357,917	\$ 18,549	\$ -	\$ 91,622	\$ 29,370	\$ 492,821	\$ 1,405,250
Class Size Reduction	\$ 77,112	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 19,278	\$ -	\$ -	\$ 23,134	\$ -	\$ -	\$ -	\$ 34,700	\$ 77,112
Categorical Block Grant	\$ 298,143	\$ -	\$ -	\$ -	\$ 34,376	\$ -	\$ 26,833	\$ 26,833	\$ 75,937	\$ 3,935	\$ -	\$ 19,439	\$ 6,231	\$ 104,559	\$ 298,143
Lottery	\$ 38,176	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,544	\$ -	\$ -	\$ 9,544	\$ -	\$ -	\$ 9,544	\$ 9,544	\$ 38,176
Prop 49/21st Century	\$ 54,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 35,100	\$ -	\$ -	\$ 13,500	\$ -	\$ -	\$ -	\$ 5,400	\$ 54,000
Child Nutrition (State)	\$ 10,278	\$ 857	\$ 857	\$ 857	\$ 857	\$ 857	\$ 857	\$ 857	\$ 857	\$ 857	\$ 857	\$ 857	\$ 857	\$ -	\$ 10,278
All Other State	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total State	\$ 1,882,960	\$ 857	\$ 857	\$ 857	\$ 197,258	\$ 857	\$ 218,084	\$ 154,162	\$ 434,711	\$ 69,519	\$ 857	\$ 111,918	\$ 46,002	\$ 647,025	\$ 1,882,960
Local															
In lieu of Property Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Donations	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Food Service Sales	\$ 11,413	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ -	\$ 11,413
All Other Local Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Local	\$ 11,413	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ -	\$ 11,413
Total Revenue	\$ 2,184,821	\$ 13,291	\$ 13,291	\$ 13,291	\$ 209,692	\$ 13,291	\$ 291,579	\$ 166,596	\$ 447,145	\$ 81,953	\$ 74,352	\$ 124,352	\$ 58,436	\$ 677,555	\$ 2,184,821
Expenses															
(1000) Certificated Salaries	\$ 800,828	\$ 66,736	\$ 66,736	\$ 66,736	\$ 66,736	\$ 66,736	\$ 66,736	\$ 66,736	\$ 66,736	\$ 66,736	\$ 66,736	\$ 66,736	\$ 66,736	\$ -	\$ 800,828
(2000) Classified Salaries	\$ 227,700	\$ 18,975	\$ 18,975	\$ 18,975	\$ 18,975	\$ 18,975	\$ 18,975	\$ 18,975	\$ 18,975	\$ 18,975	\$ 18,975	\$ 18,975	\$ 18,975	\$ -	\$ 227,700
(3000) Employee Benefits	\$ 283,722	\$ 23,643	\$ 23,643	\$ 23,643	\$ 23,643	\$ 23,643	\$ 23,643	\$ 23,643	\$ 23,643	\$ 23,643	\$ 23,643	\$ 23,643	\$ 23,643	\$ -	\$ 283,722
(4000) Books/Supplies	\$ 279,933	\$ 23,328	\$ 23,328	\$ 23,328	\$ 23,328	\$ 23,328	\$ 23,328	\$ 23,328	\$ 23,328	\$ 23,328	\$ 23,328	\$ 23,328	\$ 23,328	\$ -	\$ 279,933
(5000) Services/Other Operating Exp	\$ 155,909	\$ 12,992	\$ 12,992	\$ 12,992	\$ 12,992	\$ 12,992	\$ 12,992	\$ 12,992	\$ 12,992	\$ 12,992	\$ 12,992	\$ 12,992	\$ 12,992	\$ -	\$ 155,909
(6000) Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(7000) All Other Outgo	\$ 376,405	\$ 31,367	\$ 31,367	\$ 31,367	\$ 31,367	\$ 31,367	\$ 31,367	\$ 31,367	\$ 31,367	\$ 31,367	\$ 31,367	\$ 31,367	\$ 31,367	\$ -	\$ 376,405
(7300) Oversight Fee	\$ 17,034	\$ 1,419	\$ 1,419	\$ 1,419	\$ 1,419	\$ 1,419	\$ 1,419	\$ 1,419	\$ 1,419	\$ 1,419	\$ 1,419	\$ 1,419	\$ 1,419	\$ -	\$ 17,034
Total Expenses	\$ 2,141,531	\$ 178,461	\$ 178,461	\$ 178,461	\$ 178,461	\$ 178,461	\$ 178,461	\$ 178,461	\$ 178,461	\$ 178,461	\$ 178,461	\$ 178,461	\$ 178,461	\$ -	\$ 2,141,531
Surplus	\$ 43,290	\$ (165,170)	\$ (165,170)	\$ (165,170)	\$ 31,231	\$ (165,170)	\$ 113,118	\$ (11,865)	\$ 268,684	\$ (96,508)	\$ (104,109)	\$ (54,109)	\$ (120,025)	\$ 677,555	\$ 43,290
Loan From/(To) Aspire Public Schools	\$ -	\$ 150,000											\$ (80,000)	\$ -	\$ 70,000
Site Improvements														\$ -	\$ -
AR	\$ 650,716	\$ 65,072	\$ 130,143	\$ 260,286	\$ 195,215									\$ -	\$ 650,716
AP	\$ -	\$ -	\$ -	\$ -	\$ -									\$ -	\$ -
CDE Revolving Loan (Current Portion)	\$ (50,000)			\$ (8,333)	\$ (8,333)	\$ (8,333)	\$ (8,333)	\$ (8,333)	\$ (8,333)	\$ (8,333)				\$ -	\$ (50,000)
Month End Cash		\$ 50,913	\$ 15,886	\$ 102,669	\$ 320,781	\$ 147,277	\$ 252,062	\$ 231,864	\$ 492,214	\$ 395,706	\$ 291,597	\$ 237,488	\$ 37,463		
* End of 2011/2012 cash balance															

Name of School Aspire Junior Collegiate Academy

2013-14 Est. Cash Flow	Total Budget	July *	August	September	October	November	December	January	February	March	April	May	June	AR	Totals
Beginning Balance (cash)		\$ 37,463	\$ 86,427	\$ 53,147	\$ 147,044	\$ 374,105	\$ 196,981	\$ 304,983	\$ 284,690	\$ 551,398	\$ 452,007	\$ 347,369	\$ 292,194	\$ 19,586	
Revenue															
Federal															
Title I, II and III	\$ 160,384	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 64,154	\$ -	\$ -	\$ -	\$ 64,154	\$ -	\$ -	\$ 32,077	\$ 160,384
National Lunch Program	\$ 137,795	\$ 11,483	\$ 11,483	\$ 11,483	\$ 11,483	\$ 11,483	\$ 11,483	\$ 11,483	\$ 11,483	\$ 11,483	\$ 11,483	\$ 11,483	\$ 11,483	\$ -	\$ 137,795
CDE Grant	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other Federal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Federal	\$ 298,179	\$ 11,483	\$ 11,483	\$ 11,483	\$ 11,483	\$ 11,483	\$ 75,637	\$ 11,483	\$ 11,483	\$ 11,483	\$ 75,637	\$ 11,483	\$ 11,483	\$ 32,077	\$ 298,179
State															
State Aid	\$ 1,437,571	\$ -	\$ -	\$ -	\$ 165,752	\$ -	\$ 129,381	\$ 129,381	\$ 366,149	\$ 18,976	\$ -	\$ 93,730	\$ 30,045	\$ 504,156	\$ 1,437,571
Class Size Reduction	\$ 77,112	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 19,278	\$ -	\$ -	\$ 23,134	\$ -	\$ -	\$ -	\$ 34,700	\$ 77,112
Categorical Block Grant	\$ 305,000	\$ -	\$ -	\$ -	\$ 35,167	\$ -	\$ 27,450	\$ 27,450	\$ 77,684	\$ 4,026	\$ -	\$ 19,886	\$ 6,375	\$ 106,964	\$ 305,000
Lottery	\$ 39,055	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,764	\$ -	\$ -	\$ 9,764	\$ -	\$ -	\$ 9,764	\$ 9,764	\$ 39,055
Prop 49/21st Century	\$ 54,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 35,100	\$ -	\$ -	\$ 13,500	\$ -	\$ -	\$ -	\$ 5,400	\$ 54,000
Child Nutrition (State)	\$ 10,515	\$ 876	\$ 876	\$ 876	\$ 876	\$ 876	\$ 876	\$ 876	\$ 876	\$ 876	\$ 876	\$ 876	\$ 876	\$ -	\$ 10,515
All Other State	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total State	\$ 1,923,253	\$ 876	\$ 876	\$ 876	\$ 201,795	\$ 876	\$ 221,849	\$ 157,708	\$ 444,709	\$ 70,275	\$ 876	\$ 114,492	\$ 47,060	\$ 660,984	\$ 1,923,253
Local															
In lieu of Property Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Donations	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Food Service Sales	\$ 11,413	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ -	\$ 11,413
All Other Local Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Local	\$ 11,413	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ 951	\$ -	\$ 11,413
Total Revenue	\$ 2,232,845	\$ 13,310	\$ 13,310	\$ 13,310	\$ 214,229	\$ 13,310	\$ 298,437	\$ 170,142	\$ 457,143	\$ 82,709	\$ 77,464	\$ 126,926	\$ 59,494	\$ 693,061	\$ 2,232,845
Expenses															
(1000) Certificated Salaries	\$ 818,584	\$ 68,215	\$ 68,215	\$ 68,215	\$ 68,215	\$ 68,215	\$ 68,215	\$ 68,215	\$ 68,215	\$ 68,215	\$ 68,215	\$ 68,215	\$ 68,215	\$ -	\$ 818,584
(2000) Classified Salaries	\$ 232,937	\$ 19,411	\$ 19,411	\$ 19,411	\$ 19,411	\$ 19,411	\$ 19,411	\$ 19,411	\$ 19,411	\$ 19,411	\$ 19,411	\$ 19,411	\$ 19,411	\$ -	\$ 232,937
(3000) Employee Benefits	\$ 302,149	\$ 25,179	\$ 25,179	\$ 25,179	\$ 25,179	\$ 25,179	\$ 25,179	\$ 25,179	\$ 25,179	\$ 25,179	\$ 25,179	\$ 25,179	\$ 25,179	\$ -	\$ 302,149
(4000) Books/Supplies	\$ 279,433	\$ 23,286	\$ 23,286	\$ 23,286	\$ 23,286	\$ 23,286	\$ 23,286	\$ 23,286	\$ 23,286	\$ 23,286	\$ 23,286	\$ 23,286	\$ 23,286	\$ -	\$ 279,433
(5000) Services/Other Operating Exp	\$ 156,986	\$ 13,082	\$ 13,082	\$ 13,082	\$ 13,082	\$ 13,082	\$ 13,082	\$ 13,082	\$ 13,082	\$ 13,082	\$ 13,082	\$ 13,082	\$ 13,082	\$ -	\$ 156,986
(6000) Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(7000) All Other Outgo	\$ 377,702	\$ 31,475	\$ 31,475	\$ 31,475	\$ 31,475	\$ 31,475	\$ 31,475	\$ 31,475	\$ 31,475	\$ 31,475	\$ 31,475	\$ 31,475	\$ 31,475	\$ -	\$ 377,702
(7300) Oversight Fee	\$ 17,426	\$ 1,452	\$ 1,452	\$ 1,452	\$ 1,452	\$ 1,452	\$ 1,452	\$ 1,452	\$ 1,452	\$ 1,452	\$ 1,452	\$ 1,452	\$ 1,452	\$ -	\$ 17,426
Total Expenses	\$ 2,185,216	\$ 182,101	\$ 182,101	\$ 182,101	\$ 182,101	\$ 182,101	\$ 182,101	\$ 182,101	\$ 182,101	\$ 182,101	\$ 182,101	\$ 182,101	\$ 182,101	\$ -	\$ 2,185,216
Surplus	\$ 47,629	\$ (168,791)	\$ (168,791)	\$ (168,791)	\$ 32,127	\$ (168,791)	\$ 116,336	\$ (11,960)	\$ 275,042	\$ (99,392)	\$ (104,637)	\$ (55,175)	\$ (122,608)	\$ 693,061	\$ 47,629
Loan From/(To) Aspire Public Schools		\$ 150,000											\$ (150,000)	\$ -	\$ -
Site Improvements														\$ -	\$ -
AR	\$ 677,555	\$ 67,756	\$ 135,511	\$ 271,022	\$ 203,267									\$ -	\$ 677,555
AP	\$ -	\$ -	\$ -	\$ -	\$ -									\$ -	\$ -
CDE Revolving Loan (Current Portion)	\$ (50,000)			\$ (8,333)	\$ (8,333)	\$ (8,333)	\$ (8,333)	\$ (8,333)	\$ (8,333)					\$ -	\$ (50,000)
Month End Cash		\$ 86,427	\$ 53,147	\$ 147,044	\$ 374,105	\$ 196,981	\$ 304,983	\$ 284,690	\$ 551,398	\$ 452,007	\$ 347,369	\$ 292,194	\$ 19,586		
* End of 2012/2013 cash balance															

Aspire Junior Collegiate Academy

2011-2012 Budget - Output - P&L

	FY10-11	FY11-12	FY12-13	FY13-14
	Actuals	Budget	Budget	Budget
REVENUES				
Per Pupil Revenues				
State Aid Total	1,455,529	1,344,307	1,405,250	1,437,571
In Lieu Property Tax	-	-	-	-
General Block Grant (includes in-lieu)	1,455,529	1,344,307	1,405,250	1,437,571
Federal Income	142,955	149,485	152,653	160,384
Class Size Reduction	77,112	77,112	77,112	77,112
Categorical Block Grant	272,730	284,619	298,143	305,000
Lottery	34,766	36,515	38,176	39,055
Prop 49 / 21st Century	81,000	54,000	54,000	54,000
One-Time Money				
CDE Grant	-	-	-	-
Other Federal Funding	50,974	-	-	-
Other State Revenue	1,135	-	-	-
Soft Money				
Donations	23,348	-	-	-
Other Local Revenue	35,221	-	-	-
Food Service Program				
National Lunch Program	123,808	134,168	137,795	137,795
Child Nutrition (State)	10,000	9,831	10,278	10,515
Food Services Sales	2,860	11,113	11,413	11,413
Interfund Transfer In				
TOTAL REVENUES	2,311,438	2,101,150	2,184,821	2,232,845
EXPENSES				
Personnel				
Total Salaries	764,721	758,319	771,968	789,724
Total Subs	16,447	17,400	17,400	17,400
Total Stipends	37,258	11,460	11,460	11,460
Certificated	818,427	787,179	800,828	818,584
Classified	217,084	223,674	227,700	232,937
Benefits	256,745	267,376	283,722	302,149
Total Personnel	1,292,256	1,278,229	1,312,250	1,353,670
Books & Supplies				
Books	45,000	18,000	18,000	18,000
Materials/Supplies	66,000	62,180	59,260	59,260
Software	5,500	7,800	8,010	8,010
Equipment/Furniture/Computer	30,100	28,300	10,000	9,500
Printing and Reproduction	8,717	14,400	14,400	14,400
Food Services	144,300	165,887	170,262	170,262
Tot Books/Supplies	299,617	296,566	279,933	279,433
Services & Other Operating Expenses				
Travel & Conferences	25,000	20,000	20,000	20,000
Dues & Subscriptions	900	900	900	900
Insurance	7,400	7,400	7,600	7,600
Operating and Housekeeping	45,781	34,860	35,906	36,983
Rentals, Leases, Repairs	12,046	7,200	7,200	7,200
Consultants	7,675	4,500	4,500	4,500
Special Education	29,837	29,837	30,643	30,643
Facilities Contractor	21,748	20,960	20,960	20,960
Transportation	-	-	-	-
Field Trips	2,000	2,000	2,000	2,000
Other Expenses	1,850	1,000	1,000	1,000
Communications	24,600	25,200	25,200	25,200
Tot Services	178,837	153,857	155,909	156,986
Other Expenses				
Net Facility Cost	370,894	265,577	265,577	265,577
Home Office Admin	136,241	136,223	141,773	145,119
Dist Admin	21,095	16,289	17,034	17,426
Growth	-	6,000	6,000	6,000
Reserve	2,399	2,292	610	1,202
Interfund Transfers Out	1,925	-	-	-
Tot Other Activity	572,728	389,840	393,439	395,127
TOTAL EXPENSES	2,343,438	2,118,492	2,141,531	2,185,216
Net Assets				
Unrestricted Carry Forward	201,337			
Restricted Carry Forward	48,435			
Total Carry Forward	249,772	217,773	200,431	243,720
Ending Fund Balance (projected)	217,773	200,431	243,720	291,349
Net Income	(31,999)	(17,342)	43,290	47,629

Aspire Port City Academy

2011-2012 Budget - Output - Summary Charts

BUDGET ASSUMPTIONS

Enrollment Assumptions

Enrollment	Budget FY11-12	Budget FY12-13	Budget FY13-14
Kindergarten	72	72	72
1st grade	72	72	72
2nd grade	72	69	69
3rd grade	65	65	65
4th grade	60	60	60
5th grade	60	60	60
6th grade	0	0	0
7th grade	0	0	0
8th grade	0	0	0
9th grade	0	0	0
10th grade	0	0	0
11th grade	0	0	0
12th grade	0	0	0
Total Enrollment	401	398	398
ADA %	96%	96%	96%
ADA	385	382	382
FRL	277	277	275
EL	53	53	52

Revenue Assumptions

	Budget FY11-12	Budget FY12-13	Budget FY13-14
General Block Grant per K-3 ADA	4,700	4,785	4,895
General Block Grant per 4-6 ADA	4,776	4,862	4,974
General Block Grant per 7-8 ADA	0	0	0
General Block Grant per 9-12 ADA	0	0	0
Categorical Block Grant (per ADA)	410	417	427
Title I (per FRL student)	450	458	469
Title II (per FRL student)	30	31	31
Title III (per ELL student)	100	102	104
EIA (per ED and EL student)	319	325	332

EXPENSE ASSUMPTIONS

Estimated Personnel Staff

	Budget FY11-12	Budget FY12-13	Budget FY13-14
Total Teacher	18.07	18.07	18.07
Total Pupil Support	1.00	1.00	1.00
Total Administrators	1.00	1.00	1.00
Total Certified	20.07	20.07	20.07
Total Instructional Aides	5.36	5.36	5.36
Total Support Staff	0.00	0.00	0.00
Total Clerical	2.00	2.00	2.00
Total Other	3.90	3.90	3.90
Total Classified	11.26	11.26	11.26
Grand Total	31.33	31.33	31.33

Name of School Aspire Port City

2011-12 Est. Cash Flow	Total Budget	July *	August	September	October	November	December	January	February	March	April	May	June	AR	Totals
Beginning Balance (cash)		\$32,167	\$35,252	\$397,854	\$341,720	\$85,777	\$66,031	\$221,345	\$201,599	\$181,853	\$88,096	\$41,170	\$23,558	\$76,859	
Revenue															
Federal															
Title I, II and III	\$138,230	\$0	\$0	\$0	\$0	\$0	\$55,292	\$0	\$0	\$0	\$55,292	\$0	\$0	\$27,646	\$138,230
National Lunch Program	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
CDE Grant	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
All Other Federal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Federal	\$138,230	\$0	\$0	\$0	\$0	\$0	\$55,292	\$0	\$0	\$0	\$55,292	\$0	\$0	\$27,646	\$138,230
State															
State Aid	\$1,826,860	\$0	\$91,343	\$91,343	\$164,417	\$164,417	\$164,417	\$164,417	\$164,417	\$23,749	\$0	\$119,111	\$38,181	\$641,045	\$1,826,860
Class Size Reduction	\$137,088	\$0	\$0	\$0	\$0	\$0	\$34,272	\$0	\$0	\$41,126	\$0	\$0	\$0	\$61,690	\$137,088
Categorical Block Grant	\$237,642	\$0	\$11,882	\$11,882	\$21,388	\$21,388	\$21,388	\$21,388	\$21,388	\$3,089	\$0	\$15,494	\$4,967	\$83,388	\$237,642
Lottery	\$49,486	\$0	\$0	\$0	\$0	\$0	\$12,371	\$0	\$0	\$12,371	\$0	\$0	\$12,371	\$12,371	\$49,486
Prop 49/21st Century	\$112,500	\$0	\$0	\$0	\$0	\$0	\$73,125	\$0	\$0	\$28,125	\$0	\$0	\$0	\$11,250	\$112,500
Child Nutrition (State)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
All Other State	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total State	\$2,363,575	\$0	\$103,225	\$103,225	\$185,805	\$185,805	\$305,574	\$185,805	\$185,805	\$108,461	\$0	\$134,606	\$55,519	\$809,745	\$2,363,575
Local															
In lieu of Property Tax	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Donations	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Food Service Sales	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
All Other Local Revenue	\$30,476	\$2,540	\$2,540	\$2,540	\$2,540	\$2,540	\$2,540	\$2,540	\$2,540	\$2,540	\$2,540	\$2,540	\$2,540	\$0	\$30,476
Total Local	\$30,476	\$2,540	\$2,540	\$2,540	\$2,540	\$2,540	\$2,540	\$2,540	\$2,540	\$2,540	\$2,540	\$2,540	\$2,540	\$0	\$30,476
Total Revenue	\$2,532,282	\$2,540	\$105,765	\$105,765	\$188,345	\$188,345	\$363,405	\$188,345	\$188,345	\$111,001	\$57,832	\$137,145	\$58,059	\$837,391	\$2,532,282
Expenses															
(1000) Certificated Salaries	\$940,827	\$78,402	\$78,402	\$78,402	\$78,402	\$78,402	\$78,402	\$78,402	\$78,402	\$78,402	\$78,402	\$78,402	\$78,402	\$0	\$940,827
(2000) Classified Salaries	\$267,779	\$22,315	\$22,315	\$22,315	\$22,315	\$22,315	\$22,315	\$22,315	\$22,315	\$22,315	\$22,315	\$22,315	\$22,315	\$0	\$267,779
(3000) Employee Benefits	\$378,121	\$31,510	\$31,510	\$31,510	\$31,510	\$31,510	\$31,510	\$31,510	\$31,510	\$31,510	\$31,510	\$31,510	\$31,510	\$0	\$378,121
(4000) Books/Supplies	\$159,101	\$13,258	\$13,258	\$13,258	\$13,258	\$13,258	\$13,258	\$13,258	\$13,258	\$13,258	\$13,258	\$13,258	\$13,258	\$0	\$159,101
(5000) Services/Other Operating Exp	\$171,188	\$14,266	\$14,266	\$14,266	\$14,266	\$14,266	\$14,266	\$14,266	\$14,266	\$14,266	\$14,266	\$14,266	\$14,266	\$0	\$171,188
(6000) Capital Outlay	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
(7000) All Other Outgo	\$519,430	\$43,286	\$43,286	\$43,286	\$43,286	\$43,286	\$43,286	\$43,286	\$43,286	\$43,286	\$43,286	\$43,286	\$43,286	\$0	\$519,430
(7300) Oversight Fee	\$20,645	\$1,720	\$1,720	\$1,720	\$1,720	\$1,720	\$1,720	\$1,720	\$1,720	\$1,720	\$1,720	\$1,720	\$1,720	\$0	\$20,645
Total Expenses	\$2,457,092	\$204,758	\$204,758	\$204,758	\$204,758	\$204,758	\$204,758	\$204,758	\$204,758	\$204,758	\$204,758	\$204,758	\$204,758	\$0	\$2,457,092
Surplus	\$75,190	(\$202,218)	(\$98,993)	(\$98,993)	(\$16,413)	(\$16,413)	\$158,648	(\$16,413)	(\$16,413)	(\$93,757)	(\$146,926)	(\$67,612)	(\$146,699)	\$837,391	\$75,190
Loan From/(To) Aspire Public Schools	\$0	\$250,000		(\$300,000)	(\$400,000)						\$100,000	\$50,000	\$200,000	\$0	(\$100,000)
Site Improvements	\$0													\$0	\$0
AR	\$1,060,983	\$0	\$506,291	\$390,889	\$163,803									\$0	\$1,060,983
AP	(\$134,090)	(\$44,697)	(\$44,697)	(\$44,697)										\$0	(\$134,090)
CDE Revolving Loan (Current Portion)	(\$20,000)			(\$3,333)	(\$3,333)	(\$3,333)	(\$3,333)	(\$3,333)	(\$3,333)					\$0	(\$20,000)
Month End Cash		\$35,252	\$397,854	\$341,720	\$85,777	\$66,031	\$221,345	\$201,599	\$181,853	\$88,096	\$41,170	\$23,558	\$76,859		
* End of 2010/2011 cash balance															

Name of School Aspire Port City

2012-13 Est. Cash Flow	Total Budget	July *	August	September	October	November	December	January	February	March	April	May	June	AR	Totals
Beginning Balance (cash)		\$ 76,859	\$ 53,874	\$ 14,628	\$ 139,527	\$ 421,151	\$ 211,094	\$ 364,920	\$ 342,563	\$ 663,696	\$ 566,253	\$ 415,816	\$ 345,070	\$ 94,434	
Revenue															
Federal															
Title I, II and III	\$ 140,718	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 56,287	\$ -	\$ -	\$ -	\$ 56,287	\$ -	\$ -	\$ 28,144	\$ 140,718
National Lunch Program	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
CDE Grant	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other Federal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Federal	\$ 140,718	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 56,287	\$ -	\$ -	\$ -	\$ 56,287	\$ -	\$ -	\$ 28,144	\$ 140,718
State															
State Aid	\$ 1,845,813	\$ -	\$ -	\$ -	\$ 212,822	\$ -	\$ 166,123	\$ 166,123	\$ 470,128	\$ 24,365	\$ -	\$ 120,347	\$ 38,577	\$ 647,326	\$ 1,845,813
Class Size Reduction	\$ 137,088	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 34,272	\$ -	\$ -	\$ 41,126	\$ -	\$ -	\$ -	\$ 61,690	\$ 137,088
Categorical Block Grant	\$ 239,742	\$ -	\$ -	\$ -	\$ 27,642	\$ -	\$ 21,577	\$ 21,577	\$ 61,062	\$ 3,165	\$ -	\$ 15,631	\$ 5,011	\$ 84,078	\$ 239,742
Lottery	\$ 49,999	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,500	\$ -	\$ -	\$ 12,500	\$ -	\$ -	\$ 12,500	\$ 12,500	\$ 49,999
Prop 49/21st Century	\$ 112,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 73,125	\$ -	\$ -	\$ 28,125	\$ -	\$ -	\$ -	\$ 11,250	\$ 112,500
Child Nutrition (State)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other State	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total State	\$ 2,385,142	\$ -	\$ -	\$ -	\$ 240,464	\$ -	\$ 307,597	\$ 187,700	\$ 531,191	\$ 109,281	\$ -	\$ 135,978	\$ 56,088	\$ 816,844	\$ 2,385,142
Local															
In lieu of Property Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Donations	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Food Service Sales	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other Local Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Local	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Revenue	\$ 2,525,861	\$ -	\$ -	\$ -	\$ 240,464	\$ -	\$ 363,884	\$ 187,700	\$ 531,191	\$ 109,281	\$ 56,287	\$ 135,978	\$ 56,088	\$ 844,987	\$ 2,525,861
Expenses															
(1000) Certificated Salaries	\$ 957,177	\$ 79,765	\$ 79,765	\$ 79,765	\$ 79,765	\$ 79,765	\$ 79,765	\$ 79,765	\$ 79,765	\$ 79,765	\$ 79,765	\$ 79,765	\$ 79,765	\$ -	\$ 957,177
(2000) Classified Salaries	\$ 272,599	\$ 22,717	\$ 22,717	\$ 22,717	\$ 22,717	\$ 22,717	\$ 22,717	\$ 22,717	\$ 22,717	\$ 22,717	\$ 22,717	\$ 22,717	\$ 22,717	\$ -	\$ 272,599
(3000) Employee Benefits	\$ 403,037	\$ 33,586	\$ 33,586	\$ 33,586	\$ 33,586	\$ 33,586	\$ 33,586	\$ 33,586	\$ 33,586	\$ 33,586	\$ 33,586	\$ 33,586	\$ 33,586	\$ -	\$ 403,037
(4000) Books/Supplies	\$ 137,417	\$ 11,451	\$ 11,451	\$ 11,451	\$ 11,451	\$ 11,451	\$ 11,451	\$ 11,451	\$ 11,451	\$ 11,451	\$ 11,451	\$ 11,451	\$ 11,451	\$ -	\$ 137,417
(5000) Services/Other Operating Exp	\$ 175,310	\$ 14,609	\$ 14,609	\$ 14,609	\$ 14,609	\$ 14,609	\$ 14,609	\$ 14,609	\$ 14,609	\$ 14,609	\$ 14,609	\$ 14,609	\$ 14,609	\$ -	\$ 175,310
(6000) Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(7000) All Other Outgo	\$ 514,293	\$ 42,858	\$ 42,858	\$ 42,858	\$ 42,858	\$ 42,858	\$ 42,858	\$ 42,858	\$ 42,858	\$ 42,858	\$ 42,858	\$ 42,858	\$ 42,858	\$ -	\$ 514,293
(7300) Oversight Fee	\$ 20,856	\$ 1,738	\$ 1,738	\$ 1,738	\$ 1,738	\$ 1,738	\$ 1,738	\$ 1,738	\$ 1,738	\$ 1,738	\$ 1,738	\$ 1,738	\$ 1,738	\$ -	\$ 20,856
Total Expenses	\$ 2,480,690	\$ 206,724	\$ 206,724	\$ 206,724	\$ 206,724	\$ 206,724	\$ 206,724	\$ 206,724	\$ 206,724	\$ 206,724	\$ 206,724	\$ 206,724	\$ 206,724	\$ -	\$ 2,480,690
Surplus	\$ 45,171	\$ (206,724)	\$ (206,724)	\$ (206,724)	\$ 33,740	\$ (206,724)	\$ 157,160	\$ (19,024)	\$ 324,467	\$ (97,444)	\$ (150,437)	\$ (70,746)	\$ (150,636)	\$ 844,987	\$ 45,171
Loan From/(To) Aspire Public Schools	\$ -	\$ 100,000											\$ (100,000)	\$ -	\$ -
Site Improvements														\$ -	\$ -
AR	\$ 837,391	\$ 83,739	\$ 167,478	\$ 334,956	\$ 251,217									\$ -	\$ 837,391
AP	\$ -	\$ -	\$ -	\$ -	\$ -									\$ -	\$ -
CDE Revolving Loan (Current Portion)	\$ (20,000)			\$ (3,333)	\$ (3,333)	\$ (3,333)	\$ (3,333)	\$ (3,333)	\$ (3,333)	\$ (3,333)				\$ -	\$ (20,000)
Month End Cash		\$ 53,874	\$ 14,628	\$ 139,527	\$ 421,151	\$ 211,094	\$ 364,920	\$ 342,563	\$ 663,696	\$ 566,253	\$ 415,816	\$ 345,070	\$ 94,434		
* End of 2011/2012 cash balance															

Name of School Aspire Port City

2013-14 Est. Cash Flow	Total Budget	July *	August	September	October	November	December	January	February	March	April	May	June	AR	Totals
Beginning Balance (cash)		\$ 94,434	\$ 67,429	\$ 24,924	\$ 148,082	\$ 432,715	\$ 217,879	\$ 372,378	\$ 349,542	\$ 678,066	\$ 576,761	\$ 422,409	\$ 350,000	\$ 95,871	
Revenue															
Federal															
Title I, II and III	\$ 142,878	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 57,151	\$ -	\$ -	\$ -	\$ 57,151	\$ -	\$ -	\$ 28,576	\$ 142,878
National Lunch Program	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
CDE Grant	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other Federal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Federal	\$ 142,878	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 57,151	\$ -	\$ -	\$ -	\$ 57,151	\$ -	\$ -	\$ 28,576	\$ 142,878
State															
State Aid	\$ 1,888,079	\$ -	\$ -	\$ -	\$ 217,696	\$ -	\$ 169,927	\$ 169,927	\$ 480,894	\$ 24,923	\$ -	\$ 123,103	\$ 39,461	\$ 662,149	\$ 1,888,079
Class Size Reduction	\$ 137,088	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 34,272	\$ -	\$ -	\$ 41,126	\$ -	\$ -	\$ -	\$ 61,690	\$ 137,088
Categorical Block Grant	\$ 245,257	\$ -	\$ -	\$ -	\$ 28,278	\$ -	\$ 22,073	\$ 22,073	\$ 62,467	\$ 3,237	\$ -	\$ 15,991	\$ 5,126	\$ 86,011	\$ 245,257
Lottery	\$ 51,149	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,787	\$ -	\$ -	\$ 12,787	\$ -	\$ 51,149
Prop 49/21st Century	\$ 112,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 73,125	\$ -	\$ -	\$ 28,125	\$ -	\$ -	\$ -	\$ 11,250	\$ 112,500
Child Nutrition (State)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other State	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total State	\$ 2,434,073	\$ -	\$ -	\$ -	\$ 245,974	\$ -	\$ 312,185	\$ 192,000	\$ 543,361	\$ 110,199	\$ -	\$ 139,094	\$ 57,374	\$ 833,888	\$ 2,434,073
Local															
In lieu of Property Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Donations	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Food Service Sales	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other Local Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Local	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Revenue	\$ 2,576,951	\$ -	\$ -	\$ -	\$ 245,974	\$ -	\$ 369,336	\$ 192,000	\$ 543,361	\$ 110,199	\$ 57,151	\$ 139,094	\$ 57,374	\$ 862,463	\$ 2,576,951
Expenses															
(1000) Certificated Salaries	\$ 978,444	\$ 81,537	\$ 81,537	\$ 81,537	\$ 81,537	\$ 81,537	\$ 81,537	\$ 81,537	\$ 81,537	\$ 81,537	\$ 81,537	\$ 81,537	\$ 81,537	\$ -	\$ 978,444
(2000) Classified Salaries	\$ 278,869	\$ 23,239	\$ 23,239	\$ 23,239	\$ 23,239	\$ 23,239	\$ 23,239	\$ 23,239	\$ 23,239	\$ 23,239	\$ 23,239	\$ 23,239	\$ 23,239	\$ -	\$ 278,869
(3000) Employee Benefits	\$ 431,000	\$ 35,917	\$ 35,917	\$ 35,917	\$ 35,917	\$ 35,917	\$ 35,917	\$ 35,917	\$ 35,917	\$ 35,917	\$ 35,917	\$ 35,917	\$ 35,917	\$ -	\$ 431,000
(4000) Books/Supplies	\$ 131,217	\$ 10,935	\$ 10,935	\$ 10,935	\$ 10,935	\$ 10,935	\$ 10,935	\$ 10,935	\$ 10,935	\$ 10,935	\$ 10,935	\$ 10,935	\$ 10,935	\$ -	\$ 131,217
(5000) Services/Other Operating Exp	\$ 175,310	\$ 14,609	\$ 14,609	\$ 14,609	\$ 14,609	\$ 14,609	\$ 14,609	\$ 14,609	\$ 14,609	\$ 14,609	\$ 14,609	\$ 14,609	\$ 14,609	\$ -	\$ 175,310
(6000) Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(7000) All Other Outgo	\$ 521,864	\$ 43,489	\$ 43,489	\$ 43,489	\$ 43,489	\$ 43,489	\$ 43,489	\$ 43,489	\$ 43,489	\$ 43,489	\$ 43,489	\$ 43,489	\$ 43,489	\$ -	\$ 521,864
(7300) Oversight Fee	\$ 21,333	\$ 1,778	\$ 1,778	\$ 1,778	\$ 1,778	\$ 1,778	\$ 1,778	\$ 1,778	\$ 1,778	\$ 1,778	\$ 1,778	\$ 1,778	\$ 1,778	\$ -	\$ 21,333
Total Expenses	\$ 2,538,039	\$ 211,503	\$ 211,503	\$ 211,503	\$ 211,503	\$ 211,503	\$ 211,503	\$ 211,503	\$ 211,503	\$ 211,503	\$ 211,503	\$ 211,503	\$ 211,503	\$ -	\$ 2,538,039
Surplus	\$ 38,913	\$ (211,503)	\$ (211,503)	\$ (211,503)	\$ 34,470	\$ (211,503)	\$ 157,833	\$ (19,503)	\$ 331,857	\$ (101,304)	\$ (154,352)	\$ (72,410)	\$ (154,129)	\$ 862,463	\$ 38,913
Loan From/(To) Aspire Public Schools		\$ 100,000											\$ (100,000)	\$ -	\$ -
Site Improvements														\$ -	\$ -
AR	\$ 844,987	\$ 84,499	\$ 168,997	\$ 337,995	\$ 253,496									\$ -	\$ 844,987
AP	\$ -	\$ -	\$ -	\$ -	\$ -									\$ -	\$ -
CDE Revolving Loan (Current Portion)	\$ (20,000)			\$ (3,333.33)	\$ (3,333)	\$ (3,333)	\$ (3,333)	\$ (3,333)	\$ (3,333)	\$ (3,333)				\$ -	\$ (20,000)
Month End Cash		\$ 67,429	\$ 24,924	\$ 148,082	\$ 432,715	\$ 217,879	\$ 372,378	\$ 349,542	\$ 678,066	\$ 576,761	\$ 422,409	\$ 350,000	\$ 95,871		
* End of 2012/2013 cash balance															

Aspire Port City Academy

2011-2012 Budget - Output - P&L

	FY10-11	FY11-12	FY12-13	FY13-14
	Actuals	Budget	Budget	Budget

REVENUES

Per Pupil Revenues

State Aid Total	1,976,186	1,826,860	1,845,813	1,888,079
In Lieu Property Tax	-	-	-	-
General Block Grant (includes in-lieu)	1,976,186	1,826,860	1,845,813	1,888,079
Federal Income	105,258	138,230	140,718	142,878
Class Size Reduction	137,088	137,088	137,088	137,088
Categorical Block Grant	204,151	237,642	239,742	245,257
Lottery	49,623	49,486	49,999	51,149
Prop 49 / 21st Century	112,500	112,500	112,500	112,500

One-Time Money

CDE Grant	-	-	-	-
Other Federal Funding	53,002	-	-	-
Other State Revenue	1,322	-	-	-

Soft Money

Donations	26,195	-	-	-
Other Local Revenue	54,305	30,476	-	-

Food Service Program

National Lunch Program	-	-	-	-
Child Nutrition (State)	-	-	-	-
Food Services Sales	288	-	-	-

Interfund Transfer In

	-	-	-	-
--	---	---	---	---

TOTAL REVENUES	2,719,919	2,532,282	2,525,861	2,576,951
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EXPENSES

Personnel

Total Salaries	805,571	908,327	924,677	945,944
Total Subs	18,889	20,520	20,520	20,520
Total Stipends	41,557	11,980	11,980	11,980
Certificated	866,018	940,827	957,177	978,444
Classified	357,784	267,779	272,599	278,869
Benefits	358,238	378,121	403,037	431,000
Total Personnel	1,582,040	1,586,727	1,632,813	1,688,314

Books & Supplies

Books	40,000	60,000	50,000	40,000
Materials/Supplies	52,017	54,135	53,730	53,730
Software	7,103	10,566	10,487	10,487
Equipment/Furniture/Computer	150,342	18,800	7,600	11,400
Printing and Reproduction	15,600	15,600	15,600	15,600
Food Services	-	-	-	-
Tot Books/Supplies	265,062	159,101	137,417	131,217

Services & Other Operating Expenses

Travel & Conferences	12,054	7,500	12,000	12,000
Dues & Subscriptions	500	2,100	2,100	2,100
Insurance	10,050	10,025	9,950	9,950
Operating and Housekeeping	64,429	63,000	63,000	63,000
Rentals, Leases, Repairs	2,177	4,000	4,000	4,000
Consultants	4,293	3,000	3,000	3,000
Special Education	40,522	40,436	40,133	40,133
Facilities Contractor	10,200	8,532	8,532	8,532
Transportation	-	-	-	-
Field Trips	4,000	6,000	6,000	6,000
Other Expenses	2,722	400	400	400
Communications	36,380	26,195	26,195	26,195
Tot Services	187,326	171,188	175,310	175,310

Other Expenses

Net Facility Cost	299,833	335,948	333,441	333,441
Home Office Admin	162,560	175,695	177,379	180,955
Dist Admin	25,300	20,645	20,856	21,333
Growth	-	6,000	6,000	6,000
Reserve	18,958	1,787	(2,526)	1,468
Interfund Transfers Out	-	-	-	-
Tot Other Activity	506,651	540,075	535,149	543,197

TOTAL EXPENSES	2,541,078	2,457,092	2,480,690	2,538,039
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Net Assets

Unrestricted Carry Forward	169,365			
Restricted Carry Forward	11,578			
Total Carry Forward	180,943	359,783	434,973	480,145

Ending Fund Balance (projected)	359,783	434,973	480,145	519,057
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Net Income	178,840	75,190	45,171	38,913
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Aspire Public Schools
Balance Sheet
June 30, 2011 and June 30, 2010

Preliminary v1g - 8/18/11

	Audited June 30, 2010	Unaudited June 30, 2011
ASSETS		
Cash & Equivalents	\$ 72,507	\$ 8,740,136
Restricted Cash	43,681,303	17,597,050
Accounts Receivable	16,258,306	24,138,139
Pledges Receivable	3,547,276	-
Prepaid Expenses & Deposits	244,788	277,737
Deferred Loss	13,749	13,749
Deferred Charges	105,025	106,879
	-----	-----
Total Current Assets	63,922,954	50,873,690
Non-current assets		
Restricted Cash	6,622,157	6,622,518
Pledges Receivable	1,062,804	862,804
Property and Equipment (net)	92,613,832	118,230,665
Deferred Loss	360,911	360,911
Deferred Charges	3,905,753	4,835,670
	-----	-----
Total Non-current Assets	104,565,457	130,912,568
	-----	-----
Total Assets	\$ 168,488,411	\$ 181,786,258
	=====	=====
LIABILITIES & NET ASSETS		
Cash Deficit	\$ 250,665	\$ -
Accounts Payable	13,759,747	11,970,049
Accrued Expenses	2,569,552	3,796,755
Deferred revenue	226,077	-
Lines of credit	3,135,724	-
Capital leases, current portion	589,759	597,491
Debt, current portion	2,520,877	8,977,676
	-----	-----
Total current liabilities	23,052,401	25,341,971
Long-term Capital Leases	18,652,362	18,974,354
Long-term Debt	105,147,722	110,123,655
	-----	-----
Total liabilities	146,852,485	154,439,980
Net Assets		
Beginning Net Assets	17,559,591	21,635,927
Change in net assets	4,076,335	5,710,351
	-----	-----
Ending Net Assets	21,635,926	27,346,278
	-----	-----
Total Liabilities & Net Assets	\$ 168,488,411	\$ 181,786,258
	=====	=====
	-	-

Aspire Public Schools
Statement Of Activities - 12 Months Ending
June 30, 2011 and June 30, 2010

	Audited 12 Months June 30, 2010	Unaudited 12 Months June 30, 2011
Active Schools at end of the school year	26	30
Enrollment	7,636	9,866
Average Daily Attendance (ADA)	97%	96%
State ADA Based Revenues	\$ 43,834,881	\$ 58,003,925
<i>Per ADA</i>	<i>5,936</i>	<i>6,159</i>
Other State Revenues	6,658,303	10,832,035
	-----	-----
	50,493,184	68,835,960
Federal Program Revenues	6,935,446	9,683,702
Special Education Revenues	3,040,427	4,068,795
Federal & State Food Programs	2,478,792	2,889,570
Local Revenues	2,145,234	1,309,614
Operating Donations & Grants	10,769,690	6,977,946
Other Income	383,263	338,997
	-----	-----
Total Revenues	76,246,036	94,104,584
School Expenses		
School Payroll & Benefits	43,277,714	52,122,869
School Operating Expenses	19,317,729	18,617,786
	-----	-----
	62,595,443	70,740,655
Home Office Expenses		
Home Office Payroll & Benefits	7,529,919	9,740,959
Home Office Operating Expenses	3,921,469	4,606,765
	-----	-----
	11,451,388	14,347,724
Total Expenses	74,046,831	85,088,379
	-----	-----
Earnings before Interest & Depreciation	2,199,205	9,016,205
School Depreciation & Amortization	2,941,132	2,909,873
Home Office Depreciation & Amortization	271,808	231,262
Interest Expense	2,918,161	5,352,046
Other (Income) Expense	(8,232)	75,073
	-----	-----
Net Other	6,122,869	8,568,254
	-----	-----
Net Funds Provided (Used) from School Activities	(3,923,664)	447,951
Capital Donations	8,000,000	-
Prop 55 State Funding Received 6/2011		5,262,400
	-----	-----
Total Funds Provided	\$ 4,076,336	\$ 5,710,351
	=====	=====

Aspire Public Schools
Statement Of Changes In Cash
June 30, 2011 and June 30, 2010

	Audited 12 Months June 30, 2010	Unaudited 12 Months June 30, 2011
Funds Provided	\$ 4,076,336	\$ 5,710,351
Depreciation & Amortization	3,212,940	3,141,136
	-----	-----
Provided By Operating Activities	7,289,276	8,851,487
Changes in Current Balance Sheet Accounts		
Restricted Cash	(43,257,876)	26,084,253
Accounts Receivable	(3,571,472)	(7,879,833)
Pledges Receivable	(1,011,063)	3,547,276
Prepaid Expenses & Deposits	125,135	(32,950)
Deferred Loss	-	-
Deferred Charges	(95,929)	(1,854)
Cash Deficit	(140,776)	(250,665)
Accounts Payable	4,971,542	(1,775,476)
Accrued Expenses	2,592,723	1,235,915
Deferred revenue	(246,374)	(226,077)
Lines of credit	(1,357,094)	(3,303,691)
Capital leases, current portion	19,357	7,733
Debt, current portion	2,635,400	6,053,912
	-----	-----
Net Current Changes	(39,336,427)	23,458,542
Non-current Changes		
Restricted Cash	(5,802,745)	(361)
Pledges Receivable	120,914	200,000
Property and Equipment (net)	(43,649,285)	(25,457,578)
Depreciation & Amortization	(3,212,940)	(3,141,136)
Deferred Loss	13,749	-
Deferred Charges	(3,484,878)	(929,917)
LT Capital Leases	(589,760)	321,991
LT Debt	88,615,620	5,378,820
Inter-organization	2,909	(14,218)
	-----	-----
Net Non-Current Changes	32,013,584	(23,642,398)
	-----	-----
Net Change In Cash	(33,567)	8,667,630
Beginning Cash	106,074	72,506
	-----	-----
Ending Cash	\$ 72,507	\$ 8,740,136
	=====	=====
	-	0

Aspire Titan Academy

2011-2012 Budget - Output - Summary Charts

BUDGET ASSUMPTIONS

Enrollment Assumptions

Enrollment	Budget FY11-12	Budget FY12-13	Budget FY13-14
Kindergarten	44	46	46
1st grade	44	46	46
2nd grade	44	46	46
3rd grade	46	46	46
4th grade	60	56	56
5th grade	56	60	56
6th grade	0	0	0
7th grade	0	0	0
8th grade	0	0	0
9th grade	0	0	0
10th grade	0	0	0
11th grade	0	0	0
12th grade	0	0	0
Total Enrollment	294	300	296
ADA %	97%	97%	97%
ADA	284	290	286
FRL	277	288	294
EL	209	218	222

Revenue Assumptions

	Budget FY11-12	Budget FY12-13	Budget FY13-14
General Block Grant per K-3 ADA	4,700	4,785	4,895
General Block Grant per 4-6 ADA	4,776	4,862	4,974
General Block Grant per 7-8 ADA	0	0	0
General Block Grant per 9-12 ADA	0	0	0
Categorical Block Grant (per ADA)	410	417	427
Title I (per FRL student)	450	458	469
Title II (per FRL student)	30	31	31
Title III (per ELL student)	100	102	104
EIA (per ED and EL student)	319	325	332

EXPENSE ASSUMPTIONS

Estimated Personnel Staff

	Budget FY11-12	Budget FY12-13	Budget FY13-14
Total Teacher	14.87	14.87	14.87
Total Pupil Support	0.00	0.00	0.00
Total Administrators	1.00	1.00	1.00
Total Certified	15.87	15.87	15.87
Total Instructional Aides	0.00	0.00	0.00
Total Support Staff	0.25	0.25	0.25
Total Clerical	2.00	2.00	2.00
Total Other	4.75	4.00	3.25
Total Classified	7.00	6.25	6.25
Grand Total	22.87	22.12	22.12

Name of School Aspire Titan Academy

2011-12 Est. Cash Flow	Total Budget	July *	August	September	October	November	December	January	February	March	April	May	June	AR	Totals
Beginning Balance (cash)		\$ 5,989	\$ 21,013	\$ 36,520	\$ 7,501	\$ 122,380	\$ 105,220	\$ 158,720	\$ 141,559	\$ 124,398	\$ 98,594	\$ 103,934	\$ 54,496	\$ 41,628	
Revenue															
Federal															
Title I, II and III	\$ 153,866	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 61,547	\$ -	\$ -	\$ -	\$ 61,547	\$ -	\$ -	\$ 30,773	\$ 153,866
National Lunch Program	\$ 141,519	\$ 11,793	\$ 11,793	\$ 11,793	\$ 11,793	\$ 11,793	\$ 11,793	\$ 11,793	\$ 11,793	\$ 11,793	\$ 11,793	\$ 11,793	\$ 11,793	\$ -	\$ 141,519
CDE Grant	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other Federal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Federal	\$ 295,385	\$ 11,793	\$ 11,793	\$ 11,793	\$ 11,793	\$ 11,793	\$ 73,340	\$ 11,793	\$ 11,793	\$ 11,793	\$ 73,340	\$ 11,793	\$ 11,793	\$ 30,773	\$ 295,385
State															
State Aid	\$ 1,341,944	\$ -	\$ 67,097	\$ 67,097	\$ 120,775	\$ 120,775	\$ 120,775	\$ 120,775	\$ 120,775	\$ 17,445	\$ -	\$ 87,495	\$ 28,047	\$ 470,888	\$ 1,341,944
Class Size Reduction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Categorical Block Grant	\$ 295,599	\$ -	\$ 14,780	\$ 14,780	\$ 26,604	\$ 26,604	\$ 26,604	\$ 26,604	\$ 26,604	\$ 3,843	\$ -	\$ 19,273	\$ 6,178	\$ 103,726	\$ 295,599
Lottery	\$ 36,457	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,114	\$ -	\$ -	\$ 9,114	\$ -	\$ -	\$ 9,114	\$ 9,114	\$ 36,457
Prop 49/21st Century	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Child Nutrition (State)	\$ 10,401	\$ 867	\$ 867	\$ 867	\$ 867	\$ 867	\$ 867	\$ 867	\$ 867	\$ 867	\$ 867	\$ 867	\$ 867	\$ -	\$ -
All Other State	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total State	\$ 1,684,401	\$ 867	\$ 82,744	\$ 82,744	\$ 148,246	\$ 148,246	\$ 157,360	\$ 148,246	\$ 148,246	\$ 31,269	\$ 867	\$ 107,635	\$ 44,206	\$ 583,728	\$ 1,684,401
Local															
In lieu of Property Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Donations	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Food Service Sales	\$ 3,869	\$ 322	\$ 322	\$ 322	\$ 322	\$ 322	\$ 322	\$ 322	\$ 322	\$ 322	\$ 322	\$ 322	\$ 322	\$ -	\$ 3,869
All Other Local Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Local	\$ 3,869	\$ 322	\$ 322	\$ 322	\$ 322	\$ 322	\$ 322	\$ 322	\$ 322	\$ 322	\$ 322	\$ 322	\$ 322	\$ -	\$ 3,869
Total Revenue	\$ 1,983,655	\$ 12,982	\$ 94,860	\$ 94,860	\$ 160,361	\$ 160,361	\$ 231,022	\$ 160,361	\$ 160,361	\$ 43,385	\$ 74,529	\$ 119,750	\$ 56,321	\$ 614,501	\$ 1,983,655
Expenses															
(1000) Certificated Salaries	\$ 790,786	\$ 65,899	\$ 65,899	\$ 65,899	\$ 65,899	\$ 65,899	\$ 65,899	\$ 65,899	\$ 65,899	\$ 65,899	\$ 65,899	\$ 65,899	\$ 65,899	\$ -	\$ 790,786
(2000) Classified Salaries	\$ 163,494	\$ 13,624	\$ 13,624	\$ 13,624	\$ 13,624	\$ 13,624	\$ 13,624	\$ 13,624	\$ 13,624	\$ 13,624	\$ 13,624	\$ 13,624	\$ 13,624	\$ -	\$ 163,494
(3000) Employee Benefits	\$ 272,750	\$ 22,729	\$ 22,729	\$ 22,729	\$ 22,729	\$ 22,729	\$ 22,729	\$ 22,729	\$ 22,729	\$ 22,729	\$ 22,729	\$ 22,729	\$ 22,729	\$ -	\$ 272,750
(4000) Books/Supplies	\$ 256,735	\$ 21,395	\$ 21,395	\$ 21,395	\$ 21,395	\$ 21,395	\$ 21,395	\$ 21,395	\$ 21,395	\$ 21,395	\$ 21,395	\$ 21,395	\$ 21,395	\$ -	\$ 256,735
(5000) Services/Other Operating Exp	\$ 156,660	\$ 13,055	\$ 13,055	\$ 13,055	\$ 13,055	\$ 13,055	\$ 13,055	\$ 13,055	\$ 13,055	\$ 13,055	\$ 13,055	\$ 13,055	\$ 13,055	\$ -	\$ 156,660
(6000) Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(7000) All Other Outgo	\$ 373,465	\$ 31,122	\$ 31,122	\$ 31,122	\$ 31,122	\$ 31,122	\$ 31,122	\$ 31,122	\$ 31,122	\$ 31,122	\$ 31,122	\$ 31,122	\$ 31,122	\$ -	\$ 373,465
(7300) Oversight Fee	\$ 16,375	\$ 1,365	\$ 1,365	\$ 1,365	\$ 1,365	\$ 1,365	\$ 1,365	\$ 1,365	\$ 1,365	\$ 1,365	\$ 1,365	\$ 1,365	\$ 1,365	\$ -	\$ 16,375
Total Expenses	\$ 2,030,265	\$ 169,189	\$ 169,189	\$ 169,189	\$ 169,189	\$ 169,189	\$ 169,189	\$ 169,189	\$ 169,189	\$ 169,189	\$ 169,189	\$ 169,189	\$ 169,189	\$ -	\$ 2,030,265
Surplus	\$ (46,609)	\$ (156,206)	\$ (74,329)	\$ (74,329)	\$ (8,827)	\$ (8,827)	\$ 61,833	\$ (8,827)	\$ (8,827)	\$ (125,804)	\$ (94,660)	\$ (49,438)	\$ (112,867)	\$ 614,501	\$ (46,609)
Loan From/(To) Aspire Public Schools	\$ -	\$ 100,000		\$ (100,000)	\$ (200,000)					\$ 100,000	\$ 100,000	\$ -	\$ 100,000	\$ -	\$ 100,000
Site Improvements	\$ -													\$ -	\$ -
AR	\$ 733,059	\$ -	\$ 168,606	\$ 232,413	\$ 332,040									\$ -	\$ 733,059
AP	\$ (236,309)	\$ (78,770)	\$ (78,770)	\$ (78,770)										\$ -	\$ (236,309)
CDE Revolving Loan (Current Portion)	\$ 100,000	\$ 150,000		\$ (8,333)	\$ (8,333)	\$ (8,333)	\$ (8,333)	\$ (8,333)	\$ (8,333)					\$ -	\$ 100,000
Month End Cash		\$ 21,013	\$ 36,520	\$ 7,501	\$ 122,380	\$ 105,220	\$ 158,720	\$ 141,559	\$ 124,398	\$ 98,594	\$ 103,934	\$ 54,496	\$ 41,628		
* End of 2010/2011 cash balance															

Name of School Aspire Titan Academy

2012-13 Est. Cash Flow	Total Budget	July *	August	September	October	November	December	January	February	March	April	May	June	AR	Totals
Beginning Balance (cash)		\$ 41,628	\$ 46,128	\$ 12,078	\$ 92,594	\$ 308,689	\$ 143,405	\$ 206,557	\$ 195,068	\$ 465,023	\$ 340,097	\$ 248,320	\$ 202,785	\$ 11,017	
Revenue															
Federal															
Title I, II and III	\$ 162,935	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 65,174	\$ -	\$ -	\$ -	\$ 65,174	\$ -	\$ -	\$ 32,587	\$ 162,935
National Lunch Program	\$ 144,407	\$ 12,034	\$ 12,034	\$ 12,034	\$ 12,034	\$ 12,034	\$ 12,034	\$ 12,034	\$ 12,034	\$ 12,034	\$ 12,034	\$ 12,034	\$ 12,034	\$ -	\$ 144,407
CDE Grant	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other Federal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Federal	\$ 307,342	\$ 12,034	\$ 12,034	\$ 12,034	\$ 12,034	\$ 12,034	\$ 77,208	\$ 12,034	\$ 12,034	\$ 12,034	\$ 77,208	\$ 12,034	\$ 12,034	\$ 32,587	\$ 307,342
State															
State Aid	\$ 1,393,802	\$ -	\$ -	\$ -	\$ 160,705	\$ -	\$ 125,442	\$ 125,442	\$ 355,001	\$ 18,398	\$ -	\$ 90,876	\$ 29,130	\$ 488,806	\$ 1,393,802
Class Size Reduction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Categorical Block Grant	\$ 315,027	\$ -	\$ -	\$ -	\$ 36,323	\$ -	\$ 28,352	\$ 28,352	\$ 80,237	\$ 4,158	\$ -	\$ 20,540	\$ 6,584	\$ 110,480	\$ 315,027
Lottery	\$ 37,870	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,468	\$ -	\$ -	\$ 9,468	\$ -	\$ -	\$ 9,468	\$ 9,468	\$ 37,870
Prop 49/21st Century	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Child Nutrition (State)	\$ 10,804	\$ 900	\$ 900	\$ 900	\$ 900	\$ 900	\$ 900	\$ 900	\$ 900	\$ 900	\$ 900	\$ 900	\$ 900	\$ -	\$ -
All Other State	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total State	\$ 1,757,504	\$ 900	\$ 900	\$ 900	\$ 197,928	\$ 900	\$ 164,163	\$ 154,695	\$ 436,139	\$ 32,925	\$ 900	\$ 112,316	\$ 46,082	\$ 608,754	\$ 1,757,504
Local															
In lieu of Property Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Donations	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Food Service Sales	\$ 3,948	\$ 329	\$ 329	\$ 329	\$ 329	\$ 329	\$ 329	\$ 329	\$ 329	\$ 329	\$ 329	\$ 329	\$ 329	\$ -	\$ 3,948
All Other Local Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Local	\$ 3,948	\$ 329	\$ 329	\$ 329	\$ 329	\$ 329	\$ 329	\$ 329	\$ 329	\$ 329	\$ 329	\$ 329	\$ 329	\$ -	\$ 3,948
Total Revenue	\$ 2,068,794	\$ 13,263	\$ 13,263	\$ 13,263	\$ 210,291	\$ 13,263	\$ 241,699	\$ 167,058	\$ 448,502	\$ 45,287	\$ 78,437	\$ 124,679	\$ 58,445	\$ 641,341	\$ 2,068,794
Expenses															
(1000) Certificated Salaries	\$ 804,546	\$ 67,045	\$ 67,045	\$ 67,045	\$ 67,045	\$ 67,045	\$ 67,045	\$ 67,045	\$ 67,045	\$ 67,045	\$ 67,045	\$ 67,045	\$ 67,045	\$ -	\$ 804,546
(2000) Classified Salaries	\$ 158,742	\$ 13,228	\$ 13,228	\$ 13,228	\$ 13,228	\$ 13,228	\$ 13,228	\$ 13,228	\$ 13,228	\$ 13,228	\$ 13,228	\$ 13,228	\$ 13,228	\$ -	\$ 158,742
(3000) Employee Benefits	\$ 282,164	\$ 23,514	\$ 23,514	\$ 23,514	\$ 23,514	\$ 23,514	\$ 23,514	\$ 23,514	\$ 23,514	\$ 23,514	\$ 23,514	\$ 23,514	\$ 23,514	\$ -	\$ 282,164
(4000) Books/Supplies	\$ 245,229	\$ 20,436	\$ 20,436	\$ 20,436	\$ 20,436	\$ 20,436	\$ 20,436	\$ 20,436	\$ 20,436	\$ 20,436	\$ 20,436	\$ 20,436	\$ 20,436	\$ -	\$ 245,229
(5000) Services/Other Operating Exp	\$ 158,445	\$ 13,204	\$ 13,204	\$ 13,204	\$ 13,204	\$ 13,204	\$ 13,204	\$ 13,204	\$ 13,204	\$ 13,204	\$ 13,204	\$ 13,204	\$ 13,204	\$ -	\$ 158,445
(6000) Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(7000) All Other Outgo	\$ 376,351	\$ 31,363	\$ 31,363	\$ 31,363	\$ 31,363	\$ 31,363	\$ 31,363	\$ 31,363	\$ 31,363	\$ 31,363	\$ 31,363	\$ 31,363	\$ 31,363	\$ -	\$ 376,351
(7300) Oversight Fee	\$ 17,088	\$ 1,424	\$ 1,424	\$ 1,424	\$ 1,424	\$ 1,424	\$ 1,424	\$ 1,424	\$ 1,424	\$ 1,424	\$ 1,424	\$ 1,424	\$ 1,424	\$ -	\$ 17,088
Total Expenses	\$ 2,042,566	\$ 170,214	\$ 170,214	\$ 170,214	\$ 170,214	\$ 170,214	\$ 170,214	\$ 170,214	\$ 170,214	\$ 170,214	\$ 170,214	\$ 170,214	\$ 170,214	\$ -	\$ 2,042,566
Surplus	\$ 26,228	\$ (156,951)	\$ (156,951)	\$ (156,951)	\$ 40,078	\$ (156,951)	\$ 71,486	\$ (3,156)	\$ 278,288	\$ (124,926)	\$ (91,777)	\$ (45,535)	\$ (111,768)	\$ 641,341	\$ 26,228
Loan From/(To) Aspire Public Schools	\$ -	\$ 100,000											\$ (80,000)	\$ -	\$ 20,000
Site Improvements														\$ -	\$ -
AR	\$ 614,501	\$ 61,450	\$ 122,900	\$ 245,801	\$ 184,350									\$ -	\$ 614,501
AP	\$ -	\$ -	\$ -	\$ -	\$ -									\$ -	\$ -
CDE Revolving Loan (Current Portion)	\$ (50,000)			\$ (8,333)	\$ (8,333)	\$ (8,333)	\$ (8,333)	\$ (8,333)	\$ (8,333)	\$ (8,333)				\$ -	\$ (50,000)
Month End Cash		\$ 46,128	\$ 12,078	\$ 92,594	\$ 308,689	\$ 143,405	\$ 206,557	\$ 195,068	\$ 465,023	\$ 340,097	\$ 248,320	\$ 202,785	\$ 11,017		
* End of 2011/2012 cash balance															

Name of School Aspire Titan Academy

2013-14 Est. Cash Flow	Total Budget	July *	August	September	October	November	December	January	February	March	April	May	June	AR	Totals
Beginning Balance (cash)		\$ 11,017	\$ 35,453	\$ 4,024	\$ 92,529	\$ 315,750	\$ 147,718	\$ 212,494	\$ 199,679	\$ 470,910	\$ 343,534	\$ 251,870	\$ 204,618	\$ 10,521	
Revenue															
Federal															
Title I, II and III	\$ 170,084	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 68,033	\$ -	\$ -	\$ -	\$ 68,033	\$ -	\$ -	\$ 34,017	\$ 170,084
National Lunch Program	\$ 142,482	\$ 11,873	\$ 11,873	\$ 11,873	\$ 11,873	\$ 11,873	\$ 11,873	\$ 11,873	\$ 11,873	\$ 11,873	\$ 11,873	\$ 11,873	\$ 11,873	\$ -	\$ 142,482
CDE Grant	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other Federal	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Federal	\$ 312,566	\$ 11,873	\$ 11,873	\$ 11,873	\$ 11,873	\$ 11,873	\$ 79,907	\$ 11,873	\$ 11,873	\$ 11,873	\$ 79,907	\$ 11,873	\$ 11,873	\$ 34,017	\$ 312,566
State															
State Aid	\$ 1,406,661	\$ -	\$ -	\$ -	\$ 162,188	\$ -	\$ 126,599	\$ 126,599	\$ 358,277	\$ 18,568	\$ -	\$ 91,714	\$ 29,399	\$ 493,316	\$ 1,406,661
Class Size Reduction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Categorical Block Grant	\$ 317,967	\$ -	\$ -	\$ -	\$ 36,662	\$ -	\$ 28,617	\$ 28,617	\$ 80,986	\$ 4,197	\$ -	\$ 20,731	\$ 6,646	\$ 111,511	\$ 317,967
Lottery	\$ 38,225	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,556	\$ -	\$ -	\$ 9,556	\$ -	\$ -	\$ 9,556	\$ 9,556	\$ 38,225
Prop 49/21st Century	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Child Nutrition (State)	\$ 10,906	\$ 909	\$ 909	\$ 909	\$ 909	\$ 909	\$ 909	\$ 909	\$ 909	\$ 909	\$ 909	\$ 909	\$ 909	\$ -	\$ -
All Other State	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total State	\$ 1,773,758	\$ 909	\$ 909	\$ 909	\$ 199,758	\$ 909	\$ 165,682	\$ 156,125	\$ 440,172	\$ 33,230	\$ 909	\$ 113,355	\$ 46,510	\$ 614,383	\$ 1,773,758
Local															
In lieu of Property Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Donations	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Food Service Sales	\$ 3,895	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ -	\$ 3,895
All Other Local Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Local	\$ 3,895	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ -	\$ 3,895
Total Revenue	\$ 2,090,219	\$ 13,107	\$ 13,107	\$ 13,107	\$ 211,956	\$ 13,107	\$ 245,913	\$ 168,323	\$ 452,370	\$ 45,428	\$ 81,140	\$ 125,553	\$ 58,708	\$ 648,400	\$ 2,090,219
Expenses															
(1000) Certificated Salaries	\$ 822,443	\$ 68,537	\$ 68,537	\$ 68,537	\$ 68,537	\$ 68,537	\$ 68,537	\$ 68,537	\$ 68,537	\$ 68,537	\$ 68,537	\$ 68,537	\$ 68,537	\$ -	\$ 822,443
(2000) Classified Salaries	\$ 154,556	\$ 12,880	\$ 12,880	\$ 12,880	\$ 12,880	\$ 12,880	\$ 12,880	\$ 12,880	\$ 12,880	\$ 12,880	\$ 12,880	\$ 12,880	\$ 12,880	\$ -	\$ 154,556
(3000) Employee Benefits	\$ 300,164	\$ 25,014	\$ 25,014	\$ 25,014	\$ 25,014	\$ 25,014	\$ 25,014	\$ 25,014	\$ 25,014	\$ 25,014	\$ 25,014	\$ 25,014	\$ 25,014	\$ -	\$ 300,164
(4000) Books/Supplies	\$ 242,366	\$ 20,197	\$ 20,197	\$ 20,197	\$ 20,197	\$ 20,197	\$ 20,197	\$ 20,197	\$ 20,197	\$ 20,197	\$ 20,197	\$ 20,197	\$ 20,197	\$ -	\$ 242,366
(5000) Services/Other Operating Exp	\$ 158,999	\$ 13,250	\$ 13,250	\$ 13,250	\$ 13,250	\$ 13,250	\$ 13,250	\$ 13,250	\$ 13,250	\$ 13,250	\$ 13,250	\$ 13,250	\$ 13,250	\$ -	\$ 158,999
(6000) Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(7000) All Other Outgo	\$ 377,881	\$ 31,490	\$ 31,490	\$ 31,490	\$ 31,490	\$ 31,490	\$ 31,490	\$ 31,490	\$ 31,490	\$ 31,490	\$ 31,490	\$ 31,490	\$ 31,490	\$ -	\$ 377,881
(7300) Oversight Fee	\$ 17,246	\$ 1,437	\$ 1,437	\$ 1,437	\$ 1,437	\$ 1,437	\$ 1,437	\$ 1,437	\$ 1,437	\$ 1,437	\$ 1,437	\$ 1,437	\$ 1,437	\$ -	\$ 17,246
Total Expenses	\$ 2,073,656	\$ 172,805	\$ 172,805	\$ 172,805	\$ 172,805	\$ 172,805	\$ 172,805	\$ 172,805	\$ 172,805	\$ 172,805	\$ 172,805	\$ 172,805	\$ 172,805	\$ -	\$ 2,073,656
Surplus	\$ 16,563	\$ (159,698)	\$ (159,698)	\$ (159,698)	\$ 39,152	\$ (159,698)	\$ 73,108	\$ (4,481)	\$ 279,565	\$ (127,377)	\$ (91,664)	\$ (47,252)	\$ (114,097)	\$ 648,400	\$ 16,563
Loan From/(To) Aspire Public Schools		\$ 120,000											\$ (80,000)	\$ -	\$ 40,000
Site Improvements														\$ -	\$ -
AR	\$ 641,341	\$ 64,134	\$ 128,268	\$ 256,536	\$ 192,402									\$ -	\$ 641,341
AP	\$ -	\$ -	\$ -	\$ -	\$ -									\$ -	\$ -
CDE Revolving Loan (Current Portion)	\$ (50,000)			\$ (8,333)	\$ (8,333)	\$ (8,333)	\$ (8,333)	\$ (8,333)	\$ (8,333)	\$ (8,333)				\$ -	\$ (50,000)
Month End Cash		\$ 35,453	\$ 4,024	\$ 92,529	\$ 315,750	\$ 147,718	\$ 212,494	\$ 199,679	\$ 470,910	\$ 343,534	\$ 251,870	\$ 204,618	\$ 10,521		
* End of 2012/2013 cash balance															

Aspire Titan Academy

2011-2012 Budget - Output - P&L

	FY10-11	FY11-12	FY12-13	FY13-14
	Actuals	Budget	Budget	Budget

REVENUES

Per Pupil Revenues

State Aid Total	1,390,427	1,341,944	1,393,802	1,406,661
In Lieu Property Tax	-	-	-	-
General Block Grant (includes in-lieu)	1,390,427	1,341,944	1,393,802	1,406,661
Federal Income	110,011	153,866	162,935	170,084
Class Size Reduction	-	-	-	-
Categorical Block Grant	270,562	295,599	315,027	317,967
Lottery	33,262	36,457	37,870	38,225
Prop 49 / 21st Century	-	-	-	-
One-Time Money				
CDE Grant	349,217	-	-	-
Other Federal Funding	46,220	-	-	-
Other State Revenue	718	-	-	-
Soft Money				
Donations	23,977	-	-	-
Other Local Revenue	22,187	-	-	-
Food Service Program				
National Lunch Program	105,239	141,519	144,407	142,482
Child Nutrition (State)	8,806	10,401	10,804	10,906
Food Services Sales	1,611	3,869	3,948	3,895
Interfund Transfer In				
TOTAL REVENUES	2,362,236	1,983,655	2,068,794	2,090,219

EXPENSES

Personnel

Total Salaries	751,570	764,401	778,161	796,058
Total Subs	8,180	17,400	17,400	17,400
Total Stipends	30,101	8,985	8,985	8,985
Certificated	789,851	790,786	804,546	822,443
Classified	187,296	163,494	158,742	154,556
Benefits	261,473	272,750	282,164	300,164
Total Personnel	1,238,620	1,227,030	1,245,452	1,277,164

Books & Supplies

Books	30,000	7,500	15,000	15,000
Materials/Supplies	66,000	40,833	41,667	41,111
Software	7,150	7,747	7,905	7,800
Equipment/Furniture/Computer	37,500	28,300	5,000	5,000
Printing and Reproduction	6,000	6,000	6,000	6,000
Food Services	122,124	166,354	169,658	167,455
Tot Books/Supplies	268,774	256,735	245,229	242,366

Services & Other Operating Expenses

Travel & Conferences	15,000	7,500	7,500	7,500
Dues & Subscriptions	930	800	800	800
Insurance	6,600	7,350	7,500	7,400
Operating and Housekeeping	30,181	34,260	35,288	36,346
Rentals, Leases, Repairs	11,940	9,000	9,000	9,000
Consultants	31,675	32,500	32,500	32,500
Special Education	26,611	29,790	30,398	29,992
Facilities Contractor	20,220	15,960	15,960	15,960
Transportation	-	-	-	-
Field Trips	5,000	-	-	-
Other Expenses	1,350	1,500	1,500	1,500
Communications	18,488	18,000	18,000	18,000
Tot Services	167,995	156,660	158,445	158,999

Other Expenses

Net Facility Cost	275,988	236,091	236,091	236,091
Home Office Admin	125,748	127,951	133,674	135,306
Dist Admin	19,539	16,375	17,088	17,246
Growth	-	6,000	6,000	6,000
Reserve	1,453	3,423	586	485
Interfund Transfers Out	150,000	-	-	-
Tot Other Activity	572,728	389,840	393,439	395,127

TOTAL EXPENSES	2,248,117	2,030,265	2,042,566	2,073,656
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Net Assets

Unrestricted Carry Forward	(17,804)			
Restricted Carry Forward	57,787			
Total Carry Forward	39,983	154,102	107,492	133,721

Ending Fund Balance (projected)	154,102	107,492	133,721	150,283
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Net Income	114,119	(46,609)	26,228	16,563
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November 30, 2011

Michael Kirst, President, State Board of Education
Susan Burr, Executive Director, State Board of Education
Members, State Board of Education
State Board of Education
1430 N Street, Suite 5111
Sacramento, CA 95814

Re: Aspire Public Schools' Petition for Renewal of Statewide Benefit Charter

Dear President Kirst and Members of the California State Board of Education:

Aspire Public Schools (Aspire) thanks the State Board of Education (SBE) staff for offering Aspire the opportunity to submit this letter to reaffirm that the evidence and analysis relied upon by the SBE in May 2011 to support the legal standard for approving a statewide benefit charter school under Ed. Code section 47605.8 has not changed. Pursuant to Judy Cias's email dated November 18, 2011 to our legal team, we have worked to prepare the following materials 2012 to summarize Aspire's statewide benefits and clarify any questions about our statewide benefit charter (SBC) renewal, slated for January 2012.

Background

The SBE originally approved the Aspire statewide benefit charter in January 2007 for a five-year term from July 1, 2007, through June 30, 2012, to serve students in kindergarten through grade eight. In January 2010, the SBE approved two material revisions to the Aspire statewide benefit charter: (1) to expand the grades served to kindergarten through grade twelve, and (2) include a plan for potential sites of operation.

Just this past May, the SBE approved a material revision to follow the Court's guidance regarding the 2-pronged test for the statewide benefit. The SBE reaffirmed that Aspire provided two separate statewide benefits to California and affirmed that each of those same statewide benefits could not be provided through a series of locally approved charters. The SBE considered and accepted motions which in summary concluded that:

- Across the state, Aspire is accelerating academic growth among students traditionally under-prepared for high school success, and underrepresented among high school graduates, college goers and college graduates. This constitutes a statewide benefit to California. With locally approved charters, Aspire's ability to offer the full and complete academic program to its students (and therefore the statewide benefit) is substantially

Re: *Aspire Public Schools: Petition for Renewal of Statewide Benefit Charter*
November 30, 2011
Page 2 of 5

limited due to inadequate facilities. With a statewide benefit charter, Aspire is able to access affordable forms of financing -- and through it, develop and access adequate facilities for its students. Consequently, Aspire's access to an affordable statewide bond issuance to construct high quality facilities enabling high college-going rates, would not have been possible with a series of locally approved charters.

- Aspire is providing alternative credentialing pathways that focus on the skills and knowledge necessary to work effectively with diverse students, and this represents a statewide benefit. The same statewide benefit is not possible with a series of locally approved charters because the size of the Aspire Teacher Residency program would be limited by a series of local charters.

Aspire currently serves 1,800 students in its six statewide benefit charter schools. Eighty percent of the students are students of color and the same percent qualify for free or reduced price meals. Aspire's schools are the highest performing local schools serving similar students, earning an average API of 805 across the six schools in 2011. The average API was even higher – 847 – for the four statewide benefit charter schools open more than one year.

Standard for Renewal

Aspire's renewal petition demonstrates that Aspire meets the legal standards applicable to the renewal of its charter. Education Code section 47607(a)(2) sets forth the standard of review for all charter renewals, including statewide benefit charters:

“Renewals and material revisions of charter are governed by the standards and criteria in Section 47605, and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.”

Education Code section 47607(a)(2) requires evaluation of the Aspire statewide benefit charter renewal petition under a two-part analysis:

1. Whether the charter school meets at least one of the charter renewal criteria in Education Code section 47607(b)(1)-(5), and
2. Whether the charter renewal petition meets the standards and criteria for the establishment of a charter school as required under Education Code section 47605 (e.g., the 16 charter elements in Education Code Section 47605(b)(5)(A)-(P)), including a reasonably comprehensive description of any new requirement of charter schools enacted into law after the statewide benefit charter was originally granted.

First, Education Code section 47607(b)(1)-(5) provides that prior to renewing a charter school, a charter school shall meet at least one of the following criteria:

1. Attained its Academic Performance Index (“API”) growth target in the prior year or in two of the last three years, or in the aggregate for the prior three years.

2. Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.
3. Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years.
4. The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.
5. Has qualified for an alternative accountability system pursuant to Education Code section 52052(h).

The schools operating under Aspire’s statewide benefit charter meet **each of criteria 1-4 above** for renewal as evidenced in the renewal petition. Aspire’s API data, specifically, is included in Table 1, below.

Table 1: 2010-11 API Scores and Growth

School	Years Since Founding Year	2011 API	2010 API	2010-2011 Growth	Cumulative Growth Since Opening	Cumulative State Targets	Multiple of State targets
APEX	1	742	N/A	N/A			
Alexander Twilight Secondary	1	699	N/A	N/A			
Alexander Twilight College Preparatory	2	802	766	36	36	5	7.2
Titan	2	849	824	25	25	0	25.0
Junior Collegiate	4	868	844	24	100	10	10.0
Port City	4	868	870	-2	89	5	17.8

Second, as demonstrated in the petition for renewal, Aspire’s statewide benefit charter meets the standards and criteria for the establishment of a charter school, including reasonably comprehensive descriptions of the 16 charter elements and any new requirement of charter schools enacted into law after the charter was originally granted.

Re: *Aspire Public Schools: Petition for Renewal of Statewide Benefit Charter*
November 30, 2011
Page 4 of 5

Aspire's Affirmed Statewide Benefits

The facts and evidence that support the SBE's May 2011 findings regarding Aspire's statewide benefits have not changed since the SBE May 2011 action. Enclosed as an appendix is the language submitted to the CDE in December 2010, which was considered by the SBE in its May 2011 action. The SBE affirmed Aspire's statewide benefits number 2 and 3, which we have summarized below and offered additional information about those benefits from the past year.

Statewide Benefit #2: Accelerate academic growth among students traditionally under-prepared for high school success, and underrepresented among high school graduates, college goers and college graduates.

In order to provide a rigorous college preparatory program, Aspire requires appropriate facilities. Access to such facilities has historically been limited without low cost facilities financing. In 2010, Aspire was able to issue a bond to finance the construction and purchase of facilities – thereby enabling Aspire to better educate more underserved students. In evaluating the risk of this bond, the rating agency recognized the decreased risk associated with the statewide benefit charter, due to the inherent conflicts of interest of local authorizers in approving charter schools to compete with their local schools. The statewide charter, therefore, reduced the risk of the bond investors, thus lowering the cost of the financing for those facilities.

Thanks to this bond, five Aspire secondary schools are now operating in properly equipped school facilities that will afford students in Oakland, East Palo Alto, Stockton, Sacramento, and Los Angeles an increased opportunity for college success. Two thousand additional students are being served by Aspire within these well-outfitted school facilities, increasing the numbers of UC/CSU-ready students. The ability to provide this same benefit would not be possible through a series of locally approved charters.

Statewide Benefit #3: Create alternative credentialing pathways and professional development activities that focus on the skills and knowledge necessary to work effectively with diverse students.

The Aspire Teacher Residency is currently in its second year of operation. During the 2010-11 school year, 20 residents served in each of our six major metropolitan areas throughout the state. Eighteen of those residents are current first-year Aspire teachers and are among the most well-prepared first-year teachers Aspire has ever seen. Early indications are that the Aspire Teacher Residency will be a success in this effort to create alternative credentialing pathways. Profiles of our 19 Teacher Residents can be found on our website (<http://aspirepublicschools.org/?q=SY12TeacherResidents.html>).

However, we still face significant constraints to the size of the program. For the 2011-12 school year, we have 19 residents becoming effective teachers and earning their Master's degree and credential through the program. There is clearly a high demand for the type of preparation offered through the program, and our acceptance rate last year was just 13%. With the excessive overhead of managing multiple charter authorizers in a series of locally approved charters, we

*Re: Aspire Public Schools: Petition for Renewal of Statewide Benefit Charter
November 30, 2011
Page 5 of 5*

would be forced to realign our energies and remove resources from elements of our program such as the Aspire Teacher Residency, even further limiting the size of the program and the benefit to the neediest students across the state. Therefore, this same benefit cannot be provided through a series of locally approved charters.

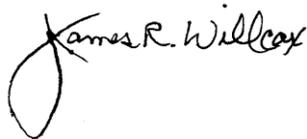
Summary

The SBC granted to Aspire by SBE has brought great benefits to California, its constituents and students. We look forward to the opportunity to continue our work together. We respectfully reserve the right to supplement the record and provide additional arguments and evidence to support renewal if the SBE has any concerns regarding this evidence.

We look forward to the renewal hearing in January. In the meantime, please do not hesitate to contact me with any further questions or concerns you may have about our submissions, our statewide benefit charter schools, or Aspire in general.

I appreciate your time and consideration of these materials.

Sincerely,



James Willcox
Chief Executive Officer
Aspire Public Schools

Enclosure

cc: Trish Williams, Vice President, SBE
James Aschwanden, Member, SBE
Yvonne Chan, Member, SBE
Carl Cohn, Member, SBE
Aida Molina, Member, SBE
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Aspire Public Schools: Material revision to Statewide Benefit Charter Petition
December 21, 2010

APPENDIX: ASPIRE SUBMISSION TO CDE IN DECEMBER 2010

Aspire Public Schools (“Aspire”) requests to materially revise the statewide benefit charter to include this additional language and explanation of the statewide benefits outlined in the charter, and specifically why these same benefits cannot be achieved through locally approved charter schools. Aspire supports these conclusions with its charter, the academic outcomes of its charter, the CDE MOU/SBE conditions of approval, the Charter Schools Act and the Educ. Code, the financial statements of Aspire, and other documents and evidence that Aspire will submit to CDE/SBE.

The following text is proposed to be added into the charter starting on page 16 – inserted immediately above the PETITION ELEMENTS section of the charter.

Statewide Benefit 1: Systematic and rigorous pursuit of the vision and specific provisions of the federal No Child Left Behind Act of 2001 (locating Aspire schools where parents most need a high quality option, and to support parental choices allowed under NCLB).

- ***Why can't this be accomplished with locally approved charters?***

With locally approved charters, the state has no ability to control or direct Aspire to open schools where quality schools are most needed. The state does not have the ability to direct Aspire to open its quality schools in the communities where parents have rights to school choice under NCLB. With discretionary power to deny local charter applications, local school districts could reject Aspire charter schools where they are needed most thereby denying parents with the choice that is intended by state and federal law. With the statewide benefit charter, however, the State gains the unique statewide benefit of strategically locating Aspire's high quality and proven program where these schools are most needed. This unique ability to strategically locate high quality schools is lost under locally approved charters. Consequently, Aspire will be a primary catalyst for competition and change in those areas of the state where socioeconomically disadvantaged students are being failed by the regular public school system, supporting

Aspire Public Schools: Material revision to Statewide Benefit Charter Petition
December 21, 2010

the State in meeting the requirements and goals of NCLB (e.g., stronger accountability for results and expanded options for parents).

As per the CDE/SBE conditions of approval adopted at the time of charter approval (as well as section 4.1 of the MOU between CDE and Aspire) all future growth of Aspire locations must be approved by SBE and must only be located in areas with neighboring public schools serving the same grade levels are in Program Improvement. Moreover, because of the ultimate discretionary nature of the SBE approval of a statewide benefit charter the SBE is able to dictate much higher levels of academic accountability -- as compared to locally approved charter schools -- for each statewide benefit charter school location. For example, the conditions of Aspire's statewide benefit charter school approval require Aspire to maintain high levels of academic achievement at all open school sites (for example, the statewide APA ranking of 7 or better a similar schools ranking of 6 or better). And further, SBE retains the ultimate discretion to deny any further growth or to close particular locations (without revoking the entire charter) if academic performance does not meet SBE's expectations. Local authorizers are required to approve charter petitions and material amendments for expansion and may only deny these charters and expansion requests on very limited statutory grounds. Consequently, SBE, on behalf of the state, is better able to control and direct academic improvement consistent with the goals of the federal and state governments through the statewide charter mechanism as opposed to local authorizing.

Statewide Benefit 2: Accelerate academic growth among students traditionally under-prepared for high school success, and underrepresented among high school graduates, college goers and college graduates.

- *Why can't this be accomplished through a series of locally approved charters?*

With locally approved charters, Aspire's ability to offer the full and complete academic program to our students as outlined in the attached charter (and therefore our statewide benefit) is **substantially limited** due to *inadequate facilities and a failure of school districts universally to comply with Proposition 39*. With a statewide benefit charter, Aspire is able to access affordable forms of financing -- and through it, develop

Aspire Public Schools: Material revision to Statewide Benefit Charter Petition
December 21, 2010

and access adequate facilities for our students. An adequate fully furnished and equipped facility enables Aspire to offer its full academic program.

For example, this past year, Aspire passed a \$93 million dollar bond and was able to offer complete and full facilities to several Aspire schools -- including four statewide benefit charter schools. Both the rating agency report from Fitch and bond offering materials cited the statewide benefit charter as a contributing factor towards supporting the bond issuance. In the rating agency report in the section describing risks facing investors, the agency states:

“Charter Renewal

...In January 2007, the State Board of Education awarded Aspire a statewide benefit charter (SBC) making Aspire one of only of two charter management organizations to receive an SBC. Under the SBC, Aspire may open up to 20 additional schools serving grades K-12 anywhere in the state.”

In conversations during rating diligence visits, it became clear to the Aspire management team that investors, and the rating agency, valued the reduction in risk for charter renewal that results when the charter authorizer does not have a financial interest in the decision to renew a charter petition (i.e. local district authorizers have an inherent conflict of interest in approving charters [and in overseeing and revoking charters] in that the local school districts and charter schools are competing for the same students and therefore state funding). Local charter authorizers also have an inherent conflict of interest in reviewing charter petitions [and in overseeing and revoking charters] because of the financial exposure to special education risk in Ed. Code 47646 and based upon the risk and expense of allocating school facilities to charter schools under Proposition 39 (Ed. Code 47614). For these reasons local authorizers are more likely to deny a valid charter petition or revoke a legally compliant charter operator.

Reduced risks result in a better investment rating, which lowers interest rates on the funds borrowed, therefore freeing up additional funds to be used to operate the schools. Aspire gained access to affordable financing as a result of its statewide benefit charter and was therefore able to provide a full and complete program through appropriate and complete facilities. The bond financed schools in five cities across California. Other statewide benefits that resulted from this bond:

Aspire Public Schools: Material revision to Statewide Benefit Charter Petition
December 21, 2010

- Cumulative facilities savings of \$1.67M over the next 10 years as compared to the next best alternative (leasing or other financing terms) which will now support Aspire's educational program rather than facilities expense
- Lower interest rate of 2010 bond issue (6.23%) vs. 2001 Aspire bond issue (7.25%); more expensive bond was refinanced by the 2010 bond that benefited from the statewide benefit charter
- Increased capacity within Aspire schools for 2,000 additional students, and therefore increased statewide benefit due to the increased number of students able to access Aspire's high quality program across the state due to the facilities that were built and made possible by the bond.
- A full program is now possible for five Aspire secondary schools and one elementary school. Four of the schools operated under the statewide benefit charter were part of the bond issuance.

Statewide Benefit 3: Create alternative credentialing pathways and professional development activities that focus on the skills and knowledge necessary to work effectively with diverse students.

- **Why can't this be achieved with a series of locally approved charters?**

The statewide benefit of an alternative credentialing program as described in the charter will not materialize as proposed if this work is pursued using a series of locally approved charters. Today Aspire is limited to 20 Residents in the Aspire Teacher Residency due to constrained financial resources. Aspire's resources are constrained for many reasons, not the least of which is low per pupil funding. If Aspire is forced to grow through a series of locally approved charters as opposed to a statewide charter it will force Aspire to invest scarce funds into managing multiple authorizer relationships to achieve the statewide benefit and effectively prevent the development of the alternative credentialing pathways and professional development activities. The cost of duplicative oversight, redundant reporting, and monitoring unique local demands for operating

Aspire Public Schools: Material revision to Statewide Benefit Charter Petition
December 21, 2010

multiple district-approved charters requires a substantial investment of financial resources. There is a very real, substantial, and significant administrative expense associated with overseeing an operating multiple locally approved charter schools as opposed to a single multi-sited statewide benefit charter. If Aspire is forced to grow its program with locally approved charter schools it will have:

1. 50 separate charters to review, manage, and monitor¹;
2. 50 separate renewal applications two separate and distinct local authorizers that have varying policies practices and procedures on charter school approval or renewal;
3. 50 separate CDS codes and 50 separate funding streams with 50 separate oversight fees to pay the local authorizers;
4. 50 separate annual audits;
5. 50 different sets of annual reporting requirements to local authorizers;
6. 50 separate authorizers upon which to respond to information requests;
7. 50 separate authorizers upon which to seek a material revision first single change in the charter;
8. 50 separate attendance areas in which to prefer for enrollment purposes;
9. 50 separate special education agreements with local authorizers;
10. 50 separate memorandums of understanding with local authorizers;
11. 50 separate API, AYP scores to review and analyze.

Under a statewide benefit charter, and the benefits of a single charter authorizer for all statewide benefit schools, Aspire can redirect the resources saved by not having to

¹ Certain charter authorizers like Los Angeles Unified School District have substantially different policies and practices for the review and approval of charter schools that lead to substantially different charter language; indeed, LAUSD has over 40 pages of boilerplate language they require charter schools to include in their petitions. Some of this boilerplate language incorporates by reference many of the District policies (including, conflicts of interest, ethics, facilities issues etc.)

Aspire Public Schools: Material revision to Statewide Benefit Charter Petition
December 21, 2010

administer to 50 separate schools into, among other things, expanding the size of the Aspire Teacher Residency program—a source of the statewide benefit that Aspire creates for California. Aspire estimates the cost savings of statewide chartering versus local charter approval to be 25 full time positions (approximately .50 FTE for each school) and an annual cost of approximately \$2,000,000 across 50 schools. With a statewide benefit charter, Aspire is able to maximize its benefit to California statewide by reallocating significant resources into professional development to ensure the maximum number of highly effective teachers are appropriately trained each year and available to serve the state's most needy student population. The cost to support a teacher resident through the Aspire Teacher Residency is approximately \$24,000. Through the savings from charter compliance activities and management alone for 50 schools more than 80 new teacher residents could be supported, bringing the size of the residency to 100 residents per year. At our current size were the six existing statewide benefit schools to be transitioned to local authorizers, in addition to the extraordinary cost and instability in our communities due to this transition the ongoing cost to manage those relationships and compliance would be approximately \$240,000. That is equivalent to 10 teacher residents who we would not be able to train, therefore reducing the statewide benefit.

Statewide Benefit 4: Effective integration of data collection, organization, review and analysis in all phases of instruction.

- **Why can't this be achieved with a series of locally approved charters?**

Under locally approved charters, the State via the State Board gains the opportunity to learn *directly* from an alternative, public school model as that school's authorizer for a system of schools. The State gains the ability to learn directly from Aspire's intensive use of data collection and integration to inform all phases of instruction and preparation of Aspire students for college success.

Aspire's statewide benefit charter operates essentially as a unified school district (kindergarten through 12th grade) —but one that is operating across the state, in multiple locations. Indeed, unlike a CMO operator of multiple approved charter schools at the

Aspire Public Schools: Material revision to Statewide Benefit Charter Petition
December 21, 2010

local level Aspire’s statewide benefit charter is given a single API score like a school district -- thus allowing the SBE to compare Aspire’s overall performance against other school districts in the state. The state gains the opportunity for direct learning from interaction with and knowledge gained by oversight activities of a single entity. This direct interaction has the opportunity to inform State Board policy and work that is particularly valuable. Aspire’s intense use of data collection, organization, integration and analysis of student and teacher information is a unique opportunity for statewide benefit because of the direct interaction and close relationship Aspire has with the State Board—a relationship that would be diffused and lost through a series of locally approved charters.

This relationship with Aspire offers a unique opportunity because Aspire represents a different governance structure (no elected school board), offers the opportunity for learning across multiple geographies within the same school “system” (not limited to one city or county), different communities, and different challenges. This is very similar to the work the State Board takes on routinely to improve public education across California. This is a unique opportunity to compare and contrast performance, programs, and for Aspire to serve as a R&D school system directly for the State Board. With locally approved charters, the State Board’s direct opportunity for learning and collaboration with Aspire is lost.

ADDITIONAL STATEWIDE BENEFITS AND ARGUMENTS

The CDE, in its staff recommendation dated January 2007, noted the following additional components of the statewide benefit of Aspire’s charter:

- ◆ **Open Court Implementation:** Aspire has completed implementation of the SRA/Open Court Reading in kindergarten through grade 6.
- ◆ **Teacher Induction Authorization:** Beginning in the 2006-07 school year, Aspire has been authorized to grant clear credentials through its own teacher induction programs approved by the California Commission on Teacher Credentialing and the CDE. Aspire is the first charter school to have been so authorized.

Aspire Public Schools: Material revision to Statewide Benefit Charter Petition
December 21, 2010

- ◆ **Delivery of Special Education as an LEA:** Aspire has become a local educational agency (LEA) member of the El Dorado County Office of Education Special Education Local Plan Area (SELPA).

Open Enrollment: As a statewide benefit charter school, Aspire is able to target student populations that are being failed by the traditional public school system regardless of arbitrary geographic boundaries such as school district boundaries, city limits, etc. Ultimately, and unlike a locally approved charter school, admission to the Aspire statewide benefit school is not determined according to the student's place of residence, or that of his or her parent or guardian, within the State of California. Locally approved charter schools must maintain an admissions preference for children that reside within the granting agency's school attendance boundaries. (Ed. Code 47605(d)(2)(B).) No such attendance limitation exists for a statewide benefit charter. Consequently, in those communities and areas of the state where children are served by one or more school districts Aspire is not artificially limited by geographic boundaries in its ability to actively recruit and enroll students across the entire community.

CONDITIONS OF APPROVAL AND MOU COMPLIANCE

As part of the original approval of the statewide benefit charter the SBE approved CDE recommended "Proposed Conditions Prior to Opening and Operation." These conditions were outlined in an attachment to the staff recommendation and were intended to be incorporated by reference in the Memorandum of Understanding (MOU) between CDE and Aspire. Certain conditions had timelines that needed to be met prior to beginning instruction and one of the conditions stated that "if any deadline specified in these conditions is not met, approval of the statewide benefit charter is terminated, unless the SBE deletes or extends the deadline not met." By approval of this material amendment to the Aspire statewide benefit charter the SBE herein recognizes full compliance by Aspire with any and all conditions of approval that were established by SBE or CDE and hereby deletes any deadline that had not been met in a timely fashion.



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM 4



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

SUBJECT	
Elementary and Secondary Education Act: Discussion Regarding the Waiver of Selected Provisions of the No Child Left Behind Act of 2001 to Implement a Specific Statewide Accountability System for All California Local Educational Agencies in Advance of Elementary and Secondary Education Act Reauthorization.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

SUMMARY OF THE ISSUE(S)

This item provides a timeline to prepare a prospective federal waiver application of selected provisions of the No Child Left Behind (NCLB) authorization of the Elementary and Secondary Education (ESEA) Act of 1965. The State Board of Education (SBE) President sent a letter to U.S. Department of Education Secretary, Arne Duncan, on December 15, 2011, inviting him or a representative to address the SBE regarding the options available under the federal waiver application at the January 2012 SBE meeting. A copy of the letter is provided as Attachment 1. Michael Yudin, Acting Assistant Secretary for Elementary and Secondary Education confirmed his ability to come and discuss the ESEA Flexibility Waiver at the January 2012 SBE meeting. For additional information and resources about the ESEA Flexibility Waiver, please visit the U.S. Department of Education's Web site at <http://www.ed.gov/esea/flexibility>.

RECOMMENDATION

The California Department of Education (CDE) recommends that SBE engage in a discussion of waiver requirements and possible next steps.

BRIEF HISTORY OF KEY ISSUES

On August 23, 2011, State Superintendent of Public Instruction (SSPI) Tom Torlakson sent a letter to U.S. Department of Education (ED) Secretary of Education Arne Duncan, expressing his concerns about the current shortcomings of the NCLB accountability system, the need for relief for California's local educational agencies (LEAs) from escalating sanctions, and the importance of transparent public discussion of the issues in the reauthorization of the ESEA.

On September 23, 2011, September 28, 2011, and October 3, 2011, the ED issued guidance for state educational agencies (SEAs) to apply for the ESEA waiver. The 10

BRIEF HISTORY OF KEY ISSUES (Cont.)

provisions of the ESEA for which waiver applications will be accepted include the following:

1. 2013–14 Timeline for Determining Adequate Yearly Progress
2. Implementation of School Improvement Requirements
3. Implementation of LEA Improvement Requirements
4. Rural LEA Funding Flexibility
5. School-wide Programs
6. Support for School Improvement
7. Reward Schools
8. Highly-Qualified Teacher (HQT) Improvement Plans
9. Transfer of Certain Funds
10. Use of School Improvement Grant (SIG) Funds to Support Priority Schools

A full description of the 10 ESEA provisions eligible for waiver, including timelines, is included in the document entitled, *ESEA Flexibility Request*, issued on September 23, 2011, revised on September 28, 2011, and provided in Attachment 2.

To be granted a waiver of the provisions listed above, an SEA must submit a request that addresses each of the following four principles and associated requirements:

1. College- and Career-Ready Expectations for All Students
2. State-Developed Differentiated Recognition, Accountability, and Support
3. Supporting Effective Instruction and Leadership
4. Reducing Duplication and Unnecessary Burden

A full description of the Principles for Improving Student Academic Achievement and Increasing the Quality of Instruction is also provided in Attachment 2.

Embedded within the four principles that are conditions of the waiver are at least 11 requirements that states must address in the waiver request. The conditions include how an SEA will establish a new system of standards, assessments, professional development, and differentiated accountability for schools and educators. A summary of the costs of implementing the potential waiver was included in Item 5, Attachment 7, discussed by the SBE at its November 2011 meeting. See the SBE Web document located at <http://www.cde.ca.gov/be/ag/ag/yr11/documents/nov11item05.doc>.

Alternative dates for submission of a request include mid-February 2012 and an additional opportunity following the conclusion of the 2011–12 school year. The duration of an approved waiver is from the date of approval through the 2013–14 school year, with an opportunity to apply to request an extension of the initial period of this flexibility prior to the start of the 2014–15 school year unless it is superseded by reauthorization of the ESEA.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

On November 9, 2011, the SBE discussed the requirements and conditions to apply for a waiver of 10 provisions of NCLB. The SBE heard from the SSPI, CDE, LEA superintendents, the California Teachers' Association, California Federation of Teachers, Association of California School Administrators, California Office to Reform Education, other educational advocacy groups, and members of the public. While the SBE recognized that the state will incur substantial costs in implementing an ESEA waiver, it heard the concerns of LEAs about the onerous effects of current NCLB requirements and directed CDE staff to prepare a timeline for preparing a potential waiver application to be discussed at its January 2012 meeting.

A Proposed Timeline for Preparation of a Waiver of Select Elementary and Secondary Education Provisions in Exchange for Implementation of an Alternative Accountability System is provided as Attachment 3.

The timeline proposes to accelerate the design and adoption of a differentiated recognition, accountability and support system. It does not accelerate the timeline for implementation of college-and career-ready (CCR) expectations as outlined in the description of waiver requirements. Instead, it reflects the California commitment to Common Core State Standards (CCSS) and aligned instructional materials, recognizing that the cost of an accelerated transition would be great, and there is no identified source of funding to support a compressed timeline. It maintains the current transition to CCR standards and CCSS aligned instructional materials and includes implementation of supplemental instructional materials designed to bridge the gap which exists between academic content standards coverage in the previously adopted instructional materials and the new CCSS.

The proposed timeline includes the state's current timeline for implementation of the SMARTER Balanced Assessments; given the cost and need for psychometric testing, it is not likely that either the English Learner Proficiency Assessments or the Assessments for Students with Significant Cognitive Disabilities will be ready by the 2014–15 school year. The proposed timeline includes SBE adoption of guidelines to support effective instruction and leadership but does not address differentiation of educator performance levels as discussed in the ESEA Review Guidance.

FISCAL ANALYSIS

As of December 15, 2011, 443 of the state's 931 LEAs receiving Title I funds are in Program Improvement (PI). Absent a federally approved waiver of ESEA requirements, this figure may rise to 558 LEAs in September 2012 and 931 LEAs in September 2013, when the AYP targets approach 100 percent proficiency, and all LEAs receiving Title I are in PI.

Should California not apply, or not be granted an ESEA waiver, the consequence for all of these LEAs and schools is the label of PI and the ongoing requirement to implement interventions and set aside up to 20 percent of their Title I apportionment for

FISCAL ANALYSIS (Cont.)

supplemental educational services (SES) and school choice transportation. This amount was \$207.9 million in 2010–11.

If California successfully receives an ESEA waiver, these LEAs would potentially be able to redirect these set-aside funds to other Title I uses. Schools and LEAs will not be identified for PI and may not be required to implement any of the current PI requirements, depending upon policy decisions by the Legislature or SBE. However, as outlined in the November SBE Item 5, approval of an ESEA waiver commits LEAs, both Title I recipients and non-Title I LEAs, and the state to implement all of the waiver requirements. These potentially include accelerating the implementation of CCSS, designing and implementing a differentiated accountability system (including interventions for 15 percent of the lowest performing schools), and negotiating and implementing a new teacher and principal evaluation and support system. The costs of doing so, estimated at between \$2.4 billion and \$3.1 billion, will likely exceed net savings from waived SES and choice requirements. A more detailed analysis of benefits and costs is available in the November SBE Item 5, which is available on the SBE Meeting for November 2011 Web page. The Web document is located at <http://www.cde.ca.gov/be/ag/ag/yr11/documents/nov11item05.doc>.

In addition, there are significant unfunded state operations expenses associated with preparing the waiver. These include fixed costs for staffing and variable costs for committee expenses, including meeting room costs and travel and per diem expenses. In order to complete the developmental work to design a new accountability system with new Annual Measurable Objectives and their use in differentiated settings, the CDE will need at least one limited term and two full-time ongoing consultants at \$125,000 each (\$375,000), an analyst at \$85,000, plus operating expenses for collective work to staff committees, develop weightings, conduct data simulations, complete data analyses for validity, reliability, and completeness, and oversee data processing and related tasks.

In addition, there are costs associated with the necessary consultation with technical experts and stakeholders on the re-design of the accountability system. To define the differentiated accountability system will require meetings with the Public Schools Accountability Act Advisory Committee and the Technical Design Group, at an estimated cost of \$75,000.

Additional meetings with the Committee of Practitioners, LEA superintendents and stakeholder organizations representing English learners, students with disabilities, and advocates for underperforming student groups are estimated to more than double this amount to \$150,000 to \$204,000, based upon the number of meetings to be held. Costs include expenses for meeting space, travel, per diem, and the potential costs for Web-casting. No state operations budget has been identified to support these costs.

ATTACHMENT(S)

- Attachment 1: December 15, 2011, Letter from California State Board President to U.S. Department of Education Secretary, Arne Duncan (2 Pages)
- Attachment 2: September 28, 2011, *ESEA Flexibility Request* Web document. This attachment is posted on the U.S. Department of Education Web site at http://www.ed.gov/sites/default/files/eSEA-flexibility-request-acc_0.doc (Outside Source). (26 Pages)
- Attachment 3: Proposed Timeline for Preparation of a Waiver of Select Elementary and Secondary Education Provisions in Exchange for Implementation of an Alternative Accountability System (4 Pages)

STATE OF CALIFORNIA

EDMUND G. BROWN JR., *Governor*

CALIFORNIA STATE BOARD OF EDUCATION

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December 15, 2011

Arne Duncan, Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary Duncan:

We in California appreciate President Obama's recognition that the reauthorization of the Elementary and Secondary Education Act (ESEA) is overdue and that the current law is not working as intended. We are eager to work with the Administration on a plan that would provide more flexibility in implementing the provisions of No Child Left Behind, but we are also wary of trading one set of mandates for another—particularly if the required policies and strategies must be completed on a compressed timeline that we cannot afford.

As I am sure you are aware, our districts are acutely interested in the waiver and are seeking as much information about it as possible. I understand that earlier this month Michael Yudin from your staff travelled to California and made a presentation to a gathering of district administrators and other stakeholders about the ESEA waiver opportunity announced by your office earlier this year. Some of the information shared by Mr. Yudin at that meeting has reached us second-hand and appears to differ from the formal guidance and application documents from your office. We think it is very important that all stakeholders—including the State Board of Education as the body responsible for the waiver decision—have the same information so that we can engage in a productive and transparent discussion about it as a state.

To this end, I am inviting you, Mr. Yudin, or another member of your staff to attend the next California State Board of Education meeting on January 11, 2012 to make a presentation about the ESEA waiver. The Board already discussed the waiver at its November 2011 meeting and heard a summary and fiscal analysis from the California Department of Education. We will be discussing the issue again in January and would benefit greatly, I am sure, from an opportunity to hear from you or your designee. I would additionally welcome the opportunity to talk with you privately about the ESEA waiver so that we can be sure to devote adequate time to the matter. Please contact Sue Burr, Executive Director of the California State Board of Education, at (916) 319-0705 regarding this invitation.

I take my responsibility in this decision very seriously and I am certain my fellow Board members feel the same way. Before making a decision, we want to ensure that we have a full understanding of what this waiver opportunity will mean for our districts and for our state. I hope you will be able to join us personally in January, and I look forward to further discussion at that time.

Sincerely,

A handwritten signature in cursive script that reads "Michael W. Kirst".

Michael W. Kirst
President,
California State Board of Education

MWK:cg

cc: Susan K. Burr
Executive Director,
California State Board of Education

Tom Torlakson
State Superintendent of Public Instruction and Director of Education,
California Department of Education

Proposed Timeline for Preparation of a Waiver of Select Elementary and Secondary Education Provisions in Exchange for Implementation of an Alternative Accountability System

The following table details activities that would need to be completed to submit a prospective waiver of selected Elementary and Secondary Education (ESEA) Act provisions.

**Items marked with asterisks are anticipated to occur independent of any waiver application, i.e., implementation of Common Core State Standards. However, implementing the waiver consistent with federal requirements would require an acceleration of current timelines.

Date	Anticipated Actions
January 2012	**The California Department of Education (CDE) notices local educational agencies (LEAs) at risk of Program Improvement (PI) in 2012–13.
January 2012	The State Board of Education (SBE) reviews, modifies, and potentially adopts a timeline of actions needed in order to prepare a waiver proposal of select Elementary and Secondary Education Act (ESEA) provisions in exchange for an alternative accountability system. Decisions to be included in a draft version of a new accountability system required as a condition of the waiver will require significant consultation and SBE discussion, including an assessment of how feasible the federal requirements are relative to California’s current fiscal and political context, in order to be ready for a June 2012 waiver submission.
January 2012	<p>Principle 1: College- and Career-Ready Expectations for all Students:</p> <p>**The SBE reviews and adopts a timeline for implementation of Common Core State Standards (CCSS) which includes a transition plan for implementing college-and career-ready standards in at least reading/language arts and mathematics, and how this plan will ensure that all students, including English learners, students with disabilities, and low-achieving students, gain access to and learn content aligned with such standards. The SBE reviews proposed evaluation criteria for the Title I supplemental materials to be submitted by publishers.</p>
January/ February 2012	<p>Principle 2: State-developed differentiated Recognition, Accountability and Support</p> <p>The CDE prepares draft work-plan to develop and implement a state-based system of differentiated recognition, accountability and support for SBE discussion in March 2012, including proposals for how California will modify and transition from the current state accountability system, Title I Improvement, professional development, school choice and supplemental educational service requirements to a new system.</p>

Date	Anticipated Actions
	<p>The CDE prepares options for SBE review in May 2012 to set ambitious but achievable annual measurable objectives (AMOs). Some of the issues to be addressed in federal options are listed below.</p> <p>Option A: Under this option, the SBE would be required to reset current AMO targets. To do so will require meetings with the Technical Design Group (TDG), Regional Assessment Network (RAN), Committee of Practitioners (COP), and key legislative staff and stakeholder groups to discuss options and what type of growth would be required of LEAs, schools, and student groups.</p> <p>Option B: Under this option, the SBE would move the required 100 percent proficient achievement target on our current federal adequate yearly progress (AYP) system forward to 2019–20 school year. At this time, we do not anticipate that this is a preferred option.</p> <p>Option C: Under this option, the state would create a single federal and state accountability system with ambitious, but achievable, AMOs for all LEAs, schools, and subgroups. This option will require significant time, including meetings with the Public Schools Accountability Act (PSAA) Advisory Committee, as well as the groups identified above to discuss the design of the accountability system, any necessary legislation and a plan for how the state would transition from the current accountability system to a new system.</p> <p>As part of its new differentiated recognition, accountability and support system, the CDE will propose for SBE review in May 2012:</p> <ul style="list-style-type: none"> • A methodology for recommending criteria for the identification of “priority” schools. Staff work in the interim will consider the relative inclusion of absolute academic student performance data, academic growth, graduation rates and how schools should potentially be sorted or indexed on SBE- approved variables. Recommended criteria for support, intervention, and exit of these schools will also be prepared. • A methodology for recommending criteria for the identification of “focus” schools, including criteria for identification, entry, support, intervention, and exit of the lowest performing 10 percent of California public schools that are not in the priority category and have the widest disparity of student achievement scores among student groups (achievement gap). • A plan for how the state will provide incentives and supports for other Title I schools to ensure continuous improvement, based on the proposed new AMOs and other measures and how these incentives and supports are likely to improve student achievement, close the achievement gap and increase the quality of instruction for students. • A methodology for the identification of “reward” schools based upon the new accountability system.

Date	Anticipated Actions
January– March 2012	The CDE conducts stakeholder meetings, including meetings with the TDG, RAN, PSAA Advisory Committee, the COP, Education Coalition, and key legislative staff and stakeholder groups to discuss potential ESEA waiver issues.
February 2012	SBE and CDE staff work with legislative staff to identify possible legislation needed to revise the California Accountability System based upon tenets of the federal waiver and preliminary Congressional direction on ESEA reauthorization.
February 2012	The CDE conducts statewide system of school support discussions with district and county superintendents of schools, members of the Education Coalition, and others to discuss the proposed new accountability system and how the California statewide system of schools support will address Principle 2.g., to Build State Educational Agency (SEA), LEA, and School Capacity to Improve Student Learning.
March 2012	The SBE reviews preliminary proposals for a prospective waiver of selected ESEA provisions and components of an alternative accountability system, including budgetary expectations.
March 2012	**The CDE initiates development and roll-out of CCSS implementation modules in Title I schools and districts (12 modules to be ultimately produced over three years), as outlined in CCSS Transition Plan.
April 2012	<p>Principle 3: Supporting Effective Instruction and Leadership</p> <p>The CDE initiates discussion with teachers, teacher organizations, administrators, and administrator organizations about implementing an amended Principle 3 ESEA Waiver Option A, the development and adoption of guidelines for local teacher and principal evaluation and support systems by the end of the 2012–13 school year.</p>
April 2012	The SBE conducts special meeting to re-examine costs of implementation of proposed ESEA waiver and review draft of Proposed Revisions to the California Accountability Workbook.
May 2012	The SBE reviews and adopts Proposed Revisions to the California Accountability Workbook, including CCSS work summary, SMARTER Balanced Assessment Plan, differentiated accountability system, including AMOs, criteria for identifying and intervening in priority and focus schools, a plan for building SEA, LEA, and school capacity to improve student learning, and initial guidelines for development and adoption of guidelines for local teacher and principal evaluation and support systems by the end of the 2012–13 school year.
May 2012	**The SBE hears initial CDE proposals for English Language Development

Date	Anticipated Actions
	(ELD)/English Language Proficiency (ELP) standards. If the SBE revises the ELD standards it must hold a public meeting and it must provide written reasons for its revisions. The SBE cannot adopt the standards at the same public meeting but must adopt the revisions by November 15, 2012.
May 2012	The CDE conducts stakeholder meetings to discuss implementation issues of SBE-adopted proposals for revised California accountability system.
May 2012	Revised California accountability legislation amended in legislature and budget expectations discussed in key policy committees.
May 2012	The SBE reviews draft proposal for waiver of ESEA requirements for potential submission to the U.S. Department of Education (ED) in June 2012.
June 2012	The SBE submits proposal for waiver of ESEA requirements to the ED.
August 2012	The SBE reviews the SSPI recommended new ELD/ELP standards.
September 2012	The SBE adopts, rejects, or revises proposed ELD/ELP standards.
November 2012	The SSPI reports on recommendations for reauthorization of the statewide pupil assessment program, including a plan to transition to the SMARTER Balanced assessment system.
May 2013	**The SBE adopts new Mathematics Framework.
May 2014	**The SBE adopts new English-Language Arts Framework.



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM 5



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

SUBJECT	
Update on Issues Related to California's Implementation of the Elementary and Secondary Education Act and Other Federal Programs Including, but not Limited to, the School Improvement Grant Approval of Funding of Local Educational Agencies and Schools for the 2012–13 School Improvement Grant Sub-Grants Under Section 1003(g) and Authorization to Approve California's FY 2011 Continuation Awards Only School Improvement Grant Application.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

SUMMARY OF THE ISSUE(S)

On September 20, 2011, the U.S. Department of Education (ED) approved California's waiver request to carry over 100 percent of fiscal year (FY) 2010 School Improvement Grant (SIG) funds of the Elementary and Secondary Education Act (ESEA) Section 1003(g). These funds are to be awarded beginning in the 2012–13 school year (SY) under the condition that the California Department of Education (CDE) award local educational agencies (LEAs) and their respective schools sub-grants no later than February 2012.

RECOMMENDATION

The CDE recommends that the State Board of Education (SBE):

- Approve funding for the recommended list of LEAs and schools that have applied for SIG sub-grants provided under Section 1003(g) of the ESEA for the 2012–13 SY based upon submitting an approvable application
- Authorize the SBE President or designated liaison, along with the State Superintendent of Public Instruction, to approve California's FY 2011 Continuation Awards Only SIG application to the ED.

The list of LEAs and their respective schools recommended for funding using FY 2010 SIG funds will be provided as Attachment 1 in an Item Addendum.

BRIEF HISTORY OF KEY ISSUES

The September 2011 approved waiver allowed the CDE additional time to provide the assistance necessary for LEAs to create viable proposals for implementation in the 2012–13 SY. The CDE has provided technical assistance and support through:

BRIEF HISTORY OF KEY ISSUES (Cont.)

(1) posted SIG information on the CDE SIG Web page at <http://www.cde.ca.gov/sp/sw/t1/sig09.asp>; (2) Webinar on SIG application forms and process; and (3) individual consultations with eligible SIG applicants. These actions resulted in refined support for Cohort II and increased all LEAs' ability to successfully compete for SIG funds and fully implement the selected intervention model. In addition, this timeline allows LEAs sufficient time to implement the optional pre-implementation component that was introduced for FY 2010.

LEA applications were due to the CDE by November 18, 2011. The CDE conducted a readers' conference on December 5–7, 2011, to review and rate the applications.

California was allocated \$66 million dollars to fund the Cohort 2 SIG, an amount which was adequate to fund all of the LEAs and schools whose applications met the eligibility requirements.

On December 2, 2011, the ED released its FY 2011 SIG application for state education agencies (SEA). In order to reduce the burden on SEAs that used FY 2010 funds to pay for the first year of three-year SIG awards, the ED is not requiring an SEA that will use FY 2011 funds solely for continuation awards to submit a new SIG application. Such an SEA is only required to submit a document titled "Continuation Awards Only Application for FY 2011 SIG Program," containing assurances that it will use its renewal process and not make new awards. California is planning to make continuation awards only for Cohort 2. The SEA application document is provided as Attachment 2.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At its July 2011 meeting, the SBE took action to approve a waiver request to carry over 100 percent of the FY 2010 SIG funds. The waiver allowed the CDE additional time to provide the assistance necessary for LEAs to create viable proposals for implementation in the 2012–13 SY.

FISCAL ANALYSIS (AS APPROPRIATE)

The SIG funds are anticipated to provide LEAs with grants ranging from \$50,000 to \$2 million per SY. A maximum of \$66 million is available under Section 1003(g) for FY 2010.

ATTACHMENT(S)

Attachment 1: The List of Local Educational Agencies and Their Respective Schools Recommended for Funding Using School Improvement Grant Funds will be provided in an Item Addendum.

ATTACHMENT(S) (Cont.)

Attachment 2: Continuation Awards Only Application for FY 2011 School Improvement Grants (SIG) Program (1 Page)

Continuation Awards Only Application for FY 2011 School Improvement Grants (SIG) Program

California assures that it will use FY 2011 SIG funds solely to make continuation awards and will not make any new awards¹ to its LEAs.

California assures that it will use the renewal process identified in California’s approved FY 2010 application to determine whether to renew an LEA’s School Improvement Grant.

In the table below, list any LEAs with one or more schools for which funding under previously awarded SIG grants will not be renewed. For each such school, note the amount of unused remaining funds and explain how the SEA or LEA plans to use those funds (e.g., reallocate to other schools with SIG grants or retain for a future SIG competition).

LEA NAME	SCHOOL NAME	DESCRIPTION OF HOW REMAINING FUNDS WERE OR WILL BE USED	AMOUNT OF REMAINING FUNDS
		Not Applicable - California’s Cohort 2 will commence implementation in 2012	
TOTAL AMOUNT OF REMAINING FUNDS:			

By submitting the assurances and information above, California agrees to carry out its FY 2010 SIG application and does not need to submit a new FY 2011 SIG application.

X _____

¹ A “new award” is defined as an award of SIG funds to an LEA for a school that the LEA was not previously approved to serve with SIG funds in the school year for which funds are being awarded—in this case, the 2012–2013 school year. New awards may be made with the FY 2011 funds or any remaining FY 2009 or FY 2010 funds not already committed to grants made in earlier competitions.



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM 6



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

SUBJECT Elementary and Secondary Education Act: Supplemental Educational Services Providers: Approval of Additional Providers to the 2011–13 State Board of Education-Approved Supplemental Educational Services Provider List Based on Appeal and Removal of Providers From the 2009–11, 2010–12, and 2011–13 Approval Lists for Failure to Submit the 2010–11 Supplemental Educational Services Accountability Report.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing
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SUMMARY OF THE ISSUE(S)

The Elementary and Secondary Education Act (ESEA) Section 1116(e)(4)(C) requires the state educational agency (SEA) to develop and maintain a list of approved Supplemental Educational Services (SES) providers to provide services to eligible students. ESEA Section 1116(e)(4)(C) is provided as Attachment 1.

RECOMMENDATION

Supplemental Educational Services Providers Approval

Recommendation 1:

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve additional SES providers for a two-year period beginning July 1, 2011, through June 30, 2013. The additional applicants were not recommended for approval originally, but have since appealed that decision. The list of the additional approved providers is provided as Attachment 2.

Supplemental Educational Services Provider Removal for Failure to Submit 2010–11 Accountability Report

Recommendation 2:

The CDE also recommends that the SBE remove SES providers from the approved 2009–11, 2010–12, and/or the 2011–13 lists who failed to submit the required 2010–11 SES Accountability Report, pursuant to the *California Code of Regulations*, Title 5 (5 CCR) Section 13075.4(a). 5 CCR Sections 13075.4(a) and 13075.5(d)(1), (2) and (3)(H) are provided as Attachment 3. The list of providers recommended for removal is provided as Attachment 4.

BRIEF HISTORY OF KEY ISSUES

Supplemental Educational Services Providers Approval

Title I, Part A Section 1116(e)(1) and (4) of the ESEA requires that an SES provider be approved by the SBE before it can offer tutoring services to low-income students in schools advancing to Program Improvement Year 2 and beyond. The CDE has been responsible for annually establishing and maintaining a list of SBE-approved SES providers, as described in Section 1116(e)(4) of the ESEA, beginning with the SBE approval of the first cohort at the June 2003 SBE meeting.

Supplemental Educational Services Provider Removal for Failure to Submit 2010–11 Accountability Report

Federal law for SES requires a SEA to monitor and evaluate approved SES providers in accordance with the ESEA, Title I, Part A Section 1116, (e)(4)(B). The 5 *CCR* Section 13075.4(a) requires approved SES providers submit an annual SES Accountability Report to the CDE by the submission deadline. The 5 *CCR* Section 13075.5(d)(3)(H) allows the SBE to terminate an approved provider for failing to provide monitoring and program evaluation information requested by the SBE.

This is the fifth time that the CDE has recommended removing SES providers who failed to complete the required annual SES Accountability Report.

On December 23, 2011, SES providers recommended for removal from the state approved provider list will be notified that action will be taken by the SBE on that recommendation at its January 2012 meeting. The recommendation is based on 5 *CCR*, Section 13075.5(d)(2). The list of providers recommend for removal is provided as Attachment 4.

Pursuant to 5 *CCR*, Section 13075.5(d)(1), the SES providers who did not submit or submitted incomplete Accountability Reports by the deadline were given 30 calendars days to submit or correct their report. These providers received additional technical assistance from the CDE, and the SES Accountability Report Web page was reopened to allow the submission of the corrected reports by the resubmission deadline of November 29, 2011.

At its July 2011 meeting, the SBE approved 75 of 139 applicants to serve as providers from July 1, 2011, through June 30, 2013.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At its May 2011 meeting, the SBE approved 161 providers out of 209 applicants to serve as SES providers from July 1, 2011, through June 30, 2013.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION (Cont.)

The combined total of SBE-approved providers authorized to provide SES for either the 2009–11 or 2010–12 cycle is currently 253.

At its November 2010 meeting, the SBE removed a total of 39 providers from the 2008–10 or 2009–11 approved provider list for failure to submit their 2009–10 Accountability Report.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no fiscal impact to the state. A local educational agency (LEA) contracts with SBE-approved SES providers to provide free tutoring to students enrolled in schools in Program Improvement Years 2 through 5 and beyond. An LEA must spend an amount equal to a minimum of 5 percent each to a maximum of 20 percent total for school-choice transportation and SES services.

ATTACHMENT(S)

Attachment 1: Elementary and Secondary Education Act, Section 1116 (e)(1) and (4) (1 Page)

Attachment 2: California Department of Education Recommended 2011–13 Supplemental Educational Services Additional Provider Applicant List Based on Appeal (1 Page)

Attachment 3: *California Code of Regulations*, Title 5, Section 13075.4(a), 13075.5(d)(1), (2), and (3)(H) (1 Page)

Attachment 4: Supplemental Educational Services Providers Recommended for Removal from the 2009–11, 2010–12, and 2011–13 Approved Lists for Failure to Submit the 2010–11 Supplemental Educational Services Accountability Report (1 Page)

ELEMENTARY AND SECONDARY EDUCATION ACT

SEC. 1116. ACADEMIC ASSESSMENT AND LOCAL EDUCATIONAL AGENCY AND SCHOOL IMPROVEMENT.

(e) SUPPLEMENTAL EDUCATIONAL SERVICES-

- (1) **SUPPLEMENTAL EDUCATIONAL SERVICES**– In the case of any school described in paragraph (5), (7), or (8) of subsection (b), the local educational agency serving such school shall, subject to this subsection, arrange for the provision of supplemental educational services to eligible children in the school from a provider with a demonstrated record of effectiveness, that is selected by the parents and approved for that purpose by the State educational agency in accordance with reasonable criteria, consistent with paragraph (5), that the State educational agency shall adopt.
- (4) **STATE EDUCATIONAL AGENCY RESPONSIBILITIES**– A State educational agency shall--

 - (A) in consultation with local educational agencies, parents, teachers, and other interested members of the public, promote maximum participation by providers to ensure, to the extent practicable, that parents have as many choices as possible;
 - (B) develop and apply objective criteria, consistent with paragraph (5), to potential providers that are based on a demonstrated record of effectiveness in increasing the academic proficiency of students in subjects relevant to meeting the State academic content and student achievement standards adopted under section 1111(b)(1);
 - (C) maintain an updated list of approved providers across the State, by school district, from which parents may select;
 - (D) develop, implement, and publicly report on standards and techniques for monitoring the quality and effectiveness of the services offered by approved providers under this subsection, and for withdrawing approval from providers that fail, for 2 consecutive years, to contribute to increasing the academic proficiency of students served under this subsection as described in subparagraph (B); and
 - (E) provide annual notice to potential providers of supplemental educational services of the opportunity to provide services under this subsection and of the applicable procedures for obtaining approval from the State educational agency to be an approved provider of those services.

**California Department of Education Recommended 2011–13
Supplemental Educational Services Additional Provider Applicant List
Based on Appeal**

Provider Name	English- Language Arts	Mathematics	Science	English Learners	Students with Disabilities	Online	Type of Entity
#1 2 3 A+ Score!	x	x		x	x	x	For Profit Agency
24 Horas de Tutoria (24 Hours Tutoring)	x	x		x	x	x	For Profit Agency
Achieve Success, LLC	x	x		x	x		For Profit Agency
All Honors Group, Inc. (dba Xamaze In-Home Tutoring)	x	x		x	x		For Profit Agency
Entrepreneurial Ventures in Education, Inc.	x			x	x		Non-profit Agency
Gateway Educational Services	x	x		x	x		Non-profit Agency
Jones Reading and Math Clinics, Inc.	x	x		x			For Profit Agency
Kern County Superintendent of School	x	x		x	x		County Office of Education
Kiwi Scholars, Inc.	x	x		x	x		For Profit Agency
Mobile Minds Inc.	x	x		x	x		For Profit Agency
Oceanside Unified School District	x			x	x		Local Educational Agency Identified for Improvement
Orange Unified School District	x			x	x		Local Educational Agency Identified for Improvement
The Nia (Purpose) Foundation, Inc.	x	x		x	x		For Profit Agency
TutoringOne	x			x	x	x	For Profit Agency
We Care San Jacinto Valley, Inc.	x	x		x	x		Non-profit Agency

CALIFORNIA CODE OF REGULATIONS, TITLE 5

SECTION 13075.4 Submission of an Annual SES Accountability Report and Retention of Records by Approved Providers.

- (a) After providing services during a fiscal year, approved providers must submit an annual SES Accountability Report to the CDE.

SECTION 13075.5. Termination of an Approved Provider.

- (d) The SBE may terminate an approved provider for cause if:
 - (1) The CDE has issued a written notice to the approved provider it has found to be noncompliant and has specified which sections the provider has violated.
 - (2) The approved provider has failed after 30 calendar days from the receipt of the notice issued pursuant to subdivision (d)(1) to correct the violation(s) and provide evidence of correction to the CDE.
 - (3) The CDE has identified the cause for termination which may include, but is not limited to, any of the following:
 - (H) The approved provider has failed to meet the reporting requirements under section 13075.4.

Supplemental Educational Services Providers Recommended for Removal from the 2009–11, 2010–12, and 2011–13 Approved Lists for Failure to Submit the 2010–11 Supplemental Educational Services Accountability Report

The X indicates each approval period from which the identified provider will be removed if the State Board of Education approves the California Department of Education staff recommendation.

Provider Name	Approval Period		
	2009–11	2010–12	2011–13
Bright Futures Learning, Inc.	x		
C.V. Learning	x		
Club Z! In-Home Tutoring	x		
Daekyo America, Inc.	x		x
Expectations of Educational Excellence dba Crescendo Educational Services		x	
First Nation Community Services, Inc., DBA Z & S Tutoring	x		x
Kumon Vallejo	x		
Learning Network Foundation		x	
Professional In-Home Tutoring Services, Inc dba Club Z! In-Home Tutoring Services	x		
Shivalex, DBA Kumon Math and Reading of Pico Rivera		x	



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM 7



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

SUBJECT	
Approve the Annual State Performance Plan and Performance Report for Part B of the Individuals with Disabilities Education Act Covering Program Year 2010–11.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

SUMMARY OF THE ISSUE(S)

The State Board of Education (SBE), as the state educational agency, reports annually to the public and the United States Department of Education (ED) on the performance of California's local educational agencies (LEAs) with regard to the Individuals with Disabilities Education Act (IDEA). The State Performance Report (SPP) contains performance targets and the Annual Performance Report (APR) contains data collected by the California Department of Education (CDE) for program year 2010–11 regarding achievement towards those targets. The final SPP and APR are due to the ED February 1, 2012. Both documents can be found at the following Web links:
<ftp://ftp.cde.ca.gov/casemis/SPPFFY10draft.doc> (SPP) and
<ftp://ftp.cde.ca.gov/casemis/APRFFY2010draft.pdf> (APR).

RECOMMENDATION

The CDE recommends that the SBE approve the Annual State Performance Plan and Performance Report for Part B of the Individuals with Disabilities Education Act Covering Program Year 2010–11.

BRIEF HISTORY OF KEY ISSUES

California is required to have in place a performance plan to guide the state's implementation of Part B of the IDEA and to describe how the state will improve such implementation. This plan is called the Part B State Performance Plan (SPP). California's initial plan was submitted to the Office of Special Education Programs (OSEP) of the ED, on December 2, 2005, as approved by the SBE and the State Superintendent of Public Instruction. The SPP, including any changes, must be submitted to the OSEP by February 1, 2012.

BRIEF HISTORY OF KEY ISSUES (Cont.)

In addition, California must report annually to the public on the performance of its LEAs. This report is called the Part B APR. The APR documents the LEAs' progress toward meeting the benchmarks identified in the SPP and summarizes the statewide activities associated with each of the SPP's indicator targets. The APR is presented to the SBE annually for approval.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Last year, amendments to the initial SPP were necessary to address changes in federal requirements. In accordance with these requirements, the CDE prepared the SPP and included updates to reflect benchmarks for dropout rates consistent with the state's Adequate Yearly Progress Information Guide. The amended SPP was approved by the SBE at its January 2011 meeting.

At its January 2011 meeting, the SBE also approved the 2009–10 APR. In addition to reporting on progress, the 2009–10 APR addressed new federal requirements such as descriptions for monitoring, general supervision processes, and new descriptions and calculations for disproportionality.

On February 1, 2011, the SPP and APR, as described above and approved by the SBE were submitted to the OSEP.

At its November 2011 meeting, the SBE reviewed the executive summary of the 2012 APR, anticipating updated performance data and any necessary changes to the SPP.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no fiscal impact.

ATTACHMENT(S)

Attachment 1: Executive Summary of the Revisions to the State Performance Plan for Part B of the Individuals with Disabilities Education Act Covering Program Year 2010–11 (6 pages).

Attachment 2: Executive Summary of the Annual Performance Report for Part B of the Individuals with Disabilities Education Act Covering Program Year 2010–11 (52 pages).

**EXECUTIVE SUMMARY OF
REVISIONS TO THE STATE PERFORMANCE PLAN FOR PART B OF THE
INDIVIDUALS WITH DISABILITY EDUCATION ACT**

**CALIFORNIA DEPARTMENT OF EDUCATION
SPECIAL EDUCATION DIVISION**

**State Performance Plan
Federal Fiscal Year 2010
(Program Year 2010–11)**

January 2012

Revisions to the California State Performance Plan January 2012

On February 1, 2012, the California Department of Education (CDE) is required to submit the State Performance Plan (SPP) for the Individuals with Disabilities Education Act of 2004 (IDEA). This is a five-year plan originally submitted in federal fiscal year (FFY) 2005. However, due to the delay in the reauthorization of the IDEA, the Office of Special Education Programs (OSEP) required states to extend their plans by two additional years. California's SPP was amended and approved by the OSEP in FFY 2009 to include an additional two years. The current SPP is valid through FFY 2012 (2012–13).

Each year the plan is reviewed and revised to address any changes in data collection, policies, or legislation. The table below identifies the significant revisions to the document for the FFY 2010 submission, followed by a brief overview of the revisions. The complete FFY 2010 SPP draft document can be found at:
<ftp://ftp.cde.ca.gov/casemis/SPPFFY10draft.doc>.

<u>Page</u>	<u>Revisions</u>
4	Updated data sources: Data sources were revised to reflect the data sources used for the FFY 2010 APR indicators.
6	Deleted: Narrative and references to Superintendent O'Connell, <i>Closing the Achievement Gap</i> , and California P-16 Council documents.
6–8	Inserted: Description of <i>A Blueprint for Great Schools</i> to reflect Superintendent Torlakson's priorities.
26-27	Revised calculation methodology for Indicator 4: Suspension and Expulsion Rates.
56-57	Revised calculation methodology for Indicator 9: Disproportionality Overall (e-formula and Alternate Risk Ratio).
60-61	Revised calculation methodology for Indicator 10: Disproportionality by Disability (e-formula and Alternate Risk Ratio).

A Blueprint for Great Schools (A summary of pages 6 – 8)

In January 2011, a new State Superintendent of Public Instruction, Tom Torlakson took office in California. Superintendent Torlakson, recognizing the need for broad and deep stakeholder involvement in the issues facing California public education, convened a 59-member Transition Advisory Team, including parents, teachers, classified staff, administrators, superintendents, school board members, business and union leaders, higher education and nonprofit representatives. The team was designed to create a model for the kinds of coalitions necessary to prepare all of California's students to be healthy, productive citizens, and lifelong learners.

Superintendent Torlakson charged the team with providing him advice on the development of a new mission and planning framework for the CDE. He asked for innovative and strategic advice to ensure that the state provides a world-class education to all students, preparing them to live, work, and thrive in a highly connected world.

Based on the team's recommendations, the CDE adopted the following new mission statement:

California will provide a world-class education for all students, from early childhood to adulthood. The department of education serves our state by innovating and collaborating with educators, schools, parents, and community partners. Together, as a team, we prepare students to live, work, and thrive in a highly connected world.

Among the critical priorities of the recommendations were:

Educator Quality: Recognizing that expert teachers and school leaders are perhaps the most important resource for improving student learning, support the development of more effective educator recruitment, preparation, professional support, and evaluation systems. Use professional teacher and leader standards to guide and assess practice in a way that reflects best practices and incorporates appropriate evidence of student learning. Create a major commission to outline how these educator quality systems should best be designed, supported, and implemented. Launch an ongoing initiative to support union-management collaboration toward high-leverage reforms.

Curriculum and Assessment: In close collaboration with the State Board of Education, revise State curriculum standards, frameworks, and assessments to better reflect the demands of a knowledge-based society and economy, incorporate new Common Core Standards, and build on the strengths and needs of diverse learners. Incorporate technology as a key component of teaching, learning, and assessment, and support high levels of literacy and bi-literacy to prepare students for the globalized society they are entering.

Higher Education and Secondary Alignment: Work with higher education partners to establish college and career readiness standards and align assessments for K-12 learning, college admissions, and college placement. Improve graduation rates and student preparation for college and careers by redesigning secondary school program models and curriculum, investing in Linked Learning approaches, and updating A-G requirements.

Accountability and School Improvement: Develop a robust system of indicators to give students, teachers and parents a more complete picture of school performance, including broader measures of growth and learning that better assess 21st century skills; measures of school capacity and student opportunities to learn; and measures of resources connected to opportunity-to-learn standards.

Early Childhood Education: Develop an infrastructure for a birth-to-3rd-grade system that serves our youngest learners and includes expanded access to programs designed to meet quality standards, supported by well-prepared and supported educators, guided by aligned standards and curriculum, and informed by readiness data.

Education Supports: Support the provision of wraparound services to enhance student access to healthcare, social services, before and after school programs, and other supports needed for success. Encourage the development of community school approaches and provide technical assistance through existing CDE staff and structures.

Health and Fitness: Improve children's health, nutrition, and fitness by facilitating access to health insurance for all eligible children, supporting school-based health care, and encouraging better nutrition and increased physical activity within both school and home environments.

School Finance: Identify new or expanded sources of revenue to stabilize and increase financial support for schools. Foster and promote fiscal and

administrative efficiencies. Create a weighted student formula approach to tie funding to pupil needs.

Facilities Construction and Reform: Enable districts to engage in more effective and efficient facilities construction and re-design, including movement toward energy self-sufficiency.

Additional information on Superintendent Torlakson's *A Blueprint for Great Schools* can be found at: <http://www.cde.ca.gov/eo/in/bp/>.

Indicator 4: Suspension/Expulsion (A summary of pages 26 – 27)

The CDE has proposed to the OSEP the following methodology for identifying significant discrepancy:

- Calculate one state-level suspension/expulsion rate to set the State Bar (i.e., State suspension/expulsion average (0.64) + 2% = 2.64, the State Bar)
- Calculate district-rate for each racial/ethnic group
- Compare each district-rate for each racial/ethnic group to the State Bar
- If one or more racial/ethnic group(s) are suspended/expelled at a rate greater than the State Bar, the district is identified with a significant discrepancy

Indicator 9: Disproportionality Overall, and Indicator 10: Disproportionality by Disability (A summary of pages 56 – 57 and 60 – 61)

The CDE has proposed to the OSEP the use of the e-formula and Alternate Risk Ratio to identify disproportionate representation. A study of disproportionality measurements indicates it is advantageous to use two types of measures over using a single measure because: (1) It incorporates the best elements of both measures; (2) the measures represent two broad categories of disproportionality; (3) if a district is disproportionate in both measures - not just in one - then the district more likely has true disproportionality; and (4) two measures allow the user to examine disproportionality of districts at reasonable threshold levels in both measures.

The e-formula, which falls under the broad category of measures known as **Composition**, has, among others, the following unique properties: (1) It is based on statistical principles of sampling theory; (2) it is sensitive to the size of districts; (3) it allows proportionately more tolerance for disproportionality for smaller districts than larger districts; (4) it has the lowest number of exclusions of cells from disproportionality

calculations; (5) the results are not affected by external factors, such as state demographics; (6) it is least affected by small enrollment fluctuations; and (7) it is applicable to racially homogeneous as well as heterogeneous districts.

The Alternate Risk Ratio, which falls under the broad category of measures known as **Risk**, has the following properties: (1) The results are comparable across the districts in a state; and (2) it is sensitive to very high or very low district rate of disability, compared to the state rate.

**EXECUTIVE SUMMARY OF
THE ANNUAL PERFORMANCE REPORT FOR PART B OF THE INDIVIDUALS WITH
DISABILITY EDUCATION ACT
COVERING PROGRAM YEAR 2010-11**

**CALIFORNIA DEPARTMENT OF EDUCATION
SPECIAL EDUCATION DIVISION**

State Annual Performance Report
Federal Fiscal Year 2010
(Program Year 2010–11)

February 2012

Table of Contents

Special Education in California	3
Accountability and Data Collection	3
Overview of Population and Services	4
2010–11 Annual Performance Report Indicators	8
Indicator 1 Graduation Rates	10
Indicator 2 Dropout Rates	11
Indicator 3 Statewide Assessment	12
Indicator 4 Rates of Suspension and Expulsion	15
Indicator 5 Least Restrictive Environment	19
Indicator 7 Preschool Assessment	21
Indicator 8 Parent Involvement	27
Indicator 9 Disproportionality Overall	29
Indicator 10 Disproportionality by Disability	31
Indicator 11 Eligibility Evaluation	33
Indicator 12 Part C to Part B Transition	35
Indicator 13 Effective Transitions	37
Indicator 14 Post Secondary	39
Indicator 15 General Supervision	41
Indicator 16 Complaints	43
Indicator 17 Due Process	45
Indicator 18 Hearing Requests	47
Indicator 19 Mediation	49
Indicator 20 Timely and Accurate Report	51

Tables and Figures

Table 1 California State Indicators	4
Table 2 Enrollment of Special Education Students by Disability Type	5
Table 3 Enrollment of Special Education by Type of School	7
Table 4 Services Provided Special Education Students	8
Table 5 FFY 2010 Indicators, Targets, and Results	9
Figure 1 Ages of Students with Disabilities 2009–2010	5
Figure 2 2010–11 Students in Special Education by Race/Ethnicity	6
Figure 3 Rate of Special Education Students Compared to Enrollment by Race/Ethnicity	6

Special Education in California

The California Department of Education (CDE) provides state leadership and policy direction for school district special education programs and services for students who have disabilities, newborn to twenty-two years of age. Special Education is defined as specially designed instruction and services, at no cost to parents, to meet the unique needs of children with disabilities. Special education services are available in a variety of settings, including day-care settings, preschool, regular classrooms, classrooms that emphasize specially designed instruction, the community, and the work environment.

This leadership includes providing families with information on the education of children with disabilities. The CDE works cooperatively with other state agencies to provide everything from family-centered services for infants and preschool children with disabilities to planned steps for transition from high school to employment and quality adult life. The CDE responds to consumer complaints and administers the federal Individuals with Disabilities Education Act (IDEA) and the Elementary and Secondary Education Act (ESEA) for students with disabilities in California.

Accountability and Data Collection

In accordance with the IDEA, California is required to report annually to the secretary of the U.S. Department of Education (ED) on the performance and progress under the State Performance Plan (SPP) in its Annual Performance Report (APR). The APR requires the CDE to report on 20 indicators (Table 1) that examine a comprehensive array of compliance and performance requirements relating to the provision of special education and related services. The California Special Education Management Information System (CASEMIS) is the data reporting and retrieval system used at the CDE. The CASEMIS provides the local educational agencies (LEAs) with a statewide standard for maintaining a common core of special education data at the local level that is used for accountability reporting and to meet statutory and programmatic needs in special education.

The CDE is required to publish the APR for public review. The current APR reflects data collected during Federal Fiscal Year (FFY) 2010, which is equivalent to California's school year 2010–11. Please note that there are several indicators that are reported in lag years using data from school year 2009–10. There are 11 performance indicators and 9 compliance indicators. All compliance indicators are set by the ED at either 0 percent or 100 percent. Performance indicator targets were established based on the recommendations of the broad-based stakeholder group, Improving Special Education Services (ISES), and the approval of the State Board of Education (SBE) (Table 5).

Table 1: California State Indicators

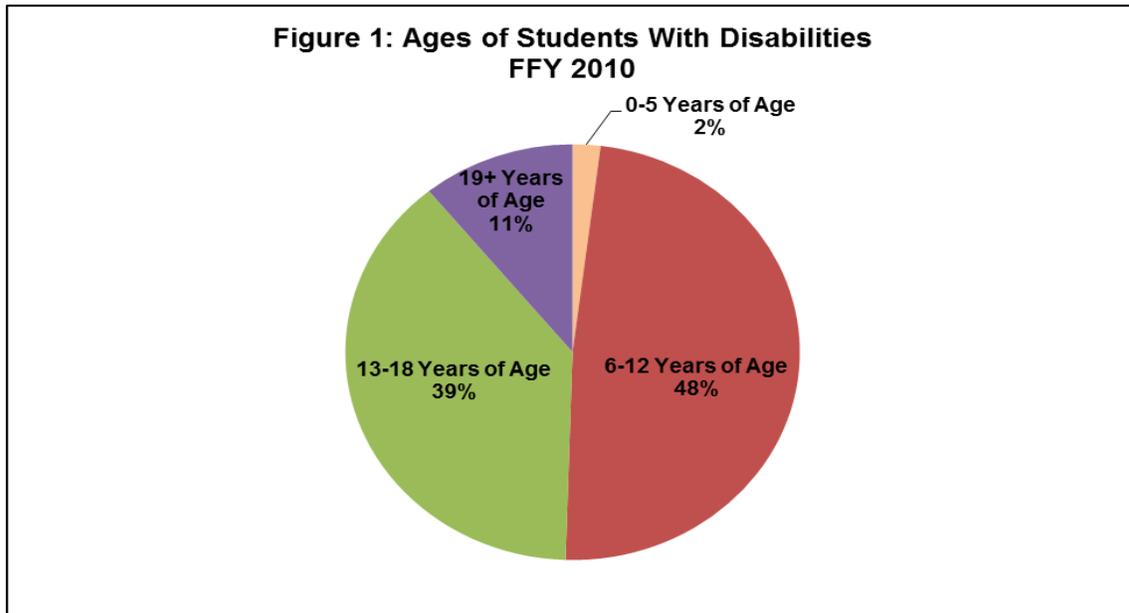
Type		Indicators
Performance	1	Graduation Rates
Performance	2	Dropout Rates
Performance	3 A	Statewide Assessment
Performance	3B	Statewide Assessment-participation Rates
Performance	3C	Statewide Assessment-proficiency Rates
Performance	4A	Rates of Suspension and Expulsion
Performance	4B.	Rates of Suspension and Expulsion by Race or Ethnicity
Performance	5A	Least Restrictive Environment (Removed >21% of day)
Performance	5B	Least Restrictive Environment (Removed >60% of day)
Performance	5C	Least Restrictive Environment (Served in separate school or other placement)
Performance	6	Preschool Least Restrictive Environment (Not reported in FFY 2010)
Performance	7A	Preschool Assessment: Social-emotional skills
Performance	7B	Preschool Assessment: Acquisition/Use of knowledge
Performance	7C	Preschool Assessment: Use of Appropriate Behaviors
Performance	8	Parent Involvement
Compliance	9	Disproportionality Overall
Compliance	10	Disproportionality by Disability
Compliance	11	Eligibility Evaluation
Compliance	12	Part C to Part B Transition
Compliance	13	Effective Transitions
Performance	14	Post Secondary
Compliance	15	General Supervision
Compliance	16	Complaints
Compliance	17	Due Process
Performance	18	Hearing Requests
Performance	19	Mediation
Compliance	20	State-reported Data

CASEMIS Dec.2010

Overview of Population and Services

During fiscal year (FY) 2010–11, 680,164 students were enrolled in special education. Compared to the total student enrollment in California, special education students make up about 10 percent of total students. The average age of a special education student in California is approximately eleven years. The median grade level is sixth grade.

As shown in Figure 1, the majority of students with disabilities in California are between six and twelve years of age. The majority of special education students (68 percent) are male. Twenty-nine percent of special education students are English-language learners.



CASEMIS Dec.2010

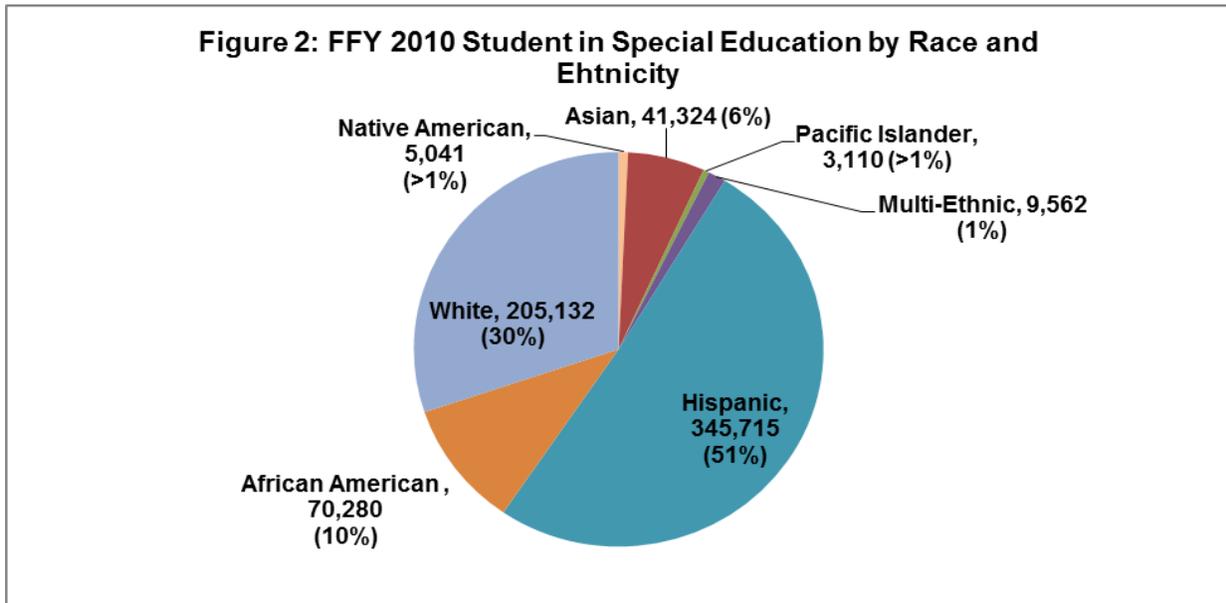
California students diagnosed with at least one disability are eligible for services to meet those needs. There are 13 disability categories as identified in Table 2. The majority (42 percent) of students are identified as having a “Specific Learning Disability” as their primary disability category. The second most common primary disability designation for students (24.7 percent) is a “Speech/Language Impairment.”

Table 2: Enrollment of Special Education Students by Disability Type

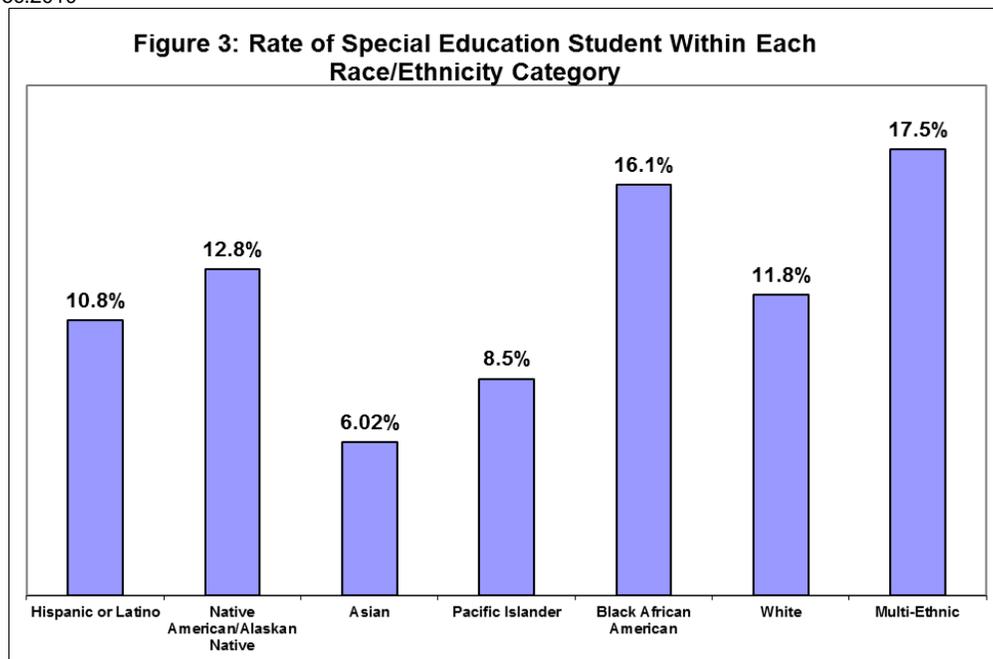
Intellectual Disability	42,897	6.3%	Orthopedic Impairment	15,394	2.3%
Hard of Hearing	9,301	1.4%	Other Health Impairment	53,936	7.9%
Deaf	4,154	0.6%	Specific Learning Disability	287,773	42.3%
Speech and Language	168,046	24.7%	Deaf-Blindness	162	0%
Visual Impairment	4,456	0.7%	Multiple Disability	5,201	0.8%
Emotional Disturbance	27,314	4.0%	Autism	59,690	8.8%
Traumatic Brain Injury	1,831	0.3%			

CASEMIS Dec.2010

Of all special education students in California, Hispanic youth represent the greatest number of students in need of services (See Figure 2). However, when compared to total enrollment rates, African American students are the most highly represented single ethnicity in special education (See Figure 3).



CASEMIS Dec.2010



CASEMIS Dec.2010

The CDE also tracks the type of school or program in which special education students receive the majority of their instructional services. These include public schools, private schools, independent study, charter schools, community schools, correctional programs, higher education, and transition programs. Table 3 shows that the majority (88 percent) of special education students are enrolled in a public day school.

Table 3: Enrollment of Special Education by Type of School

No School (0–5 years)	3,872	0.6%	Adult Education Program	1,602	0.2%
Public Day School	597,559	87.9%	Charter School	16,032	2.4%
Public Residential School	761	0.1%	Charter School District	4,124	0.6%
SpEd Center or Facility	11,180	1.6%	Head Start	1,861	0.3%
Other Public School	5,606	0.8%	Child Development/Care	2,509	0.4%
Continuation School	5,312	0.8%	State Preschool Program	875	0.1%
Alternative Work Education Center/Facility	349	0.1%	Non Public Residential School	1,658	0.2%
Independent Study	1,372	0.2%	Extended Day Care	250	0.0%
Juvenile Court School	2,347	0.3%	Non Public Day School	12,299	1.8%
Community School	3,619	0.5%	Private Preschool	830	0.1%
Correctional Institution	351	0.1%	Private Day School	1,681	0.2%
Home Instruction	2,417	0.4%	Private Residential School	41	0.0%
Hospital Facility	116	0.0%	Non Public Agency	253	0.0%
Community College	263	0.0%	Parochial School	1,025	0.2%

CASEMIS Dec.2010

Special education students in California receive a variety of services to address their unique needs. During 2010–11, there were 1,606,945 services provided to California special education students. Table 4 describes the type of services provided to students. The most common service provided was Specialized Academic Instruction, followed by Language and Speech Services.

Table 4: Services Provided To Special Education Students

Specialized Services for Ages 0-2 years	17,815	1.1%	Specialized Services/Low Incidence Disabilities	7,426	0.5%
Specialized Academic Instruction	652,440	40.6%	Services for Deaf Students	20,974	1.3%
Intensive Individual Services	12,219	0.8%	Services for Visually Impaired Students	11,583	0.7%
Individual/Small Group Instruction	14,786	0.9%	Specialized Orthopedic Services	3,970	0.2%
Language/Speech	377,784	23.5%	Recreation Services	566	0.0%
Adapted Physical Education	49,085	3.1%	Reader and Note Taking Services	734	0.0%
Health and Nursing	16,362	1.0%	College Preparation	51,499	3.2%
Assistive Technology	8,829	0.5%	Vocational/Career	103,963	6.5%
Occupational Therapy	63,675	4.0%	Agency Linkages	9,634	0.6%
Physical Therapy	11,246	0.7%	Travel Training	1,160	0.1%
Mental Health Services	132,174	8.2%	Other Transition Services	21,590	1.3%
Day Treatment	1,477	0.1%	Other Special Education Services	16,053	1.0%
Residential Treatment	1,116	0.1%			

CASEMIS Dec.2010

2010–11 Annual Performance Report Indicators

During FFY 2010, California met XX (or XX percent) of the 19 target indicators (Indicator 6 was not reported for FFY 2010). Table 5 identifies each indicator, its target, the FFY 2010 state results, and whether the target was met. The pages following Table 5 provide one-page overviews of each individual indicator, including a description of the indicator, the target, the data measurement, the results, whether the target was met, and a summary of improvement activities.

Table 5: FFY 2010 Indicators, Targets, and Results

Indicators	Target	*Results	Met Target
1-Graduation Rate	Greater than 66.9%	74%	Yes
2-Dropout Rate	No More Than 22.6%	15.4%	Yes
3-Statewide Assessment	Multiple Targets	--	No
4- Suspension and Expulsion Rate by Ethnicity	No More Than 10%	Pending	Pending
4b-Suspension and Expulsion Rate by Disability	No More than 0%	Pending	Pending
5-Least Restrictive Environment			
5a. Percent Removed from Regular Class Less Than 21% of the Day	76% or More	52.5%	No
5b. Percent Removed from Regular Class More Than 60% of the Day	No More than 9%	22.4%	No
5c. Percent served in separate schools	No More than 3.8%	3.7%	Yes
6-Preschool Least Restrictive Environment	Not Required	--	--
7-Preschool Assessment	Multiple Targets		No
8-Percent of Parent Reporting the Schools Facilitated Parental Involvement	90% or More	81.1%	No
9-Overall Disproportional Racial or Ethnic Groups in Special Education	No More Than 0%	Pending	Pending
10-Disproportional Racial or Ethnic Groups in Disability Categories	No More than 0%	Pending	Pending
11-Eligibility Evaluation Completed within 60 Days of Parental Consent	No Less than 100%	95.8%	No
12-Part C to Part B Transition by Third Birthday	No Less than 100%	95.3%	No
13-Secondary Transition Goals and Services	No Less than 100%	27.2%	No
14-Post-School Employment or Enrollment in Post-Secondary Education	No Less than 69%	74.4%	Yes
15-General Supervision System Corrects Noncompliance Within in One Year	No Less than 100%	99.9%	No
16-General Supervision: Written Complaints Resolved in 60 Days	No Less than 100%	100%	Yes
17-General Supervision: Due Process Hearings	No Less than 100%	100%	Yes
18-General Supervision	No Less than 67%	27.3%	No
19-General Supervision: Number of Mediation Agreements	No Less than 80%	67.2%	No
20-General Supervision: Timely and Accurate Reports	No Less than 100%	97.8	No

INDICATOR 1: GRADUATION

Description

This is a performance indicator. It measures the percent of youth with Individual Education Programs (IEPs) graduating from high school with a regular diploma (20 U.S.C 1416 [a][3][A]). The calculation methods for this indicator were revised in 2008–09 and again in 2009–10 to align with reporting criteria under Title I of the Elementary and Secondary Education Act (ESEA). A new reporting methodology was implemented for the FFY 2010 APR. No baselines have been established. All California students are required to pass the California High School Exit Exam (CAHSEE) to earn a public high school diploma. State law provides an exemption from this testing requirement for students who otherwise meet the district requirement for graduation.

Target for 2010–11

- Have a 2010 graduation rate of at least 90 percent **or**
- Meet the 2010 fixed growth rate of 67.06 percent **or**
- Meet the 2010 variable growth rate of 66.98 percent

Measurement

The data are reported in lag years using the California Longitudinal Pupil Achievement Data System (CALPADS) data from the FFY 2009 (2009–10). The calculation is based on data from the California's ESEA reporting.

Results for 2010–11

For FFY 2010, Indicator 1 (Graduation Rates) shows that 74.4 percent of students with disabilities graduated with a high school diploma.

Target Met: Yes

Summary of Improvement Activities

- Provide technical assistance regarding graduation standards, student participation in graduation activities, promotion/retention guidelines, and preparation for the CAHSEE.
- Disseminate and promote the *English Learners with Disabilities Handbook* which provides guidance on ways to support twelfth graders in meeting goals for graduation.
- Develop and disseminate training modules on standards-based IEPs that promote and sustain activities that foster special education and general education working together to meet the needs of all learners. Modules will target delivery of services, curriculum and instruction, and differentiated instruction.

INDICATOR 2: DROPOUTS

Description

This is a performance indicator. It measures the percent of youth with IEPs dropping out of high school (20 U.S.C 1416 [a][3][A]). The calculation methods for this indicator were revised in 2009–10 to create a more rigorous target and were approved by the Office of Special Education Programs (OSEP) in April 2010. Dropout rates are calculated from data reported for grades nine through twelve. The CDE uses the annual (one-year) dropout rate and the four-year derived dropout rate. The four-year derived dropout rate is an estimate of the percent of students who would dropout in a four-year period based on data collected for a single year. California does not currently have benchmarks for dropout rates for the ESEA. Annual benchmarks are not required by the ESEA.

Target for 2010–11

Less than 22.6 percent of students with disabilities will drop out of high school.

Measurement

The data are reported in lag years using the CALPADS data from the FFY 2009 (2009–10). The calculation is based on data from the ESEA reporting.

Results for 2010–11

For the FFY 2010, Indicator 2 (Dropout Rates) reports in lag years using data from 2008–09. The four-year derived dropout rate was 15.4 percent.

Target Met: Yes

Summary of Improvement Activities

- Continue the Building Effective Schools Together (BEST) program which provides training and technical assistance on positive behavioral supports.
- Disseminate and provide training based on *Transition to Adult Living: A Guide for Secondary Education*, a comprehensive handbook written for students' parents and teachers, to support the transition of students with disabilities to adulthood and/or independent living.
- The CDE will continue to contract with the California Juvenile Court Schools to facilitate electronic transmission of records across public agencies, implement Response to Instruction and Intervention (RTI²), and improve academic achievement.

INDICATOR 3: STATEWIDE ASSESSMENTS

Description

This is a performance indicator. It measures the percent of districts with a disability subgroup that meet the state's minimum "n" size (less than 20 students) and meet: (a) the state's Adequate Yearly Progress (AYP), English-language Arts (ELA), and mathematics targets for the disability subgroup; (b) the participation rate for children with IEPs; and (c) the proficiency rate for children with IEPs against grade-level, modified, and alternate academic achievement standards (20 U.S.C. 1416 [a][3][A]).

Target for 2010–11

- 3A. The annual benchmarks and six-year target for the percent of districts meeting the state's AYP objectives for progress for the disability subgroup (58 percent).
- 3B. The annual benchmark and target for participation on statewide assessments in ELA and math, 95 percent (rounded to nearest whole number), is established under the ESEA.
- 3C. Consistent with the ESEA accountability framework, the 2010–11 annual measurable outcomes (benchmarks) for the percent proficient on statewide assessments are broken down by school subgroup:

School Subgroup	ELA Percent	Math Percent
Elementary Schools, Middle Schools, Elementary School Districts	67.6	68.5
High Schools, High School Districts	66.7	66.1
Unified School Districts, High School Districts, County Offices of Education	67.0	67.3

Measurement

The AYP percent equals the number of districts with a disability subgroup that meets the state's minimum "n" size and meets the state's AYP targets for the disability subgroup divided by the total number of districts that have a disability subgroup that meets the state's minimum "n" size.

The participation rate percent equals the number of children with IEPs participating in the assessment (California Standards Test, California Alternate Performance Assessment, California Modified Assessment, and CAHSEE) divided by the total number of children with IEPs enrolled on the first day of testing, calculated separately for reading and math.

The proficiency rate percent equals the number of children with IEPs enrolled for a full academic year scoring at or above proficient divided by the total number of children with IEPs enrolled for a full academic year, calculated separately for reading and math.

Results for 2010–11

A. In FFY 2010 for Target A the results are as follows:

Percent of Districts Meeting AYP for Disability Subgroup (3A)

Targets for FFY 2010 (2010–11)	Actual Data for FFY 2010 (2010–11)	Target Met
58	14.7	No

B. In FFY 2010 for Target B the results are as follows:

Percent of Participation for Students with IEPs (3B)

	Targets for FFY 2010 (2010–11)	Actual Data for FFY 2010 (2010–11)	Target Met
ELA	95	97.4	Yes
Math	95	94.9	No

C. In FFY 2010 for Target C the results are as follows:

Proficiency Targets and Actual Data in ELA and Math by Type of LEA (3C)

Type of LEAs	ELA Target Percent Proficient	ELA Actual Percent Proficient	Target Met	Math Target Percent Proficient	Math Actual Percent Proficient	Target Met
Elementary School Districts	67.6	39.8	No	68.5	35.7	No
High school Districts (grades 9-12 only)	66.7	15.5	No	66.1	15.0	No
Unified School Districts, High School Districts, County Offices of Education (grades 2–8 and 9–12)	67.0	22.9	No	67.3	17.3	No

Summary of Improvement Activities

- Provide technical assistance to schools focused on the implementation of programs to reform high poverty schools. Provide focused monitoring and technical assistance at facilitated school sites to address participation and performance on statewide assessments.
- Develop and maintain the IDEA 2004 information Web page with links to important references and resources on the reauthorization of the IDEA, including statewide assessments.
- Collaborate with the CDE Program Improvement and Interventions Office to infuse special education indicators into the Academic Performance Survey and District Assistance Survey.

INDICATOR 4A: SUSPENSION AND EXPULSION BY ETHNICITY

Description

This is a performance indicator. It measures the percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs (20 U.S.C. 1416[a][3][A]; 1412[a][22]). A district is considered to have a significant discrepancy if the districtwide rate for suspension and expulsion exceeds the statewide rate for suspension and expulsion. Districts identified as having a significant discrepancy are required to review policies, procedures, and practices related to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. The data reported here are from 2009–10.

Target for 2010–11

No more than 10 percent of districts will have rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year.

Measurement

The data are reported in lag years using the CALPADS data from the FFY 2010 (2009–10). The percent is calculated by the number of districts that have a significant discrepancy in the rates of suspensions and expulsions of children with IEPs for greater than 10 days in a school year divided by the number of districts in the state multiplied by 100.

Results for 2010–11

The CDE has not been able to complete calculations and notify districts on disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. Calculation methodology for Indicator 4 (Rates of Suspension and Expulsion by Race or Ethnicity) was submitted for approval to the Office of Special Education Programs (OSEP) in September 2011. On October 3, 2011, an e-mail was sent to the CDE with the following direction for these indicators:

“If the state has not completed its policies, procedures, or practices review because additional districts were identified when the state applied its revised calculation methodology, the state has the option of submitting these data by the clarification period.”

This e-mail was followed by two conference calls (October 11, 2011, and October 28, 2011) where the calculation methodology was discussed.

Because the calculation methodology for Indicator 4 (Rates of Suspension and Expulsion by Race or Ethnicity) has not been approved, the CDE has not been able to complete calculations, nor has it been able to notify districts for a special self-review of policies, procedures, and practices. Upon the approval of the calculation methodologies, the CDE will identify districts with possible disproportionate rates of suspension and expulsion and advise them to complete a self-review of policies, procedures, and practices and submit the data to the CDE.

If approved, the methodology for 4A would be the number of districts with suspension/expulsion rates greater than the statewide rate, divided by the number of districts meeting the minimum n-size.

Target Met: N/A

Summary of Improvement Activities

- In collaboration with other divisions of the CDE, provide technical assistance to LEAs and schools on reinventing high schools to address suspension and expulsion.
- Provide technical assistance to schools focused on the implementation of reform programs that have been successful in high poverty schools.
- Work with special education local plan areas (SELPAs), LEAs, and the County Offices of Education (COE) to clarify responsibilities and improve behavior emergency and incident reporting.
- Promote the Internet Resource Instructional System (IRIS) modules in behavior, diversity, and other content. This is a special project that includes training and technical assistance work.
- Promote the Culturally Responsive Teaching in California online training modules for the school site general and special educators dealing with utilizing positive behavior supports.

INDICATOR 4B: SUSPENSION AND EXPULSION BY DISABILITY

Description

This is a compliance indicator. It measures the percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures, or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards (20 U.S.C. 1416[a][3][A]; 1412[a][22]).

Target for 2010–11

Zero percent of districts will have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with disabilities by race/ethnicity.

Measurement

The data are reported in lag years using the CALPADS data from the FFY 2009 (2009–10). This percent is calculated by the number of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures, or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards divided by the number of districts in the state multiplied by 100.

Results for 2010–11

The CDE has not been able to complete calculations and notify districts of disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. Calculation methodology for Indicator 4 (Rates of Suspension and Expulsion by Race or Ethnicity) was submitted for approval to the OSEP in September 2011. On October 3, 2011, an e-mail was sent to the CDE with the following direction for these indicators:

“If the state has not completed its policies, procedures or practices review because additional districts were identified when the state applied its revised calculation methodology, the state has the option of submitting these data by the clarification period.”

This e-mail was followed by two conference calls (October 11, 2011, and October 28, 2011) where the calculation methodology was discussed.

Because the calculation methodology for Indicator 4 (Rates of Suspension and Expulsion by Race or Ethnicity) has not been approved, the CDE has not been able to complete calculations, nor has it been able to notify districts for a special self-review of policies, procedures, and practices. Upon the approval of the calculation methodologies, the CDE will identify districts with possible disproportionate rates of suspension and expulsion and advise them to complete a self-review of policies, procedures, and practices and submit the data to the CDE.

If approved, the methodology for 4b would be the number of districts with significant discrepancy, defined as a district with one or more race categories greater than the statewide rate, divided by the number of districts meeting the minimum n-size.

Target Met: N/A

Summary of Improvement Activities

- Provide technical assistance to schools focused on the implementation of reform programs that have been successful in high poverty schools.
- Work with SELPAs, LEAs, and COEs to clarify responsibilities and improve behavior emergency and incident reporting.
- Work with SELPAs, LEAs, and the COEs to update and improve monitoring items and instruments for reviewing policies, practices, and procedures related to this indicator.
- Provide Building Effective Schools Together (BEST) training and technical assistance on positive behavioral supports. Promote and distribute the IRIS modules in behavior, diversity, and other content. This is a special project that includes training and technical assistance work.

INDICATOR 5: LEAST RESTRICTIVE ENVIRONMENT

Description

This is a performance indicator. It measures the percent of children with IEP's, aged six through twenty-one, served inside the regular class 80 percent or more of the day; inside the regular class less than 40 percent of the day; and in separate schools, residential facilities, or homebound/hospital placement.

Target for 2010–11

- 5A. Seventy-six percent or more of students will be removed from regular class less than twenty-one percent of the day;
- 5B. No more than 9 percent of students will be removed from regular class more than 60 percent of the day; **and**
- 5C. No more than 3.8 percent of students are served in public or private separate schools, residential placements, or homebound/ hospital placements.

Measurement

- A. The number of children with IEPs served inside the regular class 80 percent or more of the day divided by the total number of students aged six through twenty-one with IEPs.
- B. The number of children with IEPs served inside the regular class less than 40 percent of the day divided by the total number of students aged six through twenty-one with IEPs.
- C. The number of children with IEPs served in separate schools, residential facilities, or homebound/hospital placements divided by the total number of students aged six through twenty-one with IEPs.

Results for 2010–11

California did not meet the targets for 5A (only 52.5 percent of students were removed from regular class less than 21 percent of the day) and for 5B (22.4 percent of students were removal greater than 60 percent of the day). However, the target was met for 5C, (3.7 percent of students were served in separate schools and facilities).

Target Met: 5A and 5B: No, 5C: Yes

Summary of Improvement Activities

- Continue implementing the Facilitated Focused Monitoring Project including the “scaling up” of focused monitoring activities that contain targeted technical assistance to LEAs related to Least Restrictive Environment (LRE) and improved academic outcomes.
- Conduct activities related to parent involvement, LRE, Rtl², and secondary transition. The CDE promotes parental involvement by inviting participation in ISES and in the CDE trainings. The CDE supported trainings are posted on the Internet to increase parental access.
- In collaboration with the California Comprehensive Center, the CDE’s Special Education Division (SED) will develop and disseminate training modules on standards-based IEPs to promote and sustain activities that foster special education and general education collaboration.

INDICATOR 7A: PRESCHOOL ASSESSMENT

Description

This is a performance indicator. It measures the percent of preschool children with IEPs demonstrating improvement in Outcome A: Positive social-emotional skills (including social relationships).

Target for 2010–11

1. Of those children who entered the program below age expectations in Outcome A, 72.7 percent substantially increased their rate of growth by the time they turned six years of age or exited the program; and
2. Of children who were functioning within age expectations in Outcome A, 82.1 percent were functioning within age expectations by the time they turned six years of age or exited the program.

Measurement

Outcome A: Positive social-emotional skills (including social relationships):

- A. Number of preschool children who did not improve functioning divided by the number of preschool children with IEPs assessed multiplied by 100.
- B. Number of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers divided by the number of preschool children with IEPs assessed multiplied by 100.
- C. Number of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it divided by the number of preschool children with IEPs assessed multiplied by 100.
- D. Number of preschool children who improved functioning to reach a level comparable to same-aged peers divided by the number of preschool children with IEPs assessed multiplied by 100.
- E. Number of preschool children who maintained functioning at a level comparable to same-aged peers divided by the number of preschool children with IEPs assessed multiplied by 100.

Results for 2010–11

For FFY 2010, for Outcome A, 67.2 percent of students substantially increased their rate of growth by the time they turned six years of age or exited the program, and 77.9 percent of students were functioning within age expectations by the time they turned six years of age or exited the program.

Target Met: No

Summary of Improvement Activities

- Provide ongoing statewide technical assistance and training on Early Child Special Education (ECSE) and assist the CDE in monitoring and activities assessment.
- Continue the Train-the-Trainer training for SELPA teams to build local capacity for support, technical assistance, and mentoring for teachers.
- Develop Web-based modules for training and instruction related to the Desired Results Development Profile (DRDP) instruments and data reporting system to build local capacity for support, technical assistance, and mentoring.

INDICATOR 7B: PRESCHOOL ASSESSMENT

Description

This performance indicator measures the percent of preschool children with IEPs who demonstrate improvement in Outcome B: Acquisition and use of knowledge and skills (including early language/communication and early literacy).

Target for 2010–11

1. Of those children who entered the program below age expectations in Outcome B, 70 percent substantially increased their rate of growth by the time they turned six years of age or exited the program; and
2. Of children who were functioning within age expectations in Outcome B, 82.5 percent were functioning within age expectations by the time they turned six years of age or exited the program.

Measurement

Outcome B: Acquisition and use of knowledge and skills (including early language/communication and early literacy):

- A. Number of preschool children who did not improve functioning divided by the number of preschool children with IEPs assessed multiplied by 100.
- B. Number of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers divided by the number of preschool children with IEPs assessed multiplied by 100.
- C. Number of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it divided by the of preschool children with IEPs assessed multiplied by 100.
- D. Number of preschool children who improved functioning to reach a level comparable to same-aged peers divided by the number of preschool children with IEPs assessed multiplied by 100.
- E. Number of preschool children who maintained functioning at a level comparable to same-aged peers divided by the number of preschool children with IEPs assessed multiplied by 100.

Results for 2010–11

In FFY 2010, for Outcome B, 66.4 percent of students substantially increased their rate of growth by the time they turned six years of age or exited the program; and 76.3 percent of students were functioning within age expectations by the time they turned six years of age or exited the program.

Target Met: No

Summary of Improvement Activities

- Provide ongoing statewide technical assistance and training on ECSE and assist the CDE in monitoring and activities assessment.
- Continue the Train-the-Trainer training for SELPA teams to build local capacity for support, technical assistance, and mentoring for teachers.
- Develop Web-based modules for training and instruction related to the DRDP instruments and data reporting system to build local capacity for support, technical assistance, and mentoring.

INDICATOR 7C: PRESCHOOL ASSESSMENT

Description

This performance indicator measures the percent of preschool children with IEPs who demonstrate improvement in Outcome C: Use of appropriate behaviors to meet their needs (20 U.S.C. 1416[a][3][A]).

Target for 2010–11

1. Of those children who entered the program below age expectations in Outcome C, 75 percent substantially increased their rate of growth by the time they turned six years of age or exited the program; and
2. Of children who were functioning within age expectations in Outcome C, 79 percent were functioning within age expectations by the time they turned six years of age or exited the program.

Measurement

Outcome C: Use of appropriate behaviors to meet their needs:

- A. Number of preschool children who did not improve functioning divided by the number of preschool children with IEPs assessed multiplied by 100.
- B. Number of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers divided by the number of preschool children with IEPs assessed multiplied by 100.
- C. Number of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it divided by the number of preschool children with IEPs assessed multiplied by 100.
- D. Number of preschool children who improved functioning to reach a level comparable to same-aged peers divided by the number of preschool children with IEPs assessed multiplied by 100.
- E. Number of preschool children who maintained functioning at a level comparable to same-aged peers divided by the number of preschool children with IEPs assessed multiplied 100.

Results for 2010–11

In FFY 2010, for Outcome C, 69.4 percent of students substantially increased their rate of growth by the time they turned six years of age or exited the program; and 78.4 percent of students were functioning within age expectations by the time they turned six years of age or exited the program.

Target Met: No

Summary of Improvement Activities

- Provide ongoing statewide technical assistance and training on ECSE and assist the CDE in monitoring and activities assessment.
- Continue the Train-the-Trainer training for SELPA teams to build local capacity for support, technical assistance, and mentoring for teachers.
- Develop Web-based modules for training and instruction related to the DRDP instruments and data reporting system to build local capacity for support, technical assistance, and mentoring.

INDICATOR 8: PARENT INVOLVEMENT

Description

This is a performance indicator. It measures the percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities (20 U.S.C. 1416[a][3][A]). This data is one question in a survey distributed, collected, and reported by the SELPAs. The measure is the percentage of parents responding “yes” to the question: “Did the school district facilitate parent involvement as a means of improving services and results for your child?”

Target for 2010–11

Ninety percent of parents will report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

Measurement

The number of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities divided by the total number of respondent parents of children with disabilities.

Results for 2010–11

The result for Indicator 8 in FFY 2010 was 81.1 percent of parents with a child receiving special education services report that schools facilitated parental involvement.

Target Met: No

Summary of Improvement Activities

- Explore Web-based applications for all components of the monitoring system including parent involvement.
- Data collection will be conducted, independent of the monitoring processes, by parent centers and the CDE staff.
- Develop a Web-based survey process and a statewide data collection through the CASEMIS to capture a universal sample of families to address the Parent Involvement Indicator.

- The SED partners with Parent Training and Information centers, Family Resource Centers, and Family Empowerment Centers to provide statewide training and technical assistance to parents. The SED will maintain a parent “hot line” to provide parents with information and assistance.

INDICATOR 9: DISPROPORTIONALITY OVERALL

Description

This is a compliance indicator. It measures the percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification (20 U.S.C. 1416[a][3][C]). Currently, California combines the Alternate Risk Ratio and the e-formula in a race-neutral approach to identify which districts are disproportionate. The first test is to identify those districts that have a disparity that is higher than the annual benchmark. The second test, based on the e-formula, looks at the over- and under-representation of each ethnic group compared to the distribution of those ethnic groups in the general education population.

Target for 2010–11

Zero percent of districts will have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

Measurement

Using the e-formula and the Alternate Risk Ratio, the number of districts with disproportionate representation of racial and ethnic groups in special education and related services were identified as a result of inappropriate identification divided by the number of districts in the state.

Results for 2010–11

The CDE has not been able to complete calculations and notify districts on disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. Calculation methodology for Indicator 9 (Disproportionate Representation of Racial and Ethnic Groups) was submitted for approval to the Office of Special Education Programs (OSEP) in September 2011. On October 3, 2011, an e-mail was sent to the CDE with the following direction for these indicators:

“If the state has not completed its policies, procedures, or practices review because additional districts were identified when the state applied its revised calculation methodology, the state has the option of submitting these data by the clarification period.”

This e-mail was followed by two conference calls (October 11, 2011, and October 28, 2011) where the calculation methodology was discussed.

Because the calculation methodology for Indicator 9 (Disproportionate Representation of Racial and Ethnic Groups) has not been approved, the CDE has not been able to complete calculations, nor has it been able to notify districts for a special self-review of policies, procedures, and practices. Upon the approval of the calculation methodologies, the CDE will identify districts with possible disproportionate rates and advise them to complete a self-review of policies, procedures, and practices and submit the data to the CDE.

If approved, the methodology for Indicator 9 would use the e-formula and the alternate risk ratio. The e-formula, which falls under the broad category of measures known as **Composition**, has, among others, the following unique properties: (1) It is based on statistical principles of sampling theory; (2) it is sensitive to the size of districts; (3) it allows proportionately more tolerance for disproportionality for smaller districts than larger districts; (4) it has the lowest number of exclusions of cells from disproportionality calculations; (5) the results are not affected by external factors, such as state demographics; (6) it is least affected by small fluctuations of enrollments; and (7) it is applicable to racially homogeneous as well as heterogeneous districts.

The Alternate Risk Ratio, which falls under the broad category of measures known as **Risk**, has the following properties: (1) The results are comparable across the districts in a state; (2) it is sensitive to very high or very low district rate of disability, compared to the state rate.

The final calculation would be the number of districts identified as having disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification, defined using the e-formula and the alternate risk ratio, divided by the number of districts meeting the minimum n-size.

Target Met: N/A

Summary of Improvement Activities

- Work with the Western Regional Resource Center (WRRC) and other federal contractors to identify and disseminate research-based practices related to preventing disproportionate representation and to address the relationship between eligibility and disproportionality of racial and ethnic groups.
- Refine policies, procedures, and practice instruments to assist the LEAs in reviewing policies, procedures, and practices in relation to disproportionality of racial and ethnic groups.

INDICATOR 10: DISPROPORTIONALITY BY DISABILITY

Description

This is a compliance indicator. It measures the percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification (20 U.S.C. 1416[a][3][C]). Currently, California combines the Alternate Risk Ratio and the e-formula in a race-neutral approach to identify which districts are disproportionate.

Target for 2010–11

Zero percent of districts will have disproportionate representation of racial and ethnic groups in specific disability categories that are the result of inappropriate identification.

Measurement

Using the e-formula and the Alternate Risk Ratio, the number of districts with disproportionate representation of racial and ethnic groups in specific disability categories was identified as a result of inappropriate identification divided by the number of districts in the State.

Results for 2010–11

The CDE has not been able to complete calculations and notify districts of disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. Calculation methodology for Indicator 10 (Disproportionate Representation by Disability) was submitted for approval to the Office of Special Education Programs (OSEP) in September 2011. On October 3, 2011, an e-mail was sent to the CDE with the following direction for these indicators:

“If the state has not completed its policies, procedures or practices review because additional districts were identified when the state applied its revised calculation methodology, the state has the option of submitting these data by the clarification period.”

This e-mail was followed by two conference calls (October 11, 2011, and October 28, 2011) where the calculation methodology was discussed.

Because the calculation methodology for Indicator 10 (Disproportionate Representation by Disability) has not been approved, the CDE has not been able to complete

calculations, nor has it been able to notify districts for a special self-review of policies, procedures, and practices. Upon the approval of the calculation methodologies, the

CDE will identify districts with possible disproportionate rates and advise them to complete a self-review of policies, procedures, and practices and submit the data to the CDE.

If approved, the methodology for Indicator 10 would use the e-formula and the alternate risk ratio. The e-formula, which falls under the broad category of measures known as **Composition**, has, among others, the following unique properties: (1) It is based on statistical principles of sampling theory; (2) it is sensitive to the size of districts; (3) it allows proportionately more tolerance for disproportionality for smaller districts than larger districts; (4) it has the lowest number of exclusions of cells from disproportionality calculations; (5) the results are not affected by external factors, such as state demographics; (6) it is least affected by small fluctuations of enrollments; and (7) it is applicable to racially homogeneous as well as heterogeneous districts.

The Alternate Risk Ratio, which falls under the broad category of measures known as **Risk**, has the following properties: (1) The results are comparable across the districts in a state; (2) it is sensitive to very high or very low district rate of disability, compared to the state rate.

The final calculation would be the number of districts disproportionate representation of racial and ethnic groups in specific disability categories that are the result of inappropriate identification, defined using the e-formula and the alternate risk ratio, divided by the number of districts meeting the minimum n-size.

Target Met: N/A

Summary of Improvement Activities

- Refine policies, procedures, and practices guidance to assist the LEAs in reviewing policies, procedures, and practices in relation to disproportionality by disability groups.
- Use refined procedures to identify districts with significant disproportionality and establish plans for supervision and technical assistance.
- Incorporate preliminary self-review and improvement planning modules, based on the National Center for Culturally Responsive Educational Systems, into monitoring software.
- Annually identify districts that are significantly disproportionate using existing instruments and procedures related to disability.

INDICATOR 11: ELIGIBILITY EVALUATION

Description

This is a compliance indicator. It measures the percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the state establishes a timeframe within which the evaluation must be conducted, within the established timeframe (20 U.S.C. 1416[a][3][B]). These data were calculated using CASEMIS data fields related to parental consent date and initial evaluation date. Determination of eligibility was made using the Plan Type field which includes the type of plan a student has (IEP, Individualized Family Service Plan, Individual Service Plan) if the student is eligible, or “no plan” if the student is determined ineligible. If the parent of a child repeatedly failed or refused to bring the child for the evaluation, or a child enrolled in a school or another public agency after the timeframe for initial evaluations had begun, and prior to a determination by the child’s previous public agency as to whether the child is a child with a disability, then the child was eliminated from both the numerator and the denominator.

Target for 2010–11

Eligibility determinations will be completed within 60 days for 100 percent of children for whom parental consent to evaluate was received.

Measurement

- A. The number of children for whom parental consent to evaluate was received.
- B. The number of children whose evaluations were completed within 60 days (or a state-established time line).

Results for 2010–11

For FFY 2010, 95.8 percent of eligibility determinations were completed within 60 days for children whom parental consent to evaluate was received.

Target Met: No

Summary of Improvement Activities

- Explore Web-based applications for all components of the monitoring system including 60-day evaluation time line.

- Analyze data from compliance complaints and all monitoring activities to determine areas of need for technical assistance, in addition to correction of noncompliance.
- Prepare and install initial evaluation compliance reports into the CASEMIS software to enable districts and SELPAs to self-monitor.
- Prepare and send noncompliance-finding letters based on the CASEMIS data to LEAs to reinforce the importance of correcting all noncompliant findings resulting from verification and self-review monitoring.

INDICATOR 12: PART C TO PART B TRANSITION

Description

This is a compliance indicator. It measures the percent of children referred by Part C prior to age three, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays (20 U.S.C. 1416[a][3][B]). These data were collected through the CASEMIS and data from the Department of Developmental Services (DDS).

Target for 2010–11

One hundred percent of children referred by Part C of IDEA prior to age three and who are found eligible for Part B of IDEA will have an IEP developed and implemented by their third birthday.

Measurement

- A. Number of children who have been served in Part C and referred to Part B (LEA notified pursuant to IDEA section 637[a][9][A]) for Part B eligibility determination).
- B. Number of those referred determined to be **not** eligible and whose eligibilities were determined prior to their third birthdays.
- C. Number of those found eligible who have an IEP developed and implemented by their third birthdays.
- D. Number of children for where parent refusal to provide consent caused delays in evaluation or initial services.

Results for 2010-11

For FFY 2010, 95.3 percent of children referred by Part C of IDEA prior to age three and who were found eligible for Part B of IDEA had an IEP developed and implemented by their third birthday.

Target Met: No

Summary of Improvement Activities

- Meet annually with SELPAs, LEAs, and Regional Centers to review data and plan for corrective action plans and technical assistance activities related to transition from Part C to Part B, based on APR data.

- Convene ISES stakeholder group to obtain input on aspects of Part C to Part B transition (e.g., moving from family focus to child focus).
- Revise the CASEMIS to include separate referral and evaluation dates for Part B and Part C in accordance to the IDEA.
- Participate in the OSEP National Early Childhood Conference to stay abreast of national trends, research on transition from Part C to Part B, and new OSEP requirements.
- Participate in a joint transition project with the DDS (Part C lead agency), with the assistance of the WRRC.

INDICATOR 13: SECONDARY TRANSITION GOALS AND SERVICES

Description

This is a compliance indicator. It measures the percent of youth aged sixteen and above with IEPs that include appropriate measurable postsecondary goals that are annually updated. It is based upon an age appropriate transition assessment and transition services, including courses of study, which will reasonably enable the student to meet those postsecondary and annual IEP goals. . There also must be evidence that the student was invited to the IEP team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP team meeting with the prior consent of the parent or student who has reached the age of majority (20 U.S.C. 1416[a][3][B]).

Target for 2010–11

One hundred percent of youth aged sixteen and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment and transition services.

Measurement

Number of youth with IEPs aged sixteen and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment and transition services divided by the number of youth with an IEP age sixteen and above.

Results for 2010–11

In FFY 2010, 27.2 percent of youth aged sixteen and above had an IEP that included appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment and transition services.

Target Met: No

Summary of Improvement Activities

- Use transition data collected through state-funded WorkAbility I grant procedures to ensure programs include the provision of transition services.
- Provide CASEMIS training and ongoing technical assistance to ensure reliable and accurate submission of data related to this indicator.

- Disseminate and provide training based upon *Transition to Adult Living: A guide for Secondary Education*, a comprehensive handbook written for students, parents, and teachers offering practical guidance and resources to support the transition efforts for students with disabilities as they move into the world of adulthood and/or independent living.
- Provide regionalized training and technical assistance regarding elements of transition services, goals, and objectives.

INDICATOR 14: POST-SCHOOL MEASUREMENT

Description

This is a performance indicator. It measures the percent of youth who are no longer in secondary school that had IEPs in effect at the time they left school, and were:

- A. Enrolled in higher education within one year of leaving high school;
- B. Enrolled in higher education or competitively employed within one year of leaving high school; or
- C. Enrolled in higher education or in some other postsecondary education or training program, or competitively employed or in some other employment within one year of leaving high school (20 U.S.C. 1416[a][3][B]). Data are collected and reported by SELPAs using the June 2010 CASEMIS submission.

Target for 2010–11

Sixty-nine percent of youth who had IEPs who are no longer in secondary school will be reported to have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.

Measurement

- A. The number of youth who are no longer in secondary school, had IEPs in effect when they left school and were enrolled in higher education within one year of leaving high school divided by the number of respondent youth who are no longer in secondary school.
- B. The number of youth who are no longer in secondary school, had IEPs in effect when they left school, and were enrolled in higher education or competitively employed within one year of leaving high school divided by the number of respondent youth who are no longer in secondary school.
- C. The number of youth who are no longer in secondary school, had IEPs in effect when they left school, and were enrolled in higher education or in some other postsecondary education or training program, or competitively employed or in some other employment divided by the number of respondent youth who are no longer in secondary school.

Results for 2010–11

The number of students with an IEP who are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school for 2010–11 was 74.4 percent.

Target Met: Yes.

Summary of Improvement Activities

- Provide CASEMIS training for SELPAs and ongoing technical assistance to ensure reliable and accurate submission of data.
- Work with national and state experts on research and data approaches to address post-school outcome data collection.
- Work with universities, colleges, and junior colleges to explain the importance of post -secondary education.
- Work with WorkAbility and other agencies and programs on the importance of employing people with disabilities at minimum wage or more.
- Use transition data in the state-funded WorkAbility I grant procedures to ensure programs include the provision of transition services.

INDICATOR 15: GENERAL SUPERVISION

Description

This is a compliance indicator. The general supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible, but in no case later than one year from identification (20 U.S.C. 1416 [a][3][B]). The State also verified that each LEA with noncompliance corrected in FFY 2008 and 2009 had: (a) corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02); and (b) ensured that a more stringent level of follow-up review and reporting is required of districts that have previously corrected noncompliance related to this indicator. This is to ensure that LEAs are correctly implementing the specific regulatory requirements at the 100 percent level.

Target for 2010–11

One hundred percent of noncompliance will be corrected within one year of identification.

Measurement

- A. Percent of noncompliance corrected within one year of identification
- B. Number of findings of noncompliance
- C. Number of corrections completed as soon as possible but in no case later than one year from identification
- D. Percent equals (B) divided by (A) multiplied by 100

Results for 2010–11

In FFY 2010, 99.9 percent of noncompliance was corrected within one year of identification.

Target Met: No

Summary of Improvement Activities

- Develop and maintain the IDEA 2004 information Web page with links to important references and resources on the reauthorization of the IDEA. This activity constitutes public reporting, data awareness, and data utilized to reflect

upon practice efforts as part of general supervision obligations under of the IDEA 2004. Provide staff training for corrective actions, time lines, and sanctions. Incorporate notice of potential sanctions in monitoring correspondence.

- Recruit candidates and hold civil service examinations to fill vacancies with new staff, retired annuitants, or visiting educators. This activity is intended to ensure that the CDE maintains an adequate number of qualified staff to support the work and activities (monitoring and enforcement as part of general supervision) of the SED.

INDICATOR 16: WRITTEN COMPLAINTS RESOLVED WITHIN 60 DAYS

Description

This is a compliance indicator. It measures the percent of signed written complaints with reports issued that were resolved within a 60-day time line or a time line extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agreed to extend the time to engage in mediation or other alternative means of dispute resolution(20 U.S.C. 1416[a][3][B]).

Target for 2010–11

One hundred percent of written complaints resolved within 60-day time line, or a time line extended for exceptional circumstances with respect to a particular complaint.

Measurement

Percent equals $[(1.1(b) + 1.1(c)) \text{ divided by } 1.1]$ multiplied by 100

- (1) Signed, written complaints total
 - (1.1) Complaints with reports issued
 - (a) Reports with findings
 - (b) Reports within time line
 - (c) Reports within extended time line
 - (1.2) Complaints withdrawn or dismissed
 - (1.3) Complaints pending
 - (a) Complaint pending a due process hearing

Results for 2010–11

For FFY 2010, 100 percent of signed written complaints were resolved within a 60-day time line or a time line extended for exceptional circumstances.

Target Met: Yes

Summary of Improvement Activities

- Develop an integrated database to proactively identify upcoming corrective actions across all components of the monitoring system. This activity supports the continued effort to calculate and provide valid and reliable data for monitoring and enforcement as part of general supervision.

- Continue to cross-train for complaint investigations and other monitoring activities to focus on interrater reliability and consistency. This activity continues to improve the expertise of the CDE staff in monitoring and enforcement as part of general supervision.
- Participate in legal rounds with the Legal Audits and Compliance Division on legal issues related to special education, complaints, and noncompliance.

INDICATOR 17: DUE PROCESS HEARINGS

Description

This is a compliance indicator. It measures the percent of due process hearing requests that were adjudicated within the 45-day time line or a time line that is properly extended by the hearing officer at the request of either party or, in the case of an expedited hearing, within the required time lines (20 U.S.C. 1416[a][3][B]).

Target for 2010–11

One hundred percent of due process hearing requests will be fully adjudicated within the 45-day time line or a time line that is properly extended by the hearing officer at the request of either party.

Measurement

Percent equals [(3.2(a) divided by 3.2(b)) divided by 3.2] multiplied by 100

- (3) Total number of due process complaints filed
 - (3.1) Resolution meetings
 - (a) Written settlement agreements
 - (3.2) Hearings fully adjudicated
 - (a) Decisions with time line (including expedited)
 - (b) Decisions within extended time line
 - (3.3) Due process complaints pending
 - (3.4) Due process complaints withdrawn or dismissed (including those resolved without hearing)

Results for 2010–11

For FFY 2010, 100 percent of due process hearing requests were fully adjudicated within the 45-day time line or a time line that was properly extended by the hearing officer at the request of either party.

Target Met: Yes.

Summary of Improvement Activities

- Obtain and maintain data records on resolution sessions and settlement agreements.
- Obtain data from school districts with due process filings during 2009–10.
- The Office of Administrative Hearings (OAH) will continue to consult with its advisory group in areas such as revisions to the OAH Web site, forms, documents, scheduling procedures, staff training, training materials, parent procedure manual, consumer brochure, outreach to families and students, and proposed revisions to laws and rules.
- Conduct records review at the OAH as part of the CDE's efforts to implement the recommendations of the Bureau of State Audits (BSA) report of 2008–09 to determine how it is handling oversight of the special education hearings and mediation process. This review is part of ongoing monitoring activity, as a result of the BSA report, and it constitutes the final review.

INDICATOR 18: HEARING REQUESTS RESOLVED THROUGH SETTLEMENT

Description

This is a performance indicator. It measures the percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements (20 U.S.C. 1416[a][3][B]).

Target for 2010–11

Sixty-seven percent of hearing requests that went to resolution sessions were resolved through resolution session settlement agreements.

Measurement

Percent equals (3.1(a) divided by 3.1) multiplied by 100

- (3.1) Resolution meetings
 - (a) Written settlement agreements
- (3.2) Hearings fully adjudicated
 - (a) Decisions with time line (including expedited)
 - (b) Decisions within extended time line
- (3.3) Due process complaints pending
- (3.4) Due process complaints withdrawn or dismissed (including resolved without hearing)

Results for 2010–11

Twenty-seven percent of hearing requests that went to resolution meetings were resolved through resolution sessions settlement agreements.

Target Met: No

Summary of Improvement Activities

- Obtain data on resolution sessions and settlement agreements deriving solely from those sessions directly from school districts with due process filings during 2008–09.

- The OAH will continue to consult with its advisory group in areas such as revisions to the OAH Web site, forms, documents, scheduling procedures, staff training, training materials, parent procedure manual, consumer brochure, outreach to families and students, and proposed revisions to laws and rules.
- Conduct records review at the OAH, as part of the CDE's efforts to implement recommendations of the BSA report of 2008–09, on how it is handling oversight of the special education hearings and mediation process. This review is part of ongoing monitoring activity, as a result of the BSA report, and constitutes the final review.

INDICATOR 19: MEDITATION

Description

This is a performance indicator. It measures the percent of mediations held that resulted in mediation agreements (20 U.S.C. 1416[a][3][B]).

Target for 2010–11

At least 80 percent of mediation conferences will result in mediation agreements.

Measurement

Percent equals [(2.1(a)(i) + 2.1(b)(i)) divided by 2.1] multiplied by 100

- (2) Total number of mediation request received through all dispute resolution processes
 - (2.1) Mediations held
 - (a) Mediations held related to due process complaints
 - (i) Mediation agreements related to due process complaints
 - (b) Mediations held not related to due process complaints
 - (i) Mediation agreements not related to due process complaints
 - (2.2) Mediations pending
 - (2.3) Mediations withdrawn or not held

Results for 2010-11

For FFY 2010, 67.2 percent of mediation conferences resulted in mediation agreements.

Target Met: No

Summary of Improvement Activities

- Implement standards for the qualifications of the OAH/contractor staff functioning as mediators.
- Implement standards for the supervision of the OAH/contractor staff functioning as mediators.

- The OAH will continue to consult with its advisory group in areas such as revisions to the OAH Web site, forms, documents, scheduling procedures, staff training, training materials, parent procedure manual, consumer brochure, outreach to families and students, and proposed revisions to laws and rules.
- Conduct training sessions for staff and LEAs on dispute resolution and mediations on an ongoing basis.
- Utilization of a monitoring system and letters to districts, as part of the ongoing required training agenda for staff involved in due process efforts at the OAH.

INDICATOR 20: TIMELY AND ACCURATE REPORTS

Description

This is a compliance indicator. It measures the percent of state-reported data (618 data, SPP, and APR) submitted to the U.S. Department of Education, which are timely and accurate (20 U.S.C. 1416[a][3][B]).

Target for 2010–11

- 20A. One hundred percent of state-reported data, including 618 data and APRs, are submitted on time and are accurate.
- 20B. One hundred percent of SELPAs will submit accurate data to the CDE in a timely manner.

Measurement

State-reported data, including 618 data, SPR, and APR, which are:

- Submitted on or before due dates (February 1 for child count, including race and ethnicity, and placement; November 2 for exiting, discipline, personnel, and dispute resolution; and February 1 for APR and assessment); and
- Accurate, including covering the correct year and following the correct measurement.

Results for 2010–11

The overall percentage for Indicator 20A is 97.83 percent of state-reported data, including 618 data and APRs, were submitted on time and were accurate.

The percentage for Indicator 20B is 98.4 percent of SELPAs submitted and certified accurate data in a timely manner.

Target Met: No

Summary of Improvement Activities

Modify validation codes and develop prototype reports. This activity supports general IDEA 2004 requirements.

- Provide statewide CASEMIS training. This activity supports data collection through the CASEMIS and provides training and technical assistance.
- Provide ongoing technical assistance to ensure reliable and accurate submission of data. This activity supports data collection through the CASEMIS and provides training and technical assistance.
- Improve and expand anomaly analysis and reporting.
- Participation, development, implementation, and monitoring of highly qualified teachers, under the ESEA and IDEA 2004, to reflect practice and compliance.



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM W-1



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

Federal Waiver

<p>SUBJECT</p> <p>Request by two districts for a waiver of Section 131(c)(1) of the Carl D. Perkins Career and Technical Education Improvement Act of 2006 (Public Law 109-270).</p> <p>Waiver Numbers: Mariposa County Office of Education 11-10-2011 Plumas County Office of Education 17-10-2011</p>	<p><input checked="" type="checkbox"/> Action</p> <p><input checked="" type="checkbox"/> Consent</p>
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RECOMMENDATION

Approval Approval with conditions Denial

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Section 131(c)(1) of the Carl D. Perkins Career and Technical Education Improvement Act of 2006 (Public Law 109-270) (Perkins Act) requires local educational agencies (LEAs) whose allocations are less than \$15,000 to enter into a consortium with other LEAs for the purpose of meeting the \$15,000 minimum grant requirement. Section 131(c)(2) of the Perkins Act permits states to waive the consortium agreement if the LEA is in a rural, sparsely populated area and is unable to join a consortium.

The State Board of Education (SBE) Waiver Policy #01-01: Carl D. Perkins Career and Technology Education Improvement Act: Consortium Requirement for Minimum Allocation, available at <http://www.cde.ca.gov/re/lr/wr/documents/perkinspolicyr.doc>, has criteria defining rural that are specifically tied to the National Center for Education Statistics (NCES) Locale Codes, numbers 23, 31, 32, 33, 41, 42, or 43.

The SBE has approved all waivers of this statute that have been presented to it to date.

SUMMARY OF KEY ISSUES

The criterion for qualifying for this waiver is demonstration that the LEAs cannot form or join a consortium that handles the Perkins funds. There are no other districts in these local areas of these districts willing to join in a consortium. Districts are located in various rural counties, and have student populations ranging from 584 to 1,100. Districts are seeking waivers to function independently in order to meet the needs of the students in the district. The Department recommends approval of these waivers.

Authority for Waiver: Federal Waiver Authority (Public Law 109-270) Section 131(c)(2)

Period of request: July 1, 2011, to June 30, 2015

Local board approval date(s): Various

FISCAL ANALYSIS (AS APPROPRIATE)

Approval will enable these districts to receive an annual Perkins Act allocation that is listed on Attachment 1. The waivers have no significant effect on the distribution of Perkins Act funds statewide.

ATTACHMENT(S)

Attachment 1: List of Districts (1 page)

Attachment 2: Federal Waiver Request Mariposa County Unified (1 page) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Federal Waiver Request Plumas Unified (1 page) (Original waiver request is signed and on file in the Waiver Office.)



California State Board of Education Policy

POLICY #
01-01
DATE
Revised November 2006 March 2009

WAIVER GUIDELINES

Carl D. Perkins Career and Technology Education Improvement Act: Consortium Requirement for Minimum Allocation

REFERENCES

U.S. Code, Section 2351(c)(1), or [P.L.109-270 Section 131(c)(1)] Federal Carl D. Perkins Act; and
 U.S. Code, Section 2351(c)(2), or [P.L. 109-270 Section 131(c)(2)] Federal Carl D. Perkins Act.

HISTORICAL NOTES

Created January 2001, revised November, 2006 and March, 2009

U.S. Code, Section 2351(c)(1) and (2) or [P.L. 109-270 Section 131(c)(1) and (2)]

(c) Minimum Allocation

(1) In general

Except as provided in Paragraph (2), a local educational agency shall not receive an allocation under subsection (a) unless the amount allocated to such agency under subsection (a) is greater than \$15,000. A local educational agency may enter into a consortium with other local educational agencies for the purposes of meeting the minimum allocation requirement of this paragraph.

(2) Waiver

The eligible agency shall waive the application of paragraph (1) in any case in which the local educational agency --

- (A)(i) is located in a rural, sparsely populated area, or
- (ii) is a public charter school operating a secondary school career and technical educational program; and
- (B) demonstrates that the local educational agency is unable to enter into a consortium for purposes of providing activities under this part (20 U.S.C.A. § 2351 et seq.)

Background

Participating local education agencies (LEAs) may enter into a consortium with other agencies for the purposes of meeting the minimum allocation requirement in the above paragraph. However, in some remote or sparsely populated areas of the state, the consortium plan is not possible or reasonable. In these cases, the State Board approves multi-year waivers of the consortium requirement in keeping with (and subject to the conditions set forth in) the evaluation guidelines below.

The California Department of Education (CDE) Waiver Office has processed many waivers in the past, all of which were approved by the State Board of Education. CDE staff ensures that only waiver requests consistent with the evaluation guidelines are placed on the State Board's consent calendar for waivers.

California State Board of Education

1430 N Street, Room 5111
 Sacramento, California 95814
 (916) 319-0827
 (916) 319-0176 (fax)



Evaluation Guidelines

The LEA is:

- A district or agency will be considered a rural, sparsely populated area if all high schools in the LEA are located in one of the following locale codes (as defined by National Center for Education Statistics (NCES) Locale Codes 31, 32, 33, 41, 42, and 43,
- A district or agency in a rural code 23 may be considered rural if the LEA meets the following criteria
 - located more than five miles from a city with a population of 85,000 or less, and
 - located in a suburb with a population of 7,000 or less, and
 - LEA has a total enrollment of less than 1,000 students district wide, OR
- A public charter school operating secondary vocational and technical education programs (as evidenced by a State Board of Education issued charter number), AND

The LEA:

- Demonstrates that it is unable to enter into a consortium for purposes of providing activities under this section (as evidenced by a description from the LEA or CDE of efforts to enter into a consortium).

These specific waivers shall be granted for no more than four consecutive years as a district's annual Perkins allocation is expected to be less than the \$15,000 minimum grant amount during each year of the approved waiver. A district's eligibility under the above criteria for the consortium waiver is also expected to remain unchanged for this same time period.

For Information Only

Under SPECIAL RULE, each eligible agency distributing funds under this section shall treat a secondary school funded by the Bureau of Indian Affairs within the State as if such school were a local educational agency within the State for the purpose of receiving a distribution under this section.

Districts Requesting Carl D. Perkins Career and Technical Education Waivers

Waiver Number	District	Period of Request	SBE Streamlined Waiver Policy	NCES Locale Code	Demographic Information	Perkins Act Allocation
11-10-2011	Mariposa County Unified School District	July 1, 2011 to June 30, 2015	No	43	Student population of 584 located in Mariposa County.	\$ 14,128
17-10-2011	Plumas Unified School District	July 1, 2011 to June 30, 2015	Yes	43	Student population of 1,100 located in Plumas County.	\$ 14,557

Prepared by the California Department of Education
October 21, 2011

CALIFORNIA DEPARTMENT OF EDUCATION
FEDERAL WAIVER REQUEST

Carl D. Perkins Program Waiver

FW-1 (Rev. 10-2-2009) <http://www.cde.ca.gov/re/lr/wr/>

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Room 5602
Sacramento, CA 95814

Send electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
2	2	6	5	5	3	2

Local educational agency: Mariposa County Unified School District	Contact name and Title: jb 10/14/11 David Naranjo, Principal and Perkins Grant Coordinator	Contact person's e-mail address: dnaranjo@mariposa.k12. ca.us
Name of school(s): Mariposa County High School	Aaron Rosander, Superintendent	
Address: P.O. Box 8	(City) Mariposa, (State) CA	(ZIP) 95338
		Phone (and extension, if necessary): (209) 742-0260, x 222 Fax number: (209) 742-0264 209-742-0250

Period of request: (month/day/year) (4 years maximum) From: 5/4/2014 7/1/2011 To: 5/4/2015 6/30/15	Local board approval date: (Required) Original approval: 5/19/2011 Revision to be ratified: 7/21/11
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JP 10/20/11 LEGAL CRITERIA

1. Authority for the waiver: Federal Code Section: Carl D. Perkins Career and Technical Education Improvement Act of 2006, Public Law 109-270 Section 131(c)(2).

2. Federal Code Section to be waived: Carl D. Perkins Career and Technical Education Improvement Act of 2006, Public Law 109-270 Section 131(c)(1), that requires local agencies whose allocations are less than \$15,000 to enter into a consortium with other agencies for the purpose of meeting the \$15,000 minimum grant requirement.

3. Review the revised 2009 SBE Waiver Policy at: <http://www.cde.ca.gov/re/lr/wr/documents/perkinspolicy.doc>

Section 131(d)(2) of the Career and Technical Education and Improvement Act of 2006 permits states to waive the consortium requirement in any case in which the local agency:

(a) is in a rural, sparsely populated area, or is a public charter school operating secondary vocational and technical education programs;

Circle the NCES Locale Code for your school(s): 23 31 32 33 41 42 **43**

(b) demonstrates it is unable to enter into a consortium to participate in the Perkins funding.

Please document your efforts:

4. Demographic Information:
Mariposa County High School has a student population of 584 and is located in a rural-remote town in Mariposa County.

District or County Certification – I hereby certify that the information provided on this application is correct.

Signature of Superintendent or Designee:	Title:	Date:
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FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (type or print):	Staff Signature:	Date:
Unit Manager (type or print):	Unit Manager Signature:	Date:
Division Director (type or print):	Division Director Signature:	Date:
Deputy (type or print):	Deputy Signature:	Date:

17-10-2011

CALIFORNIA DEPARTMENT OF EDUCATION

FEDERAL WAIVER REQUEST

FW-1 (Rev. 10-2-2009) <http://www.cde.ca.gov/re/lr/wr/>

Carl D. Perkins Program Waiver

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Room 5602
Sacramento, CA 95814

Send electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	2	6	6	9	6	9

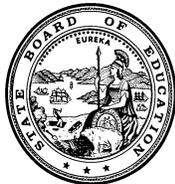
Local educational agency: Plumas Unified School District (PUSD) Name of schools(s): Chester, Greenville Quincy, Portola High Schools		Contact name and Title: jb 10/18/11 Glenn R. Harris, Superintendent Terry R Oestreich, CTE Director		Contact person's e-mail address: toestreich@pcoe.k12.ca. us	
Address: (City) 50 Church Street Quincy		(State) CA	(ZIP) 95971	Phone (and extension, if necessary): 530 283 6500 ext 238 Fax number: 530 283 6509	
Period of request: (month/day/year) (4 years maximum) From: July 1, 2011 To: June 30, 2016			Local board approval date: (Required) June 21, 2011		
Jb 10/18/11 LEGAL CRITERIA					
1. Authority for the waiver: Federal Code Section: Carl D. Perkins Career and Technical Education Improvement Act of 2006, Public Law 109-270 Section 131(c)(2).					
2. Federal Code Section to be waived: Carl D. Perkins Career and Technical Education Improvement Act of 2006, Public Law 109-270 Section 131(c)(1), that requires local agencies whose allocations are less than \$15,000 to enter into a consortium with other agencies for the purpose of meeting the \$15,000 minimum grant requirement.					
3. Review the revised 2009 SBE Waiver Policy at: http://www.cde.ca.gov/re/lr/wr/documents/perkinspolicy.doc					
Section 131(d)(2) of the Career and Technical Education and Improvement Act of 2006 permits states to waive the consortium requirement in any case in which the local agency: (a) is in a rural, sparsely populated area, or is a public charter school operating secondary vocational and technical education programs; Circle the NCES Locale Code for your school(s): 31 32 33 41 42 43					
(b) demonstrates it is unable to enter into a consortium to participate in the Perkins funding. Please document your efforts: Due to the size of our district, surrounding district options, and lack of trained personnel in other districts, we have experienced challenges in our past efforts collecting data in a timely manner for quarterly and end of year reporting.					
4. Demographic Information: <i>PUSD high schools</i> have a student population of approximately 1100 students. Our district is located in a rural communities of Chester, Greenville, Quincy, and Portola located in Plumas County.					
District or County Certification – I hereby certify that the information provided on this application is correct.					
Signature of Superintendent or Designee:		Title:		Date:	
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY					
Staff Name (type or print):		Staff Signature:		Date:	
Unit Manager (type or print):		Unit Manager Signature:		Date:	
Division Director (type or print):		Division Director Signature:		Date:	
Deputy (type or print):		Deputy Signature:		Date:	



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM W-2



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

General Waiver

SUBJECT Request by two local educational agencies to waive the State Testing Apportionment Information Report deadline of December 31 in the <i>California Code of Regulations</i> , Title 5, Section 11517.5(b)(1)(A) regarding the California English Language Development Test. Waiver Numbers: Soquel Union Elementary 5-8-2011 Ocean View School District 21-9-2011	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Consent
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RECOMMENDATION

Approval Approval with conditions Denial

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education (SBE) has approved all waiver requests since the deadline for submission of the State Testing Apportionment Information Reports was added to the *California Code of Regulations (CCR)*, and the SBE Waiver Policy 08-#: State Testing Apportionment Informational Report Deadline (available at <http://www.cde.ca.gov/re/lr/wr/documents/statetesting.doc>).

Both of the local educational agencies (LEAs) meet the criteria for the SBE Streamlined Waiver Policy (available at <http://www.cde.ca.gov/re/lr/wr/documents/sbestreamlined.doc>), achieving a Growth Academic Performance Index (API) score of 800 or higher in the current cycle. See the last column on Attachment 1.

SUMMARY OF KEY ISSUES

The regulations for the State Testing Apportionment Information Report were amended in 2005 to include an annual deadline of December 31 for the return of the Apportionment Information Report for prior year testing for the California English Language Development Test (CELDT). The California Department of Education (CDE) sent letters in September 2005, announcing the new deadline in regulations to every LEA. This deadline was enacted to speed the process of final reimbursement of testing costs to the LEAs.

The LEAs filing for this waiver request missed the 2009–10 fiscal year deadline for requesting reimbursement. One LEA reported that due to workforce reductions, mail had been misrouted and the return form was not noted. The second LEA reported that the deadline was missed due to lack of oversight. CDE verified that these LEAs needed the

SUMMARY OF KEY ISSUES

waiver and each LEA had submitted its report after the deadline.

These LEAs are now all aware of this important change in the timeline and understand that they must submit their reports to the Assessment Development and Administration Division for reimbursement. Therefore, the CDE recommends the approval of these waiver requests as required by regulation prior to final reimbursement.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in EC 33051(a). The state board shall approve any and all requests for waivers except in those cases where the board specifically finds any of the following: (1) The educational needs of the pupils are not adequately addressed. (2) The waiver affects a program that requires the existence of a schoolsite council and the schoolsite council did not approve the request. (3) The appropriate councils or advisory committees, including bilingual advisory committees, did not have an adequate opportunity to review the request and the request did not include a written summary of any objections to the request by the councils or advisory committees. (4) Pupil or school personnel protections are jeopardized. (5) Guarantees of parental involvement are jeopardized. (6) The request would substantially increase state costs. (7) The exclusive representative of employees, if any, as provided in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, was not a participant in the development of the waiver.

Authority for Waiver: EC Section 33050

Period of request: December 31, 2010, to January 12, 2012

Local board approval date(s): Various dates

Public hearing held on date(s): Various dates

Bargaining unit(s) consulted on date(s): Various dates

Name of bargaining unit/representative(s) consulted: Various

Position of bargaining unit(s) (choose only one):

Neutral Support Oppose:

Comments (if appropriate):

Public hearing advertised by (choose one or more):

posting in a newspaper posting at each school Web site, post office,
library, or board agenda

Objections raised (choose one): None Objections are as follows:

Date(s) consulted: Various dates

FISCAL ANALYSIS (AS APPROPRIATE)

If the waivers are approved, these LEAs will be reimbursed for the costs of the CELDT for the 2009–10 school year. Total costs are indicated on Attachment 1.

ATTACHMENT(S)

- Attachment 1: Local Educational Agencies Requesting Waiver of State Testing Apportionment Information Report Deadline - January 2012 (1 Page)
- Attachment 2: General Waiver Request – Soquel Union Elementary School District (1 Page) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 3: California English Language Development Test (CELDT) Apportionment Information Report 2009–10 Report (1 Page)
- Attachment 4: General Waiver Request – Ocean View School District (1 Page) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 5: California English Language Development Test (CELDT) Apportionment Information Report 2009–10 Report (1 Page)



California State Board of Education Policy

POLICY #

08 - #

WAIVER GUIDELINES

DATE

State Testing Apportionment Informational Report Deadline

November 2008

REFERENCES

Authority: *Education Code (EC)* Section 33050, 862 (c)(2)(A)

Purpose: To waive portions of *California Code of Regulations*, Title 5 sections 862(c)(2)(A), 1225(b)(3)(A) and 11517.5(b)(1)(A).

HISTORICAL NOTES

None.

Background

The assessment apportionment funds for the Standardized Testing and Reporting (STAR) Program, California High School Exit Examination (CAHSEE), and California English Language Development Test (CELDT) are unrestricted funds which are used, among other things, to reimburse local educational agencies (LEAs) for local costs associated with the assessments. In order to be reimbursed for these expenses, the LEA must file a report with the California Department of Education (CDE).

All three regulations for the State Testing Apportionment Information Report were amended in 2005 to include an annual deadline of December 31 of each year (highlighted below) for the return of the Apportionment Information Report for prior year testing for STAR, CAHSEE, and CELDT to receive reimbursement.

If an LEA misses this deadline, they need to complete the entire local process to request a waiver of this deadline, and the State Board of Education must approve the waiver before the LEA can be reimbursed for the local costs associated with the assessments.

Statutory Provisions:

STAR program regulation CCR, Title 5 (5 CCR), Section 862 (c)(2)(A) requires that districts must send reports of the number of tests given to CDE by December 31; however in those same regulations, 5 CCR 862(c)(b)(2) allows a waiver of that deadline.

California State Board of Education

1430 N Street, Room 5111
Sacramento, California 95814
(916) 319-0827
(916) 319-0176 (fax)



CAHSEE program regulation, 5 CCR 1225(b)(2)(A) requires that districts must send reports of the number of tests given to CDE by December 31; however, in those same regulations, 5CCR 862(c)(b)(2) allows a waiver of that deadline.

CELDT program regulation 5 CCR Section 11517.5(b)(1)(A) requires that districts must send reports of the number of tests given to CDE by December 31; however in those same regulations, 5 CCR 862(c)(b)(2) allows a waiver of that deadline.

The CDE Waiver Office has processed many waivers in the past, all of which were approved by the State Board of Education. CDE staff ensures that only waiver requests consistent with the evaluation guidelines are placed on the State Board's consent calendar for waivers.

Evaluation Guidelines

The LEA:

- Will describe the circumstances that caused them to miss the apportionment deadline(s).
- Indicate that they are now all aware of this important change in the timeline and must submit their reports to the Standard and Assessment Division Office for reimbursement.
- Will put into place guidelines for all currently employed staff and new staff to follow so that this deadline will not be missed in the future.

**Local Educational Agencies Requesting Waiver of
State Testing Apportionment Information Report Deadline – January 2012**

Local Educational Agency	Waiver Number	Test Report Missing	Report Submitted	Fiscal Year	Reimbursement Amount	Union Position	Streamlined Waiver Policy - API
Soquel Union Elementary School District	5-8-2011	California English Language Development Test (CELDT)	Yes	2009–10	\$1,320.00	Support	Yes, 828
Ocean View School District	21-9-2011	CELDT	Yes	2009–10	\$11,885.00	Support	Yes, 857

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

AIRW (10-2-2009) <http://www.cde.ca.gov/re/lr/wr/>

**STATE TESTING
APPORTIONMENT INFORMATION
REPORT WAIVER**

Send original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
4	4	6	9	8	4	9

Local educational agency: Soquel Union Elementary School District		Contact name and recipient of approval/denial notice: Henry Castaniada, Superintendent	Contact person's e-mail address: hcastaniada@suesd.org
Address: (City) (ZIP) 620 Monterey Ave., Capitola, CA 95010		Phone (and extension, if necessary): (831) 464-5639 Fax number: (831) 475-5196	
Period of request: December 31, 2010 to January 12, 2012 From July 1, 2010 to Present	Local board approval date: (Required) 7/20/11	Date of public hearing: (Required) 7/20/11	

Jb 12/11 LEGAL CRITERIA

1. Under the general waiver authority of *Education Code 33050-33053*, the *California Code of Regulations (CCR)* section(s) to be waived (check one):
 STAR – CCR, Title 5, Section 862(c)(2)(A) ...postmarked by December 31...
 CAHSEE – CCR, Title 5, Section 1225(b)(2)(A) ...postmarked by December 31...
 CELDT – CCR, Title 5, Section 11517.5(b)(1)(A) ...postmarked by December 31...

2. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below. This requirement can be achieved with a telephone call. It is vital to complete this section as not consulting the bargaining units is a reason for denial of a general waiver request.

 Bargaining unit(s) consulted on date(s): **6/23/11 Molly Deich/Soquel Education Association (SEA), President**
 Name of bargaining unit and representative(s) consulted: **6/22/11 Stephanie Musbach/California School Employees Association (CSEA), President**
 The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*) jb 9/16/11

3. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

 How was the required public hearing advertised?
 Notice in a newspaper Notice posted at each school Other: (*Please specify*) **Posted in Display Window at the District Office**

4. Describe briefly the circumstances that caused you to miss the apportionment deadline(s). (If more space is needed, please attach additional pages.) **(see attached)**

5. Describe guidelines that have been put into place for staff so that this deadline will not be missed in the future. **(see attached)**

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title:	Date:
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FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

General Waiver Request State Testing Apportionment Information Report Wavier

- 4. The person who previously handled this task retired and their position was not replaced. Due to reductions in force the CELDT apportionment form was routed to the Business Office with other apportionment letters. The return for was not noted.**
- 5. Next school year a part-time clerical employee will be hired to track a variety of categorical paperwork.**

**California English Language Development Test (CELDT)
 Apportionment Information Report
 2009-10 Report**

Return Form To:

**Kerri Wong, AGPA
 Assessment, Accountability, and Awards Division
 California Department of Education
 1430 N Street, Suite #4202
 Sacramento, CA 95814**

*California Department of Education
 Assessment, Accountability, and Awards Division*

**MUST BE POSTMARKED BY
 DECEMBER 31, 2010**

County Name	SANTA CRUZ
County Code	44
Charter Number	0000

District Name	Soquel Union Elementary
District Code	69849

Title 5, Section 11517.5 of the California Code of Regulations specifies that each local educational agency (LEA) shall receive an Apportionment Information Report that shall include the number of pupils assessed with the CELDT as indicated by the number of answer documents submitted to and scored by the test contractor for each administration (July 1 through June 30). The superintendent of each school district must certify the accuracy of the apportionment information and submit the certified report to the California Department of Education, postmarked by December 31. If postmarked after December 31, the Apportionment Information Report must be accompanied by the State Testing Apportionment Information Report Waiver request as provided by California Education Code (EC) Section 33050. The amount of funding to be apportioned to the school district for the tests shall be calculated by multiplying the amount per administration established by the State Board of Education (SBE) to enable school districts to meet the requirement of EC Section 60851 by the number of pupils in the school district assessed with the CELDT during the previous fiscal year. Apportionment payments will be processed upon receipt of certified reports. Return the form by U.S. mail to the address above. Faxed reports will not be processed for payment. Keep a copy for your records.

	<i>Annual Assessment July 1 - October 31, 2009</i>	<i>Initial Assessment Within 30 Days of Enrollment</i>	Total Tested	Apportionment Amount
Number of Pupils Tested July 1, 2009 – June 30, 2010		74	264	\$1,320.00

190

Certification: I certify that the information provided on this form is accurate and that the district will maintain all related records to be available for audit purposes.

County Superintendent, District Superintendent, or Charter School Director		District CELDT Coordinator	
Superintendent's (or Charter School Director's) Signature	Date	District CELDT Coordinator's Signature	Date
Superintendent's (or Charter School Director's) E-mail	Phone	District CELDT Coordinator's E-mail	Phone

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

AIRW (10-2-2009) <http://www.cde.ca.gov/re/lr/wr/>

**STATE TESTING
APPORTIONMENT INFORMATION
REPORT WAIVER**

Send original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE				
6	6	6	1	3

Local educational agency: Ocean View School District		Contact name and recipient of approval/denial notice: Claudine Dumais, Ed.D.	Contact person's e-mail address: cdumais@ovsd.org
Address: 17200 Pinehurst Lane	(City) Huntington Beach, CA	(ZIP) 92647	Phone (and extension, if necessary): (714) 847-2551 Ext. 1307 Fax number: (714) 848-3641
Period of request: From 12/31/10 to 8/31/11 1/12/2012	Local board approval date: (Required) August 16, 2011	Date of public hearing: (Required) August 16, 2011	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the *California Code of Regulations (CCR)* section(s) to be waived (check one):
 STAR – CCR, Title 5, Section 862(c)(2)(A) ...postmarked by December 31...
 CAHSEE – CCR, Title 5, Section 1225(b)(2)(A) ...postmarked by December 31...
 CELDT – CCR, Title 5, Section 11517.5(b)(1)(A) ...postmarked by December 31...

2. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below. This requirement can be achieved with a telephone call. It is vital to complete this section as not consulting the bargaining units is a reason for denial of a general waiver request.

 Bargaining unit(s) consulted on date(s): July 29, 2011
 Name of bargaining unit and representative(s) consulted: Marcy Drum, Ocean View Teachers Association jb 9/16/11
 The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)

3. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

 How was the required public hearing advertised?
 Notice in a newspaper Notice posted at each school Other: (*Please specify*) District website/District Office

4. Describe briefly the circumstances that caused you to miss the apportionment deadline(s). (If more space is needed, please attach additional pages.) The deadline was missed due to an oversight in submitting the report in December 2010.

5. Describe guidelines that have been put into place for staff so that this deadline will not be missed in the future. The report deadline has now been included in the master calendar of important due dates.

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title:	Date:
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FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

**California English Language Development Test (CELDT)
 Apportionment Information Report
 2009-10 Report**

Return Form To:

**Kerri Wong, AGPA
 Assessment, Accountability, and Awards Division
 California Department of Education
 1430 N Street, Suite #4202
 Sacramento, CA 95814**

*California Department of Education
 Assessment, Accountability, and Awards Division*

**MUST BE POSTMARKED BY
 DECEMBER 31, 2010**

County Name	ORANGE
County Code	30
Charter Number	0000

District Name	Ocean View
District Code	66613

Title 5, Section 11517.5 of the California Code of Regulations specifies that each local educational agency (LEA) shall receive an Apportionment Information Report that shall include the number of pupils assessed with the CELDT as indicated by the number of answer documents submitted to and scored by the test contractor for each administration (July 1 through June 30). The superintendent of each school district must certify the accuracy of the apportionment information and submit the certified report to the California Department of Education, postmarked by December 31. If postmarked after December 31, the Apportionment Information Report must be accompanied by the State Testing Apportionment Information Report Waiver request as provided by California Education Code (EC) Section 33050. The amount of funding to be apportioned to the school district for the tests shall be calculated by multiplying the amount per administration established by the State Board of Education (SBE) to enable school districts to meet the requirement of EC Section 60851 by the number of pupils in the school district assessed with the CELDT during the previous fiscal year. Apportionment payments will be processed upon receipt of certified reports. Return the form by U.S. mail to the address above. Faxed reports will not be processed for payment. Keep a copy for your records.

	<i>Annual Assessment July 1 - October 31, 2009</i>	<i>Initial Assessment Within 30 Days of Enrollment</i>	Total Tested	Apportionment Amount
Number of Pupils Tested July 1, 2009 – June 30, 2010	1845		2377	\$11,885.00

532

Certification: I certify that the information provided on this form is accurate and that the district will maintain all related records to be available for audit purposes.

County Superintendent, District Superintendent, or Charter School Director		District CELDT Coordinator	
Superintendent's (or Charter School Director's) Signature	Date	District CELDT Coordinator's Signature	Date
Superintendent's (or Charter School Director's) E-mail	Phone	District CELDT Coordinator's E-mail	Phone



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM W-3



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

General Waiver

<p>SUBJECT</p> <p>Request under the authority of California <i>Education Code</i> Section 33050 for the Sacramento City Unified School District to waive <i>Education Code</i> Section 48661 relating to the co-location of a community day school with other types of schools; and, for the Tehama County Department of Education to waive portions of <i>Education Code</i> sections 48660 and 48916.1(d) relating to the allowable grade spans for community day schools.</p> <p>Waiver Numbers: Sacramento City Unified School District 9-10-2011 Tehama County Department of Education 19-10-2011</p>	<p><input checked="" type="checkbox"/> Action</p> <p><input checked="" type="checkbox"/> Consent</p>
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RECOMMENDATION

Approval Approval with conditions Denial

The California Department of Education recommends approval that the grade span waiver for the Tehama County Department of Education be limited to grades five through eight and the co-location waiver for the Sacramento City Unified School District Success Academy community day school (CDS) to only apply to the same site as the Accelerated Academy, a specialized satellite campus of Hiram Johnson High School.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education (SBE) has approved previous waiver requests to allow a county office of education to operate a CDS to serve students in middle grades even though it does not operate a traditional middle school. The SBE has also approved several similar requests in the past to allow the co-location of a CDS with another school when the CDS could not be located separately and the district has been able to provide for the separation of students from the other schools.

SUMMARY OF KEY ISSUES

The California *Education Code (EC)* sections 48660 and 48916.1(d) provide, respectively, for the allowable grade spans of CDSs and educational services for expelled students. The *EC* Section 48916.1(a) requires school districts to ensure that each of their expelled students be provided an educational program during the period of expulsion. The *EC* Section 48661(a) states that a CDS shall not be situated on the same site as a comprehensive elementary, middle or high school, continuation high

SUMMARY OF KEY ISSUES (Cont.)

school, or an opportunity school.

The law providing for the allowable grade spans for CDSs *EC* Section 48660 allows for the operation of a CDS serving the same or lesser grade span as any middle school operated by the district. County offices of education do not operate traditional middle schools. However, the school districts served by the county office do. The Tehama County Department of Education is asking to be allowed to operate a CDS with the same middle grades configuration (grades five through eight) as used by its feeder school districts.

Current financial difficulties may preclude a district from locating its CDS at a fully separate site. When co-location with another school is deemed necessary, sites are selected as providing the greatest possible separation from traditional school classrooms and students. The *EC* Section 48661(a)(1) authorizes a small school district with 2,500 or fewer students to waive the separation requirement based on an annual certification by at least two-thirds of the local board that separate alternative facilities are not available.

This waiver, if approved, would allow the Sacramento City Unified School District the same local determination option as a smaller district. Separation of the students on this shared campus is then achieved through combinations of physical barriers, scheduling of arrival, departure, and break times, and use of campus monitors.

The Success Academy CDS and the Accelerated Academy, a specialized satellite campus of Hiram Johnson High School, have been operating on the same campus with no negative interactions between students of the same school. This successful separation has been achieved through different start, end, lunch, and recess schedules, different access points for the campus, a large space between the schools, separate restrooms, and supervision by three hall monitors and a school resource officer in addition to school support staff and administrators.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of Waiver approval.

ATTACHMENT(S)

Attachment 1: List of Waiver Numbers, Districts, and Information Regarding Each Waiver (1 page)

Attachment 2: Sacramento City Unified School District General Waiver Request Package (2 pages) (Original Waiver request is signed and on file in the SBE Office or the Waiver Office.)

Attachment 3: Map of Success Academy and the Accelerated Academy (1 page)

ATTACHMENT(S) (Cont.)

Attachment 4: Tehama County Department of Education General Waiver Request Package (4 pages) (Original Waiver request is signed and on file in the Waiver Office.)

Community Day School State Board of Education Waivers for January 2012

Waiver Number	District Name, Approval Date and Size of District	Grade Span Requested (if waiver of EC sections 48660 and 48916.1(d))	Type(s) of School(s) with which Community Day School will be Colocated (if waiver of EC Section 48661(a))	Period of Request	Renewal Waiver?	If granted this waiver will be "permanent" per EC Section 33501(b)	Certificated Bargaining Unit Name and Representative, Position and Date of Action	Advisory Committee/School Site Council Name, Date of Review and any Objections
9-10-2011	Sacramento City Unified School District 43,000 Total Students October 6, 2011		Specialized Satellite Campus of Comprehensive High School	September 6, 2011, through August 31, 2012	YES No negative interactions in past year	NO	State Employees Internation Union Local 1021 (Crawford Johnson, August 29, 2011), Sacramento City Teachers Association (Nikki Milevsky, October 4, 2011) and United Professional Educators (Cyndi Swindle, August 29, 2011) Support	School Advisory Committee August 31, 2011 No objections
19-10-2011	Tehama County Department of Education 584 Total Students October 12, 2011	Grades 5-8; maximum class size of 6; common middle school configuration		July 1, 2011, through June 30, 2012	NO	NO	California Teachers Association (Susan Silva, Brian Osak, Dave Torgersrud, September 23, 2011) and California School Employees Association (Rhonda Latham, September 27, 2011) Support	Community Day School Committee (consists of district superintendents in Tehama County) September 27, 2011 No objections
Prepared by the California Department of Education Dated December 16, 2011								

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver:
Renewal Waiver: X

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	4	6	7	4	3	9

Local educational agency: Sacramento City Unified School District		Contact name and Title: David Rodriguez Director III Student Hearing & Placement		Contact person's e-mail address: Dave-rodriguez@sac-city.k12.ca.us	
Address: (City) (State) (ZIP) 5735 47 th Avenue Sacramento California 95824		Phone (and extension, if necessary): (916) 643-9425 Fax Number: (916) 643-2125			
Period of request: (month/day/year) From: 9-6-11 To: 8-31-12		Local board approval date: (Required) 10-06-11		Date of public hearing: (Required) 10-06-11	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): EC 48661(a1) Circle One: EC or CCR

Topic of the waiver: Co-location of Community Day School

2. If this is a renewal of a previously approved waiver, please list Waiver Number: 8-9-2010 and date of SBE Approval: 11/2010
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No x Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): SEIU/Service Employees International Union Local 1021 Consulted on 8/29/11
SCTA/Sacramento City Teachers Association Consulted on 10/04/11
UPE/United Professional Educators Consulted on 8/29/11

Name of bargaining unit and representative(s) consulted: SEIU Crawford Johnson Chapter President
SCTA Nikki Milevsky 1st Vice President
UPE Cyndi Swindle Vice President

The position(s) of the bargaining unit(s): Neutral x/x Support Oppose (Please specify why)

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

 Notice in a newspaper x Notice posted at each school Other: (Please specify)

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: School Advisory Committee Reviewed and Unanimously Approved: 8/31/11 Committee members : Dennis Lomack, Lisa King, Darryl Jenkins, Terri Guerin, Tom Ryan,

Were there any objection(s)? No x Yes (If there were objections please specify)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

48661 (a) A community day school shall not be situated on the same site as an elementary, middle, junior high, comprehensive senior high, opportunity, or continuation school, except as follows:

(1) When the governing board of a school district with ~~2,500 or fewer units of average daily attendance reported for the most recent second principal apportionment~~ certifies by a two-thirds vote of its membership that satisfactory alternative facilities are not available for a community day school.

(b) A certification made pursuant to this section is valid for not more than one school year and may be renewed by a subsequent two-thirds vote of the governing board.

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

Due to budget constraints and lack of school sites within SCUSD to provide Success Academy and Sacramento Accelerated Academy separate campuses. The shared site proposal continues to be economically feasible and the two programs successfully share the common site without interacting with each other. The students from both programs have access to district support services located on the campus as well as services located at the district office.

There is adequate space to house both schools on said facility. The two schools will be divided into two separate and distinct locations on the campus separated by a large walkway and common areas. The two schools have different start and end times as well as separate lunch and recess schedules. Student entrances and exits are on opposite sides of the campus and are closely monitored by staff.

8. Demographic Information:
The Sacramento City Unified School District has a student population of 43,000 students and is located in an urban area in Sacramento County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

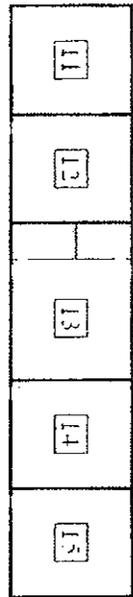
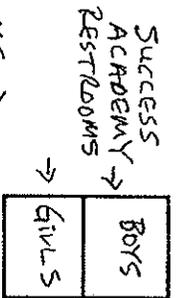
District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee: David Rodriguez	Title: Director III Student Hearing and Placement	Date: October 07, 2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

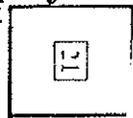
GRASS FIELD

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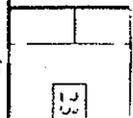
Success Academy Classrooms →



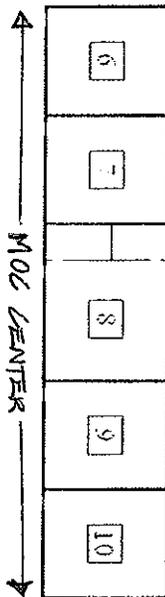
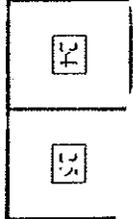
30' Walkway



30' Walkway

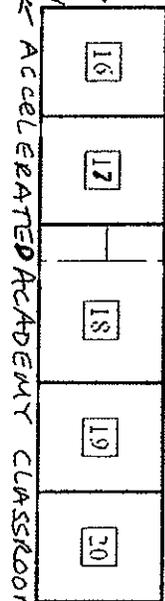


PROJECT SAUSD COUNSELOR
AIM CHOPES CLOSET

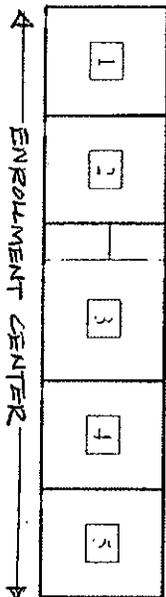


MOC CENTER

30' Walkway

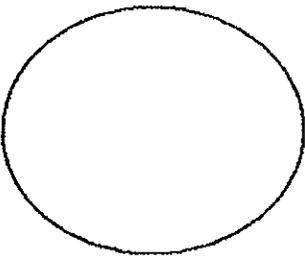
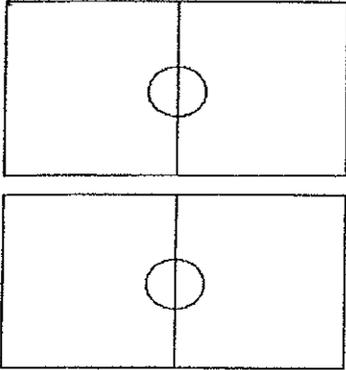


ACCELERATED ACADEMY CLASSROOMS →



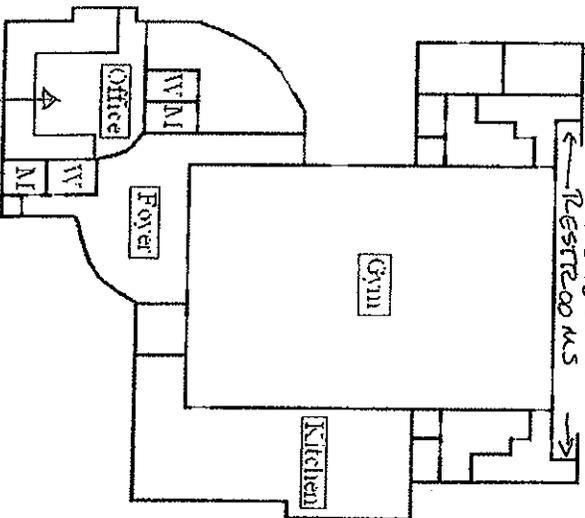
ENROLLMENT CENTER

Success Academy GATE ENTRANCE



ACCELERATED ACADEMY GATE ENTRANCE

ACCELERATED ACADEMY RESTROOMS



CONNECT CENTER

FRONT of School

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X
Renewal Waiver: _____

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
5	2	1	0	5	2	0

Local educational agency: Tehama County Department of Education		Contact name and Title: Larry Champion, County Superintendent		Contact person's e-mail address: lchampion@tehamaschools.org	
Address: (City) (State) (ZIP) 1135 Lincoln Street, Red Bluff, CA 96080 P.O. Box 689		Phone (and extension, if necessary): (530) 528-7323		Fax Number: (530) 529-4120	
Period of request: (month/day/year) From: 7/1/11 To: 6/30/12		Local board approval date: (Required) October 12, 2011		Date of public hearing: (Required) October 12, 2011	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): 48660 Circle One: *EC*

Topic of the waiver: Grade Span for Community Day School

2. If this is a renewal of a previously approved waiver, please list Waiver Number: _____ and date of SBE Approval _____
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:
California Teachers Association jb 11/28/11
Bargaining unit(s) consulted on date(s): CTA – 9/23/11 CSEA – 9/27/11 California School Employees Association
Name of bargaining unit and representative(s) consulted: CTA: Susan Silva, Brian Osak, Dave Torgersrud.
CSEA: Rhonda Latham
The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?
 Notice in a newspaper Notice posted at each school Other: (*Please specify*) Posted at the Tehama County Department of Education; Evergreen School; Gerber School; Corning Elementary District; Antelope School; Los Molinos School; Lassen View School

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:
Community Day School Committee (consists of district superintendents in Tehama County)

Date the committee/council reviewed the waiver request: 9/27/11

Were there any objection(s)? No Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).
48660. The governing board of a school district may establish one or more community day schools for pupils who meet one or more of the conditions described in subdivision (b) of Section 48662. A community day school may serve pupils in any of kindergarten and grades 1 to 6, inclusive, or any of grades 7 to 12, inclusive, or the same or lesser included range of grades as may be found in any individual middle or junior high school operated by the district. If a school district is organized as a district that serves kindergarten and grades 1 to 8, inclusive, but no higher grades, the governing board of the school district may establish a community day school for any (of) kindergarten and grades 1 to 8, inclusive, upon a two-thirds vote of the board. It is the intent of the Legislature, that to the extent possible, the governing board of a school district operating a community day school for any of kindergarten and grades 1 to 8, inclusive, separate younger pupils from older pupils within that community day school. Except as provided in Section 47634, a charter school may not receive funding as a community day school unless it meets all the conditions of apportionment set forth in this article.

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

We do not expect to have more than six students in the community day school at one time. In that number of students, we may only have elementary or may only have secondary, or may have both. In these fiscal times it does not make sense to have two schools when one might not be needed. At any time a teacher feels stretched by the grade span, age appropriateness, or grade level appropriateness, a subject area teaching mentor will be assigned to support the community day school teacher.

8. Demographic Information:
 The Tehama County Department of Education has a student population of 584 and is located in a rural area in Tehama County

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
 (If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
 (If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title: County Superintendent of Schools	Date:
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

48916.1. (d) ~~If the pupil who is subject to the expulsion order was expelled from any of kindergarten or grades 1 to 6, inclusive, the educational program provided pursuant to subdivision (b) may not be combined or merged with educational programs offered to pupils in any of grades 7 to 12, inclusive. The district or county program is the only program required to be provided to expelled pupils as determined by the governing board of the school district. This subdivision, as it relates to the separation of pupils by grade levels, does not apply to community day schools offering instruction in any of kindergarten and grades 1 to 8, inclusive, and established in accordance with Section 48660.~~

Tehama County Department of Education
October 26, 2011

General Waiver Request
Addendum

Tehama County Department of Education is requesting a waiver per California Education Code Section 48916.1(d) and portions of Section 48660 to permit a Community Day School to serve students in grades five through eight.



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM W-4



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

General Waiver

SUBJECT	
<p>Request by 14 districts, under the authority of <i>California Education Code</i> Section 5020 and portions of sections 5019, 5021, and 5030, that require a district-wide election to establish new trustee areas.</p> <p>Waiver Numbers: Burton Elementary 13-10-2011 Clay Joint Elementary 35-10-2011 Firebaugh-Las Deltas Joint Unified 6-10-2011 Kings River Elementary 46-10-2011 Kingsburg Elementary Charter 50-10-2011 Kingsburg Joint Union High 51-10-2011 Kit Carson Union Elementary 58-10-2011 Lakeside Union Elementary 57-10-2011 Lindsay Unified 31-10-2011 Porterville Unified 44-10-2011 Strathmore Union Elementary 30-10-2011 Tulare City 35-9-2011 Tulare Joint Union High 7-10-2011 Vista Unified 49-10-2011</p>	<p><input checked="" type="checkbox"/> Action</p> <p><input checked="" type="checkbox"/> Consent</p>

RECOMMENDATION

Approval Approval with conditions Denial

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The California State Board of Education (SBE) has approved numerous similar waiver requests during the past three years—the most recent for the Lemoore Union High School District, in Kings County, at the July 14, 2011, SBE meeting.

SUMMARY OF KEY ISSUES

Approval of this waiver request would eliminate the election requirement for approval of trustee areas and a by-trustee-area method of election for future governing board elections in the fourteen listed school districts. Voters in the districts will continue to elect all board members—however, should the waiver be approved, all board members will be elected by trustee areas, beginning with the next regular board elections.

The county committee on school district organization (county committee) has the authority to approve or disapprove the adoption of trustee areas and methods of

SUMMARY OF KEY ISSUES (cont.)

election for school district governing board elections. Pursuant to California *Education Code (EC)* Section 5020, county committee approval of trustee areas and methods of elections constitutes an order of election; thus, voters in the district have final approval over these changes.

A number of districts in California are facing existing or potential litigation under the California Voting Rights Act of 2001 over their at-large election methods. To help protect themselves from potential litigation, the fourteen school districts are taking action to establish new trustee areas and adopt by-trustee-area methods of election for the governing boards. In order to establish these trustee areas and the methods of election as expeditiously as possible, the districts are requesting that the SBE waive the requirement that the trustee areas and the election methods be approved at district-wide elections.

These waiver requests have been reviewed by California Department of Education (CDE) staff and a determination has been made that: (1) the waivers were initiated by resolutions of the governing boards; and, (2) there was no significant public opposition to the waivers at the public hearings held by the governing boards.

Only the election to establish trustee areas and election method will be eliminated by approval of the waiver request—voters in the school districts will continue to elect all governing board members. Moreover, approval of the waivers will not eliminate any existing legal rights of currently seated board members.

The CDE finds that none of the grounds specified in *EC* Section 33051, which authorize denial of a waiver, exist. The CDE recommends that the SBE approve the requests by the 14 school districts to waive *EC* Section 5020 in its entirety and portions of *EC* sections 5019, 5021, and 5030.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC* 33051(a). The state board shall approve any and all requests for waivers except in those cases where the board specifically finds any of the following: (1) The educational needs of the pupils are not adequately addressed. (2) The waiver affects a program that requires the existence of a schoolsite council and the schoolsite council did not approve the request. (3) The appropriate councils or advisory committees, including bilingual advisory committees, did not have an adequate opportunity to review the request and the request did not include a written summary of any objections to the request by the councils or advisory committees. (4) Pupil or school personnel protections are jeopardized. (5) Guarantees of parental involvement are jeopardized. (6) The request would substantially increase state costs. (7) The exclusive representative of employees, if any, as provided in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, was not a participant in the development of the waiver.

Authority of Waiver: *EC* Section 33050-33053

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of the waiver requests will not have negative fiscal effects on any local or state agency.

ATTACHMENT(S)

- Attachment 1: Trustee area election waivers (5 pages).
- Attachment 2: Burton Elementary School District (13-10-2011) General Waiver Request for Trustee Area Elections. (10 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 3: Clay Joint Elementary School District (35-10-2011) General Waiver Request for Trustee Area Elections. (8 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 4: Firebaugh-Las Deltas Joint Unified School District (6-10-2011) General Waiver Request for Trustee Area Elections. (11 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 5: Kings River Elementary School District (46-10-2011) General Waiver Request for Trustee Area Elections. (11 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 6: Kingsburg Elementary Charter School District (50-10-2011) General Waiver Request for Trustee Area Elections. (8 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 7: Kingsburg Joint Union High School District (51-10-2011) General Waiver Request for Trustee Area Elections. (8 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 8: Kit Carson Union Elementary School District (58-10-2011) General Waiver Request for Trustee Area Elections. (7 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 9: Lakeside Union Elementary School District (57-10-2011) General Waiver Request for Trustee Area Elections. (7 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 10: Lindsay Unified School District (31-10-2011) General Waiver Request for Trustee Area Elections. (11 Pages) (Original waiver request is signed and on file in the Waiver Office.)

ATTACHMENT(S) (cont.)

Attachment 11: Porterville Unified School District (44-10-2011) General Waiver Request for Trustee Area Elections. (10 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 12: Strathmore Union Elementary School District (30-10-2011) General Waiver Request for Trustee Area Elections. (11 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 13: Tulare City School District (35-9-2011) General Waiver Request for Trustee Area Elections. (10 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 14: Tulare Joint Union High School District (7-10-2011) General Waiver Request for Trustee Area Elections. (11 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 15: Vista Unified School District (49-10-2011) General Waiver Request for Trustee Area Elections. (7 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Trustee Area Election Waivers

Districts requesting waivers of elections to establish trustee areas--all of Education Code Section 5020; portions of sections 5019, 5021 and 5030

Waiver Number	District	Streamlined Waiver Process	Period of Request	Demographic Information	Local Board Public Hearing and Approval Dates	Bargaining Unit/Representatives Consulted and Dates/Position	Advisory Committees Consulted and Dates	Public Hearing Advertisement
13-10-2011	Burton Elementary School District	Does not meet	October 1, 2011 to September 29, 2013	The Burton Elementary School District has a student population of 4,100 and is located in a small city in Tulare County	Public Hearing: June 7, 2010, August 1, 2011 and August 15, 2011; Approval: June 7, 2010 and August 15, 2011	California Teachers' Association, Fidel Banuelos, President, 4/30/2010, Neutral ; California School Employees' Association, Darrel Webb, President, 4/30/2010, Neutral	4/27/10: William R. Buckley School Site Council; Summit Charter Academy Board Meeting; Summit Charter Academy PTA. 4/29/10: Oak Grove Elementary School Site Council. 5/4/10: Jim Maples Academy School Site Council. 5/11/10: Burton Elementary School PTA and School Site Council. 5/12/10: BETA/CSEA District Office. 5/18/10: William R. Buckley PTA	Notice in a newspaper; Notice posted at each school
35-10-2011	Clay Joint Elementary School District	List 1 (API 871)	January 1, 2012 to December 30, 2013	The Clay Joint Elementary School District has a student population of 261 and is located in a rural city in Fresno and Tulare Counties	Public Hearing and Approval: September 13, 2011	No employee bargaining units.	10/27/11: Clay School Site Council	Notice posted at each school; Other - Notice posted at three public places in the school district

Trustee Area Election Waivers

Districts requesting waivers of elections to establish trustee areas--all of Education Code Section 5020; portions of sections 5019, 5021 and 5030

Waiver Number	District	Streamlined Waiver Process	Period of Request	Demographic Information	Local Board Public Hearing and Approval Dates	Bargaining Unit/Representatives Consulted and Dates/Position	Advisory Committees Consulted and Dates	Public Hearing Advertisement
6-10-2011	Firebaugh-Las Deltas Joint Unified School District	Does not meet	October 1, 2011 to September 29, 2013	The Firebaugh-Las Deltas Joint Unified School District has a student population of 2,219 and is located in a rural community in Fresno and Madera Counties.	Public Hearing and Approval: February 10, 2011	Firebaugh-Las Deltas Unified Teachers' Association, Tracey Gonzales, President, 11/3/2010, Support ; Firebaugh-Las Deltas California School Employees' Association Chapter 213, Dennis Vasquez, President, 11/3/2010, Support	11/08/10: A.E. Mills School Site Council. 12/2/10: H.M. Bailey Primary School Site Council. 12/8/10: Firebaugh High School-School Site Council/English Learners Advisory Committee. 1/24/11: Firebaugh-Las Deltas Unified Stakeholders Meeting. 1/27/11: Firebaugh Middle School Site Council. 4/12/11: Migrant Parent Advisory Council Meeting	Notice in a newspaper; Notice posted at each school; Other - Posted at District Office, Firebaugh City Hall, and Firebaugh Justice Court
46-10-2011	Kings River Elementary School District	Does not meet	October 1, 2011 to September 29, 2013	The Kings River Elementary School District has a student population of 475 and is located in a small city in Tulare County	Public Hearing and Approval: October 10, 2011	California Teachers' Association, Randy Darnell, President, 9/14/2011 and 10/10/2011, Neutral ; California School Employees' Association, Linda Kangas, President, 9/14/2011 and 10/10/2011, Support	9/14/11: School Site Council. 10/10/11: English Language Advisory Committee	Notice in a newspaper; Notice posted at each school; Other - Notice posted on District website
50-10-2011	Kingsburg Elementary Charter School District	List 1 (API 816)	January 11, 2012 to January 9, 2014	The Kingsburg Elementary Charter School District has a student population of 2,242 and is located in a small city in Fresno, Tulare and Kings Counties	Public Hearing: July 18, 2011 and August 22, 2011; Approval: October 17, 2011	California School Employees' Association, Danny Pumarejo, President, 9/8/2011, Support	10/20/11: Washington Elementary, Roosevelt Elementary, Lincoln Elementary, Reagan Elementary, and Rafer Johnson Junior High School Site Councils.	Notice in a newspaper; Notice posted at each school; Other - Notice posted on website; telephone notification system

Trustee Area Election Waivers

Districts requesting waivers of elections to establish trustee areas--all of Education Code Section 5020; portions of sections 5019, 5021 and 5030

Waiver Number	District	Streamlined Waiver Process	Period of Request	Demographic Information	Local Board Public Hearing and Approval Dates	Bargaining Unit/Representatives Consulted and Dates/Position	Advisory Committees Consulted and Dates	Public Hearing Advertisement
51-10-2011	Kingsburg Joint Union High School District	Does not meet	January 11, 2012 to January 9, 2014	The Kingsburg Joint Union High School District has a student population of 1,161 and is located in a small city in Fresno, Tulare and Kings Counties	Public Hearing: September 12, 2011; Approval: October 17, 2011	California School Employees' Association, Robin Lund, President, 10/14/11, Support ; Kingsburg Joint Union High School Teachers' Association, David Wilson, President, 9/15/11, Support	10/20/11: School Site Council	Notice in a newspaper; Notice posted at each school
58-10-2011	Kit Carson Union Elementary School District	Does not meet	October 20, 2011 to October 18, 2013	The Kit Carson Elementary Union School District has a student population of 400 and is located in a rural city in Kings County	Public Hearing and Approval: November 2, 2011	Kit Carson Educators' Association, Richard McClelland, President, 10/17/11, Neutral	10/17/11: English Learners Advisory Committee	Notice in a newspaper; Notice posted at each school; Other - Notice posted online
57-10-2011	Lakeside Union Elementary School District	Does not meet	January 1, 2012 to December 30, 2013	The Lakeside Union Elementary School District has a student population of 324 and is located in a rural city in Kings County	Public Hearing and Approval: November 10, 2011	Lakeside Teachers' Association, Cynthia Marshall, President, 10/17/11, Support	10/27/11: Lakeside Union Elementary School District School Site Council, English Language Advisory Committee.	Notice in a newspaper; Notice posted at each school; Other - Mailed notice to all residents of the district and posted at Kings County Office of Education

Trustee Area Election Waivers

Districts requesting waivers of elections to establish trustee areas--all of Education Code Section 5020; portions of sections 5019, 5021 and 5030

Waiver Number	District	Streamlined Waiver Process	Period of Request	Demographic Information	Local Board Public Hearing and Approval Dates	Bargaining Unit/Representatives Consulted and Dates/Position	Advisory Committees Consulted and Dates	Public Hearing Advertisement
31-10-2011	Lindsay Unified School District	Does not meet	October 1, 2011 to September 29, 2013	The Lindsay Unified School District has a student population of 4,159 and is located in a small city in Tulare County	Public Hearing and Approval: May 24, 2010 and October 10, 2011	California School Employees' Association, Freddy Perez, President, 5/13/10, Support ; Lindsay Teachers' Association, Greg Shanley, President, 5/13/10, Support	5/11/10: Steve Garvey Jr. High School Site Council. 5/19/10: Lincoln Elementary School Site Council/ELAC. 5/24/10: Lindsay High School Site Council/ELAC. 5/27/10: Washington Elementary School Site Council/ELAC. 6/1/10: Jefferson Elementary School Site Council.	Notice in a newspaper; Notice posted at each school; Other -Notice posted at the District's Office notification site
44-10-2011	Porterville Unified School District	Does not meet	October 1, 2011 to September 29, 2013	The Porterville Unified School District has a student population of 13,666 and is located in a small city in Tulare County	Public Hearing: September 8, 2011; Approval: October 13, 2011	California School Employees' Association, Raul Magana, President, 10/13/2011, Support ; Porterville Educators' Association, Stan Ennis, President, 10/13/2011 and 10/18/2011, Support	9/29/11: District Advisory Committee, District Language Advisory Committee. 10/13/11: Title VII Native American Committee.	Notice in a newspaper; Notice posted at each school; Other - Notice posted at District Office
30-10-2011	Strathmore Union Elementary School District	Does not meet	October 1, 2011 to September 29, 2013	The Strathmore Union Elementary School District has a student population of 838 and is located in a rural area in Tulare County	Public Hearing and Approval: October 10, 2011	Strathmore Elementary Teachers' Association, Anita Murphy-Sanchez, President, 8/17/2011 and 8/30/2011, Support	8/17 & 8/25/11: District English Language Advisory Committee. 8/17 & 8/30/11: English Language Advisory Committee. 8/17 & 9/12/11: School Site Council. 8/17 & 9/30/11: GATE District Advisory Committee.	Notice in a newspaper; Notice posted at each school; Other -Notice posted on the District's homepage

Trustee Area Election Waivers

Districts requesting waivers of elections to establish trustee areas--all of Education Code Section 5020; portions of sections 5019, 5021 and 5030

Waiver Number	District	Streamlined Waiver Process	Period of Request	Demographic Information	Local Board Public Hearing and Approval Dates	Bargaining Unit/Representatives Consulted and Dates/Position	Advisory Committees Consulted and Dates	Public Hearing Advertisement
35-9-2011	Tulare City School District	Does not meet	October 1, 2011 to September 29, 2013	The Tulare City School District has a student population of 9,277 and is located in a small city in Tulare County.	Public Hearing: June 8, 2011; Approval: September 13, 2011	Tulare City Teachers' Association, Amy Grimmer, President, 5/11/2010, Support ; California School Employees' Association, Sandy Curry, President, 5/12/2010, Neutral	5/20/10: Tulare District Advisory Committee	Notice in a newspaper; Notice posted at each school; Other - Notice mailed to Parent Teacher Organization presidents and School Site Council presidents
7-10-2011	Tulare Joint Union High School District	Does not meet	October 1, 2010 to September 29, 2013	The Tulare Joint Union High School District has a student population of 5,278 and is located in a small city in Tulare County.	Public Hearing and Approval: September 15, 2011	Tulare Joint Union High School District Teachers' Association/California Teachers Association, Jason Edwards, President, 8/25/2011, Neutral ; California School Employees' Association, Beverly Nagel, President, 8/25/2011, Neutral	8/29/11: Mission Oak High School Site Council. 9/13/11: Tulare Union High and Tulare Western High School Site Councils. 9/14/11: Migrant Advisory Committee. 9/15/11: English Language Advisory Committee.	Notice in a newspaper; Notice posted at each school; Other - Notice mailed to Parent Teacher Organization presidents and School Site Council presidents
49-10-2011	Vista Unified School District	Does not meet	November 15, 2011 to November 13, 2013	The Vista Unified School District has a student population of approximately 26,000 and is located in a urban city in San Diego County	Public Hearing and Approval: October 6, 2011	Vista Teachers' Association, Barbara Franklin, President, 7/23/11 and 8/23/11, Neutral ; California School Employees' Association (Chapter 389), Wendy Lamb, President, 7/23/11 and 8/23/11, Neutral	5/11/11 & 10/21/11: District Parent Advisory Committee. 9/6/11: Del Norte PTA. 9/30/11: City of Vista	Notice in a newspaper; Other - Notice place in North County Times; Notice posted in 3 public places in the district; Notice posted on District website

13-10-2011

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X

Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
5	4	7	1	8	3	7

Local educational agency: BURTON (ELEMENTARY) SCHOOL DISTRICT			Contact name and Title: GARY MEKEEL, SUPERINTENDENT			Contact person's e-mail address: GMEKEEL@BURTONS CHOOLS.ORG		
Address:		(City)	(State)	(ZIP)	Phone (and extension, if necessary): 559/781-8020			
264 N. WESTWOOD ST.		PORTERVILLE	CA	93257	Fax Number: 559/781-1403			
Period of request: (month/day/year)		Local board approval date: (Required)			Date of public hearing: (Required)			
From: 10/1/2011 To: 9/31/2013		JUNE 7, 2010 AND AUGUST 15, 2011			JUNE 7, 2010; AUGUST 1, 2011 & AUGUST 15, 2011			

Jb 10/17/11 LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): _____ Circle One: EC or *CCR*
5020, portions of 5019, 5021, and 5030 bj 10/17/11
Topic of the waiver: **WAIVER OF ELECTORAL REQUIREMENTS OF EDUCATION CODE §§ 5019, 5020 AND 5030 TO ESTABLISH TRUSTEE AREAS AND ADOPT A BY-TRUSTEE AREA ELECTORAL PROCESS**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: **N/A** and date of SBE Approval **N/A**
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? X No **X Yes** If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **CALIFORNIA TEACHERS ASSOCIATION 4/30/10
CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION 4/30/10**
Name of bargaining unit and representative(s) consulted: **FIDEL BANUELOS, CTA PRESIDENT
DARREL WEBB, CSEA PRESIDENT**
The position(s) of the bargaining unit(s): X Neutral Support Oppose (*Please specify why*)
BOTH

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

 X Notice in a newspaper X Notice posted at each school Other: (*Please specify*)

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:
SEE ATTACHMENT A HERETO

Date the committee/council reviewed the waiver request: **SEE ATTACHMENT A HERETO**

Were there any objection(s)? **No** X Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

SEE ATTACHMENT B HERETO

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

Pursuant to EC § 5019(a), the Tulare County Committee on School District Organization (“TCCSDO”) has the authority to approve or disapprove Burton School District’s adoption of by-trustee area elections. Burton School District adopted a resolution applying to the County Committee to authorize a change of election for the November 2012 election. The TCCSDO has tentatively approved the change, subject to submission and approval of a specific trustee area plan. This waiver is sought contingent on TCCSDO’s approval of the change to the District’s electoral system. The approval of by-trustee area elections by the TCCSDO would normally constitute an order of election (EC § 5020); however, a waiver of the election requirement by SBE would allow for the adoption and subsequent implementation of by-trustee area elections without a local election. Also, the subsequent approval of a specific trustee area plan would normally be subject to a referendum period, but if qualified such a referendum would preclude by-trustee area elections in 2012. [See Attachment C and Burton School District Resolutions 10-23 and 12-02, attached hereto.]

8. Demographic Information:

Burton School District has a student population of **4,100** and is located in a **small city** in **TULARE** County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes

(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes

(If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:

Title:
SUPERINTENDENT

Date:

OCTOBER _____, 2011

FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (*type or print*):

Staff Signature:

Date:

Unit Manager (*type or print*):

Unit Manager Signature:

Date:

Division Director (*type or print*):

Division Director Signature:

Date:

Deputy (*type or print*):

Deputy Signature:

Date:

Attachment A

Consultation With School Site Councils/Advisory Committees

Date	School	Group	Position
4-27-10	William R. Buckley	School Site Council	No Objections
4-27-10	Summit Charter Academy	SCA Board Meeting	No Objections
4-27-10	Summit Charter Academy	PTA	No Objections
4-29-10	Oak Grove Elementary	School Site Council	No Objections
5-04-10	Jim Maples Academy	School Site Council	No Objections
5-11-10	Burton Elementary School	PTA & School Site Council	No Objections
5-12-10	BETA/CSEA	District Office	No Objections
5-18-10	William R. Buckley	PTA	No Objections

Attachment B

6. Education Code or California Code of Regulations section to be waived

Request to waive the following sections and portions of the Education Code lined out below:

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

~~(d) If the county committee on school district organization approves pursuant to subdivision (a) the rearrangement of the boundaries of trustee areas for a particular district, then the rearrangement of the trustee areas shall be effectuated for the next district election occurring at least 120 days after its approval, unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.~~

§ 5020. Presentation of proposal to electors

~~(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.~~

~~(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.~~

~~(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:~~

~~"For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District--Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District--No."~~

~~"For increasing the number of members of the governing board of _____ (insert name) School District from five to seven--Yes" and "For increasing the number of members of the governing board of _____ (insert name) School District from five to seven--No."~~

~~"For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five--Yes" and "For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five--No."~~

~~"For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District--Yes" and "For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District--No."~~

~~"For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--Yes" and "For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--No."~~

~~"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District--Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District--No."~~

~~"For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District--Yes" and "For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District--No."~~

~~—If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.~~

§ 5021. Incumbents to serve out terms despite approval of change

(a) If a proposal for the establishment of trustee areas formulated under Sections 5019 and ~~5020~~ is approved by ~~a majority of the voters voting at the election~~, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established ~~at such election~~ which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.

(b) If a proposal for rearrangement of boundaries is approved by ~~a majority of the voters voting on the measure, or by the county committee on school district organization when no election is required~~, and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) If a proposal for abolishing trustee areas is approved by ~~a majority of the voters voting at the election~~, the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Sections 5019 and ~~5020~~, respectively, may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

~~In counties with a population of less than 25,000, the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.~~

Attachment C

7. Desired Outcome/Rationale

The waiver of the election requirements in 5019(d) and 5020 will enable the Burton (Elementary) School District (“BSD” or “District”) to implement a new “by-trustee area” electoral system for its November 2012 elections, will ensure that the District proceeds in the most efficient and cost-effective manner, and will help protect the District from legal challenges. Approval of the waiver request will not remove the requirement that any future District governing board member be elected by voters in the District. The waiver only eliminates the requirement that an election be held to determine the method by which future board members will be elected.

Tulare County has recently become an epicenter of potential litigation under the California Voting Rights Act of 2002, codified at sections 14025–14032 of the California Elections Code (“CVRA”). The CVRA enables voters to challenge “at-large” electoral systems in which elections are characterized by “racially-polarized voting.” As importantly, it authorizes mandatory attorneys’ fee and expert fee awards to successful plaintiffs.

Recent litigation under the Act has resulted in fee awards as high as 7 figures: The City of Modesto defended against a suit under the CVRA and ended up paying \$3 million to plaintiffs’ attorneys, in addition to \$1.7 million to its own attorneys. While that case involved an appeal and (unsuccessful) petitions for review and certiorari to the California and U.S. Supreme Courts, the \$4.7 million did not include any costs for an actual trial, as the case never reached that state, settling before that time. And then in 2008, Madera Unified was sued under the CVRA, and after six weeks of uncontested litigation was served with a fee demand of \$1.2 million (a number that continues to go up as fee proceedings continue).

In recent years, two nearby jurisdictions have been sued under the CVRA—the Tulare Local Healthcare District settled a suit for \$500,000 in 2010, and agreed to put the question of changing its electoral system to the voters; the City of Tulare likewise settled a suit, agreeing to put a similar question to its voters, and to pay plaintiffs’ attorneys’ fees (rumored to be in the range of \$250,000). Faced with this spate of litigation, several of BSD’s neighboring districts have adopted by-trustee elections under Education Code § 5030(b). In a by-trustee area system of election, candidates for a district’s governing board must reside within a specific geographic subarea of the district called a “trustee area” and candidates are elected only by the voters of that trustee area. They have done so under threat of litigation under the CVRA. We also understand that the same organization that brought the Modesto and Madera suits has made further inquiries regarding other Tulare area districts.

The District currently elects its five-member board in “at-large” elections (*i.e.*, elections in which each candidate for the Board is elected by all voters in the District) pursuant to Education Code § 5030(a), and is therefore potentially vulnerable to suit under the CVRA.¹

¹ This does not represent a concession by the District that such a suit would be meritorious. There is presently not any formal allegation of racially-polarized voting in District elections. But no case

On June 22, 2009, the Board adopted Resolution No. 09-35, initiating an application to the County Committee to change the District's method of election to "by-trustee area" elections, *i.e.*, elections in which "one or more members residing in each trustee area [is] elected by the registered voters of that particular trustee area[.]" Cal. Elec. Code § 5030(b).

On April 27, 2010, the County Committee held a duly-noticed public hearing on the Board's proposal to change the District's method of election. Following that public hearing the County Committee tentatively approved the change of electoral system to "by-trustee area" elections, subject to the subsequent approval by the County Committee of a specific trustee area plan for use in 2012 and future District elections.

On August 15, 2011, following the release of the 2010 Census, the BSD Board adopted a trustee area plan for submission to, and approval by, the TCCSDO. The TCCSDO approved the District's proposed trustee area plan following a duly-noticed public hearing on October 6, 2011.

In the normal course, the TCCSDO's approval of a change to the District's electoral system would act as an order of election, submitting the change to the District's voters at the November 2012 election. That, however, will preclude the District from implementing the new system in time for that election. Accordingly, the Board consulted with its advisory committees, school site councils and bargaining units, and held a duly-noticed public hearing, and on June 7, 2010, approved submission of a waiver of the electoral requirement.

The submission was delayed while a trustee area plan was approved and submitted to the TCCSDO. Accordingly, the Board held two supplemental hearings on the waiver application, on August 1, 2011 and August 15, 2011, and re-affirmed its decision to submit this application. If the waiver is approved, a local election would not be held: the system for electing trustees would change pursuant to the Resolution adopted by the BSD Board in 2009, and the approval of the TCCSDO.

The District is also proposing a trustee area boundary plan for the TCCSDO's consideration and approval, following an extensive public process. Though that plan will not be subject to an automatic vote of the people, it is subject to the possibility of a referendum under § 5019(d). Such a referendum, if qualified, would defeat the District's ability to implement by-trustee area elections in 2012.

There has been no public opposition to the waiver application. The BSD Board has therefore determined that the public interest would be better served if trustees were elected by-trustee areas and makes the following points in support of the waiver:

1. Questions have been raised about the current electoral system's legality under the California Voting Rights Act. If not waived and if a measure to institute by-

has yet definitively construed the Act's many ambiguous provisions, and there are outstanding questions about what a plaintiff must prove to prevail under the Act. That uncertainty, coupled with the potential for massive fee awards, creates a significant disincentive to contest such a suit.

trustee area elections is defeated, the District would continue to be vulnerable to a legal challenge regarding the establishing of by-trustee area elections. Though the District does not concede that the current system would violate the CVRA, and has not itself been directly threatened with litigation, it has no desire to risk costly litigation under the Act.

2. The request for waiver is contingent upon the TCCSDO's approval of by-trustee area elections. The SBE can therefore grant this waiver with the assurance that the District's proposal will nevertheless be subjected to independent review by the TCCSDO, composed of disinterested officials familiar with local circumstances.
3. No member of the public spoke against the waiver at the duly-noticed public hearings.
4. There has been minimal opposition to the plan.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver:
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
1	0	6	2	1	0	9

Local educational agency: Clay Joint Elementary School District			Contact name and Title: Bill Mannlein, Superintendent			Contact person's e-mail address: bmannlein@fcoe.net		
Address: 12449 S. Smith		(City) Kingsburg	(State) CA	(ZIP) 93631	Phone (and extension, if necessary): (559) 897-4185 Fax Number: (559) 897-2280			
Period of request: (month/day/year) From: January 1, 2012 LS 10/31/11 To: December 31, 2012 December 30, 2013			Local board approval date: (Required) September 13, 2011			Date of public hearing: (Required) September 13, 2011		

LEGAL CRITERIA

- Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): Education Code § 5020 and portions of § 5019, 5021 and 5030
Topic of the waiver: Waiver of elections requirement for change to by-trustee area elections.
- If this is a renewal of a previously approved waiver, please list Waiver Number: N/A and date of SBE Approval: N/A
Renewals of waivers must be submitted two months before the active waiver expires.
- Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s):

Name of bargaining unit and representative(s) consulted:

The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)

Comments (if appropriate): Staff has been overwhelmingly supportive.
- Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?
 Notice in a newspaper Notice posted at each school Other: (*Please specify*) Notice posted at three public places in the school district.
- Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:
Date the committee/council reviewed the waiver request: Clay School Site Council jb 10/27/11
School Site Council reviewed on May 21, 2009; November 19, 2009; February 18, 2010; January 25, 2011.

Were there any objection(s)? No Yes (*If there were objections please specify*)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

Please see Attachment A.

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

Please see Attachment B.

8. Demographic Information:
District has a student population of 261 and is located in a rural city in Fresno and Tulare Counties.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee: <i>/s/ William Mannlein</i>	Title: District Superintendent	Date:
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FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (<i>type or print</i>):	Staff Signature:	Date:
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Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
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Division Director (<i>type or print</i>):	Division Director Signature:	Date:
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Deputy (<i>type or print</i>):	Deputy Signature:	Date:
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**CLAY JOINT ELEMENTARY SCHOOL DISTRICT
WAIVER APPLICATION
ATTACHMENT A**

6. Education Code sections to be waived.

The Clay Joint Elementary School District desires to waive the sections and portions of the Education Code lined out below:

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

~~(d) If the county committee on school district organization approves pursuant to subdivision (a) the rearrangement of the boundaries of trustee areas for a particular district, then the rearrangement of the trustee areas shall be effectuated for the next district election occurring at least 120 days after its approval, unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.~~

~~§ 5020. Presentation of proposal to electors~~

~~(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.~~

~~(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.~~

~~(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:~~

~~"For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District—Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District—No."~~

~~"For increasing the number of members of the governing board of _____ (insert name) School District from five to seven—Yes" and "For increasing the number of members of the governing board of _____ (insert name) School District from five to seven—No."~~

~~"For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five—Yes" and "For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five—No."~~

~~"For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District—Yes" and "For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District—No."~~

~~"For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area—Yes" and "For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area—No."~~

~~"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District—Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District—No."~~

~~"For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District—Yes" and "For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District—No."~~

~~—If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.~~

§ 5021. Incumbents to serve out terms despite approval of change

(a) If a proposal for the establishment of trustee areas formulated under Sections 5019 and 5020 is approved by a majority of the voters voting at the election, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established at such election which are not represented in the membership of the governing

board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.

(b) If a proposal for rearrangement of boundaries is approved by ~~a majority of the voters voting on the measure, or by the county committee on school district organization when no election is required,~~ and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) If a proposal for abolishing trustee areas is approved by ~~a majority of the voters voting at the election,~~ the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Sections 5019 ~~and 5020~~, respectively, may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

~~In counties with a population of less than 25,000,~~ the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.

**CLAY JOINT ELEMENTARY SCHOOL DISTRICT
WAIVER APPLICATION
ATTACHMENT B**

7. Desired Outcome/Rationale

Currently, each of the Clay Joint Elementary School District's ("District") three (3) school board members is elected "at large."

On September 13, 2011, the Board voted to change from at-large elections to by-trustee area elections for the 2012 elections in an effort to ensure compliance with the Voting Rights Act and to help prevent the District from being entangled in costly lawsuits that other cities and districts have faced. This change would require trustees to live in designated trustee areas and trustees would be elected only by voters residing in their trustee area, not by all voters voting at-large.

During the past school year, the Board conducted monthly public hearings on these issues during regular meetings of the Governing Board and presented the issues for discussion and input at Site Council and Parents' Club meetings. The Board approved a final trustee area map in September 2011 which was presented to and approved by the Fresno County Committee on School District Organization on September 14, 2011.

The District requests that the State Board of Education grant a waiver of the requirement for a local election to approve the change in the manner of electing school board members (e.g. from at-large elections to by-trustee area elections). This requirement is contained primarily in Education Code section 5020 (see Attachment A).

If the waiver is approved by the State Board of Education, a local election would not be held: the system for electing trustees would change pursuant to the District's Resolution adopted on September 13, 2011, to change to by-trustee area elections for implementation during the November 2012 elections.

If the waiver is approved by the State Board, the change in voting procedures and the final trustee area maps will be forwarded to the Fresno County Elections Office in time for implementation in the November 2012 elections.

There was no opposition to the District's plan at the numerous public hearings and meetings held during 2010-2011. There was no opposition expressed at the Governing Board meeting held September 13, 2011, regarding the change to by-trustee area elections, the proposed area plan, or the District's intent to request SBE's waiver of the election requirement. No community members, school district employees, or other interested persons have opposed the waiver or the change to by-trustee area elections. In fact, representatives from the faculty, the community and parent groups appeared at the County Committee meeting to express their support of the change of election method, the proposed trustee area plan, and the waiver.

The Governing Board of Clay Joint Elementary School District has determined that the public interest would be better served if trustees were elected by by-trustee areas and makes the following points in support of the waiver:

1. Selecting trustees in by-trustee area elections enhances the opportunity for representation on the Board of all communities within the District.
2. Selecting trustees in by-trustee area election will enhance the ability for a greater number of candidates to run for seats on the school board by reducing the costs associated with running for election district wide.
3. Questions have been raised about the current electoral system's legality under the California Voting Rights Act. If not waived and if the Governing Board's measure to move to by-trustee area elections is defeated at an election, the District would continue to be vulnerable to a legal challenge regarding the establishing of by-trustee area elections.
4. The Fresno County Committee on School District Organization has approved the change of election method and trustee area plan. The SBE is in a position to support local decision-making, while providing the District a limited range of discretion that insures it meets the legal requirements for such change, and reflects the SBE's policy of support of local community plans to broaden community involvement in school district governance.
5. The decision to change to by-trustee area elections and to request this waiver was supported unanimously by the Governing Board.
6. There has been no opposition to the plan.
7. The Governing Board of the Clay Joint Elementary School District represents the electorate, and has unanimously resolved to adopt by-trustee area elections and to request this waiver.
8. A copy of the District's resolution dated September 13, 2011, is attached.

The conditional waiver of the election requirement will ensure that the District proceeds in the most efficient and cost-effective manner, and is protected from legal challenges. Approval of the waiver request will not remove the requirement that any future District governing board member be elected by voters in the district. The waiver only eliminates the requirement that an election be held to determine the method by which future board members will be elected.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

SEE ATTACHMENT B HERETO

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

Pursuant to EC § 5019(a), the Fresno County Committee on School District Organization (“FCCSDO”) has the authority to approve or disapprove Firebaugh-Las Deltas Joint Unified School District’s adoption of by-trustee area elections. FLDUSD adopted a resolution applying to the County Committee to authorize a change of election for the November 2012 election, and has submitted a proposed trustee area plan for the FCCSDO’s consideration. This waiver is sought contingent on FCCSDO’s approval of the change to the District’s electoral system. The approval of by-trustee area elections by the FCCSDO would normally constitute an order of election (EC § 5020); however, a waiver of the election requirement by SBE would allow for the adoption and subsequent implementation of by-trustee area elections without a local election. Also, the approval of a specific trustee area plan would normally be subject to a referendum period, but if qualified such a referendum would preclude by-trustee area elections in 2012. [See Attachment C and Firebaugh-Las Deltas Joint Unified School District Resolution, 10/11-22, attached hereto.]

8. Demographic Information:
(District/school/program)___ has a student population of **2,219** and is located in a ___(urban, rural, or small city etc.)___ in **FRESNO and MADERA** County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title: SUPERINTENDENT	Date: October 6, 2011
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FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (type or print):	Staff Signature:	Date:
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Unit Manager (type or print):	Unit Manager Signature:	Date:
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Division Director (type or print):	Division Director Signature:	Date:
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Deputy (type or print):	Deputy Signature:	Date:
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Attachment A

Consultation With School Site Councils/Advisory Committees

Consulted Body	Date	Position
A.E. Mills School Site Council	November 8, 2010	No Objections
H.M. Bailey Primary School Site Council	December 2, 2010	No Objections
Firebaugh High School – School Site Council/English Learners Advisory Committee	December 8, 2010	No Objections
Firebaugh-Las Deltas Unified Stakeholders Meeting	January 24, 2011	No Objections
Firebaugh Middle School – School Site Council	January 27, 2011	No Objections
Migrant Parent Advisory Council Meeting	April 12, 2011	No Objections

Attachment B

6. Education Code or California Code of Regulations section to be waived

Request to waive the following sections and portions of the Education Code lined out below:

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

~~(d) If the county committee on school district organization approves pursuant to subdivision (a) the rearrangement of the boundaries of trustee areas for a particular district, then the rearrangement of the trustee areas shall be effectuated for the next district election occurring at least 120 days after its approval, unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.~~

~~§ 5020. Presentation of proposal to electors~~

~~(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.~~

~~(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.~~

~~(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:~~

~~"For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District --Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District--No."~~

~~"For increasing the number of members of the governing board of _____ (insert name) School District from five to seven--Yes" and "For increasing the number of members of the governing board of _____ (insert name) School District from five to seven--No."~~

~~"For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five--Yes" and "For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five--No."~~

~~"For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District--Yes" and "For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District--No."~~

~~"For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--Yes" and "For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--No."~~

~~"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District--Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District--No."~~

~~"For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District--Yes" and "For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District--No."~~

~~—If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.~~

§ 5021. Incumbents to serve out terms despite approval of change

(a) ~~If a proposal for the establishment of trustee areas formulated under Sections 5019 and 5020 is approved by a majority of the voters voting at the election, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established at such election which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.~~

(b) ~~If a proposal for rearrangement of boundaries is approved by a majority of the voters voting on the measure, or by the county committee on school district organization when no election is required, and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.~~

(c) ~~If a proposal for abolishing trustee areas is approved by a majority of the voters voting at the election, the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.~~

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Sections 5019 and 5020, respectively, may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

~~—In counties with a population of less than 25,000, the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.~~

Attachment C

7. Desired Outcome/Rationale

The waiver of the election requirements in 5019(d) and 5020 will enable the Firebaugh-Las Deltas Unified School District (“FLDUSD” or “District”) to implement a new “by-trustee area” electoral system for its November 2012 elections, will ensure that the District proceeds in the most efficient and cost-effective manner, and will help protect the District from legal challenges. Approval of the waiver request will not remove the requirement that any future District governing board member be elected by voters in the District. The waiver only eliminates the requirement that an election be held to determine the method by which future board members will be elected.

The Central Valley, including Fresno County, has recently become an epicenter of potential litigation under the California Voting Rights Act of 2002, codified at sections 14025–14032 of the California Elections Code (“CVRA”). The CVRA enables voters to challenge “at-large” electoral systems in which elections are characterized by “racially-polarized voting.” As importantly, it authorizes mandatory attorneys’ fee and expert fee awards to successful plaintiffs.

Recent litigation under the Act has resulted in fee awards as high as 7 figures: The City of Modesto defended against a suit under the CVRA and ended up paying \$3 million to plaintiffs’ attorneys, in addition to \$1.7 million to its own attorneys. While that case involved an appeal and (unsuccessful) petitions for review and certiorari to the California and U.S. Supreme Courts, the \$4.7 million did not include any costs for an actual trial, as the case never reached that state, settling before that time. And then in 2008, Madera Unified was sued under the CVRA, and after six weeks of uncontested litigation was served with a fee demand of \$1.2 million (a number that continues to go up as fee proceedings continue).

In recent years, other Central Valley jurisdictions have been sued under the CVRA—the Tulare Local Healthcare District settled a suit for \$500,000 in 2010, and agreed to put the question of changing its electoral system to the voters; the City of Tulare likewise settled a suit, agreeing to put a similar question to its voters, and to pay plaintiffs’ attorneys’ fees (rumored to be in the range of \$250,000). Faced with this spate of litigation, several of FLDUSD’s neighboring districts have adopted by-trustee elections under Education Code § 5030(b). In a by-trustee area system of election, candidates for a district’s governing board must reside within a specific geographic subarea of the district called a “trustee area” and candidates are elected only by the voters of that trustee area. They have done so under threat of litigation under the CVRA. We also understand that the same organization that brought the Modesto and Madera suits has made further inquiries regarding other Fresno area districts.

FLDUSD currently elects its five-member board in “at-large” elections (*i.e.*, elections in which each candidate for the Board is elected by all voters in the District) pursuant to

Education Code § 5030(a), and is therefore potentially vulnerable to suit under the CVRA.¹

On February 10, 2011, the Board adopted Resolution No. 10/11-22, initiating an application to the County Committee to change the District's method of election to "by-trustee area" elections, *i.e.*, elections in which "one or more members residing in each trustee area [is] elected by the registered voters of that particular trustee area[.]" Cal. Elec. Code § 5030(b).²

On September 8, 2011, following the release of the 2010 Census, the FLDUSD Board adopted a trustee area plan for submission to, and approval by, the FCCSDO, for use in 2012 and future District elections. A hearing on that proposal is scheduled before the FCCSDO on October 12, 2011.

In the normal course, the FCCSDO's approval of a change to the District's electoral system would act as an order of election, submitting the change to the District's voters at the November 2012 election. That, however, will preclude the District from implementing the new system in time for that election. Accordingly, the Board consulted with its advisory committees, school site councils and bargaining units, and held a duly-noticed public hearing, and on February 10, 2011, approved submission of a waiver of the electoral requirement.

If the waiver is approved, a local election would not be held: the system for electing trustees would change pursuant to the Resolution adopted by the FLDUSD Board in February 2011, and the approval of the FCCSDO. This waiver application is submitted contingent upon approval of the application by the FCCSDO.

The District is also proposing a trustee area boundary plan for the FCCSDO's consideration and approval, following an extensive public process. Though that plan will not be subject to an automatic vote of the people, it is subject to the possibility of a referendum under § 5019(d). Such a referendum, if qualified, would defeat the District's ability to implement by-trustee area elections in 2012.

There has been no public opposition to the waiver application. The FLDUSD Board has therefore determined that the public interest would be better served if trustees were elected by-trustee areas and makes the following points in support of the waiver:

1. Questions have been raised about the current electoral system's legality under the California Voting Rights Act. If not waived and if a measure to institute by-trustee area elections is defeated, the District would continue to be vulnerable to a legal challenge regarding the establishing of by-trustee area elections. Though the District does not concede that the current system would violate the CVRA, and has not itself been directly threatened with litigation, it has no desire to risk

¹ This does not represent a concession by the District that such a suit would be meritorious. There is presently not any formal allegation of racially-polarized voting in District elections. But no case has yet definitively construed the Act's many ambiguous provisions, and there are outstanding questions about what a plaintiff must prove to prevail under the Act. That uncertainty, coupled with the potential for massive fee awards, creates a significant disincentive to contest such a suit.

² The Board adopted a resolution on March 10, 2011, which amended Resolution No. 10/11-22, insofar as the original resolution adopted criteria to guide the establishment of trustee areas. The amendment did not affect the waiver application in any way.

costly litigation under the Act.

2. The request for waiver is contingent upon the FCCSDO's approval of by-trustee area elections. The SBE can therefore grant this waiver with the assurance that the District's proposal will nevertheless be subjected to independent review by the FCCSDO, composed of disinterested officials familiar with local circumstances.
3. No member of the public spoke against the waiver at the duly-noticed public hearing.
4. There has been minimal opposition to the plan.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
5	4	7	1	9	6	9

Local educational agency: KINGS RIVER ELEMENTARY SCHOOL DISTRICT			Contact name and Title: GARY GROTH SUPERINTENDENT			Contact person's e-mail address: GGROTH@KINGS-RIVER.K12.CA.US		
Address:		(City)	(State)	(ZIP)	Phone (and extension, if necessary): 559/897-7209 X101			
3961 AVENUE 400		KINGSBURG	CA	93631	Fax Number: 559/897-0320			
Period of request: (month/day/year)		Local board approval date: (Required)			Date of public hearing: (Required)			
From: 10/1/2011		To: 9/31/2013	OCTOBER 10, 2011			OCTOBER 10, 2011		

LEGAL CRITERIA

- Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number):
Circle One: **EC** or *CCR*
-5021 jb 10/27/11
Topic of the waiver: **WAIVER OF ELECTORAL REQUIREMENTS OF EDUCATION CODE §§ 5019, 5020 AND 5030 TO ESTABLISH TRUSTEE AREAS AND ADOPT A BY-TRUSTEE AREA ELECTORAL PROCESS**
- If this is a renewal of a previously approved waiver, please list Waiver Number: **N/A** and date of SBE Approval **N/A**
Renewals of waivers must be submitted two months before the active waiver expires.
- Collective bargaining unit information. Does the district have any employee bargaining units? No **X Yes** If yes, please complete required information below:
Bargaining unit(s) consulted on date(s): **CALIFORNIA TEACHERS' ASSOCIATION (CTA) 9/14/11 & 10/10/11**
CALIFORNIA SCHOOL EMPLOYEES ASS'N (CSEA) 9/14/11 & 10/10/11
Name of bargaining unit and representative(s) consulted: **RANDY DARNELL, CTA PRESIDENT**
LINDA KANGAS, CSEA PRESIDENT
The position(s) of the bargaining unit(s): X Neutral X Support Oppose (*Please specify why*)
CTA CSEA
Comments (if appropriate):
- Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.
How was the required public hearing advertised?
 X Notice in a newspaper X Notice posted at each school X Other: (*Please specify*) **District website**
- Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:
SEE ATTACHMENT A HERETO
Date the committee/council reviewed the waiver request: **SEE ATTACHMENT A HERETO**
Were there any objection(s)? **No X** Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

SEE ATTACHMENT B HERETO

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

Pursuant to EC § 5019(a), the Tulare County Committee on School District Organization (“TCCSDO”) has the authority to approve or disapprove Kings River Elementary School District’s adoption of by-trustee area elections. Kings River Elementary School District adopted a resolution applying to the County Committee to authorize a change of election for the November 2012 election. The TCCSDO has tentatively approved the change, subject to submission and approval of a specific trustee area plan. This waiver is sought contingent on TCCSDO’s approval of the change to the District’s electoral system. The approval of by-trustee area elections by the TCCSDO would normally constitute an order of election (EC § 5020); however, a waiver of the election requirement by SBE would allow for the adoption and subsequent implementation of by-trustee area elections without a local election. Also, the subsequent approval of a specific trustee area plan would normally be subject to a referendum period, but if qualified such a referendum would preclude by-trustee area elections in 2012. [See Attachment C and Kings River Elementary School District Resolution 2012-8, attached hereto.]

8. Demographic Information:
Kings River Elementary School District has a student population of **475** and is located in a **small city** in **TULARE** County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title: SUPERINTENDENT	Date: OCTOBER 20, 2011
--	---------------------------------	----------------------------------

FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Attachment A

Consultation With School Site Councils/Advisory Committees

Consulted Body	Date	Position
School Site Council	9/14/11	No Objections
English Language Advisory Committee ("ELAC")	10/10/11	No Objections

Attachment B

6. Education Code or California Code of Regulations section to be waived

Request to waive the following sections and portions of the Education Code lined out below:

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on

the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

~~(d) If the county committee on school district organization approves pursuant to subdivision (a) the rearrangement of the boundaries of trustee areas for a particular district, then the rearrangement of the trustee areas shall be effectuated for the next district election occurring at least 120 days after its approval, unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.~~

~~§ 5020. Presentation of proposal to electors~~

~~(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.~~

~~(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.~~

~~(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:~~

~~"For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District --Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District--No."~~

~~"For increasing the number of members of the governing board of _____ (insert name) School District from five to seven--Yes" and "For increasing the number of members of the governing board of _____ (insert name) School District from five to seven--No."~~

~~"For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five--Yes" and "For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five--No."~~

~~"For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District--Yes" and "For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District--No."~~

~~"For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--Yes" and "For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--No."~~

~~"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District--Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District--No."~~

~~"For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District--Yes" and "For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District--No."~~

~~—If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.~~

§ 5021. Incumbents to serve out terms despite approval of change

(a) ~~If a proposal for the establishment of trustee areas formulated under Sections 5019 and 5020 is approved by a majority of the voters voting at the election, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established at such election which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.~~

(b) ~~If a proposal for rearrangement of boundaries is approved by a majority of the voters voting on the measure, or by the county committee on school district organization when no election is required, and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.~~

(c) ~~If a proposal for abolishing trustee areas is approved by a majority of the voters voting at the election, the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.~~

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Sections 5019 and 5020, respectively, may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

~~—In counties with a population of less than 25,000, the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.~~

Attachment C

7. Desired Outcome/Rationale

The waiver of the election requirements in 5019(d) and 5020 will enable the Kings River Elementary School District (“KRESD” or “District”) to implement a new “by-trustee area” electoral system for its November 2012 elections, will ensure that the District proceeds in the most efficient and cost-effective manner, and will help protect the District from legal challenges. Approval of the waiver request will not remove the requirement that any future District governing board member be elected by voters in the District. The waiver only eliminates the requirement that an election be held to determine the method by which future board members will be elected.

Tulare County has recently become an epicenter of potential litigation under the California Voting Rights Act of 2002, codified at sections 14025–14032 of the California Elections Code (“CVRA”). The CVRA enables voters to challenge “at-large” electoral systems in which elections are characterized by “racially-polarized voting.” As importantly, it authorizes mandatory attorneys’ fee and expert fee awards to successful plaintiffs.

Recent litigation under the Act has resulted in fee awards as high as 7 figures: The City of Modesto defended against a suit under the CVRA and ended up paying \$3 million to plaintiffs’ attorneys, in addition to \$1.7 million to its own attorneys. While that case involved an appeal and (unsuccessful) petitions for review and certiorari to the California and U.S. Supreme Courts, the \$4.7 million did not include any costs for an actual trial, as the case never reached that state, settling before that time. And then in 2008, Madera Unified was sued under the CVRA, and after six weeks of uncontested litigation was served with a fee demand of \$1.2 million (a number that continues to go up as fee proceedings continue).

In recent years, two nearby jurisdictions have been sued under the CVRA—the Tulare Local Healthcare District settled a suit for \$500,000 in 2010, and agreed to put the question of changing its electoral system to the voters; the City of Tulare likewise settled a suit, agreeing to put a similar question to its voters, and to pay plaintiffs’ attorneys’ fees (rumored to be in the range of \$250,000). Faced with this spate of litigation, several of KRESD’s neighboring districts have adopted by-trustee elections under Education Code § 5030(b). In a by-trustee area system of election, candidates for a district’s governing board must reside within a specific geographic subarea of the district called a “trustee area” and candidates are elected only by the voters of that trustee area. They have done so under threat of litigation under the CVRA. We also understand that the same organization that brought the Modesto and Madera suits has made further inquiries regarding other Tulare area districts.

KRESD currently elects its five-member board in “at-large” elections (*i.e.*, elections in which each candidate for the Board is elected by all voters in the District) pursuant to

Education Code § 5030(a), and is therefore potentially vulnerable to suit under the CVRA.¹

On June 8, 2009, the Board adopted Resolution No. 2009-18, initiating an application to the County Committee to change the District's method of election to "by-trustee area" elections, *i.e.*, elections in which "one or more members residing in each trustee area [is] elected by the registered voters of that particular trustee area[.]" Cal. Elec. Code § 5030(b).

On March 25, 2010, the County Committee held a duly-noticed public hearing on the Board's proposal to change the District's method of election. Following that public hearing the County Committee tentatively approved the change of electoral system to "by-trustee area" elections, subject to the subsequent approval by the County Committee of a specific trustee area plan for use in 2012 and future District elections.

On October 10, 2011, following the release of the 2010 Census, the KRESB Board adopted a trustee area plan for submission to, and approval by, the TCCSDO. Action is expected on that proposal in the next few months.

In the normal course, the TCCSDO's approval of a change to the District's electoral system would act as an order of election, submitting the change to the District's voters at the November 2012 election. That, however, will preclude the District from implementing the new system in time for that election. Accordingly, the Board consulted with its advisory committees, school site councils and bargaining units, and held a duly-noticed public hearing, and on October 10, 2011, approved submission of a waiver of the electoral requirement.

If the waiver is approved, a local election would not be held: the system for electing trustees would change pursuant to the Resolution adopted by the KRESB Board in 2009, and the approval of the TCCSDO. This waiver application is submitted contingent upon approval of the application by the TCCSDO.

The District is also proposing a trustee area boundary plan for the TCCSDO's consideration and approval, following an extensive public process. Though that plan will not be subject to an automatic vote of the people, it is subject to the possibility of a referendum under § 5019(d). Such a referendum, if qualified, would defeat the District's ability to implement by-trustee area elections in 2012.

¹ This does not represent a concession by the District that such a suit would be meritorious. There is presently not any formal allegation of racially-polarized voting in District elections. But no case has yet definitively construed the Act's many ambiguous provisions, and there are outstanding questions about what a plaintiff must prove to prevail under the Act. That uncertainty, coupled with the potential for massive fee awards, creates a significant disincentive to contest such a suit.

There has been no public opposition to the waiver application. The KRESD Board has therefore determined that the public interest would be better served if trustees were elected by-trustee areas and makes the following points in support of the waiver:

1. Questions have been raised about the current electoral system's legality under the California Voting Rights Act. If not waived and if a measure to institute by-trustee area elections is defeated, the District would continue to be vulnerable to a legal challenge regarding the establishing of by-trustee area elections. Though the District does not concede that the current system would violate the CVRA, and has not itself been directly threatened with litigation, it has no desire to risk costly litigation under the Act.
2. The request for waiver is contingent upon the TCCSDO's approval of by-trustee area elections. The SBE can therefore grant this waiver with the assurance that the District's proposal will nevertheless be subjected to independent review by the TCCSDO, composed of disinterested officials familiar with local circumstances.
3. No member of the public spoke against the waiver at the duly-noticed public hearings.
4. There has been minimal opposition to the plan.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
1	0	6	2	2	4	0

Local educational agency: Kingsburg Elementary Charter School District		Contact name and Title: Mark Ford, Superintendent		Contact person's e-mail address: mford@kingsburg-elem.k12.ca.us
Address: 1310 Stroud Avenue	(City) Kingsburg	(State) CA	(ZIP) 93631	Phone (and extension, if necessary): (559) 897-2331
LS 10/31/2011				Fax Number: (559) 897-4784
Period of request: (month/day/year) From: 1/11/12 To: 1/9/2014		Local board approval date: (Required) 10/17/11		Date of public hearing: (Required) 7/18/11 and 8/22/11

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): **EC 5020 & portions of 5019, 5021, and 5030** Circle One: EC or *CCR*
Topic of the waiver: **waiver of elections requirement for change to by-trustee area elections.**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: N/A and date of SBE Approval N/A
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): 9/8/11

Name of bargaining unit and representative(s) consulted: CSEA, California School Employees Association
Danny Pumarejo, President

The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)

ib 10/27/11

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school Other: (*Please specify*) website; telephone notification system

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:
Washington Elementary, Roosevelt Elementary, Lincoln Elementary, Reagan Elementary, Rater Johnson Junior High
Date the committee/council reviewed the waiver request: 10/20/11 School Site Councils

Were there any objection(s)? No Yes (*If there were objections please specify*)

jb 10/27/11

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

See Attached.

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

See Attached.

8. Demographic Information:
(*District/school/program*) **District** has a student population of 2,242 and is located in a (*urban, rural, or small city etc.*) **small city** in **Fresno, Tulare and Kings** Counties.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title:	Date:
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

KINGSBURG ELEMENTARY CHARTER SCHOOL DISTRICT WAIVER APPLICATION

Attachment A

6. The Kingsburg Elementary Charter School District desires to waive the following sections and portions of the Education Code lined out below:

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

(d) If the county committee on school district organization approves pursuant to subdivision (a) ~~the rearrangement of the~~ boundaries of trustee areas for a particular district, then the ~~rearrangement of the~~ trustee areas shall be effectuated for the next district election occurring at

~~least 120 days after its approval, unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.~~

~~§ 5020. Presentation of proposal to electors~~

~~(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.~~

~~(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.~~

~~(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:~~

~~"For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District—Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District—No."~~

~~"For increasing the number of members of the governing board of _____ (insert name) School District from five to seven Yes" and "For increasing the number of members of the governing board of _____ (insert name) School District from five to seven No."~~

~~"For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five Yes" and "For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five No."~~

~~"For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District Yes" and "For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District No."~~

~~"For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area Yes" and "For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area No."~~

~~"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District No."~~

~~"For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District Yes" and "For the~~

~~establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District No."~~

~~—If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.~~

§ 5021. Incumbents to serve out terms despite approval of change

(a) If a proposal for the establishment of trustee areas formulated under Sections 5019 and 5020 is approved by a majority of the voters voting at the election, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established at such election which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.

(b) If a proposal for rearrangement of boundaries is approved by ~~a majority of the voters voting on the measure, or by~~ the county committee on school district organization ~~when no election is required~~, and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) If a proposal for abolishing trustee areas is approved ~~by a majority of the voters voting at the election~~, the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Sections 5019 ~~and 5020~~, respectively, may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

~~In counties with a population of less than 25,000~~, the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.

Attachment B

7. **Desired Outcome/Rationale**

Currently, each of the Kingsburg Elementary Charter School District's ("District") five (5) school board members are elected at large.

On July 19, 2010, the Board voted to change from at-large elections to by-trustee area elections beginning with the 2012 election. This change would require trustees to live in designated trustee areas and be elected only by voters residing in their trustee area, not by all voters voting at-large. This decision was made based on an effort to ensure compliance with the California Voting Rights Act and to help prevent the District from being entangled in costly lawsuits that other cities and districts have faced.

The District requests that the State Board of Education grant a waiver of the requirement for a local election to approve the change in the manner of electing school board members (e.g. from at-large elections to by-trustee area elections). This requirement is contained primarily in Education Code section 5020. (See attachment A).

If the waiver is approved by the State Board of Education and the change to by-trustee area elections is approved by the Fresno County Committee on School District Reorganization, a local election would not be held: the system for electing trustees would change pursuant to the District's Resolution adopted on July 19, 2010 to change to by-trustee area elections for implementation during the November 2012 elections.

The board conducted public hearings on these issues on July 18, 2011 and August 22, 2011. The Board approved final trustee area maps by Resolution dated October 17, 2011, for presentation to the Fresno County Committee on School District Reorganization in late 2011.

If approved by the County Committee, the change in voting procedures and the final trustee area maps will be forwarded to the Fresno County Elections Office in time for implementation during the November 2012 elections.

There was no opposition to the District's plan at the public hearings held by the Governing Board on July 18, 2011 and August 22, 2011, regarding the change to by-trustee area elections and the request for SBE's waiver of the election requirement. No community members, bargaining unit representatives, or other interested persons have opposed the waiver or the change to by-trustee area elections. The Governing Board of Kingsburg Elementary Charter

School District has determined that the public interest would be better served if trustees were elected by-trustee areas and makes the following points in support of the waiver:

1. Selecting trustees in by-trustee area elections enhances the opportunity for representation on the Board of all communities within the District.
2. Selecting trustees in by-trustee area election will enhance the ability for a greater number of candidates to run for seats on the school board by reducing the costs associated with running for election district wide.
3. The current electoral system leaves the District vulnerable to attack under the California Voting Rights Act. If not waived and if the Governing Board's measure to move to by-trustee area elections is defeated at an election, the District would continue to be vulnerable to a legal challenge regarding the establishing of by-trustee area elections.
4. The request for a waiver is conditioned on the Fresno County Committee on School District Reorganization's approval. The SBE is in a position to support local decision-making, while providing the District a limited range of discretion that insures it meets the legal requirements for such change, and reflects the SBE's policy of support of local community plans to broaden community involvement in school district governance.
5. The decision to change to by-trustee area elections and to request this waiver was supported unanimously by the Governing Board.
6. There has been no opposition to the plan. The District encouraged the community to be involved in drafting the trustee area maps.
7. The Governing Board of the Kingsburg Elementary Charter School District represents the electorate, and has unanimously resolved to adopt by-trustee area elections and to request this waiver.
8. A copy of the District's resolution dated October 17, 2011 is attached.

The conditional waiver of the election requirement will ensure that the District proceeds in the most efficient and cost-effective manner, and is protected from legal challenges. Approval of the waiver request will not remove the requirement that any future District governing board member be elected by voters in the district. The waiver only eliminates the requirement that an election be held to determine the method by which future board members will be elected.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
1	0	6	2	2	5	7

Local educational agency: Kingsburg Joint Union High School District		Contact name and Title: Randy Morris, Superintendent		Contact person's e-mail address: rmorris@kjuhsd.k12.ca.us
Address: 1900 18th Avenue	(City) Kingsburg	(State) CA	(ZIP) 93631	Phone (and extension, if necessary): (559) 897-7721
LS 10/31/11				Fax Number:
Period of request: (month/day/year) From: 1/11/12 To: 4/7/12 1/9/2014		Local board approval date: (Required) 10/17/11		Date of public hearing: (Required) 9/12/11 and 10/17/11

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): **EC 5020 & portions of 5019, 5021, and 5030** Circle One: EC or CCR

Topic of the waiver: **waiver of elections requirement for change to by-trustee area elections.**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: N/A and date of SBE Approval N/A
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below: Robin Lund, President (CSEA) David Wilson, President (KJUHSTH) jb 10/27/11
Bargaining unit(s) consulted on date(s): CSEA (10/14/11); KJUHSTA (9/15/11) California School Employees Association LS 10/31/11
Name of bargaining unit and representative(s) consulted: CSEA #226; Kingsburg Joint Union High School Teachers Association
The position(s) of the bargaining unit(s): Neutral Support Oppose (Please specify why)

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school Other: *(Please specify)*

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:
School Site Council

Date the committee/council reviewed the waiver request: 10/20/11

jb 10/27/11

Were there any objection(s)? No Yes *(If there were objections please specify)* per Vickie Rogers

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

See Attached.

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

See Attached.

8. Demographic Information:
(*District/school/program*) **District** has a student population of 1,161 and is located in a (*urban, rural, or small city etc.*) **small city in Fresno, Tulare, and Kings Counties.**

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title:	Date:
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

**KINGSBURG JOINT UNION HIGH SCHOOL DISTRICT
WAIVER APPLICATION**

Attachment A

6. The Kingsburg Joint Union High School District desires to waive the following sections and portions of the Education Code lined out below:

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

(d) If the county committee on school district organization approves pursuant to subdivision (a) ~~the rearrangement of the~~ boundaries of trustee areas for a particular district, then the ~~rearrangement of the~~ trustee areas shall be effectuated for the next district election occurring at

~~least 120 days after its approval, unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.~~

~~§ 5020. Presentation of proposal to electors~~

~~(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.~~

~~(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.~~

~~(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:~~

~~"For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District—Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District—No."~~

~~"For increasing the number of members of the governing board of _____ (insert name) School District from five to seven Yes" and "For increasing the number of members of the governing board of _____ (insert name) School District from five to seven No."~~

~~"For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five Yes" and "For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five No."~~

~~"For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District Yes" and "For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District No."~~

~~"For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area Yes" and "For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area No."~~

~~"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District No."~~

~~"For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District Yes" and "For the~~

~~establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District No."~~

~~—If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.~~

§ 5021. Incumbents to serve out terms despite approval of change

(a) If a proposal for the establishment of trustee areas formulated under Sections 5019 and 5020 is approved by a majority of the voters voting at the election, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established at such election which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.

(b) If a proposal for rearrangement of boundaries is approved by ~~a majority of the voters voting on the measure, or by~~ the county committee on school district organization ~~when no election is required~~, and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) If a proposal for abolishing trustee areas is approved ~~by a majority of the voters voting at the election~~, the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Sections 5019 ~~and 5020~~, respectively, may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

~~In counties with a population of less than 25,000~~, the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.

Attachment B

7. Desired Outcome/Rationale

Currently, each of the Kingsburg Joint Union High School District's ("District") five (5) school board members are elected at large.

On March 11, 2010, the Board voted to change from at-large elections to by-trustee area elections beginning with the 2012 election. This change would require trustees to live in designated trustee areas and be elected only by voters residing in their trustee area, not by all voters voting at-large. This decision was made based on an effort to ensure compliance with the California Voting Rights Act and to help prevent the District from being entangled in costly lawsuits that other cities and districts have faced.

The District requests that the State Board of Education grant a waiver of the requirement for a local election to approve the change in the manner of electing school board members (e.g. from at-large elections to by-trustee area elections). This requirement is contained primarily in Education Code section 5020. (See attachment A).

If the waiver is approved by the State Board of Education and the change to by-trustee area elections is approved by the Fresno County Committee on School District Reorganization, a local election would not be held: the system for electing trustees would change pursuant to the District's Resolution adopted on March 11, 2010 to change to by-trustee area elections for implementation during the November 2012 elections.

The board conducted public hearings on these issues on September 12, 2011 and October 17, 2011. The Board approved final trustee area maps by Resolution dated October 17, 2011, for presentation to the Fresno County Committee on School District Reorganization in late 2011.

If approved by the County Committee, the change in voting procedures and the final trustee area maps will be forwarded to the Fresno County Elections Office in time for implementation during the November 2012 elections.

There was no opposition to the District's plan at the public hearings held by the Governing Board on September 12, 2011 and October 17, 2011, regarding the change to by-trustee area elections and the request for SBE's waiver of the election requirement. No community members, bargaining unit representatives, or other interested persons have opposed the waiver or the change to by-trustee area elections. The Governing Board of Kingsburg Joint Union High School District has determined that the public interest would be better served if trustees were elected by-trustee areas and makes the following points in support of the waiver:

1. Selecting trustees in by-trustee area elections enhances the opportunity for representation on the Board of all communities within the District.
2. Selecting trustees in by-trustee area election will enhance the ability for a greater number of candidates to run for seats on the school board by reducing the costs associated with running for election district wide.
3. The current electoral system leaves the District vulnerable to attack under the California Voting Rights Act. If not waived and if the Governing Board's measure to move to by-

trustee area elections is defeated at an election, the District would continue to be vulnerable to a legal challenge regarding the establishing of by-trustee area elections.

4. The request for a waiver is conditioned on the Fresno County Committee on School District Reorganization's approval. The SBE is in a position to support local decision-making, while providing the District a limited range of discretion that insures it meets the legal requirements for such change, and reflects the SBE's policy of support of local community plans to broaden community involvement in school district governance.
5. There has been no opposition to the plan. The District encouraged the community to be involved in drafting the trustee area maps.
6. The Governing Board of the Kingsburg Joint Union High School District represents the electorate, and has unanimously resolved to adopt by-trustee area elections and to request this waiver.
7. A copy of the District's resolution dated October 17, 2011 is attached.

The conditional waiver of the election requirement will ensure that the District proceeds in the most efficient and cost-effective manner, and is protected from legal challenges. Approval of the waiver request will not remove the requirement that any future District governing board member be elected by voters in the district. The waiver only eliminates the requirement that an election be held to determine the method by which future board members will be elected.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
1	6	6	3	9	5	8

Local educational agency: Kit Carson Union Elementary School District		Contact name and Title: Randy Edwards, Attorney for District		Contact person's e-mail address: edwards@griswoldlasalle.com	
Address: (City) (State) (ZIP) 111 E. Seventh St. Hanford, CA 93230		Phone (and extension, if necessary): 559-584-6656 x104 Fax Number: 559-582-3106			
Period of request: (month/day/year) From: Oct. 20, 2011 To: Oct. 19, 2013 Oct 18, 2013		Local board approval date: (Required) November 2, 2011		Date of public hearing: (Required) November 2, 2011	

LS 10/31/11 **LEGAL CRITERIA**

- Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): 5020, portions of 5019, 5021, and 5030
Circle One: EC or CCR

Topic of the waiver: WAIVER OF ELECTIONS REQUIREMENT(S) FOR CHANGE TO TRUSTEE AREA ELECTIONS
- If this is a renewal of a previously approved waiver, please list Waiver Number: _____ and date of SBE Approval _____
Renewals of waivers must be submitted two months before the active waiver expires.
- Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): October 17, 2011
Name of bargaining unit and representative(s) consulted: Kit Carson Educators Association
President, Richard McClelland

The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)

Comments (if appropriate): N/A
jb 10/27/11
Per Marissa Edwards
- Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

 Notice in a newspaper Notice posted at each school Other: Online
- Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

School Site Council, ELAC English Learners Advisory Committee jb 10/27/11 per Marissa Edwards

Date the committee/council reviewed the waiver request: October 17, 2011

Were there any objection(s)? No Yes _____ (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

See Attachment A Hereto

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

This waiver is requested to expedite efforts of Kit Carson Union School District to come into compliance with the California Voters Rights Act of 2001.

8. Demographic Information:

Kit Carson Union School District has a student population of 400 and is located in a rural city in Kings County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee: Todd Barlow	Title: Superintendent	Date: October 20, 2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Attachment A

6. The Kingsburg Joint Union High School District desires to waive the following sections and portions of the Education Code lined out below:

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

~~(d) If the county committee on school district organization approves pursuant to subdivision (a) the rearrangement of the boundaries of trustee areas for a particular district, then the rearrangement of the trustee areas shall be effectuated for the next district election occurring at least 120 days after its approval, unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.~~

§ 5020. Presentation of proposal to electors

~~(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.~~

~~(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.~~

~~(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:

~~"For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District No."~~

~~"For increasing the number of members of the governing board of _____ (insert name) School District from five to seven Yes" and "For increasing the number of members of the governing board of _____ (insert name) School District from five to seven No."~~

~~"For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five Yes" and "For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five No."~~

~~"For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District Yes" and "For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District No."~~

~~"For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area Yes" and "For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area No."~~

~~"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District No."~~

~~"For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District Yes" and "For the~~

~~establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District No."~~

~~—If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.~~

§ 5021. Incumbents to serve out terms despite approval of change

(a) If a proposal for the establishment of trustee areas formulated under Sections 5019 and 5020 is approved ~~by a majority of the voters voting at the election~~, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established ~~at such election~~ which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.

(b) If a proposal for rearrangement of boundaries is approved by ~~a majority of the voters voting on the measure, or by the county committee on school district organization when no election is required~~, and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) If a proposal for abolishing trustee areas is approved ~~by a majority of the voters voting at the election~~, the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Sections 5019 and 5020, respectively, may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

~~In counties with a population of less than 25,000, the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this~~

section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: x
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
1	6	6	3	9	6	6

Local educational agency: Lakeside Union Elementary School District			Contact name and Title: Dale Ellis, Superintendent/Principal			Contact person's e-mail address: dellis@kings.k12.ca.us		
Address: (City)		(State)		(ZIP)		Phone (and extension, if necessary): (559) 582-2868 Ext. 101		
9100 Jersey Avenue		Hanford		California		93230		Fax Number: (559) 582-7638
Period of request: (month/day/year)			Local board approval date: (Required)			Date of public hearing: (Required)		
From: 01-01-2012 To: 12-30-2013			November 10, 2011			November 10, 2011		

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): 5020, portions of 5019,5021,5030 Circle One: **EC** or *CCR*

Topic of the waiver: **WAIVER OF ELECTIONS REQUIREMENT(S) FOR CHANGE TO TRUSTEE AREA ELECTIONS**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: _____ and date of SBE Approval _____
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No x Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): October 17, 2011

Name of bargaining unit and representative(s) consulted: **Lakeside Teachers Association, Cynthia Marshall, President**

The position(s) of the bargaining unit(s): Neutral x Support Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

 x Notice in a newspaper x Notice posted at each school x Other: (*Please specify*) Mailed Notice to all residents of the district. Also posted at Kings County Office of Education – 3 sites.

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Lakeside Union Elementary SD- School Site Council

Date the committee/council reviewed the waiver request: 10-27-2011

English Language Advisory Committee

Were there any objection(s)? No x Yes (*If there were objections please specify*) jb 10/27/10

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

See Attachment:

6. Education Code or California Code of Regulations section to be waived

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

THIS WAIVER IS REQUESTED TO EXPEDITE EFFORTS OF THE LAKESIDE UNION ELEMENTARY SCHOOL DISTRICT TO COME INTO COMPLIANCE WITH THE CALIFORNIA VOTERS RIGHTS ACT OF 2001.

8. Demographic Information:
(District/school/program)___ has a student population of ___324_____ and is located in a RURAL___(urban, rural, or small city etc.)___ in ___KINGS_____ County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title: SUPERINTENDENT/PRINCIPAL	Date: October 17, 2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Attachment "A"

6. Education Code or California Code of Regulations section to be waived

Request to waive the following sections and portions of the Education Code lined out below:

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

~~(d) If the county committee on school district organization approves pursuant to subdivision (a) the rearrangement of the boundaries of trustee areas for a particular district, then the rearrangement of the trustee areas shall be effectuated for the next district election occurring at least 120 days after its approval, unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.~~

§ 5020. Presentation of proposal to electors

~~(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.~~

~~(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.~~

~~(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:~~

~~"For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District—Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District—No."~~

~~"For increasing the number of members of the governing board of _____ (insert name) School District from five to seven—Yes" and "For increasing the number of members of the governing board of _____ (insert name) School District from five to seven—No."~~

~~"For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five—Yes" and "For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five—No."~~

~~"For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District—Yes" and "For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District—No."~~

~~"For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area—Yes" and "For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area—No."~~

~~"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District—Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District—No."~~

~~"For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District—Yes" and "For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District—No."~~

~~—If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.~~

§ 5021. Incumbents to serve out terms despite approval of change

(a) If a proposal for the establishment of trustee areas formulated under Sections 5019 ~~and 5020~~ is approved ~~by a majority of the voters voting at the election~~, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established ~~at such election~~ which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.

(b) If a proposal for rearrangement of boundaries is approved by ~~a majority of the voters voting on the measure, or by the county committee on school district organization when no election is required~~, and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) If a proposal for abolishing trustee areas is approved ~~by a majority of the voters voting at the election~~, the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization ~~and the registered voters of a district~~, pursuant to Sections 5019 ~~and 5020~~, ~~respectively~~, may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

~~—In counties with a population of less than 25,000,~~ the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any

school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.

GENERAL WAIVER REQUEST

GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

SEE ATTACHMENT B HERETO

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

Pursuant to EC § 5019(a), the Tulare County Committee on School District Organization (“TCCSDO”) has the authority to approve or disapprove Lindsay Unified School District’s adoption of by-trustee area elections. Lindsay Unified’s Board adopted a resolution applying to the County Committee to authorize a change of election for the November 2012 election. The TCCSDO has tentatively approved the change, subject to submission and approval of a specific trustee area plan. This waiver is sought contingent on TCCSDO’s approval of the change to the District’s electoral system. The approval of by-trustee area elections by the TCCSDO would normally constitute an order of election (EC § 5020); however, a waiver of the election requirement by SBE would allow for the adoption and subsequent implementation of by-trustee area elections without a local election. Also, the subsequent approval of a specific trustee area plan would normally be subject to a referendum period, but if qualified such a referendum would preclude by-trustee area elections in 2012. [See Attachment C and Lindsay Unified School District Resolutions, 10-31 and 12-15, attached hereto.]

8. Demographic Information:

LINDSAY UNIFIED SCHOOL DISTRICT has a student population of **4,159** and is located in a **small city** in **TULARE** County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title: SUPERINTENDENT	Date: OCTOBER _____, 2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Attachment A

Consultation With School Site Councils/Advisory Committees

Consulted Body	Date	Position
Steve Garvey Jr. High School Site Council	May 11, 2010	No Objections
Lincoln Elementary School Site Council/ELAC	May 19, 2010	No Objections
Lindsay High School Site Council/ELAC	May 24, 2010	No Objections
Washington Elementary School Site Council/ELAC	May 27, 2010	No Objections
Jefferson Elementary School Site Council	June 1, 2010	No Objections

Attachment B

6. Education Code or California Code of Regulations section to be waived

Request to waive the following sections and portions of the Education Code lined out below:

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

~~(d) If the county committee on school district organization approves pursuant to subdivision (a) the rearrangement of the boundaries of trustee areas for a particular district, then the rearrangement of the trustee areas shall be effectuated for the next district election occurring at least 120 days after its approval, unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.~~

~~§ 5020. Presentation of proposal to electors~~

~~(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.~~

~~(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.~~

~~(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:~~

~~"For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District--Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District--No."~~

~~"For increasing the number of members of the governing board of _____ (insert name) School District from five to seven--Yes" and "For increasing the number of members of the governing board of _____ (insert name) School District from five to seven--No."~~

~~"For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five--Yes" and "For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five--No."~~

~~"For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District--Yes" and "For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District--No."~~

~~"For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--Yes" and "For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--No."~~

~~"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District--Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District--No."~~

~~"For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District--Yes" and "For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District--No."~~

~~—If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.~~

§ 5021. Incumbents to serve out terms despite approval of change

(a) ~~If a proposal for the establishment of trustee areas formulated under Sections 5019 and 5020 is approved by a majority of the voters voting at the election, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established at such election which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.~~

(b) ~~If a proposal for rearrangement of boundaries is approved by a majority of the voters voting on the measure, or by the county committee on school district organization when no election is required, and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.~~

(c) ~~If a proposal for abolishing trustee areas is approved by a majority of the voters voting at the election, the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.~~

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Sections 5019 and 5020, respectively, may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

~~—In counties with a population of less than 25,000,~~ the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, ~~other than a community college district,~~ amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.

Attachment C

7. Desired Outcome/Rationale

The waiver of the election requirements in 5019(d) and 5020 will enable the Lindsay Unified School District (“LUSD” or “District”) to implement a new “by-trustee area” electoral system for its November 2012 elections, will ensure that the District proceeds in the most efficient and cost-effective manner, and will help protect the District from legal challenges. Approval of the waiver request will not remove the requirement that any future District governing board member be elected by voters in the District. The waiver only eliminates the requirement that an election be held to determine the method by which future board members will be elected.

Tulare County has recently become an epicenter of potential litigation under the California Voting Rights Act of 2002, codified at sections 14025–14032 of the California Elections Code (“CVRA”). The CVRA enables voters to challenge “at-large” electoral systems in which elections are characterized by “racially-polarized voting.” As importantly, it authorizes mandatory attorneys’ fee and expert fee awards to successful plaintiffs.

Recent litigation under the Act has resulted in fee awards as high as 7 figures: The City of Modesto defended against a suit under the CVRA and ended up paying \$3 million to plaintiffs’ attorneys, in addition to \$1.7 million to its own attorneys. While that case involved an appeal and (unsuccessful) petitions for review and certiorari to the California and U.S. Supreme Courts, the \$4.7 million did not include any costs for an actual trial, as the case never reached that state, settling before that time. And then in 2008, Madera Unified was sued under the CVRA, and after six weeks of uncontested litigation was served with a fee demand of \$1.2 million (a number that continues to go up as fee proceedings continue).

In recent years, two nearby jurisdictions have been sued under the CVRA—the Tulare Local Healthcare District settled a suit for \$500,000 in 2010, and agreed to put the question of changing its electoral system to the voters; the City of Tulare likewise settled a suit, agreeing to put a similar question to its voters, and to pay plaintiffs’ attorneys’ fees (rumored to be in the range of \$250,000). Faced with this spate of litigation, several of Lindsay Unified’s neighboring districts have adopted by-trustee elections under Education Code § 5030(b). In a by-trustee area system of election, candidates for a district’s governing board must reside within a specific geographic subarea of the district called a “trustee area” and candidates are elected only by the voters of that trustee area. They have done so under threat of litigation under the CVRA. We also understand that the same organization that brought the Modesto and Madera suits has made further inquiries regarding other Tulare area districts.

Lindsay Unified currently elects its five-member board in “at-large” elections (*i.e.*, elections in which each candidate for the Board is elected by all voters in the District) pursuant to Education Code § 5030(a), and is therefore potentially vulnerable to suit under the CVRA.¹

¹ This does not represent a concession by the District that such a suit would be meritorious. There is presently not any formal allegation of racially-polarized voting in District elections. But no case

On August 24, 2009, the Board adopted Resolution No. 10-07, initiating an application to the County Committee to change the District's method of election to "by-trustee area" elections, *i.e.*, elections in which "one or more members residing in each trustee area [is] elected by the registered voters of that particular trustee area[.]" Cal. Elec. Code § 5030(b).

On April 27, 2010, the County Committee held a duly-noticed public hearing on the Board's proposal to change the District's method of election. Following that public hearing the County Committee tentatively approved the change of electoral system to "by-trustee area" elections, subject to the subsequent approval by the County Committee of a specific trustee area plan for use in 2012 and future District elections.

On October 10, 2011, following the release of the 2010 Census, the LUSD Board adopted a trustee area plan for submission to, and approval by, the TCCSDO. Action is expected on that proposal in the next few months.

In the normal course, the TCCSDO's approval of a change to the District's electoral system would act as an order of election, submitting the change to the District's voters at the November 2012 election. That, however, will preclude the District from implementing the new system in time for that election. Accordingly, the Board consulted with its advisory committees, school site councils and bargaining units, and held a duly-noticed public hearing, and on May 24, 2010, approved submission of a waiver of the electoral requirement.

The submission was delayed while a trustee area plan was approved and submitted to the TCCSDO. Accordingly, the Board held a supplemental hearing on the waiver application, on October 10, 2011, and re-affirmed its decision to submit this application. If the waiver is approved, a local election would not be held: the system for electing trustees would change pursuant to the Resolution adopted by the LUSD Board in 2009, and the approval of the TCCSDO. This waiver application is submitted contingent upon approval of the application by the TCCSDO.

The District is also proposing a trustee area boundary plan for the TCCSDO's consideration and approval, following an extensive public process. Though that plan will not be subject to an automatic vote of the people, it is subject to the possibility of a referendum under § 5019(d). Such a referendum, if qualified, would defeat the District's ability to implement by-trustee area elections in 2012.

There has been no public opposition to the waiver application. The LUSD Board has therefore determined that the public interest would be better served if trustees were elected by-trustee areas and makes the following points in support of the waiver:

1. Questions have been raised about the current electoral system's legality under the California Voting Rights Act. If not waived and if a measure to institute by-trustee area elections is defeated, the District would continue to be vulnerable to

has yet definitively construed the Act's many ambiguous provisions, and there are outstanding questions about what a plaintiff must prove to prevail under the Act. That uncertainty, coupled with the potential for massive fee awards, creates a significant disincentive to contest such a suit.

a legal challenge regarding the establishing of by-trustee area elections. Though the District does not concede that the current system would violate the CVRA, and has not itself been directly threatened with litigation, it has no desire to risk costly litigation under the Act.

2. The request for waiver is contingent upon the TCCSDO's approval of by-trustee area elections. The SBE can therefore grant this waiver with the assurance that the District's proposal will nevertheless be subjected to independent review by the TCCSDO, composed of disinterested officials familiar with local circumstances.
3. No member of the public spoke against the waiver at the duly-noticed public hearings.
4. There has been minimal opposition to the plan.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
5	4	7	5	5	2	3

Local educational agency: PORTERVILLE UNIFIED SCHOOL DISTRICT			Contact name and Title: DR. JOHN SNAVELY SUPERINTENDENT			Contact person's e-mail address: JNAVELY@PORTERV ILLESCHOOLS.ORG		
Address:		(City)	(State)	(ZIP)	Phone (and extension, if necessary): 559/793-2400			
600 W. GRAND AVE.		PORTERVILLE	CA	93257	Fax Number: 559/793-1088			
Period of request: (month/day/year)		Local board approval date: (Required)			Date of public hearing: (Required)			
From: 10/1/2011 To: 9/29/2013 9/31/2013		OCT. 13, 2011			SEPTEMBER 8, 2011			

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): Circle One: **EC** or *CCR* jb 10/27/11
-5021
Topic of the waiver: **WAIVER OF ELECTORAL REQUIREMENTS OF EDUCATION CODE §§ 5019, 5020 AND 5030 TO ESTABLISH TRUSTEE AREAS AND ADOPT A BY-TRUSTEE AREA ELECTORAL PROCESS**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: **N/A** and date of SBE Approval **N/A**
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **CALIFORNIA SCHOOL EMPLOYEES ASSN, CHAPTER 32 (10/13/11)
PORTERVILLE EDUCATORS' ASSOCIATION (10/13/2011, 10/18/2011)**
Name of bargaining unit and representative(s) consulted: **CSEA, RAUL MAGANA, PRESIDENT
PEA, STAN ENNIS, PRESIDENT**
The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)
BOTH
Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school Other: (*Please specify*) **Posted at District Office**

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:
DISTRICT ADVISORY COMMITTEE (DAC), DISTRICT LANGUAGE ADVISORY COMMITTEE (DLAC), TITLE VII NATIVE AMERICAN COMMITTEE (NAC)

Date the committee/council reviewed the waiver request: **SEPT 29, 2011 (DAC AND DLAC), OCT 13, 2011 (NAC)**

Were there any objection(s)? **No** Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

SEE ATTACHMENT A HERETO

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

Pursuant to EC § 5019(a), the Tulare County Committee on School District Organization (“TCCSDO”) has the authority to approve or disapprove Porterville Unified School District’s adoption of by-trustee area elections. Porterville Unified School District adopted a resolution applying to the County Committee to authorize a change of election for the November 2012 election. The TCCSDO has tentatively approved the change, subject to submission and approval of a specific trustee area plan. This waiver is sought contingent on TCCSDO’s approval of the change to the District’s electoral system. The approval of by-trustee area elections by the TCCSDO would normally constitute an order of election (EC § 5020); however, a waiver of the election requirement by SBE would allow for the adoption and subsequent implementation of by-trustee area elections without a local election. Also, the subsequent approval of a specific trustee area plan would normally be subject to a referendum period, but if qualified such a referendum would preclude by-trustee area elections in 2012. [See Attachment B and Porterville Unified School District Resolution No. 7 (Oct. 13, 2011), attached hereto.]

8. Demographic Information:

Porterville Unified School District has a student population of **13,666** and is located in a **small city** in **TULARE** County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes

(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes

(If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:

Title:
SUPERINTENDENT

Date:
OCTOBER 19, 2011

FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (*type or print*):

Staff Signature:

Date:

Unit Manager (*type or print*):

Unit Manager Signature:

Date:

Division Director (*type or print*):

Division Director Signature:

Date:

Deputy (*type or print*):

Deputy Signature:

Date:

Attachment A**6. Education Code or California Code of Regulations section to be waived**

Request to waive the following sections and portions of the Education Code lined out below:

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on

the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

~~(d) If the county committee on school district organization approves pursuant to subdivision (a) the rearrangement of the boundaries of trustee areas for a particular district, then the rearrangement of the trustee areas shall be effectuated for the next district election occurring at least 120 days after its approval, unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.~~

~~§ 5020. Presentation of proposal to electors~~

~~(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.~~

~~(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.~~

~~(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:~~

~~"For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District --Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District--No."~~

~~"For increasing the number of members of the governing board of _____ (insert name) School District from five to seven--Yes" and "For increasing the number of members of the governing board of _____ (insert name) School District from five to seven--No."~~

~~"For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five--Yes" and "For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five--No."~~

~~"For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District--Yes" and "For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District--No."~~

~~"For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--Yes" and "For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--No."~~

~~"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District--Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District--No."~~

~~"For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District--Yes" and "For the~~

~~establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District--No."~~

~~—If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.~~

§ 5021. Incumbents to serve out terms despite approval of change

(a) ~~If a proposal for the establishment of trustee areas formulated under Sections 5019 and 5020 is approved by a majority of the voters voting at the election,~~ any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established ~~at such election~~ which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.

(b) ~~If a proposal for rearrangement of boundaries is approved by a majority of the voters voting on the measure, or by the county committee on school district organization when no election is required,~~ and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) ~~If a proposal for abolishing trustee areas is approved by a majority of the voters voting at the election,~~ the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Sections 5019 ~~and 5020~~, respectively, may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

~~In counties with a population of less than 25,000, the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.~~

Attachment B

7. Desired Outcome/Rationale

The waiver of the election requirements in 5019(d) and 5020 will enable the Porterville Unified School District (“PUSD” or “District”) to implement a new “by-trustee area” electoral system for its November 2012 elections, will ensure that the District proceeds in the most efficient and cost-effective manner, and will help protect the District from legal challenges. Approval of the waiver request will not remove the requirement that any future District governing board member be elected by voters in the District. The waiver only eliminates the requirement that an election be held to determine the method by which future board members will be elected.

Tulare County has recently become an epicenter of potential litigation under the California Voting Rights Act of 2002, codified at sections 14025–14032 of the California Elections Code (“CVRA”). The CVRA enables voters to challenge “at-large” electoral systems in which elections are characterized by “racially-polarized voting.” As importantly, it authorizes mandatory attorneys’ fee and expert fee awards to successful plaintiffs.

Recent litigation under the Act has resulted in fee awards as high as 7 figures: The City of Modesto defended against a suit under the CVRA and ended up paying \$3 million to plaintiffs’ attorneys, in addition to \$1.7 million to its own attorneys. While that case involved an appeal and (unsuccessful) petitions for review and certiorari to the California and U.S. Supreme Courts, the \$4.7 million did not include any costs for an actual trial, as the case never reached that state, settling before that time. And then in 2008, Madera Unified was sued under the CVRA, and after six weeks of uncontested litigation was served with a fee demand of \$1.2 million (a number that continues to go up as fee proceedings continue).

In recent years, two nearby jurisdictions have been sued under the CVRA—the Tulare Local Healthcare District settled a suit for \$500,000 in 2010, and agreed to put the question of changing its electoral system to the voters; the City of Tulare likewise settled a suit, agreeing to put a similar question to its voters, and to pay plaintiffs’ attorneys’ fees (rumored to be in the range of \$250,000). Faced with this spate of litigation, several of PUSD’s neighboring districts have adopted by-trustee elections under Education Code § 5030(b). In a by-trustee area system of election, candidates for a district’s governing board must reside within a specific geographic subarea of the district called a “trustee area” and candidates are elected only by the voters of that trustee area. They have done so under threat of litigation under the CVRA. We also understand that the same organization that brought the Modesto and Madera suits has made further inquiries regarding other Tulare area districts.

PUSD currently elects its five-member board in “at-large” elections (*i.e.*, elections in which each candidate for the Board is elected by all voters in the District) pursuant to

Education Code § 5030(a), and is therefore potentially vulnerable to suit under the CVRA.¹

On October 14, 2010, the Board adopted Resolution No. 7, initiating an application to the County Committee to change the District's method of election to "by-trustee area" elections, *i.e.*, elections in which "one or more members residing in each trustee area [is] elected by the registered voters of that particular trustee area[.]" Cal. Elec. Code § 5030(b).

On April 26, 2011, the County Committee held a duly-noticed public hearing on the Board's proposal to change the District's method of election. Following that public hearing the County Committee tentatively approved the change of electoral system to "by-trustee area" elections, subject to the subsequent approval by the County Committee of a specific trustee area plan for use in 2012 and future District elections.

On September 22, 2011, following the release of the 2010 Census, the PUSD Board adopted a trustee area plan for submission to, and approval by, the TCCSDO. Action is expected on that proposal in the next few months.

In the normal course, the TCCSDO's approval of a change to the District's electoral system would act as an order of election, submitting the change to the District's voters at the November 2012 election. That, however, will preclude the District from implementing the new system in time for that election. Accordingly, the Board consulted with its advisory committees and bargaining units, and held a duly-noticed public hearing, and on October 13, 2011, approved submission of a waiver of the electoral requirement.

If the waiver is approved, a local election would not be held: the system for electing trustees would change pursuant to the Resolution adopted by the PUSD Board in 2010, and the approval of the TCCSDO. This waiver application is submitted contingent upon approval of the application by the TCCSDO.

The District is also proposing a trustee area boundary plan for the TCCSDO's consideration and approval, following an extensive public process. Though that plan will not be subject to an automatic vote of the people, it is subject to the possibility of a referendum under § 5019(d). Such a referendum, if qualified, would defeat the District's ability to implement by-trustee area elections in 2012.

¹ This does not represent a concession by the District that such a suit would be meritorious. There is presently not any formal allegation of racially-polarized voting in District elections. But no case has yet definitively construed the Act's many ambiguous provisions, and there are outstanding questions about what a plaintiff must prove to prevail under the Act. That uncertainty, coupled with the potential for massive fee awards, creates a significant disincentive to contest such a suit.

There has been no public opposition to the waiver application. The PUSD Board has therefore determined that the public interest would be better served if trustees were elected by-trustee areas and makes the following points in support of the waiver:

1. Questions have been raised about the current electoral system's legality under the California Voting Rights Act. If not waived and if a measure to institute by-trustee area elections is defeated, the District would continue to be vulnerable to a legal challenge regarding the establishing of by-trustee area elections. Though the District does not concede that the current system would violate the CVRA, and has not itself been directly threatened with litigation, it has no desire to risk costly litigation under the Act.
2. The request for waiver is contingent upon the TCCSDO's approval of by-trustee area elections. The SBE can therefore grant this waiver with the assurance that the District's proposal will nevertheless be subjected to independent review by the TCCSDO, composed of disinterested officials familiar with local circumstances.
3. No member of the public spoke against the waiver at the duly-noticed public hearings.
4. There has been minimal opposition to the plan.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
5	4	7	2	1	5	7

Local educational agency: STRATHMORE ELEMENTARY SCHOOL DISTRICT			Contact name and Title: DR. SHELLEY LONG, SUPERINTENDENT			Contact person's e-mail address: SLONG@SUESD.K12.C A.US		
Address:		(City)	(State)	(ZIP)	Phone (and extension, if necessary): 559/568-1283 x203			
P.O. BOX 247		STRATHMORE	CA	93267	Fax Number: 559/568-1262			
Period of request: (month/day/year)		Local board approval date: (Required)			Date of public hearing: (Required)			
From: 10/1/2011		To: 9/31/2013		OCTOBER 10, 2011		OCTOBER 10, 2011		

LEGAL CRITERIA

- Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): _____ Circle One: **EC** or *CCR* jb 10/27/11 -5201
Topic of the waiver: **WAIVER OF ELECTORAL REQUIREMENTS OF EDUCATION CODE §§ 5019, 5020 AND 5030 TO ESTABLISH TRUSTEE AREAS AND ADOPT A BY-TRUSTEE AREA ELECTORAL PROCESS**
- If this is a renewal of a previously approved waiver, please list Waiver Number: **N/A** and date of SBE Approval **N/A**
Renewals of waivers must be submitted two months before the active waiver expires.
- Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:
Bargaining unit(s) consulted on date(s): **STRATHMORE ELEMENTARY TEACHER'S ASSOCIATION 8/17/11 & 8/30/11**
Name of bargaining unit and representative(s) consulted: **ANITA MURPHY-SANCHEZ, SETA PRESIDENT**
The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)
Comments (if appropriate): _____
- Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.
How was the required public hearing advertised?
 Notice in a newspaper Notice posted at each school Other: (Please specify) District's Homepage
- Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:
SEE ATTACHMENT A HERETO
Date the committee/council reviewed the waiver request: **SEE ATTACHMENT A HERETO**
Were there any objection(s)? **No Yes** (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

SEE ATTACHMENT B HERETO

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

Pursuant to EC § 5019(a), the Tulare County Committee on School District Organization (“TCCSDO”) has the authority to approve or disapprove Strathmore Union Elementary School District’s adoption of by-trustee area elections. Strathmore Union Elementary School District adopted a resolution applying to the County Committee to authorize a change of election for the November 2012 election. The TCCSDO has tentatively approved the change, subject to submission and approval of a specific trustee area plan. This waiver is sought contingent on TCCSDO’s approval of the change to the District’s electoral system. The approval of by-trustee area elections by the TCCSDO would normally constitute an order of election (EC § 5020); however, a waiver of the election requirement by SBE would allow for the adoption and subsequent implementation of by-trustee area elections without a local election. Also, the subsequent approval of a specific trustee area plan would normally be subject to a referendum period, but if qualified such a referendum would preclude by-trustee area elections in 2012. [See Attachment C and Strathmore Union Elementary School District Resolution 1112-7, attached hereto.]

8. Demographic Information:

Strathmore Union Elementary School District has a student population of **838** and is located in a **rural area** in **TULARE** County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title: SUPERINTENDENT	Date: OCTOBER 13, 2011
--	---------------------------------	----------------------------------

FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Attachment A

Consultation With School Site Councils/Advisory Committees

Consulted Body	Date	Position
District English Language Advisory Committee (DELAC)	8/17/11 & 8/25/11	Support/No Objections
English Language Advisory Committee (ELAC)	8/17/11 & 8/30/11	Support/No Objections
School Site Council	8/17/11 & 9/12/11	Support/No Objections
GATE District Advisory Committee (GATE DAC)	8/17/11 & 9/30/11	Support/No Objections

Attachment B

6. Education Code or California Code of Regulations section to be waived

Request to waive the following sections and portions of the Education Code lined out below:

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

~~(d) If the county committee on school district organization approves pursuant to subdivision (a) the rearrangement of the boundaries of trustee areas for a particular district, then the rearrangement of the trustee areas shall be effectuated for the next district election occurring at least 120 days after its approval, unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.~~

~~§ 5020. Presentation of proposal to electors~~

~~(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.~~

~~(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.~~

~~(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:~~

~~"For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District --Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District--No."~~

~~"For increasing the number of members of the governing board of _____ (insert name) School District from five to seven--Yes" and "For increasing the number of members of the governing board of _____ (insert name) School District from five to seven--No."~~

~~"For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five--Yes" and "For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five--No."~~

~~"For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District--Yes" and "For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District--No."~~

~~"For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--Yes" and "For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--No."~~

~~"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District--Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District--No."~~

~~"For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District--Yes" and "For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District--No."~~

~~—If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.~~

§ 5021. Incumbents to serve out terms despite approval of change

(a) ~~If a proposal for the establishment of trustee areas formulated under Sections 5019 and 5020 is approved by a majority of the voters voting at the election, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established at such election which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.~~

(b) ~~If a proposal for rearrangement of boundaries is approved by a majority of the voters voting on the measure, or by the county committee on school district organization when no election is required, and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.~~

(c) ~~If a proposal for abolishing trustee areas is approved by a majority of the voters voting at the election, the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.~~

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Sections 5019 and 5020, respectively, may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

~~—In counties with a population of less than 25,000,~~ the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, ~~other than a community college district,~~ amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.

Attachment C

7. Desired Outcome/Rationale

The waiver of the election requirements in 5019(d) and 5020 will enable the Strathmore Union Elementary School District (“SUESD” or “District”) to implement a new “by-trustee area” electoral system for its November 2012 elections, will ensure that the District proceeds in the most efficient and cost-effective manner, and will help protect the District from legal challenges. Approval of the waiver request will not remove the requirement that any future District governing board member be elected by voters in the District. The waiver only eliminates the requirement that an election be held to determine the method by which future board members will be elected.

Tulare County has recently become an epicenter of potential litigation under the California Voting Rights Act of 2002, codified at sections 14025–14032 of the California Elections Code (“CVRA”). The CVRA enables voters to challenge “at-large” electoral systems in which elections are characterized by “racially-polarized voting.” As importantly, it authorizes mandatory attorneys’ fee and expert fee awards to successful plaintiffs.

Recent litigation under the Act has resulted in fee awards as high as 7 figures: The City of Modesto defended against a suit under the CVRA and ended up paying \$3 million to plaintiffs’ attorneys, in addition to \$1.7 million to its own attorneys. While that case involved an appeal and (unsuccessful) petitions for review and certiorari to the California and U.S. Supreme Courts, the \$4.7 million did not include any costs for an actual trial, as the case never reached that state, settling before that time. And then in 2008, Madera Unified was sued under the CVRA, and after six weeks of uncontested litigation was served with a fee demand of \$1.2 million (a number that continues to go up as fee proceedings continue).

In recent years, two nearby jurisdictions have been sued under the CVRA—the Tulare Local Healthcare District settled a suit for \$500,000 in 2010, and agreed to put the question of changing its electoral system to the voters; the City of Tulare likewise settled a suit, agreeing to put a similar question to its voters, and to pay plaintiffs’ attorneys’ fees (rumored to be in the range of \$250,000). Faced with this spate of litigation, several of SUESD’s neighboring districts have adopted by-trustee elections under Education Code § 5030(b). In a by-trustee area system of election, candidates for a district’s governing board must reside within a specific geographic subarea of the district called a “trustee area” and candidates are elected only by the voters of that trustee area. They have done so under threat of litigation under the CVRA. We also understand that the same organization that brought the Modesto and Madera suits has made further inquiries regarding other Tulare area districts.

SUESD currently elects its five-member board in “at-large” elections (*i.e.*, elections in which each candidate for the Board is elected by all voters in the District) pursuant to Education Code § 5030(a), and is therefore potentially vulnerable to suit under the CVRA.¹

¹ This does not represent a concession by the District that such a suit would be meritorious. There is presently not any formal allegation of racially-polarized voting in District elections. But no case

On August 10, 2009, the Board adopted Resolution No. 0910-2, initiating an application to the County Committee to change the District's method of election to "by-trustee area" elections, *i.e.*, elections in which "one or more members residing in each trustee area [is] elected by the registered voters of that particular trustee area[.]" Cal. Elec. Code § 5030(b).

On June 15, 2010, the County Committee held a duly-noticed public hearing on the Board's proposal to change the District's method of election. Following that public hearing the County Committee tentatively approved the change of electoral system to "by-trustee area" elections, subject to the subsequent approval by the County Committee of a specific trustee area plan for use in 2012 and future District elections.

On October 10, 2011, following the release of the 2010 Census, the SUESD Board adopted a trustee area plan for submission to, and approval by, the TCCSDO. Action is expected on that proposal in the next few months.

In the normal course, the TCCSDO's approval of a change to the District's electoral system would act as an order of election, submitting the change to the District's voters at the November 2012 election. That, however, will preclude the District from implementing the new system in time for that election. Accordingly, the Board consulted with its advisory committees, school site councils and bargaining units, and held a duly-noticed public hearing, and on October 10, 2011, approved submission of a waiver of the electoral requirement.

If the waiver is approved, a local election would not be held: the system for electing trustees would change pursuant to the Resolution adopted by the SUESD Board in 2009, and the approval of the TCCSDO. This waiver application is submitted contingent upon approval of the application by the TCCSDO.

The District is also proposing a trustee area boundary plan for the TCCSDO's consideration and approval, following an extensive public process. Though that plan will not be subject to an automatic vote of the people, it is subject to the possibility of a referendum under § 5019(d). Such a referendum, if qualified, would defeat the District's ability to implement by-trustee area elections in 2012.

There has been no public opposition to the waiver application. The SUESD Board has therefore determined that the public interest would be better served if trustees were elected by-trustee areas and makes the following points in support of the waiver:

1. Questions have been raised about the current electoral system's legality under the California Voting Rights Act. If not waived and if a measure to institute by-trustee area elections is defeated, the District would continue to be vulnerable to a legal challenge regarding the establishing of by-trustee area elections. Though the District does not concede that the current system would violate the CVRA, and has not itself been directly threatened with litigation, it has no desire to risk

has yet definitively construed the Act's many ambiguous provisions, and there are outstanding questions about what a plaintiff must prove to prevail under the Act. That uncertainty, coupled with the potential for massive fee awards, creates a significant disincentive to contest such a suit.

costly litigation under the Act.

2. The request for waiver is contingent upon the TCCSDO's approval of by-trustee area elections. The SBE can therefore grant this waiver with the assurance that the District's proposal will nevertheless be subjected to independent review by the TCCSDO, composed of disinterested officials familiar with local circumstances.
3. No member of the public spoke against the waiver at the duly-noticed public hearings.
4. There has been minimal opposition to the plan.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X

Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
5	4	7	2	2	3	1

Local educational agency: TULARE CITY SCHOOL DISTRICT			Contact name and Title: LUIS CASTELLANOZ SUPERINTENDENT			Contact person's e-mail address: LCASTELLANOZ@ TCSD.K12.CA.US		
Address:		(City)	(State)	(ZIP)	Phone (and extension, if necessary):			
600 N. CHERRY		TULARE	CA	93274	559/685-7212			
					Fax Number: 559/685-7287			
Period of request: (month/day/year)			Local board approval date: (Required)			Date of public hearing: (Required)		
From: 10/1/2011 To: 9/31/2013			SEPTEMBER 13, 2011			JUNE 8, 2010 AND SEPTEMBER 13, 2011		

9/29/2013 LS 10/10/11 LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): Circle One: **EC** or *CCR*
5019 kak 9/27/2011
 Topic of the waiver: WAIVER OF ELECTORAL REQUIREMENTS OF EDUCATION CODE §§ ~~2049~~, 5020, 5021, AND 5030 TO ESTABLISH TRUSTEE AREAS AND ADOPT A BY-TRUSTEE AREA ELECTORAL PROCESS

2. If this is a renewal of a previously approved waiver, please list Waiver Number: **N/A** and date of SBE Approval **N/A**
 Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No **X** Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): TULARE CITY TEACHERS' ASSN (TCTA) 5/11/10
 CALIFORNIA SCHOOL EMPLOYEES' ASSN (CSEA) 5/12/10
 Name of bargaining unit and representative(s) consulted: AMY GRIMMER, TCTA PRESIDENT
 SANDY CURRY, CSEA PRESIDENT
 The position(s) of the bargaining unit(s): X Neutral X Support Oppose (*Please specify why*)
 CSEA TCTA

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

 X Notice in a newspaper X Notice posted at each school X Other: (*Please specify*) Notice of Public Hearing mailed to Parent Teacher Organization Presidents and School Site Council Presidents

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:
Tulare District Advisory Committee per C. Skinnell kak 9/29/2011
 Date the committee/council reviewed the waiver request: **5/20/10**

Were there any objection(s)? **No** X Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

SEE ATTACHMENT A HERETO

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.
Pursuant to EC § 5019(a), the Tulare County Committee on School District Organization (“TCCSDO”) has the authority to approve or disapprove Tulare City School District’s adoption of by-trustee area elections. TCSD adopted a resolution applying to the County Committee to authorize a change of election for the November 2012 election. The TCCSDO has tentatively approved the change, subject to submission and approval of a specific trustee area plan. This waiver is sought contingent on TCCSDO’s approval of the change to the District’s electoral system. The approval of by-trustee area elections by the TCCSDO would normally constitute an order of election (EC § 5020); however, a waiver of the election requirement by SBE would allow for the adoption and subsequent implementation of by-trustee area elections without a local election. Also, the subsequent approval of a specific trustee area plan would normally be subject to a referendum period, but if qualified such a referendum would preclude by-trustee area elections in 2012. [See Attachment B and Tulare City School District Resolutions, 2010/2011-41 and 2011/2012-16, attached hereto.]

8. Demographic Information:
(District/school/program)___ has a student population of **9,277** and is located in a ___(urban, rural, or **small city** etc.)___ in **TULARE** County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title: SUPERINTENDENT	Date: September 14, 2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (type or print):	Staff Signature:	Date:
Unit Manager (type or print):	Unit Manager Signature:	Date:
Division Director (type or print):	Division Director Signature:	Date:
Deputy (type or print):	Deputy Signature:	Date:

Attachment A

6. Education Code or California Code of Regulations section to be waived

Request to waive the following sections and portions of the Education Code lined out below:

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

~~(d) If the county committee on school district organization approves pursuant to subdivision (a) the rearrangement of the boundaries of trustee areas for a particular district, then the rearrangement of the trustee areas shall be effectuated for the next district election occurring at least 120 days after its approval, unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.~~

~~§ 5020. Presentation of proposal to electors~~

~~(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.~~

~~(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.~~

~~(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:~~

~~"For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District --Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District--No."~~

~~"For increasing the number of members of the governing board of _____ (insert name) School District from five to seven--Yes" and "For increasing the number of members of the governing board of _____ (insert name) School District from five to seven--No."~~

~~"For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five--Yes" and "For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five--No."~~

~~"For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District--Yes" and "For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District--No."~~

~~"For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--Yes" and "For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--No."~~

~~"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District--Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District--No."~~

~~"For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District--Yes" and "For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District--No."~~

~~—If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.~~

§ 5021. Incumbents to serve out terms despite approval of change

(a) ~~If a proposal for the establishment of trustee areas formulated under Sections 5019 and 5020 is approved by a majority of the voters voting at the election, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established at such election which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.~~

(b) ~~If a proposal for rearrangement of boundaries is approved by a majority of the voters voting on the measure, or by the county committee on school district organization when no election is required, and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.~~

(c) ~~If a proposal for abolishing trustee areas is approved by a majority of the voters voting at the election, the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.~~

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Sections 5019 and 5020, respectively, may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

~~In counties with a population of less than 25,000, the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.~~

Attachment B

7. Desired Outcome/Rationale

The waiver of the election requirements in 5019(d) and 5020 will enable the Tulare City School District (“TCSD” or “District”) to implement a new “by-trustee area” electoral system for its November 2012 elections, will ensure that the District proceeds in the most efficient and cost-effective manner, and will help protect the District from legal challenges. Approval of the waiver request will not remove the requirement that any future District governing board member be elected by voters in the District. The waiver only eliminates the requirement that an election be held to determine the method by which future board members will be elected.

Tulare County has recently become an epicenter of potential litigation under the California Voting Rights Act of 2002, codified at sections 14025–14032 of the California Elections Code (“CVRA”). The CVRA enables voters to challenge “at-large” electoral systems in which elections are characterized by “racially-polarized voting.” As importantly, it authorizes mandatory attorneys’ fee and expert fee awards to successful plaintiffs.

Recent litigation under the Act has resulted in fee awards as high as 7 figures: The City of Modesto defended against a suit under the CVRA and ended up paying \$3 million to plaintiffs’ attorneys, in addition to \$1.7 million to its own attorneys. While that case involved an appeal and (unsuccessful) petitions for review and certiorari to the California and U.S. Supreme Courts, the \$4.7 million did not include any costs for an actual trial, as the case never reached that state, settling before that time. And then in 2008, Madera Unified was sued under the CVRA, and after six weeks of uncontested litigation was served with a fee demand of \$1.2 million (a number that continues to go up as fee proceedings continue).

In recent years, two jurisdictions overlapping the District have been sued under the CVRA—the Tulare Local Healthcare District settled a suit for \$500,000 in 2010, and agreed to put the question of changing its electoral system to the voters; the City of Tulare likewise settled a suit, agreeing to put a similar question to its voters, and to pay plaintiffs’ attorneys’ fees (rumored to be in the range of \$250,000). Faced with this spate of litigation, several of TCSD’s neighboring districts have adopted by-trustee elections under Education Code § 5030(b). In a by-trustee area system of election, candidates for a district’s governing board must reside within a specific geographic subarea of the district called a “trustee area” and candidates are elected only by the voters of that trustee area. They have done so under threat of litigation under the CVRA. We also understand that the same organization that brought the Modesto and Madera suits has made further inquiries regarding other Tulare area districts.

TCSD currently elects its five-member board in “at-large” elections (*i.e.*, elections in which each candidate for the Board is elected by all voters in the District) pursuant to

Education Code § 5030(a), and is therefore potentially vulnerable to suit under the CVRA.¹

On March 9, 2010, the Board adopted Resolution No. 2009/2010-32, initiating an application to the County Committee to change the District's method of election to "by-trustee area" elections, *i.e.*, elections in which "one or more members residing in each trustee area [is] elected by the registered voters of that particular trustee area[.]" Cal. Elec. Code § 5030(b).

On April 22, 2010, the County Committee held a duly-noticed public hearing on the Board's proposal to change the District's method of election. Following that public hearing the County Committee tentatively approved the change of electoral system to "by-trustee area" elections, subject to the subsequent approval by the County Committee of a specific trustee area plan for use in 2012 and future District elections.

On September 13, 2011, following the release of the 2010 Census, the TCSD Board adopted a trustee area plan for submission to, and approval by, the TCCSDO. Action is expected on that proposal in the next few months.

In the normal course, the TCCSDO's approval of a change to the District's electoral system would act as an order of election, submitting the change to the District's voters at the November 2012 election. That, however, will preclude the District from implementing the new system in time for that election. Accordingly, the Board consulted with its advisory committees, school site councils and bargaining units, and held a duly-noticed public hearing, and on June 8, 2010, approved submission of a waiver of the electoral requirement.

The submission was delayed while a trustee area plan was approved and submitted to the TCCSDO. Accordingly, the Board held a supplemental hearing on the waiver application, on September 13, 2011, and re-affirmed its decision to submit this application. If the waiver is approved, a local election would not be held: the system for electing trustees would change pursuant to the Resolution adopted by the TCSD Board in 2009, and the approval of the TCCSDO. This waiver application is submitted contingent upon approval of the application by the TCCSDO.

The District is also proposing a trustee area boundary plan for the TCCSDO's consideration and approval, following an extensive public process. Though that plan will not be subject to an automatic vote of the people, it is subject to the possibility of a referendum under § 5019(d). Such a referendum, if qualified, would defeat the District's ability to implement by-trustee area elections in 2012.

¹ This does not represent a concession by the District that such a suit would be meritorious. There is presently not any formal allegation of racially-polarized voting in District elections. But no case has yet definitively construed the Act's many ambiguous provisions, and there are outstanding questions about what a plaintiff must prove to prevail under the Act. That uncertainty, coupled with the potential for massive fee awards, creates a significant disincentive to contest such a suit.

There has been no public opposition to the waiver application. The TCSD Board has therefore determined that the public interest would be better served if trustees were elected by-trustee areas and makes the following points in support of the waiver:

1. Questions have been raised about the current electoral system's legality under the California Voting Rights Act. If not waived and if a measure to institute by-trustee area elections is defeated, the District would continue to be vulnerable to a legal challenge regarding the establishing of by-trustee area elections. Though the District does not concede that the current system would violate the CVRA, and has not itself been directly threatened with litigation, it has no desire to risk costly litigation under the Act.
2. The request for waiver is contingent upon the TCCSDO's approval of by-trustee area elections. The SBE can therefore grant this waiver with the assurance that the District's proposal will nevertheless be subjected to independent review by the TCCSDO, composed of disinterested officials familiar with local circumstances.
3. No member of the public spoke against the waiver at the duly-noticed public hearings.
4. There has been minimal opposition to the plan.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
5	4	7	2	2	4	9

Local educational agency: TULARE JOINT UNION HIGH SCHOOL DISTRICT			Contact name and Title: SARAH KOLIGIAN SUPERINTENDENT			Contact person's e-mail address: SARAH.KOLIGIAN@ TULARE.K12.CA.US		
Address:		(City)	(State)	(ZIP)	Phone (and extension, if necessary): 559/688-2021			
426 N. BLACKSTONE		TULARE	CA	93274	Fax Number: 559/687-7317			
Period of request: (month/day/year)		Local board approval date: (Required)			Date of public hearing: (Required)			
From: 10/1/2011 To: 9/30/2013		SEPTEMBER 15, 2011			SEPTEMBER 15, 2011			

LS 10/19/11

LEGAL CRITERIA

- Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): Circle One: **EC** or *CCR*
5020, portions of 5019, 5021, and 5030 jb 10/13/11
Topic of the waiver: **WAIVER OF ELECTORAL REQUIREMENTS OF EDUCATION CODE §§ 5019, 5020 AND 5030 TO ESTABLISH TRUSTEE AREAS AND ADOPT A BY-TRUSTEE AREA ELECTORAL PROCESS**
- If this is a renewal of a previously approved waiver, please list Waiver Number: **N/A** and date of SBE Approval **N/A**
Renewals of waivers must be submitted two months before the active waiver expires.
- Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **TULARE JOINT UNION HIGH SCHOOL TEACHERS' ASSN/CTA (TJUHSTA) 8/25/11**
CALIFORNIA SCHOOL EMPLOYEES' ASSN (CSEA) 8/25/11
Name of bargaining unit and representative(s) consulted: **JASON EDWARDS, TJUHSTA PRESIDENT**
BEVERLY NAGEL, CSEA PRESIDENT
The position(s) of the bargaining unit(s): **Neutral** Support Oppose (*Please specify why*)
BOTH
Comments (if appropriate):
- Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

 Notice in a newspaper Notice posted at each school Other: (*Please specify*) **Notice of Public Hearing mailed to Parent Teacher Organization Presidents and School Site Council Presidents**
- Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:
SEE ATTACHMENT A HERETO
Date the committee/council reviewed the waiver request: **SEE ATTACHMENT A HERETO**

Were there any objection(s)? **No** Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

SEE ATTACHMENT B HERETO

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

Pursuant to EC § 5019(a), the Tulare County Committee on School District Organization (“TCCSDO”) has the authority to approve or disapprove Tulare Joint Union High School District’s adoption of by-trustee area elections. TJUHSD adopted a resolution applying to the County Committee to authorize a change of election for the November 2012 election. The TCCSDO has tentatively approved the change, subject to submission and approval of a specific trustee area plan. This waiver is sought contingent on TCCSDO’s approval of the change to the District’s electoral system. The approval of by-trustee area elections by the TCCSDO would normally constitute an order of election (EC § 5020); however, a waiver of the election requirement by SBE would allow for the adoption and subsequent implementation of by-trustee area elections without a local election. Also, the subsequent approval of a specific trustee area plan would normally be subject to a referendum period, but if qualified such a referendum would preclude by-trustee area elections in 2012. [See Attachment C and Tulare Joint Union High School District Resolution, 2011-26, attached hereto.]

8. Demographic Information:
(*District/school/program*)__ has a student population of **5,278** and is located in a __(*urban, rural, or small city etc.*)__ in **TULARE** County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title: SUPERINTENDENT	Date: October 7, 2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Attachment A

Consultation With School Site Councils/Advisory Committees

Consulted Body	Date	Position
Mission Oak High School Site Council	August 29, 2011	Neutral
Tulare Union High School Site Council	September 13, 2011	Neutral
Tulare Western High School Site Council	September 13, 2011	Neutral
Migrant Advisory Committee	September 14, 2011	Support
English Language Advisory Committee	September 15, 2011	Support

Attachment B

6. Education Code or California Code of Regulations section to be waived

Request to waive the following sections and portions of the Education Code lined out below:

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

~~(d) If the county committee on school district organization approves pursuant to subdivision (a) the rearrangement of the boundaries of trustee areas for a particular district, then the rearrangement of the trustee areas shall be effectuated for the next district election occurring at least 120 days after its approval, unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.~~

~~§ 5020. Presentation of proposal to electors~~

~~(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.~~

~~(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.~~

~~(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:~~

~~"For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District --Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District--No."~~

~~"For increasing the number of members of the governing board of _____ (insert name) School District from five to seven--Yes" and "For increasing the number of members of the governing board of _____ (insert name) School District from five to seven--No."~~

~~"For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five--Yes" and "For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five--No."~~

~~"For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District--Yes" and "For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District--No."~~

~~"For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--Yes" and "For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--No."~~

~~"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District--Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District--No."~~

~~"For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District--Yes" and "For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District--No."~~

~~—If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.~~

§ 5021. Incumbents to serve out terms despite approval of change

(a) ~~If a proposal for the establishment of trustee areas formulated under Sections 5019 and 5020 is approved by a majority of the voters voting at the election,~~ any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established ~~at such election~~ which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.

(b) ~~If a proposal for rearrangement of boundaries is approved by a majority of the voters voting on the measure, or by the county committee on school district organization when no election is required,~~ and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) ~~If a proposal for abolishing trustee areas is approved by a majority of the voters voting at the election,~~ the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Sections 5019 ~~and 5020~~, respectively, may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

~~In counties with a population of less than 25,000, the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.~~

Attachment C

7. Desired Outcome/Rationale

The waiver of the election requirements in 5019(d) and 5020 will enable the Tulare Joint Union High School District (“TJUHSD” or “District”) to implement a new “by-trustee area” electoral system for its November 2012 elections, will ensure that the District proceeds in the most efficient and cost-effective manner, and will help protect the District from legal challenges. Approval of the waiver request will not remove the requirement that any future District governing board member be elected by voters in the District. The waiver only eliminates the requirement that an election be held to determine the method by which future board members will be elected.

Tulare County has recently become an epicenter of potential litigation under the California Voting Rights Act of 2002, codified at sections 14025–14032 of the California Elections Code (“CVRA”). The CVRA enables voters to challenge “at-large” electoral systems in which elections are characterized by “racially-polarized voting.” As importantly, it authorizes mandatory attorneys’ fee and expert fee awards to successful plaintiffs.

Recent litigation under the Act has resulted in fee awards as high as 7 figures: The City of Modesto defended against a suit under the CVRA and ended up paying \$3 million to plaintiffs’ attorneys, in addition to \$1.7 million to its own attorneys. While that case involved an appeal and (unsuccessful) petitions for review and certiorari to the California and U.S. Supreme Courts, the \$4.7 million did not include any costs for an actual trial, as the case never reached that state, settling before that time. And then in 2008, Madera Unified was sued under the CVRA, and after six weeks of uncontested litigation was served with a fee demand of \$1.2 million (a number that continues to go up as fee proceedings continue).

In recent years, two jurisdictions overlapping the District have been sued under the CVRA—the Tulare Local Healthcare District settled a suit for \$500,000 in 2010, and agreed to put the question of changing its electoral system to the voters; the City of Tulare likewise settled a suit, agreeing to put a similar question to its voters, and to pay plaintiffs’ attorneys’ fees (rumored to be in the range of \$250,000). Faced with this spate of litigation, several of TJUHSD’s neighboring districts have adopted by-trustee elections under Education Code § 5030(b). In a by-trustee area system of election, candidates for a district’s governing board must reside within a specific geographic subarea of the district called a “trustee area” and candidates are elected only by the voters of that trustee area. They have done so under threat of litigation under the CVRA. We also understand that the same organization that brought the Modesto and Madera suits has made further inquiries regarding other Tulare area districts.

TJUHSD currently elects its five-member board in “at-large” elections (*i.e.*, elections in which each candidate for the Board is elected by all voters in the District) pursuant to

Education Code § 5030(a), and is therefore potentially vulnerable to suit under the CVRA.¹

On April 15, 2010, the Board adopted Resolution No. 2010-06, initiating an application to the County Committee to change the District's method of election to "by-trustee area" elections, *i.e.*, elections in which "one or more members residing in each trustee area [is] elected by the registered voters of that particular trustee area[.]" Cal. Elec. Code § 5030(b).

On June 29, 2010, the County Committee held a duly-noticed public hearing on the Board's proposal to change the District's method of election. Following that public hearing the County Committee tentatively approved the change of electoral system to "by-trustee area" elections, subject to the subsequent approval by the County Committee of a specific trustee area plan for use in 2012 and future District elections.

On October 6, 2011, following the release of the 2010 Census, the TJUHSD Board adopted a trustee area plan for submission to, and approval by, the TCCSDO. Action is expected on that proposal in the next few months.

In the normal course, the TCCSDO's approval of a change to the District's electoral system would act as an order of election, submitting the change to the District's voters at the November 2012 election. That, however, will preclude the District from implementing the new system in time for that election. Accordingly, the Board consulted with its advisory committees, school site councils and bargaining units, and held a duly-noticed public hearing, and on September 15, 2011, approved submission of a waiver of the electoral requirement.

If the waiver is approved, a local election would not be held: the system for electing trustees would change pursuant to the Resolution adopted by the TJUHSD Board in 2010, and the approval of the TCCSDO. This waiver application is submitted contingent upon approval of the application by the TCCSDO.

The District is also proposing a trustee area boundary plan for the TCCSDO's consideration and approval, following an extensive public process. Though that plan will not be subject to an automatic vote of the people, it is subject to the possibility of a referendum under § 5019(d). Such a referendum, if qualified, would defeat the District's ability to implement by-trustee area elections in 2012.

There has been minimal public opposition to the waiver application.² The TJUHSD Board has therefore determined that the public interest would be better served if

¹ This does not represent a concession by the District that such a suit would be meritorious. There is presently not any formal allegation of racially-polarized voting in District elections. But no case has yet definitively construed the Act's many ambiguous provisions, and there are outstanding questions about what a plaintiff must prove to prevail under the Act. That uncertainty, coupled with the potential for massive fee awards, creates a significant disincentive to contest such a suit.

² At the public hearing on September 15, one individual—Robert Quiroz—did not oppose a waiver in principle, but asked that *if the Board were to adopt either Plan #1 or Plan #2*, proposed by the District's demographer, National Demographics Corporation, and opposed by Mr. Quiroz, that the choice be

trustees were elected by-trustee areas and makes the following points in support of the waiver:

1. Questions have been raised about the current electoral system's legality under the California Voting Rights Act. If not waived and if a measure to institute by-trustee area elections is defeated, the District would continue to be vulnerable to a legal challenge regarding the establishing of by-trustee area elections. Though the District does not concede that the current system would violate the CVRA, and has not itself been directly threatened with litigation, it has no desire to risk costly litigation under the Act.
2. The request for waiver is contingent upon the TCCSDO's approval of by-trustee area elections. The SBE can therefore grant this waiver with the assurance that the District's proposal will nevertheless be subjected to independent review by the TCCSDO, composed of disinterested officials familiar with local circumstances.
3. No member of the public spoke against the waiver at the duly-noticed public hearing,³ and there has been minimal opposition to the plan.

submitted to the voters. On October 6 the Board adopted NDC Plan #3 instead. Mr. Quiroz has endorsed Plan #3.

³ See note 2, *supra*.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X

Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
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Local educational agency: Vista Unified School District		Contact name and Title: Donna Caperton, Assistant Superintendent		Contact person's e-mail address: DCaperton@ vusd.k12.ca.us	
Address: 1234 Arcadia Avenue		(City) Vista	(State) CA	(ZIP) 92084-3404	Phone (and extension, if necessary): 760-726-2170 X 2222
LS 10/31/11					Fax Number: 760-631-7029
Period of request: (month/day/year) Nov. 13, 2013 From: Nov. 15, 2011 To: Nov. 14, 2013		Local board approval date: (Required) October 6, 2011		Date of public hearing: (Required) October 6, 2011	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): **5020; portions of 5019, 5021, and 5030** Circle One: **EC** or **CCR**

Topic of the waiver: **WAIVER OF ELECTIONS REQUIREMENT(S) FOR CHANGE TO TRUSTEE AREA ELECTIONS**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: **N/A** and date of SBE Approval **N/A**
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **July 23, 2011; August 23, 2011**

Name of bargaining unit and representative(s) consulted: **Vista Teachers Association, Barbara Franklin, President
California School Employees Association (Chapter 389), Wendy Lamb, President**
LS 10/31/11

The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)

Comments (if appropriate): **Bargaining units acknowledge need for transition to reduce any potential risk of costly litigation under California Voting Rights Act.**

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school Other: (*Please specify*) **Notice placed in North County Times (9/26; 10/4); Notice posted in 3 public places in the District (9/26); Notice posted on District website (9/26)**

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver: **District Parent Advisory Committee (DPAC); Del Norte PTA (represents all PTA's for all school sites); City of Vista**

Date the committee/council reviewed the waiver request: **DPAC (5/11/11, 10/12/11); Del Norte PTA (9/6/11); City of Vista (9/30/11)**

Were there any objection(s)? No Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

Please see Attachment A, attached hereto and incorporated herein.

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

This waiver is requested to expedite efforts by the Vista Unified School District (“District”) to ensure compliance with the California Voting Rights Act (Elections Code §§ 14025 et seq.) (“CVRA”). By granting this waiver, the District will be able to implement its new “by-trustee area” election system for its November 2012 elections to reduce any potential liability under the CVRA. Due to the fact the CVRA grants a prevailing plaintiff the right to reasonable attorneys’ fees and expert witness fees, the District seeks to reduce the risk of costly litigation under the CVRA. By reducing the risk of such costly litigation in an expeditious and cost-efficient manner, the District will be able to ensure cuts to necessary and valuable District student programs are not needed because of claims being brought under the CVRA.

8. Demographic Information:
Vista Unified School District has a student population of approximately 26,000 and is located in a urban city in San Diego County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title: Donna Caperton, Assistant Superintendent	Date: October 20, 2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Attachment A

6. Education Code sections to be waived

Request to waive the following sections and portions of the Education Code lined out below:

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

~~(d) If the county committee on school district organization approves pursuant to subdivision (a) the rearrangement of the boundaries of trustee areas for a particular district, then the rearrangement of the trustee areas shall be effectuated for the next district election occurring at least 120 days after its approval, unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.~~

§ 5020. Presentation of proposal to electors

~~(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.~~

~~(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.~~

~~(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the~~

~~district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.~~

~~(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:~~

~~"For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District—Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in _____ (insert name) School District—No."~~

~~"For increasing the number of members of the governing board of _____ (insert name) School District from five to seven—Yes" and "For increasing the number of members of the governing board of _____ (insert name) School District from five to seven—No."~~

~~"For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five—Yes" and "For decreasing the number of members of the governing board of _____ (insert name) School District from seven to five—No."~~

~~"For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District—Yes" and "For the election of each member of the governing board of the _____ (insert name) School District by the registered voters of the entire _____ (insert name) School District—No."~~

~~"For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area—Yes" and "For the election of one member of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area—No."~~

~~"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District—Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the _____ (insert name) School District residing in each trustee area elected by the registered voters of the entire _____ (insert name) School District—No."~~

~~"For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District—Yes" and "For the establishment (or abolition) of a common governing board in the _____ (insert name) School District and the _____ (insert name) School District—No."~~

~~—If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.~~

§ 5021. Incumbents to serve out terms despite approval of change

(a) If a proposal for the establishment of trustee areas formulated under Sections 5019 ~~and 5020~~ is approved ~~by a majority of the voters voting at the election~~, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established ~~at such election~~ which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.

(b) If a proposal for rearrangement of boundaries is approved by ~~a majority of the voters voting on the measure, or by the county committee on school district organization when no election is required~~, and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) If a proposal for abolishing trustee areas is approved ~~by a majority of the voters voting at the election~~, the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization ~~and the registered voters of a district~~, pursuant to Sections 5019 ~~and 5020, respectively~~, may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

~~—In counties with a population of less than 25,000, the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this~~

section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM W-5



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

Specific Waiver

<p>SUBJECT</p> <p>Request by two districts, under the authority of California <i>Education Code</i> Section 41382, to waive portions of <i>Education Code</i> sections 41376 (a), (c), and (d) and/or 41378 (a) through (e), relating to class size penalties for kindergarten through grade three. For kindergarten, the overall class size average is 31 to one with no class larger than 33. For grades one through three, the overall class size average is 30 to one with no class larger than 32.</p> <p>Waiver Numbers: Los Banos Unified 21-10-2011 Wasco Union Elementary 10-10-2011</p>	<p><input checked="" type="checkbox"/> Action</p> <p><input checked="" type="checkbox"/> Consent</p>
--	--

RECOMMENDATION

Approval Approval with conditions Denial

The California Department of Education (CDE), based on the finding below, recommends that the class size penalties for kindergarten through grade three will be waived provided that the overall average and individual class size average is not greater than the CDE recommended class size on Attachment 1. The waivers do not exceed two years less one day.

Finding: Given the extremely challenging fiscal environment for California schools and the specific financial circumstances described by each district in its waiver application, the State Board of Education (SBE) finds that the districts' continued ability to maintain the delivery of instruction and required program offerings in all core subjects, including reading and mathematics, will be seriously compromised by the financial penalties the districts would otherwise incur without approval of the requested waiver. In these circumstances, the SBE finds specifically that the class size penalty provisions of *Education Code (EC)* sections 41376 and/or 41378 will, if not waived, prevent the districts from developing more effective educational programs to improve instruction in reading and mathematics in the classes specified in the districts' applications.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Since September 2009, the SBE has approved all kindergarten through grade three class size penalty waiver requests as proposed by CDE. Before the September 2009 board meeting, no waivers had been submitted since 1999.

SUMMARY OF KEY ISSUES

Education Code Section 41382 allows the SBE to approve an exemption to the class size penalties assessed for kindergarten through grade three if the associated statutory class size requirements prevent the school and school district from developing more effective educational programs to improve instruction in reading and mathematics. Under this authority, these districts are requesting a waiver of subdivisions (a) through (e) of *EC* Section 41378, which provide for a penalty if the average class size on a district-wide basis for kindergarten exceeds 31 students or individual class levels exceed 33, and/or subdivisions (a), (c), and (d) of *EC* Section 41376, which provide for a penalty if the average class size on a district-wide basis for grades one through three exceeds 30 students, or individual class levels exceed 32. Since this particular statute regarding class size limits was written in 1964, given the current fiscal environment in school districts statewide, consideration of this and similar waivers is warranted.

The districts listed on Attachment 1 request flexibility to temporarily increase class sizes in kindergarten through grade three, or grades one through three, to reduce expenditures in light of the statewide budget crisis and the associated reductions in revenue limit funds provided by the state. Since fiscal year 2008-09, most districts have experienced at least a 10 percent reduction in revenue limit funding in addition to the elimination of statutory cost of living adjustments. Furthermore, payments for over one-quarter of what they are due have been deferred until the next fiscal year.

A positive certification is assigned to a school district that will meet its financial obligations in the current and two subsequent fiscal years. A qualified certification is assigned when a district may not meet its financial obligations for the current or two subsequent fiscal years. A negative certification is assigned when a district will be unable to meet its financial obligations for the remainder of the current year or for the subsequent fiscal year. Each district's most recent status is identified on Attachment 1.

To address funding reductions, districts are using various options in addition to increasing class size, including categorical program spending flexibility, reducing the number of days in the school year, employee furloughs, salary reductions, layoffs, or school closures.

Each district states that without the waiver, the core reading and math programs will be compromised by the fiscal penalties incurred. The estimated annual penalty should the district increase the class size average without a waiver is provided on Attachment 1.

The Department recommends, based on the finding above, that the class size penalties for kindergarten through grade three be waived provided the overall average and the individual class size average is not greater than the CDE recommended level shown on Attachment 1. Should any district exceed this new limit, the class size penalty would be applied per statute.

FISCAL ANALYSIS (AS APPROPRIATE)

See Attachment 1 for estimated penalty amounts for each district without the waiver approval.

ATTACHMENT(S)

Attachment 1: List of Waiver Numbers, Districts, and Information Regarding Each Waiver. (1 page)

Attachment 2: Los Banos Unified School District Specific Waiver Request (5 pages) (Original waiver request is signed and on file in the SBE Office or the Waiver Office.)

Attachment 3: Wasco Union Elementary School District Specific Waiver Request (4 pages) (Original waiver request is signed and on file in the SBE Office or the Waiver Office.)

Districts Requesting Kindergarten through Grade 3 Class Size Penalty Waivers

Education Code sections 41376 and 41378: For Kindergarten: Overall average 31; No class larger than 33.
 For Grades 1-3: Overall average 30; no class larger than 32

Waiver Number	District	Period of Request	District's Requested Class Size Average	CDE Recommended Class Size Average (New Maximum)	Bargaining Unit/Representatives Consulted, Date, and Position	Local Board and Public Hearing Approval Date	Advisory Committee(s) Consulted, and Date	Estimated Annual Penalty Without Waiver	Fiscal Status	Previous Waiver and Period of Request
21-10-2011	Los Banos Unified School District	Requested: July 1, 2012 to June 30, 2014 Recommended: July 1, 2012 to June 30, 2014	For Grades 1 through 3, overall average 31; no class larger than 32	For Grades 1 through 3, overall average 31; no class larger than 32	Los Banos Teachers Association; Anthony Parreira, President 8/25/11 Support	October 13, 2011	Elementary School Districts; Various Approve	\$580,000 each year	Positive	Yes 7/1/10 to 6/29/12
10-10-2011	Wasco Union Elementary School District	Requested: July 1, 2011 to June 29, 2013 Recommended: July 1, 2011 to June 29, 2013	For Kindergarten, overall average 33; no class size larger than 33	For Kindergarten, overall average 33; no class size larger than 33	Wasco Elementary Teachers Association; Cheryl Stephens, President 10/5/11 Neutral	October 11, 2011	District English Learner Advisory Committee and District Advisory Committee 10/4/11 Approve	\$106,633 each year	Positive	No

Prepared by the California Department of Education
 Revised on 12/13/11

CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST

SW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: ___
Renewal Waiver: **x**___

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
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Local educational agency: Los Banos Unified School District			Contact name and Title: Shanna Spiva Area Administrator, Human Resources			Contact person's e-mail address: shspiva@losbanosusd.k12.ca.us		
Address:		(City)	(State)	(ZIP)	Phone (and extension, if necessary):			
1717 11 th St		Los Banos	Ca.	93635	209 826 3801 ext 1011 Fax number: 209 826 6810			
Period of request: (month/day/year) From: July 1, 2012 To: June 30, 2014				Local board approval date: (Required) October 13, 2011				

LEGAL CRITERIA

1. Authority for the waiver: EC 41382 Specific code section: 41382 Exemption from penalty provisions: application to State Board of Education
The principal of any elementary school maintaining kindergarten classes or regular day classes in grades 1 to 3, inclusive, may recommend to the governing board of the school district to adopt a resolution determining that an exemption should be granted from any of the provisions of Section 41376 and Section 41378.

2. *Education Code or California Code of Regulations or portion to be waived.*
Section to be waived: EC 41376a c and d Circle One: **EC** or CCR
EC 41376a For grades 1 to 3 inclusive, she shall determine the number of classes, the number of pupils enrolled in each class, the total enrollment in all such classes, the average number of pupils enrolled per class and the total of the numbers of pupils which are in excess of thirty(30) in each class. For those districts which have one or more classes in excess of an enrollment of 32 or whose average size of all the classes is more than 30, the excess shall be the total of the number of pupils which are in excess of 30 in each class having an enrollment of more than 30.
The Education code sets the district average number of students for grades 1-3 as no more than 30. Class sizes over 30 in these grades will be assessed a penalty. This waiver requests the class size average be set at 31 without penalty.

3. If this is a renewal of a previously approved waiver, please list Waiver No: 27-6-2010-W-3 and date of SBE approval September 16, 2010
Renewals of Waivers must be approved by the local board and submitted two months before the active waiver expires.

4. Collective bargaining unit information. (Not necessary for EC 56101 waivers)
Does the district have any employee bargaining units? ___ No ___x Yes If yes, please complete required information below:
Bargaining unit(s) consulted on date(s): August 25, 2011 Los Banos Teachers Association
Name of bargaining units and representative(s) consulted: Los Banos Teachers Association, Anthony Parreira, Pres.
The position(s) of the bargaining unit(s): ___ Neutral ___x Support ___ Oppose (*Please specify why*)
Comments (if appropriate): Los Banos Teachers Association Collective Bargaining Contract Article XI provides classes in grade K-3 not exceed 31.

5. Advisory committee or school site council that reviewed the waiver. Name: Los Banos Elementary, September 12, 2011, Lorena Falasco Elementary, September 1, 2011, Henry Miller Elementary, August 30, 2011, Westside Elementary, September 13, 2011.

Per EC 33051(a) if the waiver affects a program that requires a school site council that council must **approve** the request.
Date advisory committee/council reviewed request:

Approve Neutral Oppose

CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST
SW-1 (Rev. 10-2-09)

6. Education Code or California Code of Regulations section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (or use a **strike out key** if only portions of sections are to be waived). (Attach additional pages if necessary.)

EC 413776 a For grades 1 to 3, inclusive, she shall determine the number of classes, the number pupils enrolled in each class, the total enrollment in all such classes, ~~the average number of pupils enrolled per class and the total of the numbers of pupils which are in excess of thirty(30) in each class. For those districts which have one or more classes in excess of an enrollment of 32 or whose average size of all the classes is more than 30, the excess shall be the total of the number of pupils which are in excess of 30 in each class having an enrollment of more than 30.~~ **See attached correction**

7. Desired outcome/rationale. State what you hope to accomplish with the waiver. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. (Attach additional pages if necessary.)

The District is requesting the class size limit be waive and allow the class size to increase to 31 in grades 1-3 without penalty. Los Banos Teachers Association Collective Bargaining Contract Article XI Sections 1-4 states class sizes in grade 1-3 to not exceed 31. Due to the current State budget crisis, the District lost revenue and/or had projected revenue deferred. Raising class size to the limits agreed in the contract with Los Banos Teacher's Association will result in the District being better able to meet the needs of the District in the present crisis.

8. Demographic Information:
Los Banos Unified School Distric has a student population of 9,511 and is located in a rural area_ in Merced County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title:	Date:
Signature of SELPA Director (only if a Special Education Waiver)		Date:

FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (<i>type or print</i>):	Staff Signature:	Date:
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Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Los Banos Unified School District
1717 South Eleventh Street
Los Banos, California 93635-4800
Telephone (209) 826-3801 Fax (209) 826-6810
www.losbanosusd.org

Correction to Waiver Renewal application for Los Banos Unified School District CD code 2465755

Previous approved waiver # 27-6-2010-W-3 September 16, 2010

1. Education Code 41376 (a)(c) and (d) The Superintendent of Public Instruction, in computing apportionments and allowances from the State School Fund for the second principal apportionment, shall determine the following for the regular day classes of the elementary schools maintained by each school district: *EC* 41376 (a)(c) and (d) The Superintendent of Public Instruction, in computing apportionments and allowances from the State School Fund for the second principal apportionment, shall determine the following for the regular day classes of the elementary schools maintained by each school district: (a) ~~For grades 1 to 3, inclusive, he shall determine the number of classes, the number of pupils enrolled in each class, the total enrollment in all such classes, the average number of pupils enrolled per class, and the total of the numbers of pupils which are in excess of thirty (30) in each class. For those districts which do not have any classes with an enrollment in excess of 32 and whose average size for all the classes is 30.0 or less, there shall be no excess declared. For those districts which have one or more classes in excess of an enrollment of 32 or whose average size for all the classes is more than 30, the excess shall be the total of the number of pupils which are in excess of 30 in each class having an enrollment of more than 30.~~ (b) For grades 4 to 8, inclusive, he shall determine the total number of pupils enrolled, the number of full-time equivalent classroom teachers, and the average number of pupils per each full-time equivalent classroom teacher. He shall also determine the excess if any, of pupils enrolled in such grades in the following manner: (1) Determine the number of pupils by which the average number of pupils per each full-time equivalent classroom teacher for the current fiscal year exceeds the greater of the average number of pupils per each full-time equivalent classroom teacher in all the appropriate districts of the state, as determined by the Superintendent of Public Instruction, for October 30, 1964, or the average number of pupils per each full-time equivalent classroom teacher which existed in the district on either October 30, 1964 or March 30, 1964, as selected by the governing board. (2) Multiply the number determined in (1) above by the number of full-time equivalent classroom teachers of the current fiscal year. (3) Reduce the number determined in (2) above by the remainder which results from dividing such number by the average number of pupils per each full-time equivalent teacher for October 30, 1964, as determined by the Superintendent of Public Instruction in (1) above. ~~(c) He shall compute the product obtained by multiplying the excess number of pupils, if any, under the provisions of subdivision (a) of this section by ninety seven hundredths (0.97), and shall multiply the product so obtained by the ratio of statewide change in average daily attendance to district change in average daily attendance. Change in average daily attendance shall be determined by dividing average daily attendance in grades 1, 2 and 3 reported for purposes of the first principal apportionment of the current year by that reported for purposes of the first principal apportionment of the preceding year.~~ (d) If the school district reports that it has maintained, during the current fiscal year, any classes in which there were enrolled pupils in excess of thirty (30) per class pursuant to subdivision (a) of this section, and there is no excess number of pupils computed pursuant to subdivision (b) of this section, he shall decrease the average daily attendance reported under the

~~provisions of Section 41601 by the product determined under subdivision (c) of this section~~

2. If the waiver is not approved and we are not able to increase class size, our limited district resources will be needed to hire additional teachers and obtain facilities to house the additional classrooms. This additional expense would mean support personnel who assist students in reading and mathematics would be cut, materials for these subject areas would be reduced, intervention programs and personnel in reading and mathematics would be cut. Money supporting these programs would need to be utilized to provide additional teaching staff and classroom facilities. If the waiver is not approved costs of running the elementary programs would dictate the loss of class size controls at the secondary level and that many secondary programs would be impacted, including A-G courses being eliminated.
3. The estimated penalty cost if the waiver is not approved at the requested level for the two years would be \$1.16 million.

5. Advisory committee or school site council that reviewed the waiver. Name: District Advisory Committee/District English Learner Advisory Committee on 10/4/11 ecc 10-31-11

Per EC 33051(a) if the waiver affects a program that requires a school site council that council must **approve** the request. Date advisory committee/council reviewed request:

XX Approve ___ Neutral ___ Oppose
Were there any objection? Yes ___ No XX (If there were objections please specify)

CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST
SW-1 (Rev. 10-2-09)

6. Education Code or California Code of Regulations section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (or use a **strike out key** if only portions of sections are to be waived). (Attach additional pages if necessary.)

~~EC 41378. The Superintendent of Public Instruction, in computing apportionments and allowances from the State School Fund for the second principal apportionment, shall determine the following for the kindergarten classes maintained by each school district maintaining kindergarten classes. (a) The number of pupils enrolled in each kindergarten class, the total enrollment in all such classes, and the average number of pupils enrolled per class. (b) The total number of pupils which are in excess of thirty-three (33) in each class having an enrollment of more than thirty-three (33). (c) The total number of pupils by which the average class size in the district exceeds 31. (d) The greater number of pupils as determined in (b) or (c) above. (e) He shall compute the product obtained by multiplying the excess number of pupils computed pursuant to subdivision (d) of this section by ninety-seven hundredths (0.97). He shall decrease the average daily attendance reported under the provisions of Section 41601 by the resulting product.~~

7. Desired outcome/rationale. State what you hope to accomplish with the waiver. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. (Attach additional pages if necessary.)

The District requests a waiver to increase the district-wide average number of pupils per teacher in Kindergarten (per Ed. Code 41378) from the current 31 students to 33.

The District operates four K-6 neighborhood schools. At this time two have Kindergarten class loads at 33, one at 31, and one at 25. Our District average is approaching 31.

In light of the current statewide budget crisis and the reduced revenue to our school district, the potential to increase class size allows us to lower expenditures by not hiring additional staff. By allowing the District to increase average class size to 33 in Kindergarten, we anticipate a potential expenditure reduction which would directly influence District's operations and ability to maintain the delivery of instruction and required program offerings in all core subjects, including reading and mathematics. The District's ability would be seriously compromised by the financial penalties the district would otherwise incur without the requested waiver.

8. Demographic Information:
The Wasco Union Elementary School District has a student population of 3,318 and is located in a small rural community in Kern County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) XX No ___ Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? XX No ___ Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title: Superintendent	Date:
Signature of SELPA Director (only if a Special Education Waiver)		Date:
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

TO: Dr. Jim Forrest, President, and Members of the Board of Trustees

FROM: Mrs. Elizabeth McCray, Superintendent

RE: Consider Approval of Specific Waiver Request: to increase Kindergarten classroom average enrollment from 31 students to 33 students

Background Information:

Due to the recent decrease in funding to school districts in California, several districts have found it necessary to submit waivers to State Board of Education to prevent class size penalties related to their efforts to balance their budgets. Our current class size average in Kindergarten is 30.6 students. We are required to remain an average below 31 students district-wide or pay penalties related to exceeding this limitation that was imposed during legislation that occurred in 1964.

Analysis

Given the extremely challenging fiscal environment presently facing all California schools and the specific financial circumstances described by the district in its waiver application, the Board finds that the district's continued ability to maintain the delivery of instruction and required program offerings in all core subjects, including reading and mathematics, will be seriously compromised by financial penalties the district could otherwise incur without the requested waiver. In these circumstances, the Board finds specifically that the class size penalty provisions of Education Code section 41378 will, if not waived, prevent the district from developing more effective educational programs to improve instruction in reading and mathematics in the classes specified in the district's application.

Student Achievement Impact

In many studies class size does not impact Student Achievement simplicity. We will continue to provide support to ensure the impact is minimal.

Fiscal Impact and Funding Source

If the waiver is not approved the Wasco Union School District would have to return General Fund State Aid in the form of penalties of \$6,272.55 for each student over the average limit.

Administrative Recommendation

I recommend approval of the Specific Waiver Request: to increase Kindergarten classroom average enrollment from 31 students to 33 students



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM W-6



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

General Waiver

<p>SUBJECT</p> <p>Request by two districts to waive portions of California <i>Education Code</i> Section 41376 (b) and (e), relating to class size penalties for grades four through eight. A district's current class size maximum is the greater of the 1964 statewide average of 29.9 to one or the district's 1964 average.</p> <p>Waiver Numbers: Los Banos Unified District 20-10-2011 Tulare City School District 23-10-2011</p>	<p><input checked="" type="checkbox"/> Action</p> <p><input checked="" type="checkbox"/> Consent</p>
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RECOMMENDATION

Approval Approval with conditions Denial

The California Department of Education recommends that the class size penalty in grades four through eight be renewed provided the class size average is not greater than the recommended new maximum average shown on Attachment 1 for each district. These waivers do not exceed two years less one day, therefore, *Education Code (EC)* Section 33051(b) will not apply, and the districts must reapply to continue the waiver.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Since September 2009, the State Board of Education (SBE) has approved all grades four through eight class size penalty waiver requests. Before the September 2009 board meeting, no waivers had been submitted since 1999.

SUMMARY OF KEY ISSUES

The various districts listed on Attachment 1 request a waiver of subdivisions (b) and (e) of *EC* Section 41376, which relates to class size penalties for grades four through eight that reduce a district's revenue limit funding. A class size penalty is assessed for grades four through eight if a district exceeds the greater of the district's class size average in 1964 or the statewide average set in 1964. Statewide, 292 districts out of 883 or 33 percent of districts in California can have a class size average greater than 29.9.

The districts listed on Attachment 1 request to temporarily increase class sizes in grades four through eight to reduce expenditures in light of the statewide budget crisis and reductions in revenue limit funding. Since fiscal year 2008-09 most districts have experienced at least a 10 percent reduction in revenue limit funding in addition to the elimination of statutory cost of living adjustments. Furthermore, payments for over

SUMMARY OF KEY ISSUES (Cont.)

one-quarter of what they are due have been deferred until the next fiscal year.

A positive certification is assigned to a school district that will meet its financial obligations in the current and two subsequent fiscal years. A qualified certification is assigned when a district may not meet its financial obligations for the current or two subsequent fiscal years. A negative certification is assigned when a district will be unable to meet its financial obligations for the remainder of the current year or for the subsequent fiscal year. Each district's most recent status is identified on Attachment 1.

To address funding reductions, districts are using various options in addition to increasing class size, including categorical program spending flexibility, reducing the number of days in the school year, employee furloughs, salary reductions, layoffs, or school closures. The statutes being waived do not preclude a district from increasing class sizes above certain maximums. **Therefore, by denying the waiver, the SBE does not ensure that the districts will not raise their class size averages.** Rather, the SBE would ensure that the districts will have to absorb additional funding cuts if the districts choose to do so.

The Department recommends the class size penalty in grades four through eight be waived for each district provided the class size average is not greater than the recommended new maximum shown on Attachment 1. Should the district exceed this limit, the class size penalty would be calculated as required by statute. The estimated annual penalty should the district increase the class size average without a waiver is provided on Attachment 1.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in EC 33051(a). The state board shall approve any and all requests for waivers except in those cases where the board specifically finds any of the following: (1) The educational needs of the pupils are not adequately addressed. (2) The waiver affects a program that requires the existence of a schoolsite council and the schoolsite council did not approve the request. (3) The appropriate councils or advisory committees, including bilingual advisory committees, did not have an adequate opportunity to review the request and the request did not include a written summary of any objections to the request by the councils or advisory committees. (4) Pupil or school personnel protections are jeopardized. (5) Guarantees of parental involvement are jeopardized. (6) The request would substantially increase state costs. (7) The exclusive representative of employees, if any, as provided in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, was not a participant in the development of the waiver.

FISCAL ANALYSIS (AS APPROPRIATE)

See Attachment 1 for estimated penalty amounts for each district without the waiver approval.

ATTACHMENT(S)

Attachment 1: List of Waiver Numbers, Districts, and Information Regarding Each Waiver. (1 page)

Attachment 2: Los Banos Unified School District General Waiver Request (4 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Tulare City School District General Waiver Request (4 pages) (Original waiver request is signed and on file in the SBE Office or the Waiver Office.)

Districts Requesting Grades 4-8 Class Size Penalty Waivers

Waiver Number	District	Period of Request	1964 Class Size Average (Current Maximum)	District's Requested Class Size Average	CDE Recommended Class Size Average (New Maximum)	Bargaining Unit, Representatives Consulted, Date, and Position	Local Board and Public Hearing Approval Date	Advisory Committee(s) Consulted, Date, and Position	Estimated Annual Penalty Without Waiver	Fiscal Status	Previous Waiver and Period of Request
20-10-2011	Los Banos Unified School District	Requested: July 1, 2012 to June 30, 2014 Recommended: July 1, 2012 to June 29, 2014	29.9	33	33	Los Banos Teachers Association; Anthony Parreira, President, 8/25/11; Support	October 13, 2011	Los Banos Elementary Schools; Various No Objections	\$1,089,229 each year	Positive	Yes 7/1/10 to 6/29/12
23-10-2011	Tulare City School District	Requested: August 10, 2012 to June 14, 2014 Recommended: July 1, 2012 to June 29, 2014	30.5	33	33	Tulare City Teachers Association, Amy Grimmer, President; 8/29/2011; Support	October 11, 2011	District Advisory Committee 10/13/2011 No Objections	\$2,069,462 each year	Positive	Yes 7/1/10 to 6/29/12

Prepared by the California Department of Education
Revised on 12/6/2011

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver:
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
2	4	6	5	7	5	5

Local educational agency: Los Banos Unified School District		Contact name and Title: Shanna Spiva Area Administrator, Human Resources		Contact person's e-mail address: shspiva@losbanosusd.k12.ca.us	
Address: 1717 11 th St.		(City) Los Banos	(State) Ca	(ZIP) 93635	Phone (and extension, if necessary): 209 826 3801 ext. 1011 Fax Number: 209 826 6116
Period of request: (month/day/year) From: July 1, 2012 To: June 30, 2014		Local board approval date: (Required) October 13, 2011		Date of public hearing: (Required) October 13, 2011	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): EC 41376
Circle One: EC or CCR

Topic of the waiver: Grades 4-6 class size

2. If this is a renewal of a previously approved waiver, please list Waiver Number: 32-6-2010-W-9 and date of SBE Approval September 16, 2010
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): August 25, 2011

Name of bargaining unit and representative(s) consulted: Los Banos Teachers Association, Anthony Parreira, Pres.

The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)

Comments (if appropriate): Los Banos Teachers Association Collective Bargaining Contract Article XI Sections 1-4 provides classes in grade 4-6 not exceed 33.

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school Other: (*Please specify*)

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: Los Banos Elementary, September 12, 2011, Lorena Falasco Elementary, September 1, 2011, Henry Miller Elementary, August 30, 2011, Westside Elementary, September 13, 2011.

Were there any objection(s)? No x Yes ____ (If there were objections please specify)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

EC 41376

B For grade 4 to 8 (1) ~~Determine the number of pupils by which the average number of pupils per each full time equivalent classroom teacher for the current fiscal year exceeds the greater of the average number of pupils per each full time equivalent classroom teacher in all the appropriate districts of the state, as determined by the Superintendent of public instruction, for October 30, 1964 or the average number of pupils per each full time equivalent classroom teacher which existed in the district on either October 30, 1964 or March 30, 196 as selected by the governing board.~~

See attached ECC 10-27-11

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

The District desires a class size waiver to allow the average class size in grades 4-6 to not exceed 33.

Due to the current State budget crisis, district revenue has decreased and/or been deferred. Raising the class size to the limits agreed in the contract with Los Banos Teacher's Association will result in the District being better able meet the needs of the students in the District in the present crisis.

8. Demographic Information:

Los Banos Unified School District has a student population of 9,511 and is located in a rural area in Merced County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:

Title:

Date:

FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Los Banos Unified School District

Item 6 "EC to be waived":

41376(b) and (e) The Superintendent of Public Instruction, in computing apportionments and allowances from the State School Fund for the second principal apportionment, shall determine the following for the regular day classes of the elementary schools maintained by each school district: (a) For grades 1 to 3, inclusive, he shall determine the number of classes, the number of pupils enrolled in each class, the total enrollment in all such classes, the average number of pupils enrolled per class, and the total of the numbers of pupils which are in excess of thirty (30) in each class. For those districts which do not have any classes with an enrollment in excess of 32 and whose average size for all the classes is 30.0 or less, there shall be no excess declared. For those districts which have one or more classes in excess of an enrollment of 32 or whose average size for all the classes is more than 30, the excess shall be the total of the number of pupils which are in excess of 30 in each class having an enrollment of more than 30. ~~(b) For grades 4 to 8, inclusive, he shall determine the total number of pupils enrolled, the number of full-time equivalent classroom teachers, and the average number of pupils per each full-time equivalent classroom teacher. He shall also determine the excess if any, of pupils enrolled in such grades in the following manner: (1) Determine the number of pupils by which the average number of pupils per each full-time equivalent classroom teacher for the current fiscal year exceeds the greater of the average number of pupils per each full-time equivalent classroom teacher in all the appropriate districts of the state, as determined by the Superintendent of Public Instruction, for October 30, 1964, or the average number of pupils per each full-time equivalent classroom teacher which existed in the district on either October 30, 1964 or March 30, 1964, as selected by the governing board. (2) Multiply the number determined in (1) above by the number of full-time equivalent classroom teachers of the current fiscal year. (3) Reduce the number determined in (2) above by the remainder which results from dividing such number by the average number of pupils per each full-time equivalent teacher for October 30, 1964, as determined by the Superintendent of Public Instruction in (1) above. (c) He shall compute the product obtained by multiplying the excess number of pupils, if any, under the provisions of subdivision (a) of this section by ninety-seven hundredths (0.97), and shall multiply the product so obtained by the ratio of statewide change in average daily attendance to district change in average daily attendance. Change in average daily attendance shall be determined by dividing average daily attendance in grades 1, 2 and 3 reported for purposes of the first principal apportionment of the current year by that reported for purposes of the first principal apportionment of the preceding year. (d) If the school district reports that it has maintained, during the current fiscal year, any classes in which there were enrolled pupils in excess of thirty (30) per class pursuant to subdivision (a) of this section, and there is no excess number of pupils computed pursuant to subdivision (b) of this section, he shall decrease the average daily attendance reported under the provisions of Section 41601 by the product determined under subdivision (c) of this section. (e) If the school district reports that it has maintained, during the current fiscal year, no classes in which there were enrolled pupils in excess of thirty (30) per class determined pursuant to subdivision (a) of this section, and there is an excess number of pupils computed pursuant to subdivision (b) of this section, he shall make the following computation: He shall compute the product obtained by multiplying the excess number of pupils computed pursuant to subdivision (b) of this section by ninety-seven hundredths (0.97) and shall multiply the product so obtained by the ratio of statewide change in average daily attendance to the district change in average daily attendance. He shall decrease the average daily attendance reported under the provisions of Section 41601 by the resulting product.~~

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver:
Renewal Waiver: X

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
5	4	7	2	2	3	1

Local educational agency: Tulare City School District			Contact name and Title: Clare Gist			Contact person's e-mail address: cgist@tcsd.k12.ca.us		
Address: (City)		(State)		(ZIP)		Phone (and extension, if necessary): 559-685-7206		
600 North Cherry		Tulare		CA		93274		Fax Number: 559-685-7248
Period of request: (month/day/year)			Local board approval date: (Required)			Date of public hearing: (Required)		
From: 8/10/2012 To: 6/14/2014			October 11, 2011			October 11, 2011		

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): **EC 41376 (b) and (e)** Circle One: **EC** or CCR

Topic of the waiver: **To Waive the Class Size Penalty (Grades 4-8)**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: 13-10-2110-W-3 and date of SBE Approval 2/14/11
Renewals of waivers must be submitted two months before the active waiver expires. **N/A**

3. Collective bargaining unit information. Does the district have any employee bargaining units? No X Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **TCTA on 8/29/11 CSEA on 8/23/11**

Name of bargaining unit and representative(s) consulted: **Tulare City Teachers Association-President Amy Grimmer (Teacher) and California Schools Employee Association-President Sandy Curry (School Secretary)**

The position(s) of the bargaining unit(s): Neutral X Support Oppose (*Please specify why*)

Comments (if appropriate): **None**

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

 X Notice in a newspaper X Notice posted at each school X Other: (*Please specify*) **Posted District Central Office**

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

District Advisory Committee (DAC)

Date the committee/council reviewed the waiver request: **October 13, 2011**

Were there any objection(s)? No X Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

41376(b) and (e) The Superintendent of Public Instruction, in computing apportionments and allowances from the State School Fund for the second principal apportionment, shall determine the following for the regular day classes of the elementary schools maintained by each school district: (a) For grades 1 to 3, inclusive, he shall determine the number of classes, the number of pupils enrolled in each class, the total enrollment in all such classes, the average number of pupils enrolled per class, and the total of the numbers of pupils which are in excess of thirty (30) in each class. For those districts which do not have any classes with an enrollment in excess of 32 and whose average size for all the classes is 30.0 or less, there shall be no excess declared. For those districts which have one or more classes in excess of an enrollment of 32 or whose average size for all the classes is more than 30, the excess shall be the total of the number of pupils which are in excess of 30 in each class having an enrollment of more than 30. ~~(b) For grades 4 to 8, inclusive, he shall determine the total number of pupils enrolled, the number of full-time equivalent classroom teachers, and the average number of pupils per each full-time equivalent classroom teacher. He shall also determine the excess if any, of pupils enrolled in such grades in the following manner: (1) Determine the number of pupils by which the average number of pupils per each full-time equivalent classroom teacher for the current fiscal year exceeds the greater of the average number of pupils per each full-time equivalent classroom teacher in all the appropriate districts of the state, as determined by the Superintendent of Public Instruction, for October 30, 1964, or the average number of pupils per each full-time equivalent classroom teacher which existed in the district on either October 30, 1964 or March 30, 1964, as selected by the governing board. (2) Multiply the number determined in (1) above by the number of full-time equivalent classroom teachers of the current fiscal year. (3) Reduce the number determined in (2) above by the remainder which results from dividing such number by the average number of pupils per each full-time equivalent teacher for October 30, 1964, as determined by the Superintendent of Public Instruction in (1) above. (c) He shall compute the product obtained by multiplying the excess number of pupils, if any, under the provisions of subdivision (a) of this section by ninety-seven hundredths (0.97), and shall multiply the product so obtained by the ratio of statewide change in average daily attendance to district change in average daily attendance. Change in average daily attendance shall be determined by dividing average daily attendance in grades 1, 2 and 3 reported for purposes of the first principal apportionment of the current year by that reported for purposes of the first principal apportionment of the preceding year. (d) If the school district reports that it has maintained, during the current fiscal year, any classes in which there were enrolled pupils in excess of thirty (30) per class pursuant to subdivision (a) of this section, and there is no excess number of pupils computed pursuant to subdivision (b) of this section, he shall decrease the average daily attendance reported under the provisions of Section 41601 by the product determined under subdivision (c) of this section. (e) If the school district reports that it has maintained, during the current fiscal year, no classes in which there were enrolled pupils in excess of thirty (30) per class determined pursuant to subdivision (a) of this section, and there is an excess number of pupils computed pursuant to subdivision (b) of this section, he shall make the following computation: He shall compute the product obtained by multiplying the excess number of pupils computed pursuant to subdivision (b) of this section by ninety-seven hundredths (0.97) and shall multiply the product so obtained by the ratio of statewide change in average daily attendance to the district change in average daily attendance. He shall decrease the average daily attendance reported under the provisions of Section 41601 by the resulting product.~~

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

The desired outcome is for the California State Board of Education to waive the requested section of the California Education Code to allow the district the ability to increase class size from the current law which requires districts not to exceed the 29.9 student to teacher ratio that existed in 1964 to a ratio of 33:1 in grades four (4) – eight (8).

The current master contract between Tulare City School District and Tulare City Teachers' Association states that in grades four (4) through eight (8) students assigned to any teacher in the district at any one time shall not normally exceed thirty-three (33). Due to the current fiscal crisis which has resulted in a unprecedented reductions in our district's revenue limit it is vital that we be granted the ability to exceed the current law restricting class size in grades four (4) – eight (8) in order to reduce ongoing expenditures.

The savings of moving to this marginally larger class size is currently estimated at \$350,000. To make reductions of this amount programs that support for all students (counselors, professional development coaches, ESL support and intervention aides), especially those at greatest risk and our elective programs, such as music and the arts would have a much more devastating impact on our student population than the marginal impact of increasing class size.

Both the Tulare City Teachers Association and California School Employees Association are in support of increasing class size in order to prevent cuts to other student programs. The limited term of the waiver ensures that the district will review this increase as school financing improves.

8. Demographic Information:
Tulare City School District has a student population of 9299 (CBEDS) and is located in a rural area of Tulare County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title: Assistant Superintendent of Business Services	Date: October 14, 2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM W-7



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

Specific Waiver

SUBJECT Request by Calexico Unified School District under the authority of the California <i>Education Code</i> Section 46206(a) to waive <i>Education Code</i> Section 46200(c) audit penalty for offering fewer instructional days in the 2009-10 fiscal year and <i>Education Code</i> Section 46201(d) for offering fewer instructional minutes. Waiver Number: 20-6-2011	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Consent
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RECOMMENDATION

Approval Approval with conditions Denial

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the waiver request on the following conditions:

That beginning in 2010-11 and continuing through 2011-12, Calexico Unified School District (USD) maintains increased instructional minutes and days and reports the increase in its yearly audits. The specific increases by school site are as follows:

Elementary Schools

All seven elementary schools (*Blanche Charles Elementary, Cesar Chavez Elementary, Dool Elementary, Jefferson Elementary, Kennedy Gardens Elementary, Mains Elementary, and Rockwood Elementary*) must maintain instructional minutes at a minimum of 49,333 in grades one through three and a minimum of 53,253 in grades four through six. In addition each elementary school must maintain increased instructional days to 180 in kindergarten and grades one through six.

Middle Schools

Enrique Camarena Junior High School serves grades seven and eight. Grades seven and eight are not in need of increased instructional minutes, but must maintain increased instructional days to 177.

William Moreno Junior High School serves grades seven and eight. Grades seven and eight are not in need of increased instructional minutes, but must maintain increased instructional days to 177.

De Anza 9th Grade Academy primarily serves pupils in the ninth grade, but served 120 pupils in the seventh and eighth grades in 2010-11. Calexico was not deficient in instructional minutes in the seventh and eighth grade. In 2011-12 De Anza only serves pupils in the ninth grade. De Anza 9th Grade Academy must maintain instructional

RECOMMENDATION (cont.)

minutes at a minimum of 64,607 in grade nine and increased instructional days to 177 in grade nine in 2010-11 and 2011-12.

High Schools

Aurora High School (continuation high school) is not in need of increased instructional minutes, but must maintain increased instructional days to 180 in grades nine through twelve.

Calexico High School must maintain instructional minutes at a minimum of 64,458 in grades 10 through 12 and must maintain increased instructional days to 180 in grades 10 through 12.

Additionally, CDE recommends that to the extent any 2011-12 legislation allow LEAS to reduce the currently required instructional days and minutes during the 2011-12 school year, that Calexico USD be permitted to amend its instructional day and minute offering to be at least the required makeup days and minutes (the number of days and minutes short in the 2009-10 fiscal year) plus the new minimum required instructional days and minutes commensurate with the provisions of that legislation.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE has approved similar requests with conditions. *Education Code (EC)* Section 46206 authorizes waivers to be granted for fiscal penalties because of a shortfall in instructional days and minutes. A waiver may be granted upon the condition that the school or schools in which the minutes, days, or both were lost, maintain minutes and days of instruction equal to those lost, in addition to the minimum amount, for twice the number of years that it failed to maintain the required minimum length of time.

This waiver is eligible for the consent calendar because it meets statutory waiver conditions. This waiver meets the statutory criteria in *EC* Section 46206(b).

SUMMARY OF KEY ISSUES

As a result of the impact of an earthquake on April 4, 2010 measuring a magnitude of 7.2 near Mexicali, B.C., Mexico, the Calexico USD closed its schools for a period of 17-22 days. On May 14, 2010, the district submitted a Request for Allowance of Attendance Because of Emergency Conditions (J-13A) to the Imperial County Office of Education (ICOE) in which it asked for an attendance allowance for the entire period of school closure. The ICOE supported 10 days of attendance allowance, leaving Calexico with additional days and minutes short of statutorily required instructional days and minutes. Based on 2009-10 audit findings, Calexico is short in instructional minutes in grades one through six and grades nine through twelve. Calexico is also short 2-7 instructional days in each grade span.

SUMMARY OF KEY ISSUES (cont.)

Calexico USD is using school years 2010-11 and 2011-12 to make up the missed minutes and days and has already included additional days in its 2010-11 calendar.

Due to the flexibility offered by *EC* Section 46201.2, the minimum number of required school days is 175 days per year and the required number of minutes is proportionately reduced for 2009-10 through 2014-15. Therefore, the district must maintain at least 49,333 (49,000, required minutes + 333, minutes short) instructional minutes in grades one through three, 53,253 (52,500 required minutes + 753 minutes short) instructional minutes in grades four through six, 64,607 (63,000 required minutes + 1,607 minutes short) instructional minutes in grade nine, and 64,458 (63,000 required minutes + 1,458 minutes short) instructional minutes in grades 10 through 12 beginning in school year 2010-11 and continuing through school year 2011-12. Calexico USD must also report the increase in its yearly audits. In addition, Calexico USD must maintain increased instructional days to a minimum of 180 in kindergarten and grades one through six, a minimum of 177 in grades seven through nine, and a minimum of 180 in grades 10 through 12 beginning in school year 2010-11 and continuing through school year 2011-12 and report the increase in its yearly audits.

The Department recommends approval of this waiver provided that beginning in 2010-11 and continuing through 2011-12, Calexico USD, maintains increased instructional minutes and days and reports the increase in its yearly audits. The specific increases by school site are as described in the Recommendation section above.

Demographic Information: Calexico USD has a student population of 9,269 enrolled pupils and is located in the urban fringe of a mid-size city in Imperial County.

Authority for Waiver: *EC* Section 42606

Period of request: April 1, 2010, to June 30, 2013

Local board approval date(s): June 14, 2011

Bargaining unit(s) consulted on date(s): Calexico Teachers' Association (CTA), February 9, 2011 and Calexico School Employees' Association (CSEA), February 9, 2011

Name of bargaining unit/representative(s) consulted: CTA—Enrique Cervantes, CTA President, CSEA—Maria Bravo, CSEA President

Position of bargaining unit(s) (choose only one):

Neutral Support Oppose

Comments (if appropriate):

SUMMARY OF KEY ISSUES (cont.)

Advisory committee(s) consulted: Blanche Charles Elementary School Site Council, Cesar Chavez Elementary School Site Council, Dool Elementary School Site Council, Jefferson Elementary School Site Council, Kennedy Gardens Elementary School Site Council, Mains Elementary School Site Council, Rockwood Elementary School Site Council, Enrique Camarena Jr. High School Site Council, William Moreno Jr. High School Site Council, De Anza 9th Grade Academy School Site Council, Aurora High School Site Council, Calexico High School Site Council

Objections raised (choose one): None Objections are as follows:

Date(s) consulted: Blanche Charles Elementary School Site Council—September 16, 2011, Cesar Chavez Elementary School Site Council—September 19, 2011, Dool Elementary School Site Council—September 2011, Jefferson Elementary School Site Council—September 18, 2011, Kennedy Gardens Elementary School Site Council—September 2011, Mains Elementary School Site Council—September 19, 2011, Rockwood Elementary School Site Council—September 20, 2011, Enrique Camarena Jr. High School Site Council—September 8, 2011, William Moreno Jr. High School Site Council—September 19, 2011, De Anza 9th Grade Academy School Site Council—September 2011, Aurora High School Site Council—September 19, 2011, Calexico High School Site Council—September 19, 2011

FISCAL ANALYSIS (AS APPROPRIATE)

The 2009-10 total waivable penalty amount of \$1,617,311 (\$547,364 for instructional minutes and \$1,069,947 for instructional days) is calculated as follows:

Instructional Minutes Penalty

Grade Level	Apportionment Amount	% of Minutes Not Offering	Number of Minutes Short	Penalty
1-3	\$ 9,790,693	.68	333	\$ 66,577
4-6	\$10,339,781	1.43	753	\$147,859
9	\$ 3,675,584	2.55	1,607	\$ 93,727
10-12	\$10,355,061	2.31	1,458	\$239,201
Total Instructional Minutes Penalty				\$547,364

\$9,790,693 multiplied by .0068 is equal to \$66,577.
 \$10,339,781 multiplied by .0143 is equal to \$147,859.
 \$3,675,584 multiplied by .0255 is equal to \$93,727.
 \$10,355,061 multiplied by .0231 is equal to \$239,201.

FISCAL ANALYSIS (AS APPROPRIATE) (cont.)

Instructional Days Penalty

Grade Level	Apportionment	Penalty Factor	Number of Days	Penalty
K-6	\$22,951,215	.0056	5	\$ 642,634
7-9	\$12,260,465	.0056	2	\$ 137,317
10-12	\$10,356,990	.0056	5	\$ 289,996
Total Instructional Days Penalty				\$1,069,947

\$22,951,215 multiplied by .0056 multiplied by 5 days is equal to \$642,634.

\$12,260,465 multiplied by .0056 multiplied by 2 days is equal to \$137,317.

\$10,356,990 multiplied by .0056 multiplied by 5 days is equal to \$289,996.

In addition, Calexico USD incurred penalties under *EC* Section 41420(b) in the amount of \$1,041,700 as a result of Jefferson Elementary being closed for an additional 2 days beyond that allowed as a minimum. Pursuant to *EC* Section 33501, *EC* Section 41420 is not waivable.

ATTACHMENT(S)

Attachment 1: Specific Waiver Request (3 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 2: Audit Findings (3 pages)

Attachment 3: Letter of Support from Imperial County Office of Education (1 page)

CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST

ITAP-1 (Rev. 10-2-2009) <http://www.cde.ca.gov/re/lr/wr/>

**Instructional Time Requirements
Waiver of Audit Penalties (District/COE)**

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
1	3	6	3	0	9	9

Local educational agency: Calexico Unified School District	Contact name and Title: Richard Fragale, Interim Superintendent	Contact person's e-mail address: rfragale@calexico.k12.ca.us
Address: (City) (State) (ZIP) 901 Andrade Avenue, Calexico, California 92231	Phone (and extension, if necessary): (760) 768-3888 x 3008	Fax number: (760) 768-3856

Period of request: (month/day/year) From: 04/01/10 To: 06/30/13	Local board approval date: (Required) June 14, 2011
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LEGAL CRITERIA

1. Authority for the waiver: **Specific code section:**

EC 46206(a) The State Board of Education may waive the fiscal penalties set forth... for a school district or county office of education that fails to maintain the prescribed minimum length of time for the instructional school year, minimum number of instructional days for the school year, or both.
(b) For fiscal penalties incurred ...a waiver may only be granted ... upon the condition that the school or schools in which the minutes, days, or both, were lost, maintain minutes and days of instruction equal to those lost and in addition to the amount otherwise prescribed in this article for twice the number of years that it failed to maintain the minimum number of instructional days and continuing for each succeeding school year until the condition is satisfied.

2. *Education Code or California Code of Regulations* or portion to be waived (check as appropriate)*

For Districts:

EC 46200(c) Penalty - required number of days
 EC 46201(d) Penalty - required number of minutes
 EC 46202(b) Penalty – less than 1982-83 minutes

For County Offices of Education:

EC 46200.5(c) Penalty - required number of days
 EC 46201.5(c) Penalty - required number of minutes
 EC 46202.(b) Penalty – less than 1982-83 minutes

* Understanding that the SBE may not waive a violation of Education Code Section 41420(b), the District hereby requests a waiver of the related penalties described in the relevant portion of Audit Finding 2010-18 (Attachment 1 hereto).

3. Collective bargaining unit information.

Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): Calexico Teachers' Association (CTA), consulted on February 9, 2011; Calexico School Employees' Association (CSEA), consulted on February 9, 2011.

Name of bargaining units and representative(s) consulted: CTA President: Enrique Cervantes; CSEA President: Maria Bravo

The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)

Comments (if appropriate):

4. Reason for Waiver Request:

- Describe the **circumstances that brought about the shortage** of time (days and/or minutes) for each finding.
- Tell what you did the following year, or preferably that same year to try to **minimize or correct** the error.
- State how you plan to do the makeup (add to the regular day, cancel minimum days, add a day to the year, etc.) and in what years – for **both affected students and affected grade levels**.

CIRCUMSTANCES LEADING TO SHORTAGE

On April 4, 2010, an earthquake of magnitude 7.2 struck near the City of Mexicali, B.C., Mexico, and impacted the City of Calexico and to a lesser degree a large portion of Imperial County. The earthquake severely damaged several Calexico Unified School District ("District") schools and facilities. The earthquake was followed by hundreds of aftershocks during the subsequent weeks, including at least 6 aftershocks of magnitudes over 4.0. Both the State of California and the federal government declared states of emergency and sent representatives (CalEMA and FEMA) to the District to inspect facilities and assess required relief. As permitted by California law, the Governing Board of the District delegated authority pursuant to Emergency Resolution No. 25-04-10 to Dr. Christina Luna, the then Superintendent of the District, to take all actions necessary to repair and reopen the schools and ensure the safety of its students.

Although much has been made of the fact that the District schools remained closed for 17-22 days, little has been said of the fact that the District staff made every effort to ensure the schools were safe before students were allowed to return. Also, the District's staff has received little credit for the fact that, despite being pulled in many different directions by well meaning emergency, state and local agencies, and despite not having the benefit of a director of facilities, the District's maintenance staff was able to, within a few days of the earthquake, clean a significant amount of debris from nearly every one of the District's 12 school sites, reattach hundreds of bookshelves and other furniture that had become undone and inspect and secure thousands of ceiling panels. Despite these efforts, significant repairs remained to be completed during Phase I, before the schools reopened. Additional repairs were also performed during Phase II, but repair work was suspended when the DSA Architect informed the District that certain major work related to fallen or damaged soffits would need to go through DSA review process.

District staff and the Department of State Architects ("DSA") Region Manager, Craig Rush, indicate that to secure indispensable funding for the repairs (then estimated to cost over \$4,000,000) the then Superintendent of the District made a decision to ensure full compliance with FEMA and CalEMA requirements. Unfortunately, compliance with said requirements caused delays of approximately 14 calendar days due to FEMA and CalEMA requirements that the District and its Architects complete RFPs, receive Proposals, perform walk-through inspections of all the schools identifying damages and preparing repair forms acceptable to FEMA and CalEMA. Furthermore, the schools were not reopened until after the DSA inspector retained by the District certified them as safe.

ACTIONS TAKEN TO MINIMIZE DAYS AND MINUTES OF SHORTAGE

The District submitted a Request for Allowance of Attendance Because of Emergency Conditions (the "Attendance Allowance") through the Imperial County Office of Education ("ICOE") on May 14, 2010, after all the schools had reopened. The District hoped that all days of school closure would be covered by the Attendance Allowance. However, the ICOE supported and the CDE granted only 10-days of Attendance Allowance, leaving the District with 2-7 days of shortage in instructional days but, according to the Audit Findings, only 1-4 days shortage in actual instructional minutes.

The District staff indicates that the District's former Superintendent examined several avenues to make-up some of the instructional time being lost, including (i) the possibility of setting-up tents at one or more parks, which idea was rejected due to safety concerns arising from the weather conditions (very hot and windy during that time of the year), accessibility, lack of toilets and inability to ensure the safety of the students; (ii) the possibility of temporarily using facilities at the SDSU IV campus, which idea was rejected by the DSA Region Manager who informed the District that such facilities were not under the supervision of DSA and thus were not suitable for K-12 instruction; (iii) the possibility of using portables at all or some of the sites, which was rejected by the District apparently due to (a) the unavailability of sufficient units since most units within the District were either in disrepair or being used for storage while the buildings at all District schools were inspected and repaired, (b) most units did not have operational fire alarms and did not pass inspection, and (c) the long lead time, up to 4 months, and expense involved in obtaining additional units; (iv) the possibility of bussing students to other sites was rejected due to the unavailability of sufficient school buses and the sheer impossibility of transporting 9,500 students to different sites around the County; (v) the possibility of extending the 2009-10 school year, which was rejected due to the excessive cost and because the District did not have the cash reserve on hand to meet additional payroll and maintenance costs; and (vi) the possibility of offering double sessions through the end of school year 2009-10, which was rejected due to objections from union representatives.

The District staff indicates that several successful efforts were undertaken to make up instructional time, including (i) web-based instruction through activities such as Cyber High (grades 10-12) and Educational Website (grades 2-6); (ii) providing and collecting completed educational packets on standards and skills (grades K-12) and educational CD assignments (grades

[Continued on next page...]

K-12); (iii) completing Study Island and Success Maker assignments for grades K-6; (iv) offering tutoring sessions for students in grades 4-12; (v) providing AP testing and tutoring for grades 10-12; and (vi) operating a parent "Drop-in-Center" to advise parents of educational activities available for all grade levels.

PLAN TO MAKE-UP TIME FOR AFFECTED STUDENTS AND AFFECTED GRADE LEVELS

The Audit Findings reflect 1-4 days of **instructional minutes** shortage (Audit Finding 17), but a shortage of 2-7 days of operation of the schools (Audit Finding 18). The minutes and days for which the Waiver is being sought, are as follows:

Affected Grade Level	EC Section 46201.2 Instructional Minutes(Days) of Requested Waiver	EC Section 46200(c) Number of Days of Requested Waiver	EC Section 41420(b)* Days for which Only a Penalty Waiver is Requested
Kinder	0	5	2
1-6	333min (1.1 day)	5	2
7-8	753min (2.3 days)	2	
9	1,607min (4.5 days)	2	
10-12	1,458min (4.1 days)	5	

* The District understands that the SBE may not waive the violation of this Section of the Education Code and is requesting a waiver of the penalties only.

To make-up the minutes and days of instruction that were not provided during 2009-10 due to the earthquake closures, the District determined to continue to offer 180 days of instruction during 2010-11 instead of reducing the calendar year to 175 days of instruction pursuant to EC Section 46201.2. The District also plans to offer 180 days of instruction in its 2011-12 school calendar for all grade levels K-12. Assuming a baseline of 175 days of instruction pursuant to Section 46201.2, the proposed make-up calendar is as follows, in compliance with Education Code Section 46206(b), taking into consideration the 5 days already added to this school year:

Affected Grade Level	2010-11 Additional Days Per 46206(b)	2011-12 Additional Days Per 46206(b)
K-12	5	5

In connection with the waiver of the portion of Finding 2010-18 relating to the violation of Education Code Section 41420(b), the District would also continue to offer 180 days of instruction and not reduce the equivalent of up to five days of instruction or the equivalent number of instructional minutes during school calendar in year 2012-13.

5. Required Attachments: **Please Refer to Attachments I to III.**

- Copy of the audit finding and local educational agency response.
- At least two years worth of proposed bell schedule(s) and school calendar(s) for the required make-up of time, showing all full and partial instructional days, student free days, etc.
- Summary of instructional minute totals, daily and annually, including the state minimum by grade(s) and the 1982-83 requirements for the district/school for the two years of waiver make-up.

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title: Interim Superintendent	Date:
Signature of SELPA Director (Only if a Special Education Waiver under EC 56101)		Date:
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

CALEXICO UNIFIED SCHOOL DISTRICT
SCHEDULE OF AUDIT FINDINGS AND QUESTIONED COSTS
 June 30, 2010

Section IV – Schedule of State Award Findings and Questioned Costs (Continued)

FINDING 2010-17
INSTRUCTIONAL MINUTES
40000

Criteria:

For any school district that received longer day incentive funding and reduces the amount of instructional minutes below the required minutes specified in Education Code 46201(a)(3), or below the amount of minutes that were offered in the 1982-83 base year, whichever is greater, then the State Superintendent of Public Instruction (SSPI) shall withhold from the District's revenue limit apportionment for the average daily attendance (ADA) for the affected grade level ADA, the sum of the apportionment multiplied by the percentage of the minimum offered minutes at each grade level that the District failed to offer.

For fiscal years 2009-10 through 2012-13, EC 46201.2 allows LEAs to reduce the number of days offered by 5, and reduce the annual minutes offered by the equivalent of 5 days. To determine the minimum number of required minutes, multiply the number of minutes required in 2008-09 by 175/180.

Condition:

During our review of the instructional minutes and days, we noted that the District was not offering the required minutes and days during fiscal year 2010.

Effect:

The District is not in compliance with Education Code Section 46201.2.

Cause:

Due to the earthquake on April 4, 2010 and numerous aftershocks, the District was forced to close most of the schools for 17 days, one elementary closed 22 days, and Calexico high school closed 20 days for repair work done and safety of the students. The District was allowed a 10 day waiver from the Imperial County Office of Education and was therefore not in compliance with the instructional minutes and days requirement.

Questioned Costs:

Affected Grade Level (a)	Minutes Short (b)	ADA Per Grade Level (c)	Required Minutes (d)	% of Minutes Not Offering (e) (b)/(d)	Base Revenue Limit w / Deficit (f)	Apportionment Per Grade Level (g) (c)*(f)	Penalty (h) (g)*(e)
1	333	605	49,000	0.68%	5,215	\$ 3,154,136	\$ 21,448
2	333	623	49,000	0.68%	5,215	3,246,598	22,077
3	333	650	49,000	0.68%	5,215	3,389,959	23,052
4	753	643	52,500	1.43%	5,215	3,353,767	47,959
5	753	656	52,500	1.43%	5,215	3,419,215	48,895
6	753	684	52,500	1.43%	5,215	3,566,799	51,005
9	1,607	705	63,000	2.55%	5,215	3,675,584	93,727
10	1,458	725	63,000	2.31%	5,215	3,782,179	87,368
11	1,458	660	63,000	2.31%	5,215	3,441,952	79,509
12	1,458	600	63,000	2.31%	5,215	3,130,930	72,324
						Total Penalty	\$ 547,364

CALEXICO UNIFIED SCHOOL DISTRICT
SCHEDULE OF AUDIT FINDINGS AND QUESTIONED COSTS
June 30, 2010

Section IV – Schedule of State Award Findings and Questioned Costs (Continued)

FINDING 2010-17
INSTRUCTIONAL MINUTES (Continued)
40000

Recommendation:

The District should apply for state board of education waiver or file an appeal with Education Audit Appeals Panel or pay the penalty to the State.

LEA's Corrective Action Plan:

The District is in the process of applying for a State Board of Education Waiver and/or filing an appeal with the State.

FINDING 2010-18
INSTRUCTIONAL MINUTES
40000

Criteria:

According to Education Code Section 146200(c), "*For any school district that received longer year incentive funding in 1984-85 and that offers less than 180 days of instruction, or 163 days in multi-track year-round schools, then the SSPI shall withhold from the district's revenue limit apportionment for the average daily attendance for each affected grade level, the sum of 0.0056 multiplied by the apportionment, for each day less than 180 for traditional schools, or, 163 in multi-track year-round schools.*"

For fiscal years 2009-10 through 2012-13, EC 46201.2 allows LEAs to reduce the number of days offered by 5, and reduce the annual minutes offered by the equivalent of 5 days.

According to Education Code Section 41420(a), "*No school district, other than one newly formed, shall, except as otherwise provided in this article, receive any apportionment based upon average daily attendance from the State School Fund unless it has maintained the regular day schools of the district for at least 175 days during the next preceding fiscal year.*"

According to Education Code Section 41420(b), "*If any school district fails to maintain its school for the required 175 days, the Superintendent of Public Instruction shall withhold from the district's apportionment based upon average daily attendance a product of 0.01143 times the district's apportionment for each additional day the school would have had to maintain operations to meet the 175 day requirement. For the purpose of this subdivision, except as otherwise provided, the State Board of Education shall establish the standards and criteria for defining a day qualifying for the 175-day minimum requirement.*"

Condition:

During our review of the instructional minutes and days, we noted that the District was not offering the required minutes and days during fiscal year 2010.

Effect:

The District is not in compliance with Education Code Section 46201.2 and 41420(a)

Cause:

Due to the earthquake on April 4, 2010 and numerous aftershocks, the District was forced to close most of the schools for 17 days, one elementary closed 22 days, and Calexico high school closed 20 days for repair work done and safety of the students. The District was allowed a 10 day waiver from the Imperial County Office of Education and was therefore not in compliance with the instructional minutes and days requirement.

CALEXICO UNIFIED SCHOOL DISTRICT
SCHEDULE OF AUDIT FINDINGS AND QUESTIONED COSTS
 June 30, 2010

Section IV – Schedule of State Award Findings and Questioned Costs (Continued)

FINDING 2010-18
INSTRUCTIONAL MINUTES (Continued)
40000

Questioned Costs:

Education Code 46200(c)

Grade Level (a)	Number of Days Under 175 (b)	Affected Grade Level ADA (c)	Base Revenue Limit w / Deficit (d)	Penalty Factor (e)	Apportionment Affected Grade Level (f) (c)*(g)	Penalty (g) (b)*(e)*(f)
K-6	5	4,401	5,215	0.0056	\$ 22,951,215	\$ 642,634
7-9	2	2,351	5,215	0.0056	12,260,465	137,317
10-12	5	1,986	5,215	0.0056	10,356,990	289,996

Penalty under EC 46200(c) \$ 1,069,947

Education Code 41420(b)

Grade Level (a)	Number of Days Under 170 (b)	Entire District ADA (c)	Base Revenue Limit w / Deficit (d)	Penalty Factor (e)	Apportionment Affected Grade Level (f) (c)*(g)	Penalty (g) (b)*(e)*(f)
K-6	2	8,738	5,215	0.0114	\$ 45,568,670	\$ 1,041,700

Penalty under EC 41420(b) \$ 1,041,700

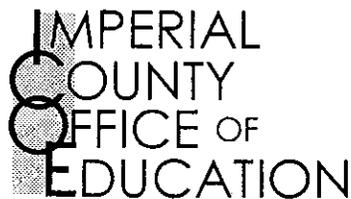
Total Penalty \$ 2,111,647

Recommendation:

The District should apply for a State Board of Education waiver or file an appeal with Education Audit Appeals Panel; otherwise the District will have to incur penalty fees.

LEA's Corrective Action Plan:

The District is in the process of applying for a State Board of Education waiver and/or filing an appeal with the State.



1398 SPERBER ROAD • EL CENTRO, CALIFORNIA 92243 • (760) 312-6464 • FAX (760) 312-6565

ANNE J. MALLORY
SUPERINTENDENT

November 18, 2011

Ms. Sue Burr, Executive Director
California State Board of Education
1430 N Street, Suite 5111
Sacramento, California 95814

RE: Support of Recommendation by California Department of Education of the Calexico Unified School District's Specific Waiver Request, Form ITAP-1 (Education Code 46206)

Dear Ms. Burr:

I write in support of the CDE recommendation to the State Board of Education that it approve the specific waiver request from Calexico Unified School District (CUSD) in accordance with Education Code 46206, Form ITAP-1.

It is my understanding from Mr. Scott Hannan that the CDE has closely reviewed documentation submitted by the CUSD related to instructional days and minutes requirements. The CDE has determined after a careful and detailed analysis that the CUSD has/is making up the lost instructional minutes and days from the 2009-2010 academic year to a level that meets the threshold of State Board of Education approval.

I understand that I have no approval or disapproval authority on this matter; however I want to go on the record to support the CDE recommendation. Calexico Unified School District serves some of the most impoverished children in our state; they need and deserve the required instructional time afforded to all children in California. I support the recommendation from the California Department of Education with the understanding that the Calexico Unified School District has/is making up the lost instructional time.

Respectfully,

A handwritten signature in black ink, appearing to read "Anne J. Mallory", is written over a light gray background.

Anne Mallory, Imperial County Superintendent of Schools

Cc: Scott Hannan
Christine Gordon

County Board of Education

Sharon Anderholt

Alicia Armenta

Herlinda Belcher

Susan E. Manger

James Strain



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM W-8



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

General Waiver

SUBJECT Request by New Jerusalem Elementary School District for Delta Charter School to waive <i>California Code of Regulations</i> , Title 5, Section 11960(a), to allow the charter school attendance to be calculated as if it were a regular multi-track school. Waiver Number: New Jerusalem Elementary 19-9-2011	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Consent
--	---

RECOMMENDATION

Approval Approval with conditions Denial

The California Department of Education (CDE) recommends approval of this waiver for New Jerusalem Elementary (19-9-2011) with the following conditions:

1. The charter school will operate four tracks; each will offer a minimum of 175 days and required number of minutes.
2. For each track, each charter school will offer the minimum annual instructional minutes as specified by *EC* Section 47612.5.
3. No track will have fewer than 55 percent of its school days completed prior to April 15.
4. ADA will be calculated separately for each track by the method set forth in 5 *CCR*, Section 11960, and then the resulting attendance figures will be totaled.
5. For each pupil attending more than one track over the course of the fiscal year, including intersessions, attendance must be calculated individually by pupil. In that event, the charter school is directed to work with the CDE to determine the appropriate method for configuring individual student's average daily attendance (ADA) to ensure that each student does not generate more than one ADA.
6. The waiver is approved for the 2011-12 fiscal year.
7. The charter school has a waiver to offer two tracks (1-8-2009), which was approved as a permanent waiver as long as the information in the waiver request remained current. Because the number of tracks and other relevant information have changed at the school, the permanent waiver is hereby rescinded.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At its July 2000 meeting, the State Board of Education (SBE) approved SBE's Policy #00-05 Charter School ADA: Alternative Calculation Method, available at <http://www.cde.ca.gov/re/lr/wr/documents/charterschoolada.doc>, which applies to this waiver request. Many multi-track calendar waivers for charter schools have been approved by the SBE in the past eleven years.

SUMMARY OF KEY ISSUES

Section 11960(a) of 5 CCR defines regular ADA in a charter school and establishes the calculation for determining ADA. The calculation divides the total number of pupil-days attended by the total number of days school was actually taught. This section also requires a proportional reduction in a charter school's funding for each day less than 175 days if the school operates fewer than 175 days in any fiscal year.

As referenced in the SBE Policy #00-05:

"Attendance" means the attendance of charter school pupils while engaged in educational activities required of them by their charter schools, on days when school is actually taught in their charter schools. "Regular average daily attendance" shall be computed by dividing a charter school's total number of pupil-days of attendance by the number of calendar days on which school was actually taught in the charter school. For purposes of determining a charter school's total number of pupil-days of attendance, no pupil may generate more than one day of attendance in a calendar day.

A multi-track calendar waiver is typically requested by charter schools that operate on a multi-track, year-round education calendar in order to claim the full ADA. In a multi-track calendar, the total number of days that school is taught may exceed 200 days. However, each track of students is only provided instruction for the number of days in a given track, typically 175 or 180 days. Therefore, a waiver is necessary for a multi-track charter school to separately calculate ADA in each track, rather than for the school as a whole.

New Jerusalem Elementary is requesting this waiver to accommodate additional student growth. The Delta Charter School will be operating on four different tracks ranging from 178 to 182 days. The school has an online program that is a self paced program, which allows students a variety of options to complete their course work. Classes in science, math and language are taught on site.

Waivers of this section of regulations will allow the schools to operate multiple tracks with the required minimum days of instruction and separately calculate the ADA for each track, rather than for ADA in the aggregate. This is consistent with how ADA is calculated for a regular school with multiple tracks. No track has fewer than 55 percent of its school days occurring prior to April 15, one criterion of the SBE waiver policy.

SUMMARY OF KEY ISSUES (Cont.)

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in EC 33051(a). The state board shall approve any and all requests for waivers except in those cases where the board specifically finds any of the following: (1) The educational needs of the pupils are not adequately addressed. (2) The waiver affects a program that requires the existence of a schoolsite council and the schoolsite council did not approve the request. (3) The appropriate councils or advisory committees, including bilingual advisory committees, did not have an adequate opportunity to review the request and the request did not include a written summary of any objections to the request by the councils or advisory committees. (4) Pupil or school personnel protections are jeopardized. (5) Guarantees of parental involvement are jeopardized. (6) The request would substantially increase state costs. (7) The exclusive representative of employees, if any, as provided in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, was not a participant in the development of the waiver.

Demographic Information: Delta Charter School has a student population of 750 and is located in rural southeast Tracy, in San Joaquin County.

Authority for Waiver: EC Section 33050

Period of request: July 1, 2011 to June 30, 2012

Local board approval date(s): August 9, 2011

Public hearing held on date(s): August 9, 2011

Bargaining unit(s) consulted on date(s): August 19, 2011

Name of bargaining unit/representative(s) consulted: Carol Castaneda, President, New Jerusalem Educators Association

Position of bargaining unit(s) (choose only one):

Neutral Support Oppose:

Comments (if appropriate):

Public hearing advertised by (choose one or more):

posting in a newspaper posting at each school other (specify)

Public hearing flyers were posted at Delta Charter School offices, New Jerusalem Elementary School District office, Tracy Fire Department, and River Club main building

Advisory committee(s) consulted: New Jerusalem schoolsite council

Objections raised (choose one): None Objections are as follows:

Date(s) consulted: August 19, 2011

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of waiver approval.

ATTACHMENT(S)

Attachment 1: General Waiver Request (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 2: Calendar Track One 2011-12 Delta Charter School (1 page)

Attachment 3: Calendar Track Two 2011-12 Manteca GVA (1 page)

Attachment 4: Calendar Track Three 2011-12 Delta Charter School Able (1 page)

Attachment 5: Calendar Track Four 2011-12 Delta Charter Teen Triumph (1 page)



California State Board of Education Policy

POLICY #

00-05

WAIVER GUIDELINES

DATE

Charter School Average Daily Attendance: Alternative Calculation Method

July 2000

REFERENCES

Education Code (EC) Sections 33050 et seq. (General Waiver Authority), 41420 (Minimum Instructional Days, Attendance Reporting), 46301 (Independent Study Apportionments), and 47612 (Minimum Instructional Minutes).

HISTORICAL NOTES

None.

Title 5, California Code of Regulations (5 CCR), Section 11960:
Regular Average Daily Attendance for Charter Schools.

5 CCR 11960 defines regular average daily attendance (ADA) in a charter school, and established the calculation for determining ADA. The calculation divides the total number of pupil-days attended by the total number of days school was actually taught. This section also requires a proportional reduction in a charter school's funding for each day less than 175 if the school operates fewer than 175 days in any fiscal year. Specifically, the section states:

(a) As used in *EC* Section 47612, "attendance" means the attendance of charter school pupils while engaged in educational activities required of them by their charter schools, on days when school is actually taught in their charter schools. "Regular average daily attendance" shall be computed by dividing a charter school's total number of pupil-days of attendance by the number of calendar days on which school was actually taught in the charter school. For purposes of determining a charter school's total number of pupil-days of attendance, no pupil may generate more than one day of attendance in a calendar day.

(b) The State Superintendent of Public Instruction shall proportionately reduce the amount of funding that would otherwise have been apportioned to a charter school on the basis of average daily attendance for a fiscal year, if school was actually taught in the charter school on fewer than 175 calendar days during that fiscal year.

Background

This waiver is typically requested by charter schools that operate on a multi-track year-round education calendar. In a multi-track calendar, the *total* number of days that school is taught may actually exceed 200 days. However, each track of students is only provided instruction for the number of days in a given track, typically 175 days. Therefore, a waiver would be necessary for a multi-track charter school to separately calculate ADA in each track, rather than for the school as a whole.

California State Board of Education

1430 N Street, Suite 5111
Sacramento, California 95814
(916) 319-0827
(916) 319-0175 (fax)



Evaluation Guidelines

A waiver of this regulation is necessary for a charter school that operates on a multi-track calendar to separately calculate ADA in each track, rather than using the total number of days school is actually taught as the basis for a single, overall ADA calculation. In order to evaluate any such waiver request, the State Board of Education (SBE) asks that those districts applying for such a waiver provide documentation which the California Department of Education (CDE) professional staff are then asked to use in reviewing and making recommendations about the request. The waiver request should include the following:

1. Identification of the charter school for which the district is requesting the waiver;
2. A copy of the charter school's calendar for the year(s) for which the waiver is requested;
3. The number of tracks that the school operates;
4. The total number of days school is taught in the charter school;
5. The total number of days school is taught in each track; and,
6. The reason why the school is operating on multi-track.

Possible reasons for operating a multi-track calendar might include:

- The charter school is a conversion of an existing school which operated on a multi-track calendar prior to conversion.
- The school has limited facilities which require multi-track operation to adequately house the pupil population.
- The educational program, or target population of the school is best served by offering multiple tracks, for reasons explained in the waiver application.

In addition to a description of the school's program as set forth above, the waiver request must provide assurances that the charter school will meet the following terms as a condition of approval of the waiver:

1. If the charter school is a start-up school, it will operate not more than five tracks; if it is a conversion school, it will operate no more than the number of tracks it operated prior to conversion;
2. If the charter school is a start-up school, each track will operate a minimum of 175 days; if the charter school is a conversion school, the school may continue its



previous schedule as long as it provides no less than 163 days of instruction in each track;

3. For each track, the charter school will provide the total number of instructional minutes contained in Education Code Section 46201.5(a)(2);
4. No track will have fewer than 55 percent of its school days prior to April 15; and
5. ADA will be calculated separately for each track by the method set forth in 5 CCR 11960, and then the resulting figures will be totaled.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: _____

Renewal Waiver: _____

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	9	6	8	6	2	7

Local educational agency: New Jerusalem Elementary School District/Delta Charter School		Contact name and Title: Lisa McHugh		Contact person's e-mail address: lmchugh@sjcoe.net	
Address: (City) (State) (ZIP)		Phone (and extension, if necessary):		Date of public hearing: (Required)	
31400 S. Koster Road Tracy CA 95304		209-835-2597 ext 102		August 9, 2011	
Period of request: (month/day/year)		Local board approval date: (Required)		Date of public hearing: (Required)	
From: July 1, 2011 To: June 30, 2012		August 9, 2011		August 9, 2011	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): _____ Circle One: *EC* or *CCR*

Topic of the waiver: Delta Charter School is requesting to operate 4 multi track calendars for 2011/12 school year.

2. If this is a renewal of a previously approved waiver, please list Waiver Number: _____ and date of SBE Approval _____
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? ___ No ___ Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): August 19, 2011 jb 10/11/11

Name of bargaining unit and representative(s) consulted: New Jerusalem Educators Association/Carol Castaneda

The position(s) of the bargaining unit(s): Neutral ___ Support ___ Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised? Public Hearing Flyers were posted at Delta Charter School Offices, New Jerusalem Elementary School District Office, Tracy Fire Department, River Club Main Building

Notice in a newspaper ___ Notice posted at each school Other: (*Please specify*)

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: August 19, 2011

Were there any objection(s)? No Yes ___ (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).
41420 Waiver to operate a multi track calendar for Delta Charter School.
Track 1 August 22, 2011 thru June 1, 2012 178 days
Track 2 August 15, 2011 thru June 1, 2012 178 days
Track 3 September 26, 2011 thru June 30, 2011 182 days
Track 4 August 15, 2011 thru June 18, 2011 179 days

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

The rationale for the multi track calendar for Delta Charter School is to accommodate additional student growth. The Delta Charter School will be operating on four different tracks ranging from 178 days to 182 days. The online program is a self paced program which allows students a variety of options to completing their course work. The on site calendar accommodates for on-site classes in Science, Math, and Language.

8. Demographic Information:
Delta Charter School has a student population of 750 and is located in a rural south east Tracy, CA. a part of San Joaquin County

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title: Superintendent	Date: August 9, 2011
--	--------------------------	-------------------------

FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

DELTA CHARTER SCHOOL K-12 2011-2012 SCHOOL CALENDAR																FIRST DAY OF SCHOOL: August 22, 2011 FIRST DAY OF ONSITES: August 29, 2011										
																District & State Assessments										
M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F							
JULY					JULY					JULY					JULY					STAFF	District Assessments - 8/23/10 - 9/03/11 4/23/12-05/04/12					
				1	4	5	6	7	8	11	12	13	14	SS E 15	18	19	20	21	22		STAR Testing - 4/23/12-05/04/12					
JULY/AUGUST					AUGUST					AUGUST					AUGUST						5	CAHSEE Testing - CT				
25	26	27	28	29	1	2	3	4	5	8	F1 9	F2 10	F3 11	12	15	16	17	18	19			English Math Grade Levels				
AUGUST					AUG/SEPT					SEPTEMBER					SEPTEMBER						19	26-Jul-11	27-Jul-11	12		
22	23	24	25	26	29	30	31	1	2	H 5	6	7	8	9	12	13	14	15	16			4-Oct-11	5-Oct-11	12		
SEPTEMBER					SEPTEMBER					OCTOBER					OCTOBER						20	1-Nov-11	2-Nov-11	11,12		
19	20	21	22	23	26	27	28	29	30	1 3	1 4	1 5	1 6	1 7	1 10	1 11	1 12	1 13	1 14			7-Feb-12	8-Feb-12	11,12		
OCTOBER					OCTOBER					OCT/NOV					NOVEMBER						18	13-Mar-12	14-Mar-12	10, 12		
				Q1 21	24	25	26	27	28	31	1	2	3	4	7	8	9	10	IS 11			8-May-12	9-May-12	11,12, 10 make up		
NOVEMBER					NOVEMBER					NOV/DEC					DECEMBER						15	PLP Schedule				
1	1	1	1	1	H	H	H	H	H	1	1	1	1	1	1	1	1	1	1			PLP 1	9/19/11 - 09/30/11	Modified On-Site Schedule		
14	15	16	17	18	21	22	23	24	25	28	29	30	1	2	5	6	7	8	9		PLP 2	10/31/11 - 11/09/11	Modified On-Site Schedule			
DECEMBER					DECEMBER					DECEMBER					JANUARY						10	PLP 3	01/02/12 - 01/13/12	Modified On-Site Schedule		
12	13	14	15	16	H	H	H	H	H	H	H	H	H	H	2	3	4	5	6			PLP 4	02/14/12 - 02/24/12	Modified On-Site Schedule		
JANUARY					JANUARY					JANUARY					JAN/FEB						19	PLP 5	03/26/12 - 04/05/12	Modified On-Site Schedule		
9	10	11	12	13	H	IS	IS	IS	IS	1	1	1	1	1	1	1	1	1	1			PLP 6	05/21/12 - 06/01/12	No On-Site Classes		
FEBRUARY					FEBRUARY					FEBRUARY					FEB/MARCH						18	4/23/12 - 5/4/12 Senior Portfolio Presentations				
6	7	8	9	10	H	14	15	16	17	H	20	21	22	23	24	1	27	28	29			1	2	Speech and Debate Schedule		
MARCH					MARCH					MARCH					MARCH/APRIL						20	Date	Tournament	Location		
5	6	7	8	9	12	CT	CT	14	15	16	19	20	IS	21	22	23	26	27	28	29		30				
APRIL					APRIL					APRIL					APRIL					14						
2	3	4	5	H	H	H	H	H	H	16	17	18	19	20	S	T	A	R	23		24	25	26	27		
APR/MAY					MAY					MAY					MAY					20						
S	T	A	R	3	4	7	8	9	10	11	14	15	16	17	18	21	22	23	24		25					
MAY/JUNE					JUNE					JUNE					JUNE					6						
H	28	29	DCE 30	31	1	4	5	6	7	8	11	12	F4 13	14	15	SS 18	19	20	21		22					
JULY					JULY					JULY					JULY					178						
25	26	27	28	29	2	3	4	5	6	9	10	11	12	13	16	17	18	19	20							
(L) & (B) - Legal or Board designated Holiday										1st Semester - 8/22/11 2nd Semester - 01/17/12																
• First Day of School - August 22, 2010 - • Last Day of School - June 1, 2012 • Certificated Last Work Day June 5, 2012					PLP Days					Staff Days - No On-Site Classes																
					School Day					February 24th last day to complete INC for 1st semester credit																
Summer School - June 18 - July 20, 2012					DCE Graduation - May 30, 2012 @ 6:30 p.m.																					
STAR TESTING DAYS					DCHS Graduation - Saturday, June 2, 2012																					
STUDENT REGISTRATION					INDEPENDENT STUDY DAY - NO STAFF																					
STAFF FLOAT DAY					LAB MAKE-UP - May 7, 2012 - May 18, 2012																					

Pending NJES Board Approval

**New Jerusalem Elementary School District
2011/2012
Great Valley Academy**

	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F
	JULY					JULY					JULY					JULY				
					1	4	5	6	7	8	11	12	13	14	15	18	19	20	21	22
5	JULY					AUGUST					AUGUST					AUGUST				
	25	26	27	28	29	1	2	3	4	5	8	9	10	11	12	15	16	17	18	19
19	AUGUST					AUGUST/SEPTEMBER					SEPTEMBER					SEPTEMBER				
	22	23	24	25	26	29	30	31	1	2	X 5	6	7	8	9	12	13	14	15	16
20	SEPTEMBER					SEPTEMBER					OCTOBER					OCTOBER				
	19	20	21	22	23	26	27	28	29	30	3	4	5	6	7	10	11	12	13	14
14	OCTOBER					OCTOBER					OCTOBER/NOVEMBER					NOVEMBER				
	X 17	X 18	X 19	X 20	X 21	24	25	26	27	28	31	1	2	3	4	7	8	9	10	X 11
17	NOVEMBER					NOVEMBER					NOVEMBER/DECEMBER					DECEMBER				
	14	15	16	17	18	21	22	X 23	X 24	X 25	28	29	30	1	2	5	6	7	8	9
10	DECEMBER					DECEMBER					DECEMBER					JANUARY				
	12	13	14	15	16	X 19	X 20	X 21	X 22	X 23	X 26	X 27	X 28	X 29	X 30	2	3	4	5	6
19	JANUARY					JANUARY					JANUARY					JANUARY/FEBRUARY				
	9	10	11	12	13	X 16	17	18	19	20	23	24	25	26	27	30	31	1	2	3
19	FEBRUARY					FEBRUARY					FEBRUARY					FEBRUARY/MARCH				
	6	7	8	9	10	13	14	15	16	17	X 20	21	22	23	24	27	28	29	1	2
15	MARCH					MARCH					MARCH					MARCH				
	5	6	7	8	9	X 12	X 13	X 14	X 15	X 16	19	20	21	22	23	26	27	28	29	30
19	APRIL					APRIL					APRIL					APRIL				
	2	3	4	5	X 6	9	10	11	12	13	16	17	18	19	20	23	24	25	26	27
20	APRIL/MAY					MAY					MAY					MAY				
	30	1	2	3	4	7	8	9	10	11	14	15	16	17	18	21	22	23	24	25
4	MAY/JUNE					JUNE					JUNE					JUNE				
	X 28	29	30	31	1	4	5	6	7	8	11	12	13	14	15	18	19	20	21	22
	JUNE																			
	25	26	27	28	29															

8/15 first day of school

6/1 last day of school

181	Total Days of schools
-----	-----------------------

Prepared by the New Jerusalem Elementary School District for posting at the California Department of Education Web site
Dated December 16, 2011

**DELTA CHARTER SCHOOL
ABLE
2011-2012 SCHOOL CALENDAR**

**FIRST DAY OF SCHOOL: September 26, 2011
LAST DAY OF SCHOOL: July 23, 2012**

M					T					W					T					F					District & State Assessments		
SEPTEMBER					SEPTEMBER					OCTOBER					OCTOBER					District Assessments - 9/27/2011-10/7/2011 5/14/2012-5/25/2012							
19	20	21	22	23	S1 26	27	28	29	30	1	1	1	1	1	1	1	1	1	1				10	11	12	13	14
OCTOBER					OCTOBER					OCT/NOV					NOVEMBER					STAR Testing - 5/14/2012 - 5/25/2012							
17	18	19	20	21	24	25	26	27	28	31	1	2	3	4	7	8	9	10	11	CAHSEE Testing - CT							
NOVEMBER					NOVEMBER					NOV/DEC					DECEMBER					English	Math	Grade Levels					
1	1	1	1	1				H	H	1	1	1	1	1	1	1	1	1	1	26-Jul-11	27-Jul-11	12					
14	15	16	17	18	21	22	23	24	25	28	29	30	1	2	5	6	7	8	9	4-Oct-11	5-Oct-11	12					
DECEMBER					DECEMBER					DECEMBER					JANUARY					1-Nov-11	2-Nov-11	11,12					
12	13	14	15	16	H	H	H	H	H	H	H	H	H	H	H	cwq				7-Feb-12	8-Feb-12	11,12					
JANUARY					JANUARY					JANUARY					JAN/FEB					13-Mar-12	14-Mar-12	10, 12					
9	10	11	12	13	H					1	1	1	1	1	1					8-May-12	9-May-12	11,12, 10 make up					
FEBRUARY					FEBRUARY					FEBRUARY					FEB/MARCH					Midterms 11/29/2011-11/30/2011 5/1/2012-5/2/2012							
6	7	8	9	10	13	14	15	16	17	H	S2				1					Finals 11/29/2011-11/30/2011 7/18/2012-7/19/2012							
MARCH					MARCH					MARCH					MARCH/APRIL												
5	6	7	8	9	12	13	14	15	16	H	H	H	H	H	CSPQ												
APRIL					APRIL					APRIL					APRIL												
2	3	4	5	6	9	10	11	12	13	16	17	18	19	20	23	24	25	26	27								
APR/MAY					MAY					MAY					MAY												
30	1	2	3	4	7	8	9	10	11	STAR TESTING					STAR TESTING												
MAY/JUNE					JUNE					JUNE					JUNE												
H	28	29	30	31	1	4	5	6	7	8	11	12	13	14	15	H	H	H									
JUNE					JULY					JULY					JULY												
25	26	27	28	29	CSUQ		H																				
JULY					JULY/AUGUST					AUGUST					AUGUST												
23	24	25	26	27	30	31	1	2	3	6	7	8	9	10	13	14	15	16	17								
(L) & (B) - Legal or Board designated Holiday					1st Semester - 9/26/2011					2nd Semester - 2/21/2012																	
School Day					Midterms					Finals					STAR Testing												
College Winter Quarter Begins - 1/3/2012					Graduation July 20, 2012																						
College Spring Quarter Begins - 3/26/2012					First Day of School 9/26/2011																						
College Summer Quarter Begins - 7/2/2012					Last Day of School 7/23/2012																						



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM W-9



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

Specific Waiver

<p>SUBJECT</p> <p>Request by nine local educational agencies under the authority of California <i>Education Code</i> Section 52863 for waivers of <i>Education Code</i> Section 52852, relating to schoolsite councils regarding changes in shared, composition, or shared and composition members.</p> <p>Waiver Numbers: Banning Unified 22-10-2011 Glendale Unified 3-8-2011 Golden Valley Unified 22-8-2011 Gustine Unified 32-6-2011 Igo-Ono-Platina Union Elementary 1-10-2011 Kernville Union Elementary 18-10-2011 Lewiston Elementary 2-10-2011 River Delta Joint Unified 23-9-2011 Silver Valley Unified 22-9-2011</p>	<p><input checked="" type="checkbox"/> Action</p> <p><input checked="" type="checkbox"/> Consent</p>
---	--

RECOMMENDATION

Approval Approval with conditions Denial

The California Department of Education recommends approval with the following conditions: See Attachment 1.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Specific authority is provided in California *Education Code (EC)* Section 52863 to allow the State Board of Education (SBE) to waive the Schoolsite Council (SSC) requirements of the School-Based Coordination Program (SBCP) Act that would hinder the success of school-based programs. These waivers must be renewed every two years.

SUMMARY OF KEY ISSUES

Banning Unified School District is requesting a shared SSC and composition changes for New Horizons Continuation High School (fewer than 120 students in grades ten to twelve) and Banning Independent Study School (fewer than 120 students in kindergarten and grades one to twelve). Both schools are located in a small city.

SUMMARY OF KEY ISSUES (Cont.)

Glendale Unified School District is requesting a shared SSC for Jewel City Community Day School (2 teachers serving 1 to 15 students in grades seven to ten) and Daily Continuation High School (21 teachers serving approximately 300 students in grades nine to twelve). Both schools are located in an urban area.

Golden Valley Unified School District is requesting a shared SSC changes for Independence Continuation (2 teachers serving 16 students in grades seven to twelve), Centennial Independent Study (1 teacher serving 29 students in grades seven to twelve), Lincoln Community Day (1 teacher serving 7 students in grades seven to twelve), Valley Teen Ranch (2 teachers serving 21 students in grades seven to twelve), and Children's Hospital (1 teacher serving 17 students in grades seven to twelve). All five schools are located in a rural area.

Gustine Unified School District is requesting a shared SSC for Pioneer Continuation High School (7 to 20 students in grades seven to twelve) and Gustine High School (505 students in grades eleven to twelve). Twenty-six teachers share duties across the schools. Both schools are located in a rural area.

Igo-Ono-Platina Union Elementary School District is requesting a shared SSC and composition changes for Igo-Ono Elementary School (4 teachers serving 65 students in kindergarten and grades one to six) and Platina Elementary School (1 teacher serving 7 students in kindergarten and grades one to six). Both schools are located in a rural area.

Kernville Union Elementary School District is requesting a shared SSC for Kernville Elementary School (4 teachers serving 91 students in kindergarten and grades one to three) and Woodrow Wallace Elementary School (12 teachers serving 338 students kindergarten and grades one to four). Both schools are located in a rural area.

Lewiston Elementary School District is requesting SSC composition changes for Lewiston Elementary School (3 teachers serving 55 students in kindergarten and grades one to eight). The school is located in a rural area.

River Delta Joint Unified School District is requesting a shared SSC for Delta High School (10 teachers serving 184 students in grades seven to eight) and Clarksburg Middle School (10 teachers serving 257 students in kindergarten and grades one to six). Both schools are located in a rural area.

Silver Valley Unified School District is requesting SSC composition changes for Silver Valley Unified School District Alternative Education Center (8 teachers serving 40 to 60 students in grades seven to twelve). The school is located in a rural area.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of waiver approval.

ATTACHMENT(S)

Attachment 1: Local Educational Agencies Requesting a Schoolsite Council Waiver (5

pages)

- Attachment 2: Specific Waiver Request Banning Unified School District 22-10-2011 (3 pages) (Original waiver request is signed and on file in the CDE Waiver Office.)
- Attachment 3: Specific Waiver Request Glendale Unified School District 3-8-2011 (3 pages) (Original waiver request is signed and on file in the SBE Office or the CDE Waiver Office.)
- Attachment 4: Specific Waiver Request Golden Valley Unified School District 22-8-2011 (2 pages) (Original waiver request is signed and on file in the CDE Waiver Office.)
- Attachment 5: Specific Waiver Request Gustine Unified School District 32-6-2011 (2 pages) (Original waiver request is signed and on file in the CDE Waiver Office.)
- Attachment 6: Specific Waiver Request Igo-Ono-Platina Union Elementary School District 1-10-2011 (3 pages) (Original waiver request is signed and on file in the CDE Waiver Office.)
- Attachment 7: Specific Waiver Request Kernville Union Elementary School District 18-10-2011 (2 pages) (Original waiver request is signed and on file in the CDE Waiver Office.)
- Attachment 8: Specific Waiver Request Lewiston Elementary School District 2-10-2011 (3 pages) (Original waiver request is signed and on file in the CDE Waiver Office.)
- Attachment 9: Specific Waiver Request River Delta Joint Unified School District 23-9-2011 (2 pages) (Original waiver request is signed and on file in the CDE Waiver Office.)
- Attachment 10: Specific Waiver Request Silver Valley Unified School District 22-9-2011 (3 pages) (Original waiver request is signed and on file in the CDE Waiver Office.)

Local Educational Agencies Requesting a Schoolsite Council Waiver								
Waiver Number	LEA for School(s) (CDS Code[s])	SBE Streamlined Waiver Policy or SSC Policy	LEAs Request	CDE Recommendation	Previous Waiver/ Period of Request	Certificated Bargaining Unit Position/ Current Agreement	SSC/Advisory Committee	Local Board Approval Date
22-10-2011	Banning Unified School District for New Horizons Continuation High School (33 66985 3330222) and Banning Independent Study Schools (33 66985 3330974).		Shared SSC and Composition changes	Approval with conditions that the shared SSC composition consist of the following: one principal (who will administer both sites), two teachers (who are elected by their peers), one other school representative, two parents (who are elected by their peers), and two students (who are selected by their peers.)	Yes August 26, 2011, to August 26, 2013	Support per Alan Van Tassel, Banning Teacher Association, on September 15, 2011	Banning Alternative Schools Site Council on September 15, 2011 Approve	October 27, 2011
3-8-2011	Glendale Unified School District for Jewel City Community Day School (19 64568 1996156) and Daily Continuation High School (19 64568 1933472).	Yes API 842	Shared SSC	Approval with conditions that the shared SSC consist of the following: one principal, (who administers both sites), four teachers (who are selected by their peers), one other school representative, three parents (who are selected by their peers), and three students (who are selected by their	No July 1, 2011, to July 1, 2013	Support per Johnny Richardson, California Teachers Association, and Tami Carlson, Glendale Teachers Association, on May 26, 2011	Jewel City School Site Council and Daily School Site Council on May 23, 2011 Approve	July 12, 2011

Local Educational Agencies Requesting a Schoolsite Council Waiver								
Waiver Number	LEA for School(s) (CDS Code[s])	SBE Streamlined Waiver Policy or SSC Policy	LEAs Request	CDE Recommendation	Previous Waiver/ Period of Request	Certificated Bargaining Unit Position/ Current Agreement	SSC/Advisory Committee	Local Board Approval Date
				peers.)				
22-8-2011	Golden Valley Unified School District for Independence Continuation (20 75580 2030161), Centennial Independent Study (20 75580 0110395), Lincoln Community Day (20 75580 0110395), Valley Teen Ranch Community Day (20 75580 0110403), and Children's Hospital (20 75580 0123315).		Shared SSC	Approval with conditions that the shared SSC composition consist of the following: one principal (who will administer all schools), four teachers (who will be selected by their peers), one other school representative, three parents (who are selected by their peers), and three students (who are selected by their peers.)	No July 1, 2011, to June 30, 2013	Support per Teri Malmstrom, Golden Valley Teachers Association, on July 7, 2011	Ed Opts School Site Council on March 28, 2011 Approve	August 8, 2011
32-6-2011	Gustine Unified School District for		Shared SSC	Approval with conditions that the shared SSC consist of the following: one	No August 1, 2011, to	Support per Gustine Romero Teachers Association on	Gustine School Site Council on May 20, 2011 Approve	June 22, 2011

Local Educational Agencies Requesting a Schoolsite Council Waiver								
Waiver Number	LEA for School(s) (CDS Code[s])	SBE Streamlined Waiver Policy or SSC Policy	LEAs Request	CDE Recommendation	Previous Waiver/ Period of Request	Certificated Bargaining Unit Position/ Current Agreement	SSC/Advisory Committee	Local Board Approval Date
	Pioneer Continuation High School (24 73619 2430031) and Gustine High School (24 73619 2431807).			principal, one other school representative, four teachers (who are selected by their peers), three parents (who are selected by their peers), and three students (who are selected by their peers.)	August 1, 2013	June 10, 2011		
1-10-2011	Igo-Ono-, Platina Union Elementary School District for Igo-Ono Elementary School and Platina Elementary School (45 70029 6050355).		Shared SSC and Composition changes	Approval with conditions that the shared SSC composition consist of the following: one principal (who will administer both sites), two teachers (who are selected by their peers), one other school representative, and four parents (who are selected by their peers.)	Yes September 1, 2011, to August 31, 2013	Support per Keith Ayala, California Teachers Association and Jane Trisdale, California School Employees Association, on August 19, 2011	Igo-Ono-Platina School Site Council on August 22, 2011 Approve	September 19, 2011
18-10-2011	Kernville Union Elementary School District for Kernville Elementary School (15		Shared SSC	Approval with conditions that the shared SSC composition consist of the following: one principal (who will administer both sites), three teachers	No August 22, 2011, to June 30, 2013	Support per Kathy Dwyer, Lisa Jones, Steve Brucker, and Carol Polston, Kernville Union School Teacher's Association, on	Woodrow Wallace School Site Council on September 8, 2011; and Kernville School Site Council on September 22,	September 13, 2011

Local Educational Agencies Requesting a Schoolsite Council Waiver								
Waiver Number	LEA for School(s) (CDS Code[s])	SBE Streamlined Waiver Policy or SSC Policy	LEAs Request	CDE Recommendation	Previous Waiver/ Period of Request	Certificated Bargaining Unit Position/ Current Agreement	SSC/Advisory Committee	Local Board Approval Date
	63545 0112524) and Woodrow Wallace Elementary School (15 63545 6009658).			(who will be selected by their peers), one other school representative, and five parents (who will be selected by their peers)		August 11, 2011; and Robbie Evans, Michelle Van Hook, and Yvette Moffatt, Classified School Employees Association, on September 23, 2011	2011 Approve	
2-10-2011	Lewiston Elementary School District for Lewiston Elementary School (53 71746 6053789).		Composition change	Approval with conditions that the composition of the SSC consist of the following: one principal, two teachers (who will be selected by their peers), and three parents (who will be selected by their peers.)	No August 10, 2011, to August 10, 2013	Support per Dee Arrowsmith, Teamsters, and Cork McGowan, California Teachers Association, on August 11, 2011	Lewiston School Site Council on September 19, 2011 Approve	September 26, 2011
23-9-2011	River Delta Joint Unified School District for Delta High School (34 67413 3430469) and Clarksburg Middle School (34 67413 6033690).		Shared SSC	Approval with conditions that the shared SSC consist of the following: one principal (who will administer both sites), four teachers (who will be selected by their peers), one other school representative, three parents (who will be	Yes October 1, 2011, to September 30, 2013	Support per Steve George, School Employee Association Delta Chapter 13; and Janet Allen, River Delta Unified Teacher's Association, on August 12, 2011	Clarksburg Middle and Delta High School Site Council on August 10, 2011 Approve	September 13, 2011

Local Educational Agencies Requesting a Schoolsite Council Waiver								
Waiver Number	LEA for School(s) (CDS Code[s])	SBE Streamlined Waiver Policy or SSC Policy	LEAs Request	CDE Recommendation	Previous Waiver/ Period of Request	Certificated Bargaining Unit Position/ Current Agreement	SSC/Advisory Committee	Local Board Approval Date
				selected by their peers), and three students (who will be selected by their peers.)				
22-9-2011	Silver Valley Unified School District for Silver Valley Unified School District Alternative Education Center (36 73890 3630282).		Composition change	Approval with conditions that the composition of the SSC consist of the following: one principal, two teachers (who will be selected by their peers), one other school representative, two parents (who will be selected by their peers), and two students (who will be selected by their peers.)	No August 1, 2011, to June 30, 2012	Support per Stephanie Kelly-Cloward, Silver Valley Educators Association, and Clifford Dale Sorenson, California School Employees Association, on August 17–18, 2011	Alternative Education Center Leadership Team on September 13, 2011 Approve	September 13, 2011

CALIFORNIA DEPARTMENT OF EDUCATION

SPECIFIC WAIVER: SCHOOL SITE COUNCIL- COMPOSITION OF MEMBERS

First Time Waiver: 2009

SW-1 (Rev. 10-2-2009) <http://www.cde.ca.gov/re/lr/wr/>

Renewal Waiver: **2011-2013**

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
6	9	8	5	2	2	2

Local educational agency: Banning Unified School District	Contact name and recipient of approval/denial notice: Lynne B. Kennedy	Contact person's e-mail address: lkennedy@banning.k12.ca.us
Address: (City) (State) (ZIP) 161 West Williams Street Banning CA 92220	Phone (and extension, if necessary): 951-922-0200 Fax number: 951-922-2750	
Period of request: (month/day/year) From: 8/26/2011 To: 8/26/2013	Local board approval date: (Required) October 27, 2011	

LEGAL CRITERIA

1. Authority for the waiver: Write the Education Code (EC) Section citation, which authorizes the waiver of the specific EC Section you want to waive: X Specific code section: **52863**

EC 52863 Any governing board, on behalf of a school site council, may request the State Board of Education to grant a waiver of any provision of this article. The State Board of Education may grant a request when it finds that the failure to do so would hinder the implementation or maintenance of a successful school-based coordinated program. (Effective for 2 years only, may be renewed)

2. California Education Code or California Code of Regulations or portion to be waived.
Section to be waived: (number) **EC 52852**

Requesting **reduced composition** in members for a small school. (Statute requires 12 members for a high schoolsite council and 10 members for elementary schoolsite council).

3. If this is a renewal of a previously approved waiver, please list Waiver No:**70-2-2010-W-26** and date of SBE approval:
Renewals of waivers must be submitted two month before the active waiver expires. **5/6/2010**

4. Collective bargaining unit information.

Does the district have any employee bargaining units? ___ No **X Yes** If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): September 15, 2011

Name of bargaining units and representative(s) consulted: Alan Van Tassel...Banning Teacher Association Representative

The position(s) of the bargaining unit(s): ___ Neutral **XX** Support ___ Oppose (Please specify why)

Comments (if appropriate): No objection(s) offered.

5. Advisory committee or school site council that reviewed the waiver (All involved are REQUIRED). Name:
Banning Alternative Schools Site Council

Date advisory committee/council reviewed request: **September 15, 2011**

X Approve ___ Neutral ___ Oppose

Were there any objections? Yes ___ **No X** (If there were objections please specify)

CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST
SW-1 (Rev. 10-2-2009)

6. Education Code or California Code of Regulations section to be waived. Use a strike-out key if only portions of sections are to be waived).

EC 52852 A schoolsite council shall be established at each school which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school.

7. Desired outcome/rationale. State what you hope to accomplish with the waiver. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. (Attach additional pages if necessary.)

Please attach a brief description of the situation in this school: The number of administrative staff, teachers and students at the schools. Indicate why a composition waiver is needed rather than this school sharing a SSC with another school per the SBE Waiver Policy for Shared SSC's available at:
<http://www.cde.ca.gov/re/lr/wr/documents/schoolsitepolicyr.doc>

8. Demographic Information:
(District/school/program) **BANNING USD Alternative Education Schools** has a student population of 190 and is located in a small city (urban, rural, or small city etc.) **BANNING** in **RIVERSIDE** County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Coordinated Compliance Review finding on this issue? No Yes
(If yes, please attach explanation or copy of CCR finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title: Superintendent	Date:
Signature of SELPA Director (only if a Special Education Waiver) N/A		Date:
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (type or print):	Staff Signature:	Date:
Unit Manager (type or print):	Unit Manager Signature:	Date:
Division Director (type or print):	Division Director Signature:	Date:
Deputy (type or print):	Deputy Signature:	Date:

Rationale #7

SUBJECT: SPECIFIC WAIVER REQUEST

Purpose: According to **EC 52863 “Waiver Evaluation Guidelines”**, the Banning USD Alternative Schools, specifically New Horizons High School (10th -12th grades) and Banning Independent Study School (K-12th Grades) are seeking board review and approval to authorize the waiver of EC Section 52852 to allow for a combined school site council (SSC) in a small school district that meets the following guidelines:

The schools affected are small: less than 120 pupils each
and

The schools have a common site administration, or other shared services
and

The schools have geographical proximity / similar student populations (i.e.: alternative schools). In the case of NHHS and BISS, the SBE authorizes such a waiver under the pre-existing Waiver Policy. All these waivers must be renewed every two years to ensure that the situation remains the same (per EC 52863.) As a condition of this waiver approval, the joint school site council will be required to elect its parent-community, student and staff members from both of the schools and will maintain the parity requirements as specified in EC 56852. This has been done: 2-Parents; 2-students; 1 administrator, 1 other administrative school personnel; and 2 teachers; 2 alternates have been provided also. The past two school years operated under an existing Waiver Policy.

CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST

SW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
1	9	6	4	5	6	8

Local educational agency: Glendale Unified School District	Contact name and Title: Vickie Atikian Aviles Assistant Director, Special Projects, Intercultural Education and Professional	Contact person's e-mail address: VAtikian@gusd.net
Address: (City) (State) (ZIP) 223 N. Jackson Street, Glendale, CA 91206	Phone (and extension, if necessary): 818-241-3111, ext. 267 Fax number: 818-548-1813	
Period of request: (month/day/year) From: 7/1/2011 To: 6/30/2013	Local board approval date: (Required) 7/12/2011	

LEGAL CRITERIA

- Authority for the waiver: Specific code section:
Write the *EC* Section citation, which allows you to request, or authorizes the waiver of the specific *EC* Section you want to waive.
EC 52863 Any governing board, on behalf of a school site council, may request the State Board of Education (SBE) to grant a waiver of any provision of this article. The State Board of Education may grant a request when it finds that the failure to do so would hinder the implementation or maintenance of a successful school-based coordinated program. (Effective for 2 years only, may be renewed)
- Education Code* or *California Code of Regulations* or portion to be waived.
Section to be waived: (number) Circle One: *EC* or *CCR*
EC 52852 School site councils for **small schools sharing** common services or attendance areas, administration and other characteristics.
Brief Description of the topic of the waiver:
Read SBE Waiver Policy for Shared SSCs: <http://www.cde.ca.gov/re/lr/wr/documents/schoolsitepolicyr.doc>
Waivers meeting these conditions go to SBE Consent Calendar
- If this is a renewal of a previously approved waiver, please list Waiver No: and date of SBE approval
Renewals of Waivers must be approved by the local board and submitted two months before the active waiver expires.
- Collective bargaining unit information. (Not necessary for *EC* 56101 waivers)

Does the district have any employee bargaining units? No X Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): May 26, 2011

Name of bargaining units and representative(s) consulted: CSEA (California School Employees Association)
Johnny Richardson
GTA (Glendale Teachers Association)
Tami Carlson

The position(s) of the bargaining unit(s): Neutral X Support Oppose (*Please specify why*)

Comments (if appropriate): per Carol Carbo 8/12/11 jb
- Advisory committee or school site council that reviewed the waiver. Name:
Jewel City School Site Council, Daily School Site Council 8/12/11 jb
Per *EC* 33051(a) if the waiver affects a program that requires a school site council that council must **approve** the request.
Date advisory committee/council reviewed request: May 23, 2011

 X Approve Neutral Oppose

Were there any objection? Yes No X (If there were objections please specify)

CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST
SW-1 (Rev. 10-2-09)

6. Education Code or California Code of Regulations section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (or use a **strike out key** if only portions of sections are to be waived). (Attach additional pages if necessary.)

EC 52852 A school site council shall be established at each school which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school.

7. Desired outcome/rationale. State what you hope to accomplish with the waiver. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. (Attach additional pages if necessary.)

See Attachment 1

Please attach a brief description of this situation in your area: 1. The number of principals, students and teachers at each school. 2. Do the schools have a common administration, curriculum, or other shared services? Explain. 3. Do the schools have a geographic proximity or similar student population? What is the distance?

8. Demographic Information:
(District/school/program) *Jewel City Community Day School* has a student population of 1-15 and is located in an urban environment in Los Angeles County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title:	Date:
Signature of SELPA Director (only if a Special Education Waiver)		Date:
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Attachment 1

This waiver request seeks to combine the School Site Council at Jewel City Community Day School with the School Site Council at Daily High School. Jewel City is the Glendale Unified School District's Community Day School, and accommodates between 1 to 15 district students in grades 7th-10th who are on suspended expulsion. Between 15 and 25 students are referred to Jewel City throughout the school year. However, approximately 6 to 8 students, on average, are enrolled at the school at any given time during the school year; some students complete the program, some move out of the area, and others have their expulsions enforced for violating certain conditions. This high mobility rate among students makes it difficult to establish an active and consistent group of parents to participate in the governance of the school. The school is staffed with two teachers and one instructional assistant. The school receives a relatively small amount of categorical funding.

Daily High School is the district continuation high school and serves as the headquarters for Alternative Education, with approximately 300 students and 31 staff members (21 certificated and 10 classified). Jewel City and Daily share common resources and are under the supervision of the Alternate Education principal, counselor, teacher specialist, support staff, and campus security. Although the two schools are under the same operational umbrella and serve similar at-risk student populations, the schools are located on two separate campuses. Because of the high mobility rate among students at Jewel City, the school's distance from the administrative effective governance are relatively challenging. It is thus more prudent to extend common oversight of the two schools to include a unified School Site Council, under the authority of the School Site Council at Daily High School. In doing so, Jewel City, and the students it serves, will benefit from having an established and consistent council to oversee its categorically funded programs/activities.

CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST

SW-1 (Rev. 4/17/08) <http://www.cde.ca.gov/re/lr/wr/>
Page 1 of 2

First Time Waiver:
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Faxed originals will not be accepted!

CD CODE						
2	0	7	5	5	8	0

Local educational agency: GOLDEN VALLEY UNIFIED SCHOOL DISTRICT Jb 9/6/11	Contact name and recipient of approval/denial notice: Andrew G. Alvarado	Contact person's e-mail address: aalvarado@gvusd.k12.ca.us
Address: (City) (State) (ZIP) 37479 Avenue 12 Madera CA 93636	Phone (and extension, if necessary): 559 645-7533 x	Fax number: 559 645 - 7144
Period of request: (month/day/year) From: 07.01.2011 To: 06.30.2013	Local board approval date: (Required) 08/08/2011	

LEGAL CRITERIA

- Authority for the waiver: Specific code section: 52863
Write the EC Section citation, which allows you to request, or authorizes the waiver of the specific EC Section you want to waive.
Any governing board, on behalf of a school site council, may request the State Board of Education to grant a waiver of any provision of this article. The State Board of Education may grant a request when it finds that the failure to do so would hinder the implementation of a successful school-based coordination program. If the State Board of Education approves a waiver request, the waiver shall apply only to the school or schools which requested the waiver and shall be effect for no more than two years. The State Board of Education may renew a waiver request.
- Education Code or California Code of Regulations* or portion to be waived.
Section to be waived: (number) 52852 Circle One: EC or CCR

Brief Description of the topic of the waiver: The Educational Options program has five schools that are operated by one single administrator. None of the schools are large enough to meet the requirements for a school site council.
- If this is a renewal of a previously approved waiver, please list Waiver No: _____ and date of SBE approval _____
- Collective bargaining unit information. (Not necessary for EC 56101 waivers)

Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): 07/07/2011

Name of bargaining units and representative(s) consulted: Golden Valley Teachers Association, Teri Malmstrom, President
kak 9/1/11

The position(s) of the bargaining unit(s): Neutral Support Oppose (Please specify why)

Comments (if appropriate):
- Advisory committee or school site council that reviewed the waiver. Name: Educational Options School Site Council Kim Cowger, Chairperson

Per EC 33051(a) if the waiver affects a program that requires a school site council that council must approve the request.
Date advisory committee/council reviewed request: March 28, 2011 kak 9/1/11

 Approve Neutral Oppose

Were there any objections? Yes No (If there were objections please specify)

CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST
SW-1 (Rev. 4/17/08)
Page 2 of 2

6. Education Code or California Code of Regulations section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (or use a strike out key if only portions of sections are to be waived). (Attach additional pages if necessary.) 52852

Each school that receives funds must have a school site council. We are asking to waive that each school has a school site council. The Schools in the Educational Options program are too small to meet the statutory requirements of Ed Code 52852

7. Desired outcome/rationale. State what you hope to accomplish with the waiver. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. (Attach additional pages if necessary.)

All 5 sites are small alternative schools, administered by one principal. Professional development and other commonalities are shared because of one administrator. The SSC selection process will provide for representation of partners, staff and students of all of the schools. The SSC is made up of the following members: administrator of the school, 4 teachers (representing all five sites), 1 other staff member, 3 parents or 3 community representatives selected by parents and 3 students.

8. Demographic Information:
For this waiver, **Golden Valley Unified School District/Educational Options** involved has a student population of **120** and is located in a **rural** area in **Madera** County.

9. For a renewal waiver only, district also must certify:

True	False	
<input type="checkbox"/>	<input type="checkbox"/>	The facts that precipitated the original waiver request have not changed.
<input type="checkbox"/>	<input type="checkbox"/>	The remedy for the problem has not changed.
<input type="checkbox"/>	<input type="checkbox"/>	Members of the local governing board and district staff are not aware of the existence of any controversy over the implementation of this waiver or the request to extend it.

Renewals of Waivers must be approved by the local board and submitted two months before the active waiver expires.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Coordinated Compliance Review finding on this issue? No Yes
(If yes, please attach explanation or copy of CCR finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.* **GOLDEN VALLEY UNIFIED SCHOOL DISTRICT**

Signature of Superintendent or Designee:	Title: Andrew G. Alvarado Superintendent	Date: 08/08/2011
Signature of SELPA Director (only if a Special Education Waiver)		Date:
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

CALIFORNIA DEPARTMENT OF EDUCATION

SPECIFIC WAIVER: SCHOOL SITE COUNCIL- COMPOSITION OF MEMBERS

First Time Waiver: _____

Renewal Waiver: _____

SW-1 (Rev. 10-2-2009) <http://www.cde.ca.gov/re/lr/wr/>

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
2	4	7	3	6	1	9

Local educational agency: Gustine Unified School District (GUSD): Pioneer Continuation High School			Contact name and recipient of approval/denial notice: Dr. Gail McWilliams, Superintendent, GUSD			Contact person's e-mail address: gmcwilliams@gustine.k12.ca.us		
Address:		(City)	(State)	(ZIP)	Phone (and extension, if necessary): (209) 854-3784			
1500 Meredith Avenue		Gustine	CA	95322	Fax number: (209)854-9164			
Period of request: (month/day/year) From: 08/01/2011 To: 08/01/2013				Local board approval date: (Required) 06/22/2011				

LEGAL CRITERIA

1. Authority for the waiver: Write the Education Code (EC) Section citation, which authorizes the waiver of the specific EC Section you want to waive: X Specific code section: **52863**

EC 52863 Any governing board, on behalf of a school site council, may request the State Board of Education to grant a waiver of any provision of this article. The State Board of Education may grant a request when it finds that the failure to do so would hinder the implementation or maintenance of a successful school-based coordinated program. (Effective for 2 years only, may be renewed)

2. California Education Code or California Code of Regulations or portion to be waived.
Section to be waived: (number) **EC 52852**

Requesting **reduced composition** in members for a small school. (Statute requires 12 members for a high schoolsite council and 10 members for elementary schoolsite council).

3. If this is a renewal of a previously approved waiver, please list Waiver No: NA and date of SBE approval
Renewals of waivers must be submitted two month before the active waiver expires.

4. Collective bargaining unit information.

Does the district have any employee bargaining units? ___ No x Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): 06/10/2011

Name of bargaining units and representative(s) consulted: GRTA, Chandra Brace, President
Gustine Romero Teachers Association jb 7/12/11

The position(s) of the bargaining unit(s): ___ Neutral ___ Support ___ Oppose (Please specify why)

Comments (if appropriate):

5. Advisory committee or school site council that reviewed the waiver (All involved are REQUIRED). Name: Wassun Absood
Gustine Schoolsite Council

Date advisory committee/council reviewed request: May 20, 2011 per Cindy Martin 7/28/11 jb

x Approve ___ Neutral ___ Oppose

Were there any objection? Yes ___ No x (If there were objections please specify)

CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST
SW-1 (Rev. 10-2-2009)

6. Education Code or California Code of Regulations section to be waived. Use a strike-out key if only portions of sections are to be waived).

EC 52852 A schoolsite council shall be established at each school which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school.

7. Desired outcome/rationale. State what you hope to accomplish with the waiver. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. (Attach additional pages if necessary.)

Please attach a brief description of the situation in this school: The number of administrative staff, teachers and students at the schools. Indicate why a composition waiver is needed rather than this school sharing a SSC with another school per the SBE Waiver Policy for Shared SSC's available at:

<http://www.cde.ca.gov/re/lr/wr/documents/schoolsitepolicyr.doc>

8. Demographic Information:
GUSD/Pioneer Continuation High School has a student population of 7 and is located in a *small city/rural* area of Merced County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Coordinated Compliance Review finding on this issue? No Yes
(If yes, please attach explanation or copy of CCR finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title:	Date:
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Signature of SELPA Director (only if a Special Education Waiver)	Date:
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FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (<i>type or print</i>):	Staff Signature:	Date:
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Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
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Division Director (<i>type or print</i>):	Division Director Signature:	Date:
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Deputy (<i>type or print</i>):	Deputy Signature:	Date:
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CALIFORNIA DEPARTMENT OF EDUCATION

SPECIFIC WAIVER: SHARED SCHOOL SITE COUNCIL

First Time Waiver:

SW-1 (Rev. 10-2-2009) <http://www.cde.ca.gov/re/lr/wr/>

Renewal Waiver: **X**

Send Original plus one copy to:
Waiver Office, California Department of Education

Send electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

1430 N Street, Suite 5602
Sacramento, CA 95814

CD CODE						
4	5	7	0	0	2	9

Local educational agency: Igo-Ono-Platina Union School District			Contact name and Title: Heidi Gerig			Contact person's e-mail address: hgerig@rsdnmp.org		
Address: (City)		(State)		(ZIP)		Phone (and extension, if necessary): (530) 396-2841		
P.O. Box 250		Igo		CA		96047		
Period of request: (month/day/year)						Local board approval date: (Required)		
From: 9/1/11		To: 8/31/13		September 19, 2011				
LEGAL CRITERIA								

- Authority for the waiver: Write the Education Code (EC) Section citation, which authorizes the waiver of the specific EC Section you want to waive:
EC 52863 Any governing board, on behalf of a school site council, may request the State Board of Education (SBE) to grant a waiver of any provision of this article. The State Board of Education may grant a request when it finds that the failure to do so would hinder the implementation or maintenance of a successful school-based coordinated program. (Effective for 2 years only, may be renewed)
- California *Education Code* or *California Code of Regulations* or portion to be waived.
EC 52852 Schoolsite councils for **small schools sharing** common services or attendance areas, administration and other characteristics.
Read SBE Waiver Policy for Shared SSC's: <http://www.cde.ca.gov/re/lr/wr/documents/schoolsitepolicyr.doc>
Wavers meeting these conditions go to SBE Consent Calendar.
- If this is a renewal of a previously approved waiver, please list Waiver No: 13-7-2009-W-7 and date of SBE approval
Renewals of waivers must be submitted two months before the active waiver expires. 11/09/09
- Collective bargaining unit information.
Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): 8/19/11

Name of bargaining units and representative(s) consulted: Keith Ayala, President, California Teachers Association and Jane Trisdale, President, California School Employees Association
Per Heidi Gerig 10/7/11 jb

The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)
- Advisory committee or school site council that reviewed the waiver (All involved are REQUIRED). Name: Heidi Gerig, Michael Orlicky, Tony Salerri, Laura Sanders, and one vacancy Igo-Ono-Platina Schoolsite Council
Per Heidi Gerig 10/7/11 jb

Date advisory committee/council reviewed request: 8/22/11

 Approve Neutral Oppose

Were there any objections? Yes No (If there were objections please specify)

CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST
SW-1 (Rev. 10-2-2009)

6. California Education Code or California Code of Regulations section to be waived. Use a strike-out key if only portions of sections are to be waived).

EC 52852 A schoolsite council shall be established at ~~each~~ school which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school.

7. Desired outcome/rationale. State what you hope to accomplish with the waiver. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. (Attach additional pages if necessary.)

Please attach a brief description of the situation in your area: 1. The number of principals, students and teachers at each school 2. Do the schools have a common administration, curriculum, or other shared services? Explain. 3. Do the schools have a geographic proximity or similar student population? What is the distance?

8. Demographic Information: Igo-Ono-Platina Union School District/Platina School
(District/school/program) _____ has a student population of 7 and is located in a (urban, rural, or small city etc.) in Shasta County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Coordinated Compliance Review finding on this issue? No Yes
(If yes, please attach explanation or copy of CCR finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title:	Date:
Signature of SELPA Director (only if a Special Education Waiver)		Date:
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (type or print):	Staff Signature:	Date:
Unit Manager (type or print):	Unit Manager Signature:	Date:
Division Director (type or print):	Division Director Signature:	Date:
Deputy (type or print):	Deputy Signature:	Date:

Attachment (see 7. On previous page)

7. In the Igo-Ono-Platina Union School District, there shall be one site council for grades K-8. The council shall represent both school sites in the district: Igo-Ono and Platina School. The site council shall be composed of one administrator, teachers elected by teachers, other school personnel selected by other school personnel, and parents and other community members selected by parents. There will be two staff representatives from each school, plus one administrator who will represent both schools. Parent/community members shall represent, as equally as possible, both schools.

One K-8 school site council facilitates better parent participation and eliminates many duplicate efforts in a small district, which draws from a common attendance area.

1. Igo-Ono and Platina Elementary Schools share one principal. There are 65 students at Igo-Ono Elementary School and 7 students at Platina Elementary School. We currently have four teachers at Igo-Ono Elementary School and one teacher at Platina Elementary School.
2. Besides sharing the principal, the two schools share the same office manager, librarian and technology person, RSP teacher, kitchen services, and the school psychologist. Both schools have adopted the same Core Curriculum. We also coordinate a lot of our school functions together, i.e. jog-a-thon, assemblies, 8th grade trip, and testing.
3. Both of the schools are in very rural areas and have similar student demographics. The schools are 26 miles apart from each other.

CALIFORNIA DEPARTMENT OF EDUCATION

SPECIFIC WAIVER: SHARED SCHOOL SITE COUNCIL

First Time Waiver: x

SW-1 (Rev. 10-2-2009) <http://www.cde.ca.gov/re/lr/wr/>

Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education

Send electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

1430 N Street, Suite 5602
Sacramento, CA 95814

CD CODE						
1	5	6	3	5	4	5

Local educational agency: Kernville Union School District	Contact name and Title: Aileen DeLapp	Contact person's e-mail address: aidelap@zeus.kern.org
Address: (City) (State) (ZIP) 3240 Erskine Creek Rd., Lake Isabella, CA 93240	Phone (and extension, if necessary): (760) 379-2621 ext. 395	Fax number: (760) 379-1355
Period of request: (month/day/year) From: Aug. 22, 2011 To: June 30, 2013	Local board approval date: (Required) September 13, 2011	

LEGAL CRITERIA

- Authority for the waiver: Write the Education Code (EC) Section citation, which authorizes the waiver of the specific EC Section you want to waive:
EC 52863 Any governing board, on behalf of a school site council, may request the State Board of Education (SBE) to grant a waiver of any provision of this article. The State Board of Education may grant a request when it finds that the failure to do so would hinder the implementation or maintenance of a successful school-based coordinated program. (Effective for 2 years only, may be renewed)
- California *Education Code* or *California Code of Regulations* or portion to be waived.
*EC 52852 Schoolsite councils for **small schools sharing** common services or attendance areas, administration and other characteristics.
Read SBE Waiver Policy for Shared SSC's: <http://www.cde.ca.gov/re/lr/wr/documents/schoolsitepolicyr.doc>
Wavers meeting these conditions go to SBE Consent Calendar.*
- If this is a renewal of a previously approved waiver, please list Waiver No: _____ and date of SBE approval
Renewals of waivers must be submitted two months before the active waiver expires.
- Collective bargaining unit information.
Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): 8/11/2011 KUSTA 9/23/2011 CSEA

Name of bargaining units and representative(s) consulted: Kernville Union School Teacher's Association – Kathy Dwyer, Teacher, Lisa Jones, Teacher, Steve Brucker, Teacher, Carol Polston, Teacher
Classified School Employee's Association – Robbie Evans, School Secretary, Michelle Van Hook, Family Advocate, Yvette Moffatt, Cafeteria cook.

The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)

Comments (if appropriate):
- Advisory committee or school site council that reviewed the waiver (All involved are REQUIRED). Name: Woodrow Wallace SSC Aileen DeLapp, Chris Lassen, Alice Carpenter, Janice Moon Kernville SSC – Carol Polston, Laura Lassen, Aileen DeLapp, Shellie Tito

Date advisory committee/council reviewed request: ___Wallace 9/8/2011 Kernville 9/22/2011

 Approve Neutral Oppose No objections

CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST
SW-1 (Rev. 10-2-2009)

6. California Education Code or California Code of Regulations section to be waived. Use a strike-out key if only portions of sections are to be waived).

EC 52852 A schoolsite council shall be established at ~~each~~ school which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school.

7. Desired outcome/rationale. State what you hope to accomplish with the waiver. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. (Attach additional pages if necessary.)

Please attach a brief description of the situation in your area: 1. The number of principals, students and teachers at each school 2. Do the schools have a common administration, curriculum, or other shared services? Explain. 3. Do the schools have a geographic proximity or similar student population? What is the distance? The Kernville Elementary School (KES), grades K-3, has an enrollment of 91 students and Woodrow Wallace Elementary School (WES), grades K-4 with an enrollment of 338 students, share a principal. KES has 4 teachers and WES has 12 teachers. The school share a common curriculum, special education services, psychologist, MOT and Professional Learning Communities. KES is in close proximity to WES with 14.2 miles separating the two campuses. The only two elementary schools in the small Kernville Union School District meet the criteria of a School Site Council waiver through its shared services of curriculum, administration, and close proximity. The stretched staff at KES will have more time to work with students while the interest of the school is held through a representative from KES and WES on the School Site Council.

8. Demographic Information:
(District/school/program) _____ Kernville Elementary School has a student population of _____ 91 _____ and is located in a _____ rural location _____ (urban, rural, or small city etc.) _____ in _____ Kern _____ County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Coordinated Compliance Review finding on this issue? No Yes
(If yes, please attach explanation or copy of CCR finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title: Superintendent	September 23, 2011
Signature of SELPA Director (only if a Special Education Waiver)		Date:

FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (type or print):	Staff Signature:	Date:
Unit Manager (type or print):	Unit Manager Signature:	Date:
Division Director (type or print):	Division Director Signature:	Date:
Deputy (type or print):	Deputy Signature:	Date:

CALIFORNIA DEPARTMENT OF EDUCATION

SPECIFIC WAIVER: SCHOOL SITE COUNCIL- COMPOSITION OF MEMBERS

First Time Waiver: X
Renewal Waiver:

SW-1 (Rev. 10-2-2009) <http://www.cde.ca.gov/re/lr/wr/>

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
5	3	7	1	7	4	6

Local educational agency: Lewiston School District	Contact name and recipient of approval/denial notice: Duncan Hobbs	Contact person's e-mail address: dhobbs@tcoek12.org
Address: (City) (State) (ZIP) 685 Lewiston Rd., Lewiston, CA 96052	Phone (and extension, if necessary): 530.778.3984	Fax number: 530.778.3101
Period of request: (month/day/year) From: 8/10/11 To: 8/10/13	Local board approval date: (Required) September 26, 2011	

LEGAL CRITERIA

1. Authority for the waiver: Write the Education Code (EC) Section citation, which authorizes the waiver of the specific EC Section you want to waive: X Specific code section: **52863**
EC 52863 Any governing board, on behalf of a school site council, may request the State Board of Education to grant a waiver of any provision of this article. The State Board of Education may grant a request when it finds that the failure to do so would hinder the implementation or maintenance of a successful school-based coordinated program. (Effective for 2 years only, may be renewed)

2. California Education Code or California Code of Regulations or portion to be waived.
Section to be waived: (number) **EC 52852**
Requesting **reduced composition** in members for a small school. (Statute requires 12 members for a high schoolsite council and 10 members for elementary schoolsite council).

3. If this is a renewal of a previously approved waiver, please list Waiver No. and date of SBE approval
Renewals of waivers must be submitted two month before the active waiver expires. n/a

4. Collective bargaining unit information.

Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): 8/11/2011

Name of bargaining units and representative(s) consulted: Teamsters, Dee Arrowsmith, Business Agent
California Teachers Association, Cork McGowan, Representative
per Cyd Cooper 10/10/11 jb

The position(s) of the bargaining unit(s): Neutral Support Oppose (Please specify why)

Comments (if appropriate):

5. Advisory committee or school site council that reviewed the waiver (All involved are REQUIRED). Name:
Lewiston School Site Council

Date advisory committee/council reviewed request: 09/19/2011

 Approve Neutral Oppose

Were there any objections? Yes No (If there were objections please specify)

CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST
SW-1 (Rev. 10-2-2009)

6. Education Code or California Code of Regulations section to be waived. Use a strike-out key if only portions of sections are to be waived).

EC 52852 A school site council shall be established at each school which participates in school-based program coordination. The council shall be composed of the principal and representatives of: a teachers selected by teachers at the school; ~~other school personnel selected by other school personnel at the school~~; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school.

The district wishes to form a four-member SSC composed of the principal, one teacher selected by teachers, and two parents or community members selected by parents.

7. Desired outcome/rationale. State what you hope to accomplish with the waiver. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. (Attach additional pages if necessary.) **See attachment.**

Please attach a brief description of the situation in this school: The number of administrative staff, teachers and students at the schools. Indicate why a composition waiver is needed rather than this school sharing a SSC with another school per the SBE Waiver Policy for Shared SSC's available at:

<http://www.cde.ca.gov/re/lr/wr/documents/schoolsitepolicyr.doc>

8. Demographic Information:
Lewiston School has a student population of 55 and is located in a rural area in Trinity County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Coordinated Compliance Review finding on this issue? No Yes
(If yes, please attach explanation or copy of CCR finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee: Duncan B. Hobbs	Title: Superintendent/Principal	Date: September 26, 2011
Signature of SELPA Director (only if a Special Education Waiver)		Date:

FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Attachment to the SPECIFIC WAIVER: SCHOOL SITE COUNCIL- COMPOSITION OF MEMBERS for Lewiston School 8/10/11

Description for item 7:

Lewiston School has an enrollment of 55 and finds it difficult to meet SSC membership requirements. There are no other schools in the district, which is why the school is not applying for a shared SSC waiver.

The minimum number of SSC members required for an elementary school is ten. With only three teachers, all three would have to serve every year under Ed Code regulations. We also have difficulty finding enough parents to meet the minimum of five parent/community members.

This waiver will: 1) Allow a reduction in the number of teachers and parents that will be required to serve on the School Site Council; and, 2) Eliminate the requirement to have "other staff" as a member. The functioning School Site council will retain equity between staff and parents, thus providing appropriate oversight of the school's programs and budget.

Proposed number and composition of the School Site Council:

- 1 Principal
- 1 Teacher
- 2 Parent/Community Members

CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST

SW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver:
Renewal Waiver: X

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	4	6	7	4	1	3

Local educational agency: River Delta Unified School District			Contact name and Title: Richard Hennes, Superintendent			Contact person's e-mail address: rhennes@riverdelta.k12.ca.us		
Address: (City)		(State)		(ZIP)		Phone (and extension, if necessary): (707) 374-1700 or Exec. Asst. (707) 374-1711 Fax Number: (707) 374-2995		
445 Montezuma Street		Rio Vista		CA		94571		
Period of request: (month/day/year) From: 10/1/10 To: 9/30/12				Local board approval date: (Required) 9/13/11				

LEGAL CRITERIA

- Authority for the waiver: X Specific code section: **EC 52863**
Write the EC Section citation, which allows you to request, or authorizes the waiver of the specific EC Section you want to waive. Any governing board, on behalf of a school site council, may request the State Board of Education (SBE) to grant a waiver of any provision of this article. The State Board of Education may grant a request when it finds that the failure to do so would hinder the implementation or maintenance of a successful school-based coordinated program. (Effective for 2 years only, may be renewed.)
- Education Code or California Code of Regulations or portion to be waived.
Section to be waived: **EC 52852 School site councils for small schools sharing common services or attendance areas, administration and other characteristics.**
Brief Description of the topic of the waiver: **SBE Waiver Policy for Shared SSC's per**
<http://www.cde.ca.gov/re/lr/wr/documents/schoolsitepolicyr.doc> Waivers meeting these conditions go to SBE Consent Calendar.
- If this is a renewal of a previously approved waiver, please list Waiver No: ~~6-7-2007~~ **25-9-2009** and original date of SBE approval: ~~September 2007~~ **January 7, 2010. jb 9/26/11** *Renewals of Waivers must be approved by the local board and submitted two months before the active waiver expires.* We were unable to do so as the old principal/VP/counselor unexpectedly left for varying reasons and it took time to hire longer to hire replacement staff and another piece of time to see that this step had not been taken.
- Collective bargaining unit information.
Does the district have any employee bargaining units? No X Yes If yes, please complete required information below:
Bargaining unit(s) and names of representatives consulted and the date(s): (August 12, 2011: President Steve George of CA School Employee Assoc. Delta Chapter 13, and Janet Allen, President of River Delta Unified Teachers' Assoc. give their support of a single site council for both Clarksburg Middle School and Delta High School.

The position(s) of the bargaining unit(s): Neutral X Support Oppose (Please specify why)

Comments (if appropriate): Janet Allen of River Delta Unified Teachers' Assoc. has given her unit's support of a single site council for both Clarksburg Middle and Delta High schools via a personal meeting at Delta High School with principal Britt Hammon. Contact with Steve George President of CSEA was made by phone and he supported the single site council.
- Advisory committee or school site council that reviewed the waiver. Name: **Clarksburg Middle and Delta High School Site Council**
Per EC 33051(a) if the waiver affects a program that requires a school site council that council must **approve** the request.
Date advisory committee/council reviewed request: August 10, 2011
Advisory committee/council decision was: X To Approve Neutral Oppose
Were there any objection? Yes No X (If there were objections please specify)

CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST
SW-1 (Rev. 10-2-09)

6. Education Code or California Code of Regulations section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (or use a **strike out key** if only portions of sections are to be waived). (Attach additional pages if necessary.)

EC 52852 A schoolsite council shall be established at ~~each~~ school which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school.

7. Desired outcome/rationale. State what you hope to accomplish with the waiver. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. Delta High School and Clarksburg Middle School reside on the same campus in the small rural community of Clarksburg, CA. DHE has approximately 205 students in grades 10-12 and Clarksburg Middle has approximately 215 students in grades 7-9; both of which serve similar students, parent populations, and families from over 250 square miles. The schools share common facilities such as the cafeteria, gyms, music classroom, playground, sports fields, and the auditorium. In addition, many CMS students have elective classes located at DHS. The schools have functioned under one principal, one booster club, and one English Learner Advisory Committee, all with common educational goals. Approximately 20 staff members teach classes at both sites, meet together for staff meetings, professional development, and vertical team meetings. Both schools share teaching staff, function as one CIF athletic team, and one FFA organization. The schools function under a 7-12 model, and all planning is done together as one school site team. This waiver will allow the schools to streamline meetings, avoid duplication of effort, and provide parents, students, and community members with one leadership group to address their needs.

8. Demographic Information:
Delta High School and Clarksburg Middles Schools have a **combined** student population of **442** and is located in Clarksburg, a rural community in Yolo County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee: Richard Hennes	Title: Superintendent	Date:
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Signature of SELPA Director (only if a Special Education Waiver)	Date:
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FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (<i>type or print</i>):	Staff Signature:	Date:
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Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
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Division Director (<i>type or print</i>):	Division Director Signature:	Date:
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Deputy (<i>type or print</i>):	Deputy Signature:	Date:
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CALIFORNIA DEPARTMENT OF EDUCATION

SPECIFIC WAIVER: SCHOOL SITE COUNCIL- COMPOSITION OF MEMBERS

First Time Waiver: Yes.
Renewal Waiver: No.

SW-1 (Rev. 10-2-2009) <http://www.cde.ca.gov/re/lr/wr/>

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	6	7	3	8	9	0

Local educational agency: Silver Valley Unified School District	Contact name and recipient of approval/denial notice: Dr. Marc Jackson, Superintendent	Contact person's e-mail address: mjackson@silvervalley.k12.ca.us
Address: (City) (State) (ZIP) 35320 Daggett-Yermo Road Yermo CA. 92398	Phone (and extension, if necessary): 760-254-2915 x 1147 Fax number: 760-254-2091	
Period of request: (month/day/year) From: August 1, 2011 To: June 30,2012	Local board approval date: (Required) September 13, 2011	

LEGAL CRITERIA

1. Authority for the waiver: Write the Education Code (EC) Section citation, which authorizes the waiver of the specific EC Section you want to waive: X Specific code section: **52863**

EC 52863 Any governing board, on behalf of a school site council, may request the State Board of Education to grant a waiver of any provision of this article. The State Board of Education may grant a request when it finds that the failure to do so would hinder the implementation or maintenance of a successful school-based coordinated program. (Effective for 2 years only, may be renewed)

2. California Education Code or California Code of Regulations or portion to be waived.
Section to be waived: (number) **EC 52852**

Requesting **reduced composition** in members for a small school. (Statute requires 12 members for a high school schoolsite council and 10 members for elementary schoolsite council).

3. If this is a renewal of a previously approved waiver, please list Waiver and date of SBE approval
Renewals of waivers must be submitted two month before the active waiver expires. **N/A**

4. Collective bargaining unit information.

Does the district have any employee bargaining units? ___ No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): Bargaining unit consulted on: **August 17 and August 18, 2011.**

Name of bargaining units and representative(s) consulted: **Silver Valley Educators Association (SVEA)** (President, Stephanie Kelly-Cloward, certificated teacher) ; **California School Employees Association (CSEA)** (Executive Board, Site Representative, Clifford Dale Sorenson, Special Circumstances Instructional Assistant at the site)

The position(s) of the bargaining unit(s): ___ Neutral Support ___ Oppose (Please specify why)

5. Advisory committee or school site council that reviewed the waiver (All involved are REQUIRED).

Name: Alternative Education Center Leadership Team

Date advisory committee/council reviewed request: September 13, 2011 per Rebecca

Approve ___ Neutral ___ Oppose

Were there any objection? Yes ___ **No** (If there were objections please specify)

CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST
SW-1 (Rev. 10-2-2009)

6. Education Code or California Code of Regulations section to be waived. Use a strike-out key if only portions of sections are to be waived).

EC 52852 A schoolsite council shall be established at each school which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school.

7. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved Desired outcome/rationale. State what you hope to accomplish student performance and/or streamline or facilitate local agency operations. (Attach additional pages if necessary.)

Please attach a brief description of the situation in this school: The number of administrative staff, teachers and students at the schools. Indicate why a composition waiver is needed rather than this school sharing a SSC with another school per the SBE Waiver Policy for Shared SSC's available at: **Please refer to attachment.**
<http://www.cde.ca.gov/re/lr/wr/documents/schoolsitepolicyr.doc>

8. Demographic Information:
(District/school/program) **Silver Valley Unified School District – Alternative Education Center includes four schools with nine programs and** has a student population of 40-60 and is located in a rural community in San Bernardino County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Coordinated Compliance Review finding on this issue? No Yes
(If yes, please attach explanation or copy of CCR finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title:	Date:
Signature of SELPA Director (only if a Special Education Waiver) N/A		Date:
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (type or print):	Staff Signature:	Date:
Unit Manager (type or print):	Unit Manager Signature:	Date:
Division Director (type or print):	Division Director Signature:	Date:
Deputy (type or print):	Deputy Signature:	Date:

August 26,2011

RE: School Site Council Wavier

7. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved desired outcome/rationale. State what you hope to accomplish student performance and/or streamline or facilitate local agency operations.

Please attach a brief description of the situation in this school: The number of administrative staff, teachers and students at the schools. Indicate why a composition waiver is needed rather than this school sharing a SSC with another school per the SBE Waiver Policy for Shared SSC's:

The Silver Valley School District covers an area of 3,200 square miles in the high desert of Southern California. The district is comprised of seven school including elementary, middle, high school, and an Alternative Education Center.

This request for wavier is to support the Alternative Education Center which in its self-consist of four schools and nine programs. Although it may appear large, the student population fluctuates from 45 to 75 annually and is staffed with one administrator, 8 certified, and 6 classified employees.

With a “swinging door” of students and families, it remains challenging to full-fill the Alternative Education Centers School Site Council membership, even at its smallest composition of 12 for High School councils, per Ed Code.

Ideally, an advisory board that might consist of site and district staff through the guidance of the school board will ensure that all students who attend the Alternative Education Center receive the best education possible and would ensure a more stable cohort.



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM W-10



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

Specific Waiver

<p>SUBJECT</p> <p>Request by two local educational agencies to waive California <i>Education Code</i> Section 51224.5(b), the requirement that all students graduating in the 2010–11 school year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation, for two special education students based on <i>Education Code</i> Section 56101, the special education waiver authority.</p> <p>Waiver Numbers: El Dorado Union High School District 5-10-2011 Natomas Unified School District 40-10-2011</p>	<p><input checked="" type="checkbox"/> Action</p> <p><input checked="" type="checkbox"/> Consent</p>
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RECOMMENDATION

Approval Approval with conditions Denial

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the request to waive only the requirement that two students successfully complete a course in Algebra I (or its equivalent) for the 2010–11 graduating year. The students have met other course requirements stipulated by the governing board of the school district and California *Education Code (EC)* Section 51225.3 in order to receive a high school diploma. If the students do not graduate in 2010–11, this waiver does not relieve the students of the responsibility to continue to attempt to successfully complete a course in Algebra I (or its equivalent) in 2011–12 as required by *EC* Section 51224.5.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In 2000, *EC* Section 51224.5 was enacted to require students to complete a course in Algebra I, as a condition of receiving a high school diploma. The Algebra I requirement applied to students who were scheduled for graduation in 2003–04. All waiver requests of this type have been granted by the SBE for students with special needs.

SUMMARY OF KEY ISSUES

For the review of this waiver request, the districts provided the following documentation:

- A valid, current copy of the students' individualized education programs (IEPs) were provided highlighting the areas of mathematic deficiencies and how the students' needs in mathematics were addressed.

SUMMARY OF KEY ISSUES (Cont.)

- Selected pages from the students' IEPs from three previous years show that the students were consistently on a diploma-track, and that the IEPs were written to support the students' participation in diploma-track math courses, particularly Algebra.
- The specific assistance the district provided to these students included supplementary aids, services, accommodations, test modifications, and supports to attain the diploma-track goal, specifically, for the Algebra requirement.
- A copy of the transcript for these students highlights attempts to pass Algebra and pre-algebra classes.
- An assessment summary reports that these students participated in the Standardized Testing and Reporting program and failed multiple attempts to meet graduation requirements related to the Algebra requirement.

The above documentation was confidentially reviewed by a special education consultant. The local educational agencies' documentation provided facts indicating that failure to approve the request would result in these students not meeting graduation requirements.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of waiver approval.

ATTACHMENT(S)

Attachment 1: Summary Table (1 Page)

Attachment 2: El Dorado Union High School District - Specific Waiver Request for Algebra I Requirement (1 Page) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Natomas Unified School District - Specific Waiver Request for Algebra I Requirement (1 Page) (Original waiver request is signed and on file in the Waiver Office.)

Waiver Number	Local Educational Agency	Demographics	Period of Request	Local Board Approval Date	Meets Streamlined Waiver Policy
5-10-2011	El Dorado Union HSD	School is located in a rural area of El Dorado County with a student population of 1,366	8/9/2010 – 5/27/2011	10/3/2011	Yes API of 829
40-10-2011	Natomas Unified SD	School is located in an urban area of Sacramento County with a student population of 12,350	8/16/2011 – 12/30/2011	10/19/2011	No

CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUESTAIGR-1 (Rev. 10-2-2009) <http://www.cde.ca.gov/re/lr/wr/>**Waiver of Algebra I Graduation
Requirements for Pupils with Disabilities**Send Original to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814Send electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CDS CODE

0 9 6 1 8 5 3

Local educational agency: El Dorado Union High SD		Contact name and recipient of approval/denial notice: Karen Schrick		Contact person's e-mail address: kschrick@eduhd.net	
Address: 4675 Missouri Flat Road		(City) Placerville	(State) CA	(ZIP) 95677	Phone (and extension, if necessary): 530-622-5081 x7253 Fax number: 530-622-8071
Period of request: (month/day/year) From: 8/9/2010 To: 5/27/2011			Local board approval date or SELPA signature date (required) 10/3/2011		

LEGAL CRITERIA**1. Authority for the waiver: X** Specific code section: **EC 56101**

56101(a) Any district, special education local plan area, county office, or public education agency, as defined in Section 56500, may request the board to grant a waiver of any provision of this code or regulations adopted pursuant to that provision if the waiver is necessary or beneficial to the content and implementation of the pupil's individualized education program and does not abrogate any right provided individuals with exceptional needs and their parents or guardians under...(IDEA)... or to the compliance of a district, special education local plan area, or county office with...(IDEA)...and federal regulations relating thereto.

(b) The board may grant, in whole or in part, any request pursuant to subdivision (a) when the facts indicate that failure to do so would hinder implementation of the pupil's individualized education program or compliance by a district, special education local plan area, or county office with federal mandates for a free, appropriate education for children or youth with disabilities.

Education Code or California Code of Regulations section to be waived.

51224.5 (a) The adopted course of study for grades 7 to 12, inclusive, shall include algebra as part of the mathematics area of study pursuant to subdivision (f) of Section 51220.

(b) Commencing with the 2003-04 school year and each year thereafter, at least one course, or a combination of the two courses, in mathematics required to be completed pursuant to subparagraph (B) of paragraph (1) of subdivision (a) of Section 51225.3 by pupils while in grades 9 to 12, inclusive, prior to receiving a diploma of graduation from high school, shall meet or exceed the rigor of the content standards for Algebra I, as adopted by the State Board of Education pursuant to Section 60605.

Desired outcome/rationale.

Request a waiver of the (above) Algebra I graduation requirement for 1 pupils with disabilities, who are seniors, and are otherwise eligible to graduate in the 2010/2011 school year under current statute.

District/County/SELPA Certification – I hereby certify that the information provided on this application is correct & complete.

Signature of Superintendent or Designee:	Title: Superintendent	Date:
Signature of SELPA Director (only if a Special Education Waiver)		Date:

FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (type or print):	Staff Signature:	Date:
Unit Manager (type or print):	Unit Manager Signature:	Date:
Division Director (type or print):	Division Director Signature:	Date:
Deputy (type or print):	Deputy Signature:	Date:

**CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST**

AlGR-1 (Rev. 10-2-2009) <http://www.cde.ca.gov/re/lr/wr/>

**Waiver of Algebra I Graduation
Requirements for Pupils with Disabilities**

Send Original to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CDS CODE						
3	4	7	5	2	8	3

Local educational agency: Natomas Unified School District		Contact name and recipient of approval/denial notice: Susie Johnstone	Contact person's e-mail address: sjohnstone@natomas.k12.xa.us
Address: (City)	(State)	(ZIP)	Phone (and extension, if necessary): (916) 567-5434 Fax number: (916) 567-5441
1901 Arena Blvd.	Sacramento	CA 95834	
Period of request: (month/day/year) From: 8/16/2011 To: 12/30/2011		Local board approval date or SELPA signature date (required) Judith Holsinger 10-19-2011	

LEGAL CRITERIA

1. Authority for the waiver: X Specific code section: **EC 56101**
56101(a) Any district, special education local plan area, county office, or public education agency, as defined in Section 56500, may request the board to grant a waiver of any provision of this code or regulations adopted pursuant to that provision if the waiver is necessary or beneficial to the content and implementation of the pupil's individualized education program and does not abrogate any right provided individuals with exceptional needs and their parents or guardians under...(IDEA)... or to the compliance of a district, special education local plan area, or county office with...(IDEA)...and federal regulations relating thereto.
(b) The board may grant, in whole or in part, any request pursuant to subdivision (a) when the facts indicate that failure to do so would hinder implementation of the pupil's individualized education program or compliance by a district, special education local plan area, or county office with federal mandates for a free, appropriate education for children or youth with disabilities.

Education Code or California Code of Regulations section to be waived.
51224.5 (a) The adopted course of study for grades 7 to 12, inclusive, shall include algebra as part of the mathematics area of study pursuant to subdivision (f) of Section 51220.
(b) Commencing with the 2003-04 school year and each year thereafter, at least one course, or a combination of the two courses, in mathematics required to be completed pursuant to subparagraph (B) of paragraph (1) of subdivision (a) of Section 51225.3 by pupils while in grades 9 to 12, inclusive, prior to receiving a diploma of graduation from high school, shall meet or exceed the rigor of the content standards for Algebra I, as adopted by the State Board of Education pursuant to Section 60605.

Desired outcome/rationale.
Request a waiver of the (above) Algebra I graduation requirement for 1 pupils with disabilities, who are seniors, and are otherwise eligible to graduate in the 2011 school year under current statute.

District/County/SELPA Certification – I hereby certify that the information provided on this application is correct & complete.

Signature of Superintendent or Designee: Walt Hanline	Title: Interim Superintendent	Date: 10/20/11
Signature of SELPA Director (only if a Special Education Waiver) Judith Holsinger		Date: 10/19/11

FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (type or print):	Staff Signature:	Date:
Unit Manager (type or print):	Unit Manager Signature:	Date:
Division Director (type or print):	Division Director Signature:	Date:
Deputy (type or print):	Deputy Signature:	Date:



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM W-11



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

General Waiver

<p>SUBJECT</p> <p>Request by two local educational agencies to waive <i>California Code of Regulations</i>, Title 5, Section 3051.16(b)(3), the requirement that educational interpreters for deaf and hard of hearing pupils meet minimum qualifications as of July 1, 2009, to allow two educational interpreters to continue to provide services to students until June 30, 2012, under a remediation plan to complete those minimum qualifications.</p> <p>Waiver Numbers: San Joaquin County Office of Education 4-10-2011 Imperial County Office of Education 33-10-2011</p>	<p><input checked="" type="checkbox"/> Action</p> <p><input checked="" type="checkbox"/> Consent</p>
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RECOMMENDATION

Approval Approval with conditions Denial

The California Department of Education (CDE) recommends approval of the waiver requests for these two interpreters, with the individual conditions noted in the attached spreadsheet.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In 2002, the State Board of Education (SBE) approved regulations that required educational interpreters to be certified by the national Registry of Interpreters for the Deaf (RID), or equivalent, by January 1, 2007. As of July 1, 2009, they have been required to be certified by the national RID, or equivalent, or to have achieved a score of 4.0 on specified assessments.

Since 2007, 181 of these types of waiver have been approved by the SBE, and 25 have been denied.

SUMMARY OF KEY ISSUES

The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA 2004) requires that interpreters for pupils who are deaf or hard of hearing meet state-approved or state-recognized certification, licensing, registration, or other comparable requirements, as defined in Title 34 of the *Code of Federal Regulations*, Section 300.156(b)(1).

SUMMARY OF KEY ISSUES (Cont.)

To meet this federal requirement, the *California Code of Regulations*, Title 5 (5 CCR), Section 3051.16(b)(3) require the following:

By **July 1, 2009**, and thereafter, an educational interpreter shall be certified by the national Registry of Interpreters for the Deaf (RID), or equivalent; in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of **4.0** or above on the Educational Interpreter Performance Assessment (EIPA), the Educational Sign Skills Evaluation-Interpreter/Receptive (ESSE-I/R), or the National Association of the Deaf/American Consortium of Certified Interpreters (NAD/ACCI) assessment. If providing Cued Language transliteration, a transliterator shall possess Testing/Evaluation and Certification Unit (TECUnit) certification, or have achieved a score of **4.0** or above on the EIPA – Cued Speech.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in the California *Education Code (EC) 33051(a)*. The state board shall approve any and all requests for waivers except in those cases where the board specifically finds any of the following: (1) The educational needs of the pupils are not adequately addressed. (2) The waiver affects a program that requires the existence of a schoolsite council and the schoolsite council did not approve the request. (3) The appropriate councils or advisory committees, including bilingual advisory committees, did not have an adequate opportunity to review the request and the request did not include a written summary of any objections to the request by the councils or advisory committees. (4) Pupil or school personnel protections are jeopardized. (5) Guarantees of parental involvement are jeopardized. (6) The request would substantially increase state costs. (7) The exclusive representative of employees, if any, as provided in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, was not a participant in the development of the waiver.

In November 2009, the SBE approved a policy regarding educational interpreter waiver requests. That policy is on the CDE website at <http://www.cde.ca.gov/re/lr/wr/hottopics.asp#Educational> .

Demographic Information: See each individual waiver.

Authority for Waiver: *EC 33050*

Period of request: See Attachment 1 for period of request .

Local board approval date(s): See each individual waiver.

Public hearing held on date(s): See each individual waiver.

Position of bargaining unit(s): See each individual waiver.

Bargaining unit(s) consulted on date(s), name of unit: See each individual waiver.

SUMMARY OF KEY ISSUES (Cont.)

Advisory committee(s) consulted, Dates and objections: See each individual waiver.

Public hearing advertised by (choose one or more): See each individual waiver.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of waiver approval.

ATTACHMENT(S)

Attachment 1: An explanation of the scoring on each of the approved interpreter assessments (3 pages)

Attachment 2: List of Waiver Numbers, Districts, and Information Regarding Each Waiver (2 pages)

Attachment 3: List of Waiver Conditions (1 page)

Attachment 4: San Joaquin County Office of Education General Waiver Request (4 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: Imperial County Office of Education General Waiver Request (4 pages) (Original waiver request is signed and on file in the Waiver Office.)



California State Board of Education Policy

POLICY #

09-02

WAIVER GUIDELINES

DATE

State Board of Education (SBE) Waiver Policy for Educational Interpreters Not Meeting Regulatory Standards.

November
2009

REFERENCES

To use the General Waiver Authority, *Education Code (EC)* Section 33050 et seq. to waive Title 5, California Code of Regulations, Section 3051.16 (b)(3).

HISTORICAL NOTES

Regulatory Provisions:

California Code of Regulations, Title 5 (5 CCR) Section 3051.16(b)(3), requires the following:

- By **July 1, 2009**, and thereafter, an educational interpreter shall be certified by the national Registry of Interpreters for the Deaf (RID), or equivalent; in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of **4.0** or above on the Educational Interpreter Performance Assessment (EIPA), the Educational Sign Skills Evaluation-Interpreter/Receptive (ESSE-I/R), or the National Association of the Deaf/American Consortium of Certified Interpreters (NAD/ACCI) assessment. If providing Cued Language transliteration, a transliterator shall possess Testing/Evaluation and Certification Unit (TEC Unit) certification, or have achieved a score of **4.0** or above on the EIPA - Cued Speech.

Background:

The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA 2004) requires that interpreters for pupils who are deaf or hard of hearing meet state-approved or state-recognized certification, licensing, registration, or other comparable requirements, as defined in Title 34 of the *Code of Federal Regulations*, Section 300.156(b)(1).

In 2002, the State Board of Education (SBE) approved regulations that required educational interpreters to be certified by the national Registry of Interpreters for the Deaf (RID), or equivalent, by January 1, 2007. The purpose of establishing an implementation date of 2007 for the regulatory requirement was to provide local educational agencies and individual educational interpreters with five years in order to prepare for and meet the standard. In 2008, the SBE adopted revised regulations that allowed interpreters until July 1, 2008, to achieve a score of 3.0 on named assessments. As of July 1, 2009, regulations require them to achieve a score of 4.0

California State Board of Education

1430 N Street, Room 5111
Sacramento, California 95814
(916) 319-0827
(916) 319-0176 (fax)



on those same assessments. Since 2007, the SBE has heard and approved all waivers for interpreters who did not meet the regulatory criteria for working in California schools.

However, now that the July 1, 2009, deadline has passed, the California Department of Education (CDE) staff feels that in most cases local educational agencies have had enough time to try to bring their interpreters up to standards, and that interpreters who have never taken an assessment of their skills, or who have very low scores, should not continue to work with our deaf and hard of hearing students.

Waiver Criteria:

Basic Review Criteria for Educational Interpreter waivers:

1. Local educational agencies (LEAs) must provide, for each educational interpreter, current assessment scores on the Education Sign Skills Evaluation-Interpreter Performance Assessment (EIPA), the Educational Sign Skills Evaluation-Interpreter and Receptive (ESSE-I/R), or the National Association of the Deaf/American Consortium of Certified Interpreters (NAD/ACCI). Current means that the assessment must have been administered within the past school year. If current assessment scores are unavailable, LEAs must provide results from the pre-hire screening offered by Boys Town National Research Hospital.
2. All other documents for each interpreter:
 - Name, date and score of most recent interpreter assessment
 - Name, dates and scores of previous assessments
 - Date of hire
 - Efforts made by the LEA on behalf of the employee, to achieve this certification since August 28, 2002
 - Record of previous training/mentoring
 - Remediation plan, including training/mentoring by RID certified interpreter signed by the interpreter and the union representative
3. Waivers not meeting the above criteria will be held (not forwarded to SBE) until the information is provided, making the waiver “complete and documented.”



Page 3 of 3	
POLICY #	09-03
DATE	November 2009

Consent Calendar Criteria:

1. Each LEA (district or county office of education) must include a copy of district's current educational interpreter job description, which reflects the qualification standards of 5 CCR 3051.16, and show proof that they have recruitment and hiring policies that support these standards.
2. This must be the first year that an interpreter has requested a waiver, and the first year that the interpreter has been employed by that LEA. All repeat waivers will go on the SBE Action Calendar for discussion.
3. Each interpreter shall have achieved a composite score of 3.0 (intermediate) or above on the EIPA or the NAD/ACCI assessment, or a score of 3.0 (intermediate) or above on both the expressive and the receptive portions of the ESSE.

Level 3: Intermediate

Demonstrates knowledge of basic vocabulary, but will lack vocabulary for more technical, complex, or academic topics. Individual is able to sign in a fairly fluent manner using some consistent prosody, but pacing is still slow with infrequent pauses for vocabulary or complex structures. Sign production may show some errors but generally will not interfere with communication. Grammatical production may still be incorrect, especially for complex structures, but is in general intact for routine and simple language. Comprehends signed messages but may need repetition and assistance. Voiced translation often lacks depth and subtleties of the original message. An individual at this level would be able to communicate very basic classroom content, but may incorrectly interpret complex information resulting in a message that is not always clear.

An interpreter at this level needs continued supervision and should be required to participate in continuing education in interpreting.

Educational Interpreter Waiver Requests

An explanation of the scoring on each of the above named assessments is as follows:

- The EIPA is administered by Boys Town National Research Hospital in Omaha, Nebraska. An interpreter who takes the EIPA receives a single composite score from 1-5.
- The ESSE is administered by the Signing Exact English (SEE) Center in Los Alamitos, California. An interpreter who takes the ESSE receives a score from 1-5 in expressive interpreting skills and a separate score from 1-5 in receptive skills. Expressive interpreting refers to the ability to listen to a spoken English message and interpret it in signed language. Receptive skill refers to the ability to understand a signed message, and translate it to spoken or written English. An interpreter who takes the ESSE must receive a score of 4 or above on both portions of the evaluation.
- The NAD/ACCI assessment was administered by the California Coalition of Agencies Serving the Deaf and Hard of Hearing. An interpreter who took the NAD/ACCI assessment received a single composite score from 1-5. Administration of the NAD/ACCI assessment was discontinued in 2004.

Following are descriptions of the levels of educational interpreting provided by Boys Town National Research Hospital, which administers the EIPA:

Level 1: Beginner

Demonstrates very limited sign vocabulary with frequent errors in production. At times, production may be incomprehensible. Grammatical structure tends to be nonexistent. Individual is only able to communicate very simple ideas and demonstrates great difficulty comprehending signed communication. Sign production lacks prosody and use of space for the vast majority of the interpreted message.

An individual at this level is not recommended for classroom interpreting

Level 2: Advanced Beginner

Demonstrates only basic sign vocabulary and these limitations interfere with communication. Lack of fluency and sign production errors are typical and often interfere with communication. The interpreter often hesitates in signing, as if searching for vocabulary. Frequent errors in grammar are apparent, although basic signed sentences appear intact. More complex grammatical structures are typically difficult. Individual is able to read signs at the word level and simple sentence level but complete

or complex sentences often require repetitions and repairs. Some use of prosody and space, but use is inconsistent and often incorrect.

An individual at this level is not recommended for classroom interpreting.

Level 3: Intermediate

Demonstrates knowledge of basic vocabulary, but will lack vocabulary for more technical, complex, or academic topics. Individual is able to sign in a fairly fluent manner using some consistent prosody, but pacing is still slow with infrequent pauses for vocabulary or complex structures. Sign production may show some errors but generally will not interfere with communication. Grammatical production may still be incorrect, especially for complex structures, but is in general intact for routine and simple language. Comprehends signed messages but may need repetition and assistance. Voiced translation often lacks depth and subtleties of the original message. An individual at this level would be able to communicate very basic classroom content, but may incorrectly interpret complex information resulting in a message that is not always clear.

An interpreter at this level needs continued supervision and should be required to participate in continuing education in interpreting.

Level 4: Advanced Intermediate

Demonstrates broad use of vocabulary with sign production that is generally correct. Demonstrates good strategies for conveying information when a specific sign is not in her/his vocabulary. Grammatical constructions are generally clear and consistent, but

complex information may still pose occasional problems. Prosody is good, with appropriate facial expression most of the time. May still have difficulty with the use of facial expression in complex sentences and adverbial non-manual markers. Fluency may deteriorate when rate or complexity of communication increases. Uses space consistently most of the time, but complex constructions or extended use of discourse cohesion may still pose problems. Comprehension of most signed messages at a normal rate is good but translation may lack some complexity of the original message.

An individual at this level would be able to convey much of the classroom content but may have difficulty with complex topics or rapid turn taking.

Level 5: Advanced

Demonstrates broad and fluent use of vocabulary, with a broad range of strategies for communicating new words and concepts. Sign production errors are minimal and never interfere with comprehension. Prosody is correct for grammatical, non-manual markers, and affective purposes. Complex grammatical constructions are typically not a problem. Comprehension of sign messages is very good, communicating all details of the original

message.

An individual at this level is capable of clearly and accurately conveying the majority of interactions within the classroom.

Another way of clarifying the meaning of the scores is as follows:

Score	Rate of accuracy of interpretation
0	0%
1	20%
2	40%
3	60%
4	80%
5	100%

List of Waiver Numbers, Districts, and Information Regarding Each Waiver

Waiver Number	LEA	Interpreter	SBE Stream-lined Waiver Policy	Name, Date, and Score of Most Recent Evaluation	Name, Dates, and Scores of Previous Evaluations	Date of Hire	New or Renewal	Period of Request	Bargaining Unit Position	Fiscal Status
4-10-2011	San Joaquin COE	Brittany Pitsch (formerly Parker)	No	EIPA 5/14/2011 3.3	ESSE 1/30/2010 Expressive 3.4 (68%) Receptive 2.7 (54%) EIPA Pre-Hire Screen 2/5/2010 "OK to Hire" ESSE 5/22/2010 Expressive 3.4 (68%) Receptive 2.7 (54%) EIPA 11/8/2010 3.2 (64%) EIPA 5/15/2011 3.3 (66%)	Hired in 2008 Rehired 3/8/2010	Renewal. Ms. Pitsch had a waiver 2009-10, but moved out of area. She then moved back in and applied for a waiver for 2010-11. This is a third waiver request for Ms. Pitsch	August 1, 2011, to June 30, 2012	California School Employees Association (CSEA); Terry Mead, President Support. CSEA President noted OK to support pending next testing.	No Statewide Impact

Waiver Number	LEA	Interpreter	SBE Stream-lined Waiver Policy	Name, Date, and Score of Most Recent Evaluation	Name, Dates, and Scores of Previous Evaluations	Date of Hire	New or Renewal	Period of Request	Bargaining Unit Position	Fiscal Status
33-10-2011	Imperial COE	Deneen Hitch	No	EIPA Pre-Hire Screen 7/20/2011	None	9/12/2011	New	September 12, 2011, to June 30, 2012	California School Employees Association Chapter 614; Ruby Tagaban Support	No Statewide Impact

January 12 Educational Interpreter Conditions

Waiver Number	LEA	Interpreter	Conditions
4-10-2011	San Joaquin COE	Brittany Pitsch (formerly Parker)	<ol style="list-style-type: none"> 1. The San Joaquin COE must provide Ms. Pitsch with weekly one-on-one mentorship, based on an individualized professional development plan, by a qualified interpreter. 2. By June 2012, the San Joaquin COE must provide CDE with new assessment scores for Ms. Pitsch. The scores must be from one of the assessments named in 5 CCR 3051.16. 3. If Ms. Pitsch does not meet the qualification standard, the San Joaquin COE will not request a waiver for the 2012-13 school year.
33-10-2011	Imperial COE	Deneen Hitch	<ol style="list-style-type: none"> 1. The Imperial COE must provide Ms. Hitch with weekly one-on-one mentorship, based on an individualized professional development plan, by a qualified interpreter. 2. By June 2012, the Imperial COE must provide CDE with new assessment scores for Ms. Hitch. The scores must be from one of the assessments named in 5 CCR 3051.16. 3. If Ms. Hitch does not meet the qualification standard, the district must require her to participate weekly in mentoring throughout the 2011-12 school year, and she must demonstrate growth in skills in order to request a waiver for the 2012-13 school year.

CALIFORNIA DEPARTMENT OF EDUCATION

GENERAL WAIVER REQUEST - EDUCATIONAL INTERPRETER

GW-1 (Rev. 1-8-10)

<http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver:
Renewal Waiver: **XX**

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	9	1	0	3	9	7

Local educational agency: San Joaquin County Office of Education			Contact name and Title: Aggie Christensen-Program Manager I			Contact person's e-mail address: achristensen@sjcoe.net		
Address:		(City)	(State)	(ZIP)	Phone (and extension, if necessary): (209) 468-9039			
2901 Arch-Airport Road		Stockton	CA	95206	Fax Number: (209) 468-9226			
Period of request: (month/day/year) 8 NGS From: 4 0/1/11		Local board approval date: (Required) 6 NGS To: 9/30/12		Date of public hearing: (Required) 9/26/2011				

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section to be waived: **5 CCR 3051.16 (b)(3) Specialized Services for Low-Incidence Disabilities**
Topic of the waiver: **Educational Interpreter not Meeting State and Federal Qualifications**
Name of Interpreter: **Brittany Parker**

2. If this is a renewal of a previously approved waiver, please list Waiver Number:170-12-2010-W-17 and date of SBE Approval 3/2010
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): 10/3/11
Name of bargaining unit and representative(s) consulted: **California School Employees Association**
Terry Mead , President **per Aggie Christensen**
10/7/2011 jb
The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)
Comments (if appropriate): OK as discussed pending next testing – Terry Mead

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?
 Notice in a newspaper Notice posted at each school Other: (*Please specify*) Posted @ San Joaquin County Office Of Education

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:
Advisory Committee

Date the committee/council reviewed the waiver request: 9/2011 reviewed by CSEA representatives and Administration.
To be reviewed at the next CAC Business Meeting scheduled on 11/7/11. Community Advisory Committee (CAC)

Were there any objection(s)? No Yes (*If there were objections please specify*)

Per Aggie Christensen 10/7/2011

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (1-8-10)
Educational Interpreter

6. *Education Code or California Code of Regulations* section to be waived: (**Strike-out** below indicates the exact language being waived.)

EC 3051.16. Specialized Services for Low-Incidence Disabilities.

(b) Certification requirements for educational interpreters for deaf and hard of hearing pupils.
~~(3) By July 1, 2009, and thereafter, an educational interpreter shall be certified by the national RID, or equivalent; in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of 4.0 or above on the EIPA, the ESSE-1/R, or the NAD/ACCI assessment. If providing Cued Language transliteration, a transliterator shall possess TECUnit certification, or have achieved a score of 4.0 or above on the EIPA – Cued Speech.~~

7. Required Attachments:

1. Each LEA (district or county) request must include a copy of district's current educational interpreter job description, which reflects the qualification standards of 5 CCR 3051.16.

For each interpreter, please attach the following:

2. Name, date and score of most recent (**within the last 12 months**) interpreter assessment (EIPA, ESSE, or NAD/ACCI)
3. Name, dates and scores of previous assessments
4. Date of hire
5. Efforts made by the LEA on behalf of the employee, to achieve this certification since August 28, 2002
6. Record of previous training/mentoring
7. Remediation plan, including training/mentoring by RID certified interpreter signed by the interpreter and the union representative. (should indicate the interpreter may not continue to be employed if they can't attain the required scores.
8. If interpreter has previous waivers, copies of the conditions of approval and evidence of

8. Demographic Information:
San Joaquin County Office of Education Special Education Program has a student population of 662 students with Severe Handicaps/Deaf & Hard of Hearing and other disabilities and is located in a suburban city in San Joaquin County.

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee: Karen DePrater	Title: Division Director – Human Resources	Date: 9/27/11
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

San Joaquin County Office of Education
Mick Founts, Superintendent of Schools

September 26, 2011

Remediation Plan for Brittany Pitsch

The San Joaquin County Office of Education is committed to developing a plan for Brittany Pitsch to achieve the required score of 4.0 for certification for the Education Sign Language Interpreter. It is our goal to help Brittany achieve this rating by providing her a mentor interpreter certified by the Registry of the Interpreters for the Deaf (RID).

The results of her 5/14/11 exam do not meet the 4.0 requirement therefore a waiver has been requested and a remediation plan has been created. Brittany will continue to meet with her mentor using the results of her latest exam to address the areas she needs to work on. We will continue to provide the mentoring services for Brittany with the goal of reaching the required score of 4.0. The information received from the EIPA with her assessment scores recommended that the candidate work with a language or interpreter mentor and allow at least one year for skill development before retesting.

Brittany and a representative of CSEA have been made aware of the remediation plan and are both in agreement.

San Joaquin County Office of Education
Mick Founts, Superintendent of Schools

November 2, 2010

Remediation Plan for Brittany Pitsch

The San Joaquin County Office of Education is committed to developing a plan for Brittany Pitsch to achieve the required score of 4.0 for certification for the Education Sign Language Interpreter. It is our goal to help Brittany achieve this rating by providing her a mentor interpreter certified by the Registry of the Interpreters for the Deaf (RID).

Brittany is scheduled to retake the test on November 8, 2010. We will begin the mentoring services immediately, although we will not know the results of the exam taken on Monday, November 8, 2010. We do not expect to receive the scores from the testing agency until approximately March of 2011; this estimate is based on the previous examination dates and when the examination results were received. We will continue to provide the mentoring services until Brittany reaches the required score of 4.0.

Brittany and a representative of CSEA have been made aware of this remediation plan and are both in agreement.

Brittany Pitsch - Interpreter

Terry Mead – CSEA representative

CALIFORNIA DEPARTMENT OF EDUCATION

GENERAL WAIVER REQUEST - EDUCATIONAL INTERPRETER

GW-1 (Rev. 1-8-10)

<http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver:
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE					
1	3	1	0	3	2

Local educational agency: Imperial County Office of Education		Contact name and Title: Deborah E. Montoya Sr. Director, Special Education		Contact person's e-mail address: dmontoya@icoe.org	
Address: (City) (State) (ZIP) 1398 Sperber Rd. El Centro CA 92243		Phone (and extension, if necessary): 760-312-6428			
				Fax Number: 760-312-6530	
Period of request: (month/day/year) From: 9/12/2011 To: 6/30/2012		Local board approval date: (Required) October 10, 2011		Date of public hearing: (Required) October 10, 2011	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section to be waived: **5 CCR 3051.16 (b)(3) Specialized Services for Low-Incidence Disabilities**
Topic of the waiver: **Educational Interpreter not Meeting State and Federal Qualifications**
Name of Interpreter: **Deneen Hitch**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: **1st waiver request** and date of SBE Approval: **N/A** Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **September 1, 2011**
California School Employees Association
Name of bargaining unit and representative(s) consulted: **Ruby Tagaban**, Chapter President
The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)

Comments (if appropriate): **per Deborah Montoya jb 10/28/11**

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school Other: (*Please specify*)

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:
School Site Council Imperial County Office of Education jb 10/28/11 per Deborah Montoya
Date the committee/council reviewed the waiver request: **September 15, 2011**

Were there any objection(s)? No Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (1-8-10)
Educational Interpreter

6. *Education Code or California Code of Regulations* section to be waived: (**Strike-out** below indicates the exact language being waived.)

EC 3051.16. Specialized Services for Low-Incidence Disabilities.

(b) Certification requirements for educational interpreters for deaf and hard of hearing pupils.

~~(3) By July 1, 2009, and thereafter, an educational interpreter shall be certified by the national RID, or equivalent; in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of 4.0 or above on the EIPA, the ESSE-IR, or the NAD/ACCI assessment.~~ If providing Cued Language transliteration, a transliterator shall possess ~~TEC Unit certification, or have achieved a score of 4.0 or above on the EIPA – Cued Speech.~~

7. Required Attachments:

1. Name, date and score of most recent (within 12 months)* interpreter assessment (EIPA, ESSE, or NAD/ACCI): EIPA Pre-Hire Screening Report
2. Date of hire: September 12, 2011
3. A Remediation Plan, specific to that interpreter, including the LEA's plans help the interpreter to achieve certification in the next year, including training/mentoring by a RID certified interpreter. The plan must include a statement that the interpreter understands (s)he might not be able to stay in their job if certification is not met, or a waiver granted. This document must be signed by the interpreter and the union representative as well as someone from administration.

8. Demographic Information:

Imperial County Office of Education has a student population of **502** and is located in a rural area in **Imperial** County.

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title:	Date:
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

September 1, 2011

TO: Deneen Hitch, candidate for Educational Sign Language Interpreter position
FROM: Deborah E. Montoya, Senior Director, Special Education

RE: Educational Sign Language Interpreter Remediation Plan through June 30, 2012.

Dear Mrs. Hitch,

In accordance with: Title 5. EDUCATION regulation section 3051.16 (b)(3), "By July 1, 2009, and thereafter, an educational interpreter shall be certified by the national RID, or equivalent; in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of 4.0 or above on the EIPA, the ESSE-I/R, or the NAD/ACCI assessment...". Therefore, this letter is to inform you that the ICOE will be submitting a waiver request in relation to this aforementioned Title 5 Education Code on your behalf. A state requirement of the waiver request is that a Remediation Plan be developed and included with the waiver request. A waiver, if granted, would allow you to work as an Educational Sign Language Interpreter for the 2011-2012 school year. You are eligible to be hired by ICOE due to your Pre-hire Screening results ("hire with caution/ ok to hire"). A 4.0 score on an acceptable sign language assessment is the state requirement, as stated above in the Title 5 Education Code, thus all Educational Sign Language Interpreters employed in the K-12 public school system must meet this requirement.

You have not provided ICOE with scores on any of the aforementioned assessments at this time. Therefore the Remediation Plan below will be followed by you to assist you in meeting qualification requirements of an Educational Sign Language Interpreter.

Remediation Plan:

- As soon as possible, the Imperial County Office of Education (ICOE) must provide CDE with your assessment scores (ESSE or EIPA); therefore, you are required to take the ESSE or EIPA exam before the end of the 2011-2012 school year. The ESSE exam is scheduled on September 24, 2011 in Santa Ana, CA, and you are required to attend and take the exam on the scheduled date. The Special Education Department will assist you with making the arrangements.
- You are required to take advantage of the opportunities and resources available from ICOE to maximize your assessment score. Proof of participation in these opportunities will strengthen the waiver application request when CDE determines whether to grant or deny your waiver. Opportunities are listed below.

The ICOE is offering opportunities to support you in the above remediation plan and to help you meet your goal of 4.0 test score on the ESSE or EIPA. ICOE is offering the following opportunities for professional growth:

- EIPA Workshops (Fall 2011)
- Reimbursement for unit cost of Cypress College coursework (provided through video conferencing)
- Access to DVD library
- Reimbursement for one EIPA or ESSE assessment during 2011-2012 school year

- Access to newly purchased sign language vocabulary books with previously non-accessible vocabulary
- Encouragement of all interpreters to meet regularly with colleagues to work on developing their Sign language skills; ICOE to provide location

The ICOE expects your full cooperation in this remediation plan. A Waiver Request for the 2011-2012 school year will be submitted for the California State Board of Education's review during the January 12 and 13 CDE Board of Education meeting. Your continued employment for the 2011-2012 school year will be contingent upon CDE Board of Education approval. There is no guarantee that the CDE will grant a waiver when requested.

Should you have any questions and/or concerns please contact Deborah Montoya at (760) 312-6428. Thank you in advance for your attention and cooperation in this matter. We look forward to your successful obtainment of a passing score on the ESSE or EIPA in the near future.

CSEA

ICOE Program Administrator

Employee



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM W-12



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

General Waiver

<p>SUBJECT</p> <p>Request by Fairfax Elementary School District to waive <i>California Code of Regulations</i>, Title 5, Section 3043(d), which requires a minimum of 20 school days of attendance of four hours each for an extended school year (summer school) for special education students.</p> <p>Waiver Number: 25-9-2011</p>	<p><input checked="" type="checkbox"/> Action</p> <p><input checked="" type="checkbox"/> Consent</p>
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RECOMMENDATION

Approval Approval with conditions Denial

The California Department of Education recommends that the State Board of Education (SBE) approve the request from one local educational agency (LEA) to provide extended school year (ESY) services for fewer than 20 days, with the condition that 80 hours or more of instruction be provided and that special education and related services offered during the extended year period are comparable in standards, scope, and quality to the special education program offered during the regular academic year as required by *California Code of Regulations*, Title 5, (5 CCR), Section 3043(d).

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In the past, the SBE approved waivers to allow school districts to provide the required minimum amount of instruction in fewer days during the ESY for special education students.

Extended school year is the term for the education of special education students "between the close of one academic year and the beginning of the next," similar to a summer school. It must be provided for each individual with exceptional needs whose individualized education program (IEP) requires it. Local educational agencies may request a waiver to provide an ESY program for fewer days than the traditional model.

SUMMARY OF KEY ISSUES

Fairfax Elementary School District (FESD) proposes to provide ESY services utilizing a 15-day model over a four week period and instructional time of five and one-half hours per day, rather than the traditional 20-day model. The longer school day for the ESY calendar aligns better with the regular school year providing more consistency for students served. The District contends student learning and instruction will be maximized by modifying the ESY schedule as proposed.

SUMMARY OF KEY ISSUES (Cont.)

For the purposes of reimbursement for average daily attendance, an ESY program:

- Must provide instruction of at least as many minutes over the shorter period as would have been provided during a typical 20-day program;
- Must be the same length of time as the school day for pupils of the same age level attending summer school in the district in which the extended year program is provided, but not less than the minimum school day for that age unless otherwise specified in the IEP to meet a pupil's unique needs; and
- Must offer special education and related services during the extended year period that are comparable in standards, scope, and quality to the special education program offered during the regular academic year.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in EC 33051(a). The state board shall approve any and all requests for waivers except in those cases where the board specifically finds any of the following: (1) The educational needs of the pupils are not adequately addressed. (2) The waiver affects a program that requires the existence of a schoolsite council and the schoolsite council did not approve the request. (3) The appropriate councils or advisory committees, including bilingual advisory committees, did not have an adequate opportunity to review the request and the request did not include a written summary of any objections to the request by the councils or advisory committees. (4) Pupil or school personnel protections are jeopardized. (5) Guarantees of parental involvement are jeopardized. (6) The request would substantially increase state costs. (7) The exclusive representative of employees, of any, as provided in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, was not a participant in the development of the waiver.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of waiver approval.

ATTACHMENT(S)

Attachment 1: Summary Table (1 page)

Attachment 2: General Waiver Request (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Waiver Number	Local Educational Agency	Period of Request	Demographics	Local Board Approval Date	Bargaining Unit Consulted – Date	Position of Bargaining Unit	Advisory Committee or School Site Council Consulted – Date	Position of committee/ council
25-9-2011	Fairfax Elem SD	06/5/2012 – 06/28/2012	Located in a large city in Kern County w/student population of 2195	9/8/2011	08/02/2011	Neutral	08/02/2011	No objections

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X
Renewal Waiver: _____

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
1	5	6	3	4	6	1

Local educational agency: Fairfax School District		Contact name and Title: Michael Coleman, Superintendent		Contact person's e-mail address: mcoleman@fairfax.k12.ca.us	
Address: 1500 South Fairfax Road		(City) Bakersfield	(State) CA	(ZIP) 93307	Phone (and extension, if necessary): (661)366-7221 Fax Number: (661) 366-1901
Period of request: (month/day/year) From: June 5, 2012 To: June 28, 2012		Local board approval date: (Required) 9/8/2011		Date of public hearing: (Required) 9/8/2011	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number):
Circle One: *EC* or *CCR*

Topic of the waiver: **CCR Title 5 Section 3043 (g)(1) and (2) Extended School Year**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: _____ and date of SBE Approval _____
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? ___ No **X** Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): August 2, 2011

Name of bargaining unit and representative(s) consulted: Kern Fairfax Teachers Association ; Jennifer Dewey , (President)

The position(s) of the bargaining unit(s): Neutral ___ Support ___ Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

___ Notice in a newspaper **X** Notice posted at each school ___ Other: (*Please specify*)

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Shirley Lane Elementary School Site Council; Lola Behling (President)

Date the committee/council reviewed the waiver request: August 2, 2011

Were there any objection(s)? No Yes ___ (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).
CCR 3043(d) An Extended School Year program shall be provided for a minimum of 20 instructional days including holidays.

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.
Due to the fiscal crisis in California, the Fairfax School District proposes to provide Extended School Year (ESY) services to identified special education students utilizing a fifteen (15) day, five and one half (5 ½) hours of instructional model rather than the traditional model of twenty (20) days with four (4) hours of instruction. Students would receive the same number of instructional minutes. The overall instructional time will remain the same; however, there will be a reduction in days of attendance to 15 days over a four (4) week period. The longer school day for ESY will align better with the regular school year providing more consistency for the students served. Fewer ESY days will result in substantial savings in transportation, utilities, janitorial, food services, administration and clerical costs. The entire district will be operating on a four (4) day week. Additionally, the district has found that there is a drop in attendance on Mondays and Fridays, as well as a reduction during the final week of the ESY program. This was particularly evident when the District offered a five (5) day program over four (4) weeks. The District believes it will be able to maximize student learning and instruction by modifying the ESY schedule to four (4) days per week with extended daily time.

8. Demographic Information:
*(District/school/program)*The Fairfax School District has a student population of 2,224 and is located in a rural, East Bakersfield in Kern County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title: Superintendent	Date:
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM W-13



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

Specific Waiver

<p>SUBJECT</p> <p>Request by two county offices of education (COE) to waive <i>Education Code (EC)</i> Section 56366.1(a), the requirement for state certification to allow an uncertified nonpublic school/residential treatment facility to provide services to one or more special education student(s).</p> <p>Waiver Numbers: Napa County Office of Education 1-9-2011 and 2-9-2011 Solano County Office of Education 27-9-2011, 28-9-2011, 29-9-2011, 30-9-2011, 31-9-2011, 32-9-2011, and 33-9-2011</p>	<p><input checked="" type="checkbox"/> Action</p> <p><input type="checkbox"/> Consent</p>
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RECOMMENDATION

Approval Approval with conditions Denial

The waiver requests submitted by the Napa and Solano County Offices of Education (COEs) are addressed on the California Department of Education's (CDE) Web page at <http://www.cde.ca.gov/sp/se/ac/rescare.asp>, which expressly authorizes local educational agencies to enter into the necessary contractual relationships to maintain residential treatment placements. Accordingly, there is no need for a waiver and waiver denial is recommended.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

On June 30, 2011, Assembly Bill 114, Chapter 43, Statutes of 2011 (AB 114) was signed into law. Under AB 114, several sections of Chapter 26.5 of the California *Government Code (GC)* were amended or rendered inoperative, thereby ending the state mandate on county mental health agencies to provide mental health services to students with disabilities. With the passage of AB 114, it is clear that local educational agencies (LEAs) are now solely responsible for ensuring that students with disabilities receive special education and related services, including some services previously arranged for or provided by county mental health agencies.

In September 2011, the CDE issued seven guidance documents to assist in the transition of responsibilities from mental health agencies to LEAs and to guide LEAs in securing required services for students with disabilities. Further, clarification was provided concerning the circumstances under which related service providers must obtain certification as Nonpublic Agencies (NPAs) or Nonpublic Schools (NPSs).

SUMMARY OF KEY ISSUES

The Napa and Solano COEs waiver requests explain that the desired outcome is to continue the student placements at nine residential treatment facilities pursuant to current individualized education plans (IEPs) and to utilize special education funds to pay for the placements.

The CDE, Special Education Division analyzed the waiver requests and believes that:

- The need for the waiver requests is obviated pursuant to the guidance documents issued by the CDE, which can be viewed on the CDE AB 114 Special Education Transition Web page at <http://www.cde.ca.gov/sp/se/ac/ab114twg.asp>;
- All nine residential treatment facilities have the option to apply for and receive certification as a nonpublic, nonsectarian school or agency;
- A further option is for relevant districts within the Napa and Solano COEs to convene a meeting of the IEP team members, for each student with a disability being cared for at the nine residential treatment facilities that are the subject of this waiver, to discuss an alternate placement.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of waiver denial. Denial of this waiver means that these two COEs will be required to operate within the guidance provided to the field in September 2011 or to exercise one of the other options outlined.

ATTACHMENT(S)

- Attachment 1: Summary Table (2 pages)
- Attachment 2: Journey High School Specific Waiver Request 1-9-2011(2 pages)
(Original Waiver request is signed and on file in the Waiver Office.)
- Attachment 3: Summitview Academy Specific Waiver Request 2-9-2011(2 pages)
(Original Waiver request is signed and on file in the Waiver Office.)
- Attachment 4: Stanislaus Academy Specific Waiver Request 27-9-2011 (2 pages)
(Original Waiver request is signed and on file in the Waiver Office.)
- Attachment 5: North Valley Redding Specific Waiver Request 28-9-2011 (2 pages)
(Original Waiver request is signed and on file in the Waiver Office.)

ATTACHMENT(S) (Cont.)

- Attachment 6: Milhous Inc. Specific Waiver Request 29-9-2011 (2 pages) (Original Waiver request is signed and on file in the Waiver Office.)
- Attachment 7: Larry M. Simmons High School Specific Waiver Request 30-9-2011 (2 pages) (Original Waiver request is signed and on file in the Waiver Office.)
- Attachment 8: Options in Education Specific Waiver Request 31-9-2011 (2 pages) (Original Waiver request is signed and on file in the Waiver Office.)
- Attachment 9: Colorado Boys Ranch Youth Connect Specific Waiver Request 32-9-2011 (2 pages) (Original Waiver request is signed and on file in the Waiver Office.)
- Attachment 10: Families First Specific Waiver Request 33-9-2011 (2 pages) (Original Waiver request is signed and on file in the Waiver Office.)

SUMMARY TABLE						
Waiver Number	Local Educational Agency	Name and location of residential center/facility	Name of entity providing educational services	What is Relationship between residential and educational facilities?	Period of Request	Local Board Approval Date
1-9-2011	Napa COE	TLC Child and Family Services	Journey High School (Certified NPS)	Jointly owned/same organization confirmed by telephone with TLC	7/1/11 to 6/30/12	SELPA approved 8/31/11
2-9-2011	Napa COE					
		Summitview Child and Family Services	Summitview Academy (Certified NPS)	Jointly owned/same organization confirmed by telephone with Summitview	7/1/11 to 6/30/12	SELPA Approved 8/31/11
27-9-2011	Solano COE	Excell Center P.O Box 3459 Turlock, CA 95381	Stanislaus Academy	Same Owner	7/1/11 – 6/30/12	8/30/2011
28-9-2011	Solano COE	Victor Youth Services 855 Canyon Road, Redding, CA 96001	North Valley Redding	Same Owner	7/1/11 – 6/30/12	8/30/2011
29-9-2011	Solano COE	Milhous School Inc 10591 Milhous Drive, Nevada City, CA 95959	Milhous Inc	Same Owner	7/1/11 – 6/30/12	8/30/2011

SUMMARY TABLE						
Waiver Number	Local Educational Agency	Name and location of residential center/facility	Name of entity providing educational services	What is Relationship between residential and educational facilities?	Period of Request	Local Board Approval Date
30-9-2011	Solano COE	Family Life Center 365 Kuck Lane, Petaluma, Ca 94952	Larry M. Simmons High School	Same Owner	7/1/11 – 6/30/12	8/30/2011
31-9-2011	Solano COE	Human Services Project Inc 5361 N. Pershing Avenue, Suite H, Stockton, CA 95207	Options in Education	Same Owner	7/1/11 – 6/30/12	8/30/2011
32-9-2011	Solano COE	Colorado Boys Ranch P.O Box 681 LaJunta CO 81050	Colorado Boys Ranch Youth Connect	Same Owner	7/1/11 – 6/30/12	8/30/2011
33-9-2011	Solano COE	Families First 2100 Fifth Street, Davis, CA 95616	Families First	Same Owner	7/1/11 – 6/30/12	8/30/2011

CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST

**To Obtain Student Services
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Non-Public School or Agency**

SW-1 (Rev. 10-2-2009) <http://www.cde.ca.gov/re/lr/wr/>

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
2	8	1	0	2	8	0

Local educational agency: Napa County SELPA			Contact name and Title: Shelton B. Yip, Director			Contact person's e-mail address: syip@ncoe.k12.ca.us		
Address:		(City)	(State)	(ZIP)	Phone (and extension, if necessary): 707-253-6807			
2121 Imola Ave.		Napa	CA	94559	Fax number: 707-253-6989			
Period of request: (month/day/year) From: 07/01/11 To: 06/30/12			Local board approval date or SELPA signature required 8/31/2011					
			jb 9/28/11					

LEGAL CRITERIA

- Authority for the waiver:**
56101. (a) Any district, special education local plan area, county office, or public education agency, as defined in Section 56500, may request the board to grant a waiver of any provision of this code or regulations adopted pursuant to that provision if the waiver is necessary or beneficial to the content and implementation of the pupil's individualized education program and does not abrogate any right provided individuals with exceptional needs and their parents or guardians under the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), or to the compliance of a district, special education local plan area, or county office with the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), Section 504 of, the Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), and federal regulations relating thereto. (b) The board may grant, in whole or in part, any request pursuant to subdivision (a) when the facts indicate that failure to do so would hinder implementation of the pupil's individualized education program or compliance by a district, special education local plan area, or county office with federal mandates for a free, appropriate education for children or youth with disabilities.
- Brief Description of the topic of the waiver:**
56366.1(a) Waiver of the required certification for a non public school or agency. The purpose of this waiver is to be able to serve students in a nonpublic school or agency using California special education funds.
- Education Code section to be waived:**
56366.1(a) A nonpublic, nonsectarian school or agency that seeks certification shall file an application with the Superintendent on forms provided by the department and include the following information on the application: (1) A description of the special education and designated instruction and services provided to individuals with exceptional needs if the application is for nonpublic, nonsectarian school certification.

CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST
SW-1 (Rev 10-2-2009)

4. Desired outcome/rationale. Briefly state the reason the student(s) needs to attend a non-certified non-public school. Be sure to also complete and attach the supplemental information form. Not all of the additional forms may be necessary (call Waiver Office 916-319-0824)

Prior to the appeal of GC 26.5 (AB 3632) Napa County Mental Health recommended the placement of one or more students at Journey High School/TLC Child and Family Services, a residential NPS. It is the intent of the Napa County SELPA to continue this placement pursuant to the current IEP and utilize Special Education funds to pay for this placement. In order to expend special education funds on board and care as a related service, we respectfully request waiver to EC 56366.2. Without such a waiver, member school districts would be obligated to use general fund dollars to pay for these significant expenses, potentially creating financial hardships until clean-up legislation is enacted.

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title:	Date:
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Signature of SELPA Director (Only if a Special Education Waiver under EC 56101)	Date: August 31, 2011
---	--------------------------

FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (<i>type or print</i>):	Staff Signature:	Date:
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Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
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Division Director (<i>type or print</i>):	Division Director Signature:	Date:
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Deputy (<i>type or print</i>):	Deputy Signature:	Date:
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CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST

**To Obtain Student Services
from a Noncertified
Non-Public School or Agency**

SW-1 (Rev. 10-2-2009) <http://www.cde.ca.gov/re/lr/wr/>

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
2	8	1	0	2	8	0

Local educational agency: Napa County SELPA			Contact name and Title: Shelton B. Yip, Director			Contact person's e-mail address: syip@ncoe.k12.ca.us		
Address:		(City)	(State)	(ZIP)	Phone (and extension, if necessary): 707-253-6807			
2121 Imola Ave.		Napa	CA	94559	Fax number: 707-253-6989			
Period of request: (month/day/year) From: 07/01/11 To: 06/30/12			Local board approval date or SELPA signature required 8/31/2011					
			jb 9/28/11					

LEGAL CRITERIA

- Authority for the waiver:**
56101. (a) Any district, special education local plan area, county office, or public education agency, as defined in Section 56500, may request the board to grant a waiver of any provision of this code or regulations adopted pursuant to that provision if the waiver is necessary or beneficial to the content and implementation of the pupil's individualized education program and does not abrogate any right provided individuals with exceptional needs and their parents or guardians under the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), or to the compliance of a district, special education local plan area, or county office with the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), Section 504 of, the Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), and federal regulations relating thereto. (b) The board may grant, in whole or in part, any request pursuant to subdivision (a) when the facts indicate that failure to do so would hinder implementation of the pupil's individualized education program or compliance by a district, special education local plan area, or county office with federal mandates for a free, appropriate education for children or youth with disabilities.
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CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST
SW-1 (Rev 10-2-2009)

4. Desired outcome/rationale. Briefly state the reason the student(s) needs to attend a non-certified non-public school. Be sure to also complete and attach the supplemental information form. Not all of the additional forms may be necessary (call Waiver Office 916-319-0824)

Prior to the appeal of GC 26.5 (AB 3632) Napa County Mental Health recommended the placement of one or more students at Summitview Child and Family Services, a residential NPS. It is the intent of the Napa County SELPA to continue this placement pursuant to the current IEP and utilize Special Education funds to pay for this placement. In order to expend special education funds on board and care as a related service, we respectfully request waiver to EC 56366.2. Without such a waiver, member school districts would be obligated to use general fund dollars to pay for these significant expenses, potentially creating financial hardships until clean-up legislation is enacted.

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title:	Date:
Signature of SELPA Director (Only if a Special Education Waiver under EC 56101)		Date: August 31, 2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST

**To Obtain Student Services
from a Noncertified
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SW-1 (Rev. 10-2-2009) <http://www.cde.ca.gov/re/lr/wr/>

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE				
4	8	0	1	

Local educational agency: Solano County SELPA		Contact name and Title: Sam Neustadt, Assistant Superintendent		Contact person's e-mail address: sneustadt@solanocoe.net	
Address: 5100 Business Center Drive		(City) Fairfield	(State) CA.	(ZIP) 94534	Phone (and extension, if necessary): 707-399-4460 Fax number: 707-863.4176
Period of request: (month/day/year) From: 7/1/11 To: 6/30/12		Local board approval date or SELPA signature required 8/30/11 - SELPA Approved			

LEGAL CRITERIA

- Authority for the waiver:**
56101. (a) Any district, special education local plan area, county office, or public education agency, as defined in Section 56500, may request the board to grant a waiver of any provision of this code or regulations adopted pursuant to that provision if the waiver is necessary or beneficial to the content and implementation of the pupil's individualized education program and does not abrogate any right provided individuals with exceptional needs and their parents or guardians under the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), or to the compliance of a district, special education local plan area, or county office with the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), Section 504 of, the Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), and federal regulations relating thereto. (b) The board may grant, in whole or in part, any request pursuant to subdivision (a) when the facts indicate that failure to do so would hinder implementation of the pupil's individualized education program or compliance by a district, special education local plan area, or county office with federal mandates for a free, appropriate education for children or youth with disabilities.
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CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST
SW-1 (Rev 10-2-2009)

4. Desired outcome/rationale. Briefly state the reason the student(s) needs to attend a non-certified non-public school. Be sure to also complete and attach the supplemental information form. Not all of the additional forms may be necessary (call Waiver Office 916-319-0824)

Prior to the appeal of GC 26.5 (AB 3632) Solano County Mental Health recommended the placement of one or more students at The Excell Center, a residential facility. It is the Solano County SELPA's intent to continue this placement pursuant to the current IEP and utilize Special Education funds to pay for this placement. In order to expend special education funds on board and care as a related service, we respectfully request waiver to EC 53366.2, without such a waiver, member school districts would be obliged to use general fund dollars to pay for these significant expenses, potentially creating financial hardships until clean up legislation is enacted.

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee: N/A	Title:	Date:
Signature of SELPA Director (Only if a Special Education Waiver under EC 56101)		Date: 8/30/11
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST

**To Obtain Student Services
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Send Original plus one copy to:
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1430 N Street, Suite 5602
Sacramento, CA 95814

Send electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

				CD CODE			
				4	8	0	1
Local educational agency: Solano County SELPA			Contact name and Title: Sam Neustadt, Assistant Superintendent			Contact person's e-mail address: sneustadt@solanocoe.net	
Address: 5100 Business Center Drive		(City) Fairfield	(State) CA.	(ZIP) 94534	Phone (and extension, if necessary): 707-399-4460 Fax number: 707-863.4176		
Period of request: (month/day/year) From: 7/1/11 To: 6/30/12		Local board approval date or SELPA signature required 8/30/11 - SELPA Approved					

LEGAL CRITERIA

1. **Authority for the waiver:**
56101. (a) Any district, special education local plan area, county office, or public education agency, as defined in Section 56500, may request the board to grant a waiver of any provision of this code or regulations adopted pursuant to that provision if the waiver is necessary or beneficial to the content and implementation of the pupil's individualized education program and does not abrogate any right provided individuals with exceptional needs and their parents or guardians under the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), or to the compliance of a district, special education local plan area, or county office with the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), Section 504 of, the Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), and federal regulations relating thereto. (b) The board may grant, in whole or in part, any request pursuant to subdivision (a) when the facts indicate that failure to do so would hinder implementation of the pupil's individualized education program or compliance by a district, special education local plan area, or county office with federal mandates for a free, appropriate education for children or youth with disabilities.

2. **Brief Description of the topic of the waiver:**
56366.1(a) Waiver of the required certification for a non public school or agency. The purpose of this waiver is to be able to serve students in a nonpublic school or agency using California special education funds.

3. **Education Code section to be waived:**
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CALIFORNIA DEPARTMENT OF EDUCATION
SPECIFIC WAIVER REQUEST
SW-1 (Rev 10-2-2009)

4. Desired outcome/rationale. Briefly state the reason the student(s) needs to attend a non-certified non-public school. Be sure to also complete and attach the supplemental information form. Not all of the additional forms may be necessary (call Waiver Office 916-319-0824)

Prior to the appeal of GC 26.5 (AB 3632) Solano County Mental Health recommended the placement of one or more students at North Valle - Redding, a residential NPS. It is the Solano County SELPA's intent to continue this placement pursuant to the current IEP and utilize Special Education funds to pay for this placement. In order to expend special education funds on board and care as a related service, we respectfully request waiver to EC 53366.2, without such a waiver, member school districts would be obliged to use general fund dollars to pay for these significant expenses, potentially creating financial hardships until clean up legislation is enacted.

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee: N/A	Title:	Date:
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Local educational agency: Solano County SELPA		Contact name and Title: Sam Neustadt, Assistant Superintendent			Contact person's e-mail address: sneustadt@solanocoe.net
Address: 5100 Business Center Drive	(City) Fairfield	(State) CA.	(ZIP) 94534	Phone (and extension, if necessary): 707-399-4460 Fax number: 707-863.4176	
Period of request: (month/day/year) From: 7/1/11 To: 6/30/12		Local board approval date or SELPA signature required 8/30/11 - SELPA Approved			

LEGAL CRITERIA

1. **Authority for the waiver:**
56101. (a) Any district, special education local plan area, county office, or public education agency, as defined in Section 56500, may request the board to grant a waiver of any provision of this code or regulations adopted pursuant to that provision if the waiver is necessary or beneficial to the content and implementation of the pupil's individualized education program and does not abrogate any right provided individuals with exceptional needs and their parents or guardians under the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), or to the compliance of a district, special education local plan area, or county office with the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), Section 504 of, the Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), and federal regulations relating thereto. (b) The board may grant, in whole or in part, any request pursuant to subdivision (a) when the facts indicate that failure to do so would hinder implementation of the pupil's individualized education program or compliance by a district, special education local plan area, or county office with federal mandates for a free, appropriate education for children or youth with disabilities.

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Local educational agency: Solano County SELPA			Contact name and Title: Sam Neustadt, Assistant Superintendent			Contact person's e-mail address:sneustadt@solanocoe.net	
Address: 5100 Business Center Drive		(City) Fairfield	(State) CA.	(ZIP) 94534	Phone (and extension, if necessary): 707-399-4460 Fax number: 707-863.4176		
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Prior to the appeal of GC 26.5 (AB 3632) Solano County Mental Health recommended the placement of one or more students at Family Life Center, a residential NPS. It is the Solano County SELPA's intent to continue this placement pursuant to the current IEP and utilize Special Education funds to pay for this placement. In order to expend special education funds on board and care as a related service, we respectfully request waiver to EC 53366.2, without such a waiver, member school districts would be obliged to use general fund dollars to pay for these significant expenses, potentially creating financial hardships until clean up legislation is enacted.

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California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM W-14



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

Specific Waiver

SUBJECT	
<p>Request by two districts, under the authority of California <i>Education Code</i> Section 56101 and <i>California Code of Regulations</i>, Title 5, Section 3100 to waive <i>Education Code</i> Section 56362(c). Approval of this waiver will allow the district's resource specialist to exceed the maximum caseload of 28 students by no more than four students (32 maximum).</p> <p>Waiver Numbers: Salida Union Elementary 16-7-2011 Pioneer Union Elementary 24-9-2011</p>	<p><input checked="" type="checkbox"/> Action</p> <p><input checked="" type="checkbox"/> Consent</p>

RECOMMENDATION

Approval Approval with conditions Denial

The California Department of Education (CDE) recommends approval with the following conditions: the districts must provide instructional aide time of at least five hours daily whenever the resource specialist's caseload exceeds the statutory maximum caseload of 28 students by no more than four students (32 maximum), during the waiver's effective period, per *California Code of Regulations*, Title 5 (5 CCR), Section 3100(d)(2).

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

California *Education Code* (EC) Section 56101 allows the State Board of Education (SBE) to waive any provision of EC or regulation if the waiver is necessary or beneficial when implementing a student individualized education program (IEP). *California Code of Regulations*, Title 5, specifically allows the SBE to approve waivers for resource specialists providing special education services to allow them to exceed the maximum caseload of 28 students by no more than four students. However, there are specific requirements in these regulations which must be met for approval, and if these requirements are not met, the waiver must be denied:

- (1) The requesting agency demonstrates to the satisfaction of the SBE: (A) that the excess resource specialist caseload results from extraordinary fiscal and/or programmatic conditions; and (B) that the extraordinary conditions have been resolved or will be resolved by the time the waiver expires.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION (Cont.)

- (2) The waiver stipulates that an affected resource specialist will have the assistance of an instructional aide at least five hours daily whenever that resource specialist's caseload exceeds the statutory maximum during the waiver's effective period.
- (3) The waiver confirms that the students served by an affected resource specialist will receive all of the services called for in their individualized education programs.
- (4) The waiver was agreed to by any affected resource specialist, and the bargaining unit, if any, to which the resource specialist belongs participated in the waiver's development.
- (5) The waiver demonstrates to the satisfaction of the SBE that the excess caseload can be reasonably managed by an affected resource specialist in particular relation to: (A) the resource specialist's pupil contact time and other assigned duties; and (B) the programmatic conditions faced by the resource specialist, including, but not limited to, student age level, age span, and the behavioral characteristics; number of curriculum levels taught at any one time or any given session; and intensity of student instructional needs.

The SBE receives about a dozen waivers of this type each year, and approximately 90 percent are approved. Due to the nature of this type of waiver, they are almost always retroactive.

SUMMARY OF KEY ISSUES

A resource specialist is a credentialed teacher who provides instruction and services to children with IEPs that are with regular education teachers for the majority of the school day. Resource specialists coordinate special education services with general education programs for his or her students.

Before recommending approval, the existing complaint/compliance database for each district requesting a caseload waiver is examined. If it appears that a particular local educational agency is requesting large numbers of waivers, or upon complaint from an individual resource specialist alleging that waiver conditions are not being followed, referrals are made to the CDE Special Education Division for follow-up.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of waiver(s) approval.

ATTACHMENT(S)

Attachment 1: Summary Table (1 Page)

Attachment 2: Salida Union Elementary School District - Dena Boer School Specific Waiver Request for Resource Specialist Caseload (4 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Pioneer Union Elementary School District - Pioneer Middle School Specific Waiver Request for Resource Specialist Caseload (4 Pages) (Original waiver request is signed and on file in the Waiver Office.)

SUMMARY TABLE

Waiver Number	School District/ School	Name of teacher/ agrees to excess caseload?	Over statutory caseload for more than two school years?	Current aide time/aide time w/approved waiver?	Demographics	Period of Request	Local Board Approval Date	Bargaining Unit Consulted – Date	Position of Bargaining Unit
16-7-2011	Salida Union ESD/Dena Boer Elem	Deborah Hargreaves Yes	No	6 hrs/day 6 hrs/day + 6/hrs/week	School is located in Salida (small city) in Stanislaus County w/ 644 student pop	8/1/2010 – 5/31/2011	7/12/2011	Salida Union Teacher’s Ass’n; Tom & Stacy Wright, co-presidents 8/10/2011	Support
24-9-2011	Pioneer Union ESD Pioneer Middle School	Jean Tessman Yes	No (district had SBE waiver for 2010–11 yr but never exceeded caseload)	23 hours per day of aide time/Combo gen ed and resource rm	School is located in the city of Hanford, Kings County w/1,630 student pop	8/17/2011 – 6/8/2012	8/24/2011	Pioneer Teacher’s Ass’n; Roseanne Van Nest, President 10/13/2011	Support

CALIFORNIA DEPARTMENT OF EDUCATION

SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD

SW-RSC (Rev. 6-23-2010) <http://www.cde.ca.gov/re/lr/wr/>

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back-up material to: waiver@cde.ca.gov

CD CODE						
5	0	7	1	2	2	6

Local educational agency: Salida Union Elementary School District		Contact name and Title: Kathleen J. Cronin	Contact person's e-mail address: kcronin@salida.k12.ca.us
Address: 4801 Sisk Rd	City: Salida	Zip 95368	Phone (and extension, if necessary): 209-545-1671 ext 4025 Fax number: 209-545-1624
Period of request: (month/day/year) From: August 2010 To: May 2011		Date approved by district board or COE board, SELPA, or other public education agency as defined by EC Section 56500. July 12, 2011 SELPA kak 7/25/11	

LEGAL CRITERIA

1. Authority for the waiver:
Education Code (EC) Section 56101, and California Code of Regulations (CCR), Title 5, Section 3100, resource specialist caseload waiver: "A school district, special education local plan area, county office of education or any other public agency providing special education or related services may request the State Board of Education to grant a waiver of the maximum resource specialist caseload, as set forth in EC Section 56362(c), only if the waiver is necessary or beneficial to either; (1) to the content and implementation of a pupil's individualized educational plan (IEP) and does not abrogate any right provided individuals with exceptional needs by specified federal law or; (2) to the agency's compliance with specified federal law."

2. *Education Code* Section to be waived: EC 56362 (c): No resource specialist shall have a caseload that exceeds 28 students.

Note: the waiver request may be up to but no more than 4 students above the statutory caseload (32 students maximum).

3. Requesting a caseload waiver for: 1 (number) of resource specialists.

Please use separate SW-RSC form for Resource Specialist (RS) teachers who agree with the waiver request, and those who disagree with the waiver request.

Resource specialist(s) name:	Assigned school and mailing address:
1. Deborah Hargreaves _____; at	Dena Boer School, 4801 Gold Valley, Salida, Ca 95368
2. _____; at	
3. _____; at	
4. _____; at	

Please add list of additional teacher names and schools/district as needed.

SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD

SW-RSC (Rev. 6-23-2010)

Per CCR, Title 5, Section 3100(d)(4) participation of the resource specialist teacher's bargaining unit is required in the waiver development.

Does (do) the resource specialist(s) belong to an employee bargaining unit(s)? ___ No _X Yes

If yes, please complete required information below:

Date(s) the bargaining unit(s) participated in the waiver development: March 24, 2011

Name of bargaining unit and/name of representative(s) consulted: Salida Union Teachers Association, Co-Presidents- Tom Wright and Stacy Wright

Telephone contact for bargaining representative: 209-204-0317 or 209-204-0279

The position(s) of the bargaining unit(s): ___ Neutral X Support ___ Oppose (*Please provide comments*)

Comments (if appropriate):

Bargaining unit support this waiver knowing that there will be a credentialed RSP Teacher rotating through to help provide service for any RSP teacher that is over their caseload requirement.

Note: For each resource specialist attached page 3 of 4 SW-RSC waiver request to be completed by the Administrator and page 4 of 4 SW-RSC waiver request to be completed by the Resource Specialist.

Certification- I hereby certify that the information provided on this application is correct and complete. I also certify this waiver request will never result in the same resource specialist having a caseload in excess of the statutory maximum for more than two years and that this waiver request will result in the resource specialist(s) above having the assistance of an instructional aide at least 5 hours daily.

Signature of Superintendent or Designee: OR	Title:	Date:
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Signature of SELPA Director:	Date:
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Note: If this waiver request comes from a SELPA Director, a vote by the district of COE governing board is not necessary. Please put the date of SELPA approval in the approval box on the first page of this waiver. This will speed processing.

FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Is there a Complaint or Compliance issue regarding Resource Specialist for the LEA ? Yes ___ No ___

Staff (<i>Type or print</i>):	Staff (<i>Signature</i>):	Date:
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Unit Manager (<i>Type or print</i>):	Unit Manager (<i>Signature</i>):	Date:
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Division Director (<i>Type or print</i>):	Division Director (<i>Signature</i>):	Date:
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Deputy (<i>Type or print</i>):	Deputy (<i>Signature</i>):	Date:
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**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD
To be completed by the ADMINISTRATOR**

1. SELPA/District/COE Name: Salida Union School District	2. Name of Resource Specialist*: Deboroh Hargreaves
3. School/District Assignment: Dena Boer Elementary	4. Status: X permanent ___ probational ___ temporary
5. Number of students: (caseload) proposed 32 students	6. Full time Equivalent (FTE%):100%
7. Number of periods or hours taught by Resource Specialist: ___ periods 6.5 hours	8. Average number of students per hour taught: 12
8. Indicate amount of Instructional Aide Time (hours) to be provided to this resource specialist with this waiver. There is a total of 12 hours or aide time that is being provided within the RSP classroom. Note: At least 5 hours of aide time is required when the caseload is over 28, per CCR, Title 5, Section 3100 (d)(2):	
9. Provide assurance that the waiver will not hinder the implementation of a student's individualized educational program (IEP) for all students involved with the waiver or compliance with specified federal law, per CCR, Title 5, Section 3100(d): - daily (A.S.) Salida Union School District has been providing an extra instructional aide time (6 hours) plus our RSP teachers within the district will be providing support for the RSP students within Ms. Hargreaves class. - 2 hours a day when needed (A.S.)	
10. Explain what extraordinary fiscal or program circumstances resulted in this request for excess caseload, per CCR, Title 5, Section 3100(d):	
11. Indicate how your plan of action to resolve conditions by the time the waiver expires or is denied by the SBE, per CCR, Title 5, Section 3100(d)(1): The district will be rotating our other district RSP teachers, to our schools that have caseloads that are over, to offer extra support.. They will also be providing extra aide time to these programs if they go over.	
<i>Certification – I hereby certify that the information provided on this application is correct and complete.</i>	
Administrator/Designee Name (Type or print): Kathleen J. Cronin	Title: Program Specialist
Authorized/Designee Signature:	Date: 3/31/2011
Telephone number (and extension): 209-545-1671 ext: 4025	Fax Number: 209-545-1624

*Resource Specialist as defined in EC Section 56362.5

SW-RSC (Rev. 6-23-2010)

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD
To be completed by the RESOURCE SPECIALIST (Teacher)**

Name: Deborah Hargreaves		Assigned at: Dena Boer Elementary
<p>1. Is the information in Items 1-9 on the attached SW-RSC-Administrator form an accurate reflection of your current assignments, personal data, FTE, your caseload, number of periods taught and average number of students? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> If not, please state where you believe these facts or numbers differ:</p>		
<p>2. Will all students served received all of the services called for in their IEP's? Can you reasonably manage the excess caseload in relation to the programmatic condition you face, including, but not limited to, student age level, age span, and behavioral characteristics; number of curriculum levels taught at any one time or any given session, and intensity of student instructional needs. Explain below.</p> <p>With extra Paraprofessional time and support from our district RSP teachers all students are receiving appropriate time and support to help them achieve their goals and objectives.</p>		
<p>3. Can you reasonably manage the excess caseload in relation to your student contact time, and other assigned duties? Explain below.</p> <p>Yes, with the additional support with the paraprofessional and the districts RSP teachers my students are getting</p>		
<p>4. <i>EC</i> Section 56362(c) states that no resource specialist shall have a caseload which exceeds 28 students, per <i>CCR</i>, Title 5, Section 3100 Regulations allow your agency to request a waiver of the <i>EC</i>, providing certain conditions are met, and that in no circumstance may your caseload be raised to above 32 students.</p> <p>Indicate your position regarding this waiver request by a check mark in one box.</p> <p><input checked="" type="checkbox"/> AGREE – to the increase in my student caseload from 28 students to not more than 32 students.</p> <p><input type="checkbox"/> DISAGREE – to an increase in my student caseload over the 28 students. If disagreeing, provide rational below:</p>		
<p>5. Indicate a check mark in the appropriate box:</p> <p><input checked="" type="checkbox"/> I did not have a student caseload of more than 28 during the last school year.</p> <p><input type="checkbox"/> I did have a student caseload of more than 28 during the last school year. If yes, please respond below:</p> <p>(a) Did you have an approved waiver for this caseload?</p> <p>(b) Specify which months/weeks you were over caseload: ___ to ___</p> <p>(c) Other pertinent information?</p> <p><input type="checkbox"/> I have had a student caseload of more than 28 for MORE than Two consecutive years.</p>		<p>Instructional Aide time currently receiving 6 Hours (prior to increased caseload).</p> <p>Any additional aide time with this waiver? 6 Total hours after increase. 3 hour aide support also</p>
Resource Specialist Signature:	Date Signed:	Telephone/extension: 209-543-8163 Fax Number:

CALIFORNIA DEPARTMENT OF EDUCATION

SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD

SW-RSC (Rev. 6-23-2010) <http://www.cde.ca.gov/re/lr/wr/>

Send original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
1	6	6	3	9	9	0

Local educational agency: Pioneer Union Elementary School District		Contact name and Title: Diane Cox, Superintendent Lisa Horne, Special Education		Contact person's e-mail address: coxd@puesd.k12.ca.us hornel@puesd.k12.ca.us	
Address: 1888 N. Mustang Drive		City: Hanford		Zip 93230	
				Phone (and extension, if necessary): 559-585-2400 Fax number: 559-584-5048	
Period of request: (month/day/year) From: August 17, 2011 To: June 8, 2011			Date approved by district board or COE board, SELPA, or other public education agency as defined by EC Section 56500. August 24, 2011		

LEGAL CRITERIA

1. Authority for the waiver:
Education Code (EC) Section 56101, and California Code of Regulations (CCR), Title 5, Section 3100, resource specialist caseload waiver: "A school district, special education local plan area, county office of education or any other public agency providing special education or related services may request the State Board of Education to grant a waiver of the maximum resource specialist caseload, as set forth in EC Section 56362(c), only if the waiver is necessary or beneficial to either; (1) to the content and implementation of a pupil's individualized educational plan (IEP) and does not abrogate any right provided individuals with exceptional needs by specified federal law or; (2) to the agency's compliance with specified federal law."

2. *Education Code* Section to be waived: **EC 56362 (c)**: No resource specialist shall have a caseload that exceeds 28 students.
Note: the waiver request may be up to but no more than 4 students above the statutory caseload (32 students maximum).

3. Requesting a caseload waiver for: 1 (number) of resource specialists.

Please use separate SW-RSC form for Resource Specialist (RS) teachers who agree with the waiver request, and those who disagree with the waiver request.

Resource specialist(s) name:	Assigned school and mailing address:
1. <u>Jean Tessman</u> ; at	Pioneer Middle School 101 W. Pioneer Way Hanford, CA 93230
2. _____; at	
3. _____; at	
4. _____; at	

Please add list of additional teacher names and schools/district as needed.

SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD
SW-RSC (Rev. 6-23-2010)

Per CCR, Title 5, Section 3100(d)(4) participation of the resource specialist teacher's bargaining unit is required in the waiver development.

Does (do) the resource specialist(s) belong to an employee bargaining unit(s)? ___ No Yes

If yes, please complete required information below:

Date(s) the bargaining unit(s) participated in the waiver development: **08/23/2011**

Name of bargaining unit and/name of representative(s) consulted: **Pioneer Teacher's Association: RoseanneVanNest**
President kak 9/22/11
Per L. Horne

Telephone contact for bargaining representative: **559-584-0112**

The position(s) of the bargaining unit(s): ___ Neutral Support ___ Oppose (*Please provide comments*)

Comments (if appropriate):

Note: For each resource specialist attached page 3 of 4 SW-RSC waiver request to be completed by the Administrator and page 4 of 4 SW-RSC waiver request to be completed by the Resource Specialist.

Certification- I hereby certify that the information provided on this application is correct and complete. I also certify this waiver request will never result in the same resource specialist having a caseload in excess of the statutory maximum for more than two years and that this waiver request will result in the resource specialist(s) above having the assistance of an instructional aide at least 5 hours daily.

Signature of Superintendent or Designee: Diane Cox – signature on original	Title: Superintendent	Date: 08/17/2011
Signature of SELPA Director: Nancy Damm – signature on original		Date: 08/18/2011

Note: If this waiver request comes from a SELPA Director, a vote by the district of COE governing board is not necessary. Please put the date of SELPA approval in the approval box on the first page of this waiver. This will speed processing.

FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Is there a Complaint or Compliance issue regarding Resource Specialist for the LEA ? Yes ___ No ___

Staff (<i>Type or print</i>):	Staff (<i>Signature</i>):	Date:
Unit Manager (<i>Type or print</i>):	Unit Manager (<i>Signature</i>):	Date:
Division Director (<i>Type or pint</i>):	Division Director (<i>Signature</i>):	Date:
Deputy (<i>Type or print</i>):	Deputy (<i>Signature</i>):	Date:

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD
To be completed by the ADMINISTRATOR**

<p>1. SELPA/District/COE Name: Kings County SELPA/Pioneer Union Elementary/Kings</p>	<p>2. Name of Resource Specialist*: Jean Tessman</p>
<p>3. School/District Assignment: PUESD/Pioneer Middle School Special Education Teacher</p>	<p>4. Status: <input checked="" type="checkbox"/> permanent ___ probationary ___ temporary</p>
<p>5. Number of students: (caseload) proposed 31 - 32 students</p>	<p>6. Full time Equivalent (FTE%): 1.0</p>
<p>7. Number of periods or hours taught by Resource Specialist: 6 periods / 5.42 hours</p>	<p>8. Average number of students per hour taught: 10.5 students per hour</p>
<p>9. Indicate amount of Instructional Aide Time 23 (hours) per day to be provided to this resource specialist with this waiver. Note: At least 5 hours of aide time is required when the caseload is over 28, per CCR, Title 5, Section 3100 (d)(2):</p>	
<p>9. Provide assurance that the waiver will not hinder the implementation of a student's individualized educational program (IEP) for all students involved with the waiver or compliance with specified federal law, per CCR, Title 5, Section 3100(d): Student's individualized educational plans are carefully monitored through the cooperative efforts of site and district administrators, special education and general education teachers, the school psychologist, parents, and other service providers. Instructional aides provide specialized academic support to students in general education classrooms and assist with ensuring the student is receiving the agreed upon services and that the students are making progress towards their goals. Planning time is provided to the special education teacher as needed to assist with case management tasks such as monitoring student's educational benefit, preparing for IEP meetings, administering assessments, and participating in IEP meetings.</p>	
<p>10. Explain what extraordinary fiscal or program circumstances resulted in this request for excess caseload, per CCR, Title 5, Section 3100(d): When planning for the 2011 – 2012 school year last spring, special education numbers were projected to be below the caseload maximum of 28 students. New students have enrolled in the school since that time. Pioneer Union Elementary School District is a small district (two elementary and one middle school).</p>	
<p>11. Indicate how your plan of action to resolve conditions by the time the waiver expires or is denied by the SBE, per CCR, Title 5, Section 3100(d)(1): District and school administrators will continue to collaborate throughout this school year to update projections as changes occur and will carefully monitor the caseload for next school year.</p>	
<p align="center"><i>Certification – I hereby certify that the information provided on this application is correct and complete.</i></p>	
<p>Administrator/Designee Name (Type or print): Lisa Horne</p>	<p>Title: PUESD Special Education Coordinator</p>
<p>Authorized/Designee Signature:</p>	<p>Date: 08/26/2011</p>
<p>Telephone number (and extension): 559-584-8831 ext. 1614</p>	<p>Fax Number: 559-584-7409</p>

*Resource Specialist as defined in EC Section 56362.5

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD
To be completed by the RESOURCE SPECIALIST (Teacher)**

Name: Jean Tessman	Assigned at: Pioneer Middle School
<p>1. Is the information in Items 1-9 on the attached SW-RSC-Administrator form an accurate reflection of your current assignments, personal data, FTE, your caseload, number of periods taught and average number of students? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> If not, please state where you believe these facts or numbers differ:</p>	
<p>2. Will all students served received all of the services called for in their IEP's? Can you reasonably manage the excess caseload in relation to the programmatic condition you face, including, but not limited to, student age level, age span, and behavioral characteristics; number of curriculum levels taught at any one time or any given session, and intensity of student instructional needs. Explain below. Yes, with the support of administration, instructional aides, designated instructional service providers, and general education teachers, all students will continue to receive all of the services called for in their IEP's. I am able to manage the excess caseload in relation to all conditions listed above at this time.</p>	
<p>3. Can you reasonably manage the excess caseload in relation to your student contact time, and other assigned duties? Explain below. Yes, at this time, I feel confident that I can reasonably manage the excess caseload in relation to my student contact time and other assigned duties.</p>	
<p>4. <i>EC</i> Section 56362(c) states that no resource specialist shall have a caseload which exceeds 28 students, per <i>CCR</i>, Title 5, Section 3100 Regulations allow your agency to request a waiver of the <i>EC</i>, providing certain conditions are met, and that in no circumstance may your caseload be raised to above 32 students.</p> <p>Indicate your position regarding this waiver request by a check mark in one box.</p> <p><input checked="" type="checkbox"/> AGREE – to the increase in my student caseload from 28 students to not more than 32 students.</p> <p><input type="checkbox"/> DISAGREE – to an increase in my student caseload over the 28 students. If disagreeing, provide rational below:</p>	
<p>5. Indicate a check mark in the appropriate box:</p> <p><input checked="" type="checkbox"/> I did not have a student caseload of more than 28 during the last school year.</p> <p><input type="checkbox"/> I did have a student caseload of more than 28 during the last school year. If yes, please respond below:</p> <p>(a) Did you have an approved waiver for this caseload? We did get an approved waiver but then found an additional teacher to hire to take on as casemanager for a group of students, so the teacher referenced in this application had a caseload lower than 28 last year.</p> <p>(b) Specify which months/weeks you were over caseload: ___ to ___</p> <p>(c) Other pertinent information?</p> <p><input type="checkbox"/> I have had a student caseload of more than 28 for MORE than Two consecutive years.</p>	<p>Instructional Aide time currently receiving 23 Hours (prior to increased caseload).</p> <p>Any additional aide time with this waiver? <u>Additional time will be provided as deemed necessary by the team</u> Total hours after increase.</p>
Resource Specialist Signature:	Date Signed:
Telephone/extension: 559-584-0112 ext. 2901	
Fax Number:	



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM W-15



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

General Waiver

SUBJECT Request by Butte Valley Unified School District to waive a portion of California <i>Education Code</i> Section 35330(b)(3) to authorize expenditures of school district funds for students to travel to Oregon to attend curricular and extra curricular trips/events and competitions. Waiver Number: 3-10-2011	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Consent
--	---

RECOMMENDATION

Approval Approval with conditions Denial

The California Department of Education (CDE) recommends approval to waive a portion of California *Education Code (EC)* Section 35330(b)(3) to authorize expenditures of school district funds for students to travel to Oregon to attend curricular and extracurricular trips/events and competitions for Butte Valley Unified School District (USD). *Education Code* Section 33051(b) will apply, and the district will not be required to reapply annually if information contained on the request remains current.

The CDE recommends the request to attend the National Future Farmers of America (FFA) convention in Indiana and Kentucky, not be included in this waiver approval.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education (SBE) has approved all similar waivers in the past.

SUMMARY OF KEY ISSUES

EC Section 35330(b)(3) states, "...no expenses of pupils participating in a field trip or excursion to any other state, the District of Columbia, or a foreign country authorized by this section shall be paid with school district funds."

Butte Valley USD requests a waiver of *EC* Section 35330(b)(3). Butte Valley USD is located in the very northern part of California, approximately three miles from the California/Oregon State line.

The closest urban city is in Oregon and the district conducts business in Oregon as well

SUMMARY OF KEY ISSUES (Cont.)

as takes students into Oregon for educational field trips, athletic events, etc. The closest urban areas in California are at least two hours away, which would limit the opportunities for educational and cultural experiences.

Butte Valley USD also requested a waiver of *EC* Section 35330(b)(3) to attend the National Future Farmers of America (FFA) convention in Indiana and Kentucky; however, based on subsequent conversations with the district, the waivers for Indiana and Kentucky are not necessary because district funds are not used for the FAA trips.

Based on the reasons provided by the district for traveling to Oregon, CDE recommends approval of this waiver request to attend curricular and extracurricular trips/events and competition in Oregon. This recommendation for approval does not include the requested trips to Indiana or Kentucky.

EC Section 33051(b) will apply as long as the conditions of the waiver remain the same.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC* Section 33051(a). The state board shall approve any and all requests for waivers except in those cases where the board specifically finds any of the following: (1) The educational needs of the pupils are not adequately addressed. (2) The waiver affects a program that requires the existence of a school site council and the school site council did not approve the request. (3) The appropriate councils or advisory committees, including bilingual advisory committees, did not have an adequate opportunity to review the request and the request did not include a written summary of any objections to the request by the councils or advisory committees. (4) Pupil or school personnel protections are jeopardized. (5) Guarantees of parental involvement are jeopardized. (6) The request would substantially increase state costs. (7) The exclusive representative of employees, if any, as provided in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, was not a participant in the development of the waiver.

Demographic Information: Butte Valley USD has a student population of 84 and is located in a rural area in Siskiyou County.

Authority for Waiver: *EC* Section 33050

Period of request: September 1, 2011, to September 1, 2013

Local board approval date(s): September 21, 2011

Public hearing held on date(s): September 21, 2011

Bargaining unit(s) consulted on date(s): August 30, 2011

Name of bargaining unit/representative(s) consulted: California Teachers Association, Dennis Butler, President and California School Employees Association, Karen McMillan, President

Position of bargaining unit(s) (choose only one):
 Neutral Support Oppose:

Comments (if appropriate):

Public hearing advertised by (choose one or more):
 posting in a newspaper posting at each school other (specify)

Advisory committee(s) consulted: Butte Valley Elementary Schoolsite Council

Objections raised (choose one): None Objections are as follows:

Date(s) consulted: September 8, 2011

FISCAL ANALYSIS (AS APPROPRIATE)

There is no statewide fiscal impact of waiver approval.

ATTACHMENT(S)

Attachment 1: General Waiver Request (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

<p>6. <i>Education Code</i> or <i>California Code of Regulations</i> section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a strike out key). EC 35330 (e) (b)(3) States: "... no expenses of pupils participating in a field trip or excursion to any other state, the District of Columbia, or a foreign country authorized by this section shall be aid with school district funds."</p> <p>The Butte Valley Unified School District would like to waive this Ed code since we live three miles from the California Oregon State line. The district conducts business in Oregon as well as students taking educational field trips, athletic events, fundraising, and other school events. Klamath Falls Oregon is the closest urban area to the Butte Valley School district, other urban areas in California are at least two hours away. The district would also like to waive EC 35330(e) (b)(3) to attend the National FFA convention in Indiana and Kentucky.</p> <p style="text-align: right;">CS 10/24/11 per conversation with Jim Shanks</p>		
<p>7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.</p> <p>The Butte Valley Unified School district would recommend approving this waiver for the following reasons.</p> <p>First: Our closest urban area in California is two hours away and Klamath Falls is just twenty minutes.</p> <p>Second: The district conducts business in Oregon.</p> <p>Third: Athletic events are scheduled with Oregon teams.</p> <p>Fourth: Traveling to an urban area in California would cost the district more than it would spend traveling to Oregon.</p> <p>Fifth: The National FFA convention is held out of state.</p>		
<p>8. Demographic Information: <i>Butte Valley High School</i> has a student population of <i>84</i> and is located in a <i>Rural Area</i> in <i>Siskiyou</i> County.</p>		
<p>Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No <input type="checkbox"/> Yes <input type="checkbox"/> (If yes, please attach explanation or copy of audit finding)</p> <p>Has there been a Categorical Program Monitoring (CPM) finding on this issue? No <input type="checkbox"/> Yes <input type="checkbox"/> (If yes, please attach explanation or copy of CPM finding)</p>		
<p>District or County Certification – <i>I hereby certify that the information provided on this application is correct and complete.</i></p>		
Signature of Superintendent or Designee:	Title: Superintendent	Date:
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM W-16



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

General Waiver

SUBJECT

Request by seven local educational agencies to waive portions of California *Education Code* Section 52055.740(a), regarding class size reduction requirements under the Quality Education Investment Act.

Waiver Numbers: Compton Unified 25-10-2011
Compton Unified 26-10-2011
El Monte City 32-10-2011
Lennox 15-9-2011
Lennox 16-9-2011
Mountain Empire Unified 4-12-2010
River Delta Joint Unified 15-10-2011
Santa Ana Unified 16-11-2011
Santa Ana Unified 17-11-2011
Santa Ana Unified 18-11-2011
Santa Ana Unified 19-11-2011
Santa Ana Unified 20-11-2011
Santa Ana Unified 21-11-2011
Santa Ana Unified 22-11-2011
Santa Ana Unified 23-11-2011
Santa Ana Unified 24-11-2011
Santa Paula Elementary 24-10-2011

Action

Consent

RECOMMENDATION

Approval Approval with conditions Denial

See Attachments 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, and 33 for details.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

As of November 2011, the California Department of Education (CDE) Waiver Office has presented 36 waivers regarding class size reduction requirements (CSR) under the Quality Education Investment Act (QEIA) to the State Board of Education (SBE). Of that number 25 were approved with conditions, 5 were denied, and 6 were withdrawn.

SUMMARY OF KEY ISSUES

Class Size Reduction

Schools participating in the QEIA were monitored by their county offices of education for compliance with program requirements, including CSR, for the first time at the end of the 2008–09 school year. They were required to demonstrate one-third progress toward full implementation of program requirements. Monitoring for compliance with second-year program requirements was completed to ensure that schools made two-thirds progress toward full implementation in the 2009–10 school year. QEIA schools were required to demonstrate full compliance with all program requirements at the end of the 2010–11 school year.

Quality Education Investment Act schools are required to reduce class sizes by five students compared to class sizes in the base year (either 2005–06 or 2006–07), or to an average of 25 students per classroom, whichever is lower, with no more than 27 students per classroom regardless of the average classroom size. The calculation is done by grade level, as each grade level has a target average class size based on QEIA CSR rules. For small schools with a single classroom at each grade level, some grade level targets may be very low. If, for example, a school had a single grade four classroom of 15 students in 2005–06, the school's target QEIA class size for grade four is ten students. Absent a waiver, an unusually low grade level target may result in a greater number of combination classes at the school, or very small classes at the grade level, which is prohibitively costly and may result in withdrawal or termination from the program.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in EC 33051(a). The state board shall approve any and all requests for waivers except in those cases where the board specifically finds any of the following: (1) The educational needs of the pupils are not adequately addressed; (2) The waiver affects a program that requires the existence of a schoolsite council and the schoolsite council did not approve the request; (3) The appropriate councils or advisory committees, including bilingual advisory committees, did not have an adequate opportunity to review the request and the request did not include a written summary of any objections to the request by the councils or advisory committees; (4) Pupil or school personnel protections are jeopardized; (5) Guarantees of parental involvement are jeopardized; (6) The request would substantially increase state costs; and (7) The exclusive representative of employees, if any, as provided in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, was not a participant in the development of the waiver.

FISCAL ANALYSIS (AS APPROPRIATE)

There are no statewide costs as a result of waiver approval. If the waiver is denied, the school must implement the CSR targets based on statute requirements to stay in the program. Any school in the program not meeting those targets will risk the loss of future funding. The QEIA statute calls for any undistributed annual QEIA funding to be redistributed to other schools currently in the program (no new schools are funded).

ATTACHMENT(S)

- Attachment 1: Compton Unified School District Request for a Quality Education Investment Act Class Size Reduction Waiver 25-10-2011 (1 page)
- Attachment 2: Compton Unified School District General Waiver Request 25-10-2011 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 3: Compton Unified School District Request for a Quality Education Investment Act Class Size Reduction Waiver 26-10-2011 (1 page)
- Attachment 4: Compton Unified School District General Waiver Request 26-10-2011 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 5: El Monte City School District Request for a Quality Education Investment Act Class Size Reduction Waiver 32-10-2011 (1 page)
- Attachment 6: El Monte City School District General Waiver Request 32-10-2011 (4 pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 7: Lennox School District Request for a Quality Education Investment Act Class Size Reduction Waiver 15-9-2011 (1 page)
- Attachment 8: Lennox School District General Waiver Request 15-9-2011 (5 pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 9: Lennox School District Request for a Quality Education Investment Act Class Size Reduction Waiver 16-9-2011 (1 page)
- Attachment 10: Lennox School District General Waiver Request 16-9-2011 (5 pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 11: Mountain Empire Unified School District Request for a Quality Education Investment Act Class Size Reduction Waiver 4-12-2010 (1 page)
- Attachment 12: Mountain Empire Unified School District General Waiver Request 4-12-2010 (4 pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 13: River Delta Joint Unified School District Request for a Quality Education Investment Act Class Size Reduction Waiver 15-10-2011 (1 page)

ATTACHMENT(S) (Cont.)

Attachment 14: River Delta Joint Unified School District General Waiver Request 15-10-2011 (4 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 15: Santa Ana Unified School District Request for a Quality Education Investment Act Class Size Reduction Waiver 16-11-2011 (1 page)

Attachment 16: Santa Ana Unified School District General Waiver Request 16-11-2011 (4 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 17: Santa Ana Unified School District Request for a Quality Education Investment Act Class Size Reduction Waiver 17-11-2011 (1 page)

Attachment 18: Santa Ana Unified School District General Waiver Request 17-11-2011 (4 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 19: Santa Ana Unified School District Request for a Quality Education Investment Act Class Size Reduction Waiver 18-11-2011 (1 page)

Attachment 20: Santa Ana Unified School District General Waiver Request 18-11-2011 (4 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 21: Santa Ana Unified School District Request for a Quality Education Investment Act Class Size Reduction Waiver 19-11-2011 (1 page)

Attachment 22: Santa Ana Unified School District General Waiver Request 19-11-2011 (4 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 23: Santa Ana Unified School District Request for a Quality Education Investment Act Class Size Reduction Waiver 20-11-2011 (1 page)

Attachment 24: Santa Ana Unified School District General Waiver Request 20-11-2011 (4 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 25: Santa Ana Unified School District Request for a Quality Education Investment Act Class Size Reduction Waiver 21-11-2011 (1 page)

Attachment 26: Santa Ana Unified School District General Waiver Request 21-11-2011 (4 pages) (Original waiver request is signed and on file the Waiver Office.)

ATTACHMENT(S) (Cont.)

Attachment 27: Santa Ana Unified School District Request for a Quality Education Investment Act Class Size Reduction Waiver 22-11-2011 (1 page)

Attachment 28: Santa Ana Unified School District General Waiver Request 22-11-2011 (4 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 29: Santa Ana Unified School District Request for a Quality Education Investment Act Class Size Reduction Waiver 23-11-2011 (1 page)

Attachment 30: Santa Ana Unified School District General Waiver Request 23-11-2011 (4 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 31: Santa Ana Unified School District Request for a Quality Education Investment Act Class Size Reduction Waiver 24-11-2011 (1 page)

Attachment 32: Santa Ana Unified School District General Waiver Request 24-11-2011 (4 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 33: Santa Paula Elementary School District Request for a Quality Education Investment Act Class Size Reduction Waiver 24-10-2011 (2 pages)

Attachment 34: Santa Paula Elementary School District General Waiver Request 24-10-2011 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Waiver Number: 25-10-2011

Period of Request: July 1, 2010, to June 30, 2011

Carver Elementary School
Compton Unified School District

Period Recommended: July 1, 2010, to June 30, 2011

CDS Code: 19 73437 6023758

LEA Request:

Compton Unified School District (USD) is an urban school district located in Los Angeles County and has a student population of approximately 26,000 students. Carver Elementary School (ES) serves 359 students in kindergarten through grade five. Monitoring performed by the Los Angeles County Office of Education indicates that the Class Size Reduction (CSR) requirements of the Quality Education Investment Act (QEIA) were not fully met by Carver ES in two first grade classes for the 2010–11 school year.

Compton USD states that the QEIA CSR target was missed because the attendance clerk and principal were new to the school. The district states that the administration was heavily impacted by the “Parent Trigger” petition at a district school and these disruptions by internal and external factors resulted in Carver ES not meeting its CSR target for the 2010–11 school year. Projections provided by the district show that Carver ES is in full compliance with QEIA CSR requirements for 2011–12.

Compton USD is requesting a waiver for exceeding its CSR target in two first grade classes at Carver ES by .56 and .10, respectively.

CDE Recommendation and Conditions:

The California Department of Education (CDE) supports Compton USD’s request that CSR requirements for two first grade classes at Carver ES be waived for school year 2010–11.

The CDE recommends approval with the following conditions: (1) Applies only to grade one classes at Carver ES for school year 2010–11; (2) Carver ES meet the CSR requirements in 2011–12 and all subsequent years the district receives QEIA funds; and (3) Within 30 days of approval of this waiver, Compton USD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the CSR requirement.

Reviewed by Carver Elementary Schoolsite Council on October 10, 2011.

Supported by California Teachers Association, October 3, 2011.

Local Board Approval: October 11, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
1	9	7	3	4	3	7

Local educational agency: Compton Unified School District Carver Elementary School jb 10/18/11		Contact name and Title: Greg Ogomaka, Interim Senior Director		Contact person's e-mail address: gogomaka@compton.k12.ca.us
Address: 501 S. Santa Fe Avenue	(City) Compton	(State) CA	(ZIP) 90221	Phone (and extension, if necessary): (310) 639-4321, ext. 55142 Fax Number: (310) 632-2825
Period of request: (month/day/year) From: 7/1/10 To: 6/30/11	Local board approval date: (Required) October 11, 2011		Date of public hearing: (Required) October 11, 2011	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number):
Circle One: EC or CCR

Topic of the waiver: **QEIA Class Size Reduction**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: _____ and date of SBE Approval _____
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? ___ No X Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **October 3, 2011**

Name of bargaining unit and representative(s) consulted: **California Teachers Association (CTA) Patrick Sullivan,**
(President)

The position(s) of the bargaining unit(s): ___ Neutral X Support ___ Oppose (*Please specify why*) jb 10/18/11

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

___ Notice in a newspaper X Notice posted at each school ___ X Other: (*Please specify*) **POSTED ON DISTRICT WEB SITE**

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: **Carver Elementary School Site Council/October 10, 2011**

Were there any objection(s)? No X Yes ___ (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

<p>6. <i>Education Code</i> or <i>California Code of Regulations</i> section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a strike out key). 52055.740. (a) For each funded school, the county superintendent of schools for the county in which the school is located shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:</p> <p>(1) Meet all of the following class size requirements:</p> <p style="padding-left: 20px;">(A) For kindergarten and grades 1 to 3, inclusive, no more that 20 pupils per class, as set forth in the Class Size Reduction Program (Chapter 6.10 (commencing with Section 52120)).</p> <p style="padding-left: 20px;">(B) For self-contained classrooms in grades 4 to 8, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:</p> <p style="padding-left: 20px;">(i) At least five pupils fewer per classroom than was the average in 2006-07.</p>		
<p>7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.</p> <p>Carver Elementary School is requesting a Waiver from the California Department of Education for exceeding their CSR target in 2 first grade classrooms by .56 and .10 respectfully. This request will allow Carver Elementary to continue as a QEIA school for the duration of the program. The reason for missing the target is due to the fact that the Principal as well as the Attendance Clerk was new at the time. In addition, the administration was heavily impacted by the “Parent Trigger” petition at a nearby CUSD school. These disruptions by internal and external factors resulted in Carver Elementary not meeting their CSR target for the 2010-2011 school year.</p>		
<p>8. Demographic Information: Carver Elementary has a K-5 student population of 359 and is located in Los Angeles County. Compton Unified has 40 schools which include three (3) Comprehensive High Schools eight (8) middle schools five (5) alternative/continuation schools and twenty-two elementary schools. The Compton Unified School District provides instructional services to approximately 26,000 students. The ethnic composition of the Compton Unified School District is 69% Latino and 31% African American.</p>		
<p>Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> (If yes, please attach explanation or copy of audit finding)</p>		
<p>Has there been a Categorical Program Monitoring (CPM) finding on this issue? No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> (If yes, please attach explanation or copy of CPM finding)</p>		
<p>District or County Certification – <i>I hereby certify that the information provided on this application is correct and complete.</i></p> <p style="text-align: center;">Karen E. Frison</p>		
Signature of Superintendent or Designee:	Title: <p style="text-align: center;">Interim Superintendent</p>	Date:
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Waiver Number: 26-10-2011

Period of Request: July 1, 2010, to June 30, 2011

McKinley Elementary School
Compton Unified School District

Period Recommended: July 1, 2010, to June 30, 2011

CDS Code: 19 73437 6013478

LEA Request:

Compton Unified School District (USD) is an urban school district located in Los Angeles County and has a student population of approximately 26,000 students. McKinley Elementary School (ES) serves 371 students in kindergarten through grade five. Monitoring performed by the Los Angeles County Office of Education indicates that the Class Size Reduction (CSR) requirements of the Quality Education Investment Act (QEIA) were not fully met by McKinley ES in one kindergarten class for the 2010–11 school year.

Compton USD states that the QEIA CSR target was missed because of disruptions by internal and external groups at McKinley ES relating to the “Parent Trigger” petition. The district states that the media’s frequent presence resulted in ongoing issues that redirected and consumed many school and district staff. The result was that one kindergarten classroom at McKinley ES did not meet its CSR target for the 2010–11 school year. Projections provided by the district show that McKinley ES is in full compliance with QEIA CSR requirements for 2011–12.

Compton USD is requesting a waiver for exceeding its CSR target in one kindergarten class at McKinley ES by .86.

California Department of Education (CDE) Recommendation and Conditions:

The California Department of Education (CDE) supports Compton USD’s request that CSR requirements for one kindergarten class at McKinley ES be waived for school year 2010–11.

The CDE recommends approval with the following conditions: (1) Applies only to kindergarten classes at McKinley ES for school year 2010–11; (2) McKinley ES meet the CSR requirements in 2011–12 and all subsequent years the district receives QEIA funds; and (3) Within 30 days of approval of this waiver, Compton USD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the CSR requirement.

Reviewed by McKinley Elementary Schoolsite Council on October 10, 2011.

Supported by California Teachers Association, October 3, 2011.

Local Board Approval: October 11, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver:
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
1	9	7	3	4	3	7

Local educational agency: Compton Unified School District McKinley Elementary School jb 10/18/11		Contact name and Title: Greg Ogomaka, Interim Senior Director		Contact person's e-mail address: gogomaka@compton.k12.ca.us
Address: 501 S. Santa Fe Avenue	(City) Compton	(State) CA	(ZIP) 90221	Phone (and extension, if necessary): (310) 639-4321, ext. 55142
Period of request: (month/day/year) From: 7/1/10 To: 6/30/11		Local board approval date: (Required) October 11, 2011		Fax Number: (310) 632-2825 Date of public hearing: (Required) October 11, 2011

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number):
Circle One: **{EC}** or CCR

Topic of the waiver: **QEIA Class Size Reduction**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: _____ and date of SBE Approval _____
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **October 3, 2011**

Name of bargaining unit and representative(s) consulted: **California Teachers Association (CTA) Patrick Sullivan, (President)**
jb 10/19/11

The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school Other: (*Please specify*) **POSTED ON DISTRICT WEB SITE**

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: **McKinley Elementary School Site Council/ October 10, 2011**

Were there any objection(s)? No Yes _____ (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**). 52055.740. (a) For each funded school, the county superintendent of schools for the county in which the school is located shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

(1) Meet all of the following class size requirements:

(A) For kindergarten and grades 1 to 3, inclusive, no more that 20 pupils per class, as set forth in the Class Size Reduction Program (Chapter 6.10 (commencing with Section 52120)).

(B) For self-contained classrooms in grades 4 to 8, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

(i) ~~At least five pupils fewer per classroom that was the average in 2006-07.~~

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

McKinley Elementary School was the first school identified as a **“Parent Trigger”** in the state of California. As a result, the school was faced with constant disruptions by internal and external groups. The media’s frequent presence resulted in ongoing issues that redirected and consumed many school and district staff. As a result, one classroom at kindergarten did not meet the CSR target of 20.44. This classroom reported an average of 21.3. There were a total of fifteen K-3 classes and due to one classroom reported as over the target, the school has not met the QEIA class size requirements.

8. Demographic Information:
McKinley Elementary has a K-5 student population of 371 and is located in Los Angeles County. Compton Unified has 40 schools which include three (3) Comprehensive High Schools eight (8) middle schools five (5) alternative/continuation schools and twenty-two elementary schools. The Compton Unified School District provides instructional services to approximately 26,000 students. The ethnic composition of the Compton Unified School District is 69% Latino and 31% African American.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Karen E. Frison

Signature of Superintendent or Designee:	Title: Interim Superintendent	Date:
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Waiver Number: 32-10-2011
Columbia Elementary School
El Monte City Elementary School

Period of Request: July 1, 2010, to June 30, 2011
Period Recommended: July 1, 2010, to June 30, 2011
CDS Code: 19 64501 6013155

LEA Request:

El Monte City Elementary School District (ESD) is an urban school district located in Los Angeles County and has a student population of approximately 9,534 students. Columbia Elementary School (ES) serves 837 students in kindergarten through grade eight. Monitoring performed by the Los Angeles County Office of Education indicates that the Class Size Reduction (CSR) requirements of the Quality Education Investment Act (QEIA) were not fully met by Columbia ES in grades four and five for the 2010–11 school year. The district provided class size information from 2006–07, the base year upon which QEIA CSR targets are calculated, showing that the average size of core classes of English, mathematics, history-social science, and science in grades four and five were 25.7 and 26.3. The QEIA CSR targets for grades four and five are 20.7 and 21.3.

El Monte City ESD states that class sizes in grades four and five exceeded the QEIA class size targets due to the district's misinterpretation the required class size targets for 2010–11. Class sizes for grades four and five in 2010–11 were 24.0 and 23.3. The district states that lower class size has always been important and despite declining enrollment has maintained its commitment to ensuring lower class sizes. El Monte City ESD states that to adhere to the QEIA CSR targets in 2011–12, an additional teacher was added to reduce class sizes in grades five and six and students were transferred to other schools within the district.

El Monte City ESD requests a waiver of the QEIA CSR targets for grades four and five at Columbia ES for the 2010–11 school year and establishment of an alternative CSR target of 24.0 on average in core classes for grades four and five.

California Department of Education (CDE) Recommendation and Conditions:

The California Department of Education (CDE) supports El Monte City ESD's request to increase its CSR target for grades four and five. This alternative target would be consistent with the intent of QEIA to ensure that students at funded schools benefit from lower class sizes.

The CDE recommends approval with the following conditions: (1) Applies only to classes in grades four and five at Columbia ES for school year 2010–11; (2) Columbia ES increase the average class size in core classes at the school level to 24.0 students per classroom in grades four and five in the 2010–11 school year; and (3) Within 30 days of approval of this waiver, El Monte City ESD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the CSR requirement.

Reviewed by Columbia Elementary Schoolsite Council on September 22, 2011.

Supported by El Monte Elementary Teachers Association, October 3, 2011.

Local Board Approval: October 17, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION

GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09)

<http://www.cde.ca.gov/re/lr/wr/>First Time Waiver: xRenewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
1	9	6	4	5	0	1

Local educational agency: El Monte City School District		Contact name and Title: Oscar L. Marquez Director, Student Support Services		Contact person's e-mail address: omarquez@emcsd.org	
Address: (City) (State) (ZIP) 3540 N. Lexington Ave; El Monte, Ca 91731		Phone (and extension, if necessary): 626-453-3760		Fax Number: 626-442-1063	
Period of request: (month/day/year) From: July 1, 2010 To: June 30, 2011		Local board approval date: (Required) October 17, 2011		Date of public hearing: (Required) October 17, 2011	
LEGAL CRITERIA					
1. Under the general waiver authority of <i>Education Code</i> 33050-33053, the particular <i>Education Code</i> or <i>California Code of Regulations</i> section(s) to be waived (number): Circle One: <input checked="" type="radio"/> EC or <input type="radio"/> CCR Topic of the waiver: QEIA Class Size Reduction 520550.740(a)					
2. If this is a renewal of a previously approved waiver, please list Waiver Number: <input type="checkbox"/> n/a <input type="checkbox"/> and date of SBE Approval _____ Renewals of waivers must be submitted two months before the active waiver expires.					
3. Collective bargaining unit information. Does the district have any employee bargaining units? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If yes, please complete required information below: Bargaining unit(s) consulted on date(s): October 3, 2011 Name of bargaining unit and representative(s) consulted: El Monte Elementary Teachers Association; Judith Joseph, President The position(s) of the bargaining unit(s): <input type="checkbox"/> Neutral <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose (<i>Please specify why</i>) Comments (if appropriate):					
4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district. How was the required public hearing advertised? <input type="checkbox"/> Notice in a newspaper <input checked="" type="checkbox"/> Notice posted at each school <input type="checkbox"/> Other: (<i>Please specify</i>) District Office					
5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver: Date the committee/council reviewed the waiver request: School Site Council was consulted on September 22, 2011 and on October 6, 2011 Were there any objection(s)? No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> (<i>If there were objections please specify</i>)					

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

52055.740. (a) For each funded school, the county superintendent of schools for the county in which the school is located shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

- (1) Meet all of the following class size requirements:

(A) For kindergarten and grades 1 to 3, inclusive, no more than 20 pupils per class, as set forth in the Class Size Reduction Program (Chapter 6.10 (commencing with Section 52120)).

(B) For self-contained classrooms in grades 4 to 8, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

(i) At least five pupils fewer per classroom than was the average in 2006-07.

(ii) An average of 25 pupils per classroom.

(iii) For purposes of this subparagraph, average classroom size shall be calculated at the grade level based on the number of Self-contained classrooms in that grade at the school site. If the self-contained classrooms at the school averaged fewer than 25 pupils per classroom during the 2005-06 school year, that lower average shall be used as the "average in 2006-07" for purposes of this Subparagraph. A school that receives funding under this article shall not have a self-contained classroom in grades 4 to 8, inclusive, with more than 27 pupils regardless of its average classroom size.

(C) For classes in English language arts, reading, mathematics, science, or history and social science courses in grades 4 to 12, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

~~(i) At least five pupils fewer per classroom than was the average in 2006-07.~~

(ii) An average of 25 pupils per classroom.

(iii) For purposes of this subparagraph, average classroom size shall be calculated at the grade level based on the number of Subject-specific classrooms in that grade at the school site. If the subject-specific classrooms at the school averaged fewer than 25 pupils per classroom during the 2005-06 school year, that lower average shall be used as the "average in 2006-07" for purposes of this subparagraph. A school that receives funding under this article shall not have a class in English language arts, reading, mathematics, science, or history and social science in grades 4 to 12, inclusive, with more than 27 pupils regardless of its average classroom size.

7. *Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.*

The El Monte City School District requests that a portion of Education Code (EC) Section 52055.740(a) regarding the class size reduction requirements under the Quality Education Investment Act (QEIA) be waived for Columbia School grades 4 and 5 for the 2010-2011 academic year. Columbia is a K-8 school. For the 2010-2011 academic year, Grade Four averaged a total of 24.0, instead of the required target of 20.7; while Grade Five averaged a total of 23.3 instead of the required target of 21.3. In total we had 10 additional students in Grade 4 and 6 additional students in Grade Five. The class sizes at Grades 4 and 5 exceeded the QEIA class size targets due to the district's misinterpretation of the required QEIA class size targets for 2010-2011. In 2008-2009 and in 2009-2010 Columbia School was found to have met all interim requirements for QEIA funding at one hundred percent for each of these two years by the Los Angeles County Office of Education.

The positive nature of these two annual monitoring reports had us believing that our implementation of QEIA requirements was on target. The El Monte City School District has always considered lower class size to be important. An analysis of class size averages for grades four and five for five neighboring school district during our base year of 2006-2007, reveals that District A had class sizes of 30.4 and 30.7 in grades four and five respectively; District B had class sizes of 28.0 and 29.7; District C, 32.6 and 31.4; District D, 29.8 and 29.8; District D, 28.3 and 30.6. Conversely, our district averaged 27.1 and 28.1 while Columbia School had class sizes of 25.7 and 26.3 in grades four and five. Despite declining enrollment (see attached table), our district maintained its commitment to ensuring lower class sizes. It should also be pointed out that we met QEIA class size targets for all individual classes at grades K-3, as well as grades 6-8 during the 2010-2011 academic year. Additionally, Columbia met all other requirements of QEIA legislation during 2010-2011: Teacher Experience Index, Highly Qualified Teachers, Professional Development, Williams Regulations, and the Academic Performance Index growth targets.

El Monte City School District Enrollment

2005-2006	2006-2007	2007-2008	2008-2009	2009-2010	2010-2011
10,881	10,332	10,111	9,930	9,362	9,317

Source: CBEDS Reports

Columbia School Demographics and Academic Performance

Despite the increased class sizes at Grades Four and Grade Five, Columbia School students continued to experience remarkable academic success during the 2010-2011 academic year. The school's demographics (93% of the students participate in the National School Lunch Program and 52% of the students are identified as English Learners) have made academic progress a challenge, but it is a challenge that Columbia administrators, teachers, staff, parents, and students have accepted and met. During the three academic years for which API growth was monitored, Columbia was expected to grow a total of 16 points on the Academic Program Index, it grew a total of 107 points. Columbia's expected annual growth was 5.0 points during the aforementioned years, but the school grew at an average of 35.7 points annually. For the 2010-2011 academic year when Columbia's class size at grades Four and Five exceeded the required class size targets, Columbia grew a total of 30 points on the API and it now holds a score of 810. According to a report compiled by the QEIA Southern Technical Assistance Center for 2011(dated August 31, 2011) Columbia School is one of only 35 QEIA schools with an API score of over 800, additionally Columbia School is one of only 53 QEIA Program Improvement schools that have met the 2011 AYP targets for one year and is now in frozen status. Below is a summary of the API growth for Columbia School from 2005-2011:

Columbia School Academic Performance Index

2005-2006	2006-2007	2007-2008	2008-2009	2009-2010	2010-2011
674	681	704	755	780	810

Source: Academic Index Reports

In order to adhere to the QEIA required class size targets, the El Monte City School district added an additional teacher to reduce class sizes at grades Five and Six at Columbia School for the 2011-2012 academic school year. The district further took the necessary steps to transfer to other schools within the district, students at grade levels that may have exceeded QEIA class size targets. We believe that it is essential to meet all QEIA requirements in order for Columbia School to continue to provide adequate support to all Columbia School students, so they will maintain the academic gains they have made over the last four years. Approval of this waiver will ensure that Columbia School will continue to meet the intent of QEIA legislation for the remainder of the grant period. Maintaining QEIA funding is of tremendous importance if we are to maintain lower class sizes at Columbia School. We feel that the significant academic gains Columbia School has made warrant the opportunity

7. *Demographic Information:*

Columbia School has a student population of 873 students and is located in an urban setting in Los Angeles County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee: Signature on Original sent via US mail	Title: Superintendent	Date: October 18, 2011
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Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Waiver Number: 15-9-2011
Lennox Middle School
Lennox School District

Period of Request: July 1, 2010, to June 30, 2011
Period Recommended: July 1, 2010, to June 30, 2011
CDS Code: 19 64709 6106736

LEA Request:

Lennox School District (SD) is an urban school district located in Los Angeles County and has a student population of approximately 6,102 students. Lennox Middle School (MS) serves 1,768 students in grades six through eight. Monitoring performed by the Los Angeles County Office of Education indicates that the Class Size Reduction (CSR) requirements of the Quality Education Investment Act (QEIA) were not fully met by Lennox MS in grade eight for the 2010–11 school year. The district provided class size information from 2006–07, the base year upon which QEIA CSR targets are calculated, showing that the average size of core classes of English, mathematics, history-social science, and science in grades six, seven, and eight were 27.0, 27.5, and 27.4. The QEIA CSR targets in grades six, seven, and eight are 22.0, 22.5, and 22.4.

Lennox SD states that Lennox MS is the only middle school in the district and there is no other school to provide a transfer option to avoid class size averages rising when enrollment is higher than predicted. Grade eight core classroom averages for 2010–11 at Lennox MS was 22.6 and there was not the normal loss of enrollment that the district states it typically experiences as the year continues. The district states that it has every intention of closely monitoring the grade level averages throughout all remaining QEIA years to ensure compliance with QEIA CSR target requirements. The district states that it is committed to participating in QEIA and is proud of the academic achievement of its QEIA schools.

Lennox SD is requesting a waiver for exceeding its QEIA CSR target in grade eight at Lennox MS for the 2010–11 school year by .31 of a student. The district is not asking for a revised QEIA CSR target.

California Department of Education (CDE) Recommendation and Conditions:

The California Department of Education (CDE) supports Lennox SD's request that the QEIA CSR requirement for grade eight at Lennox MS be waived for the 2010–11 school year.

The CDE recommends approval with the following conditions: (1) Applies only to classes in grade eight at Lennox MS for school year 2010–11; (2) Lennox MS reduce the average class size in core classes at the school level to the established QEIA CSR target in grade eight in 2011–12 and all subsequent years the district received QEIA funds; and (3) Within 30 days of approval of this waiver, Lennox SD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the CSR requirement.

Reviewed by District QEIA Advisor Committee on August 30, 2011.

Supported by Lennox Teachers Association, August 3, 2011.

Local Board Approval: August 23, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: **x**
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
6	1	6	4	7	0	9

Local educational agency: Lennox School District for Lennox Middle School	jb 9-12-11	Contact name and Title: Dr. Fred Navarro, Superintendent	Contact person's e-mail address: Fred_Navarro@ lennox.k12.ca.us
Address:	(City)	(State)	(ZIP)
10319 Firmona Avenue	Lennox	CA	90304
Period of request: (month/day/year)	Local board approval date: (Required)		Date of public hearing: (Required)
From: 7-1-2010 To: 6-30-2011	8-23-11		8-23-11

LEGAL CRITERIA

- Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): Circle One: **EC** or *CCR*
Topic of the waiver: Waive recommendation for QEIA funding termination at Lennox Middle School in the Lennox School District
- If this is a renewal of a previously approved waiver, please list Waiver Number: _____ and date of SBE Approval _____
Renewals of waivers must be submitted two months before the active waiver expires. NOT APPLICABLE
- Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): 8-3-11

Name of bargaining unit and representative(s) consulted: Lennox Teacher's Association (Julie Smith, President; Brian Guerrero, Vice President)

The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)

Comments (if appropriate): Letter of support from Lennox Teacher's Association
- Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

 Notice in a newspaper Notice posted at each school Other: (*Please specify*)
- Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:
District QEIA Advisory Committee
Date the committee/council reviewed the waiver request: 8-30-11

Were there any objection(s)? No Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

See below

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

See below

8. Demographic Information:
The Lennox School District has a student population of 6,102 and is located in an urban area of Los Angeles County

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee: Fred Navarro	Title: Superintendent	Date: 8-31-11
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Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

6-8 Class Size Waiver Application

6. Education Code Section

52055.740. (a) For each funded school, the county superintendent of schools for the county in which the school is located shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

(b) For each funded school, the county superintendent of schools for the county in which the school is located shall annually review the school and its data to determine if the school has met all of the following interim requirements:

(1) Be at least one-third of the way toward meeting each of the program requirements specified in paragraphs (1) to (5), inclusive, of subdivision (a) by the end of the first full year of funding.

(2) Be at least two-thirds of the way toward meeting each of the program requirements specified in paragraphs (1) to (5), inclusive, of subdivision (a) by the end of the second full year of funding, and achieve full implementation by the end of the third full year and for each year thereafter.

(3) Have provided professional development to at least one-third of teachers and instructional paraprofessionals in the school annually.

(4) Meet all of the requirements of the settlement agreement in Williams v. State of California (Case Number CGC-00-312236 of the Superior Court for the County of San Francisco), including, among other things, the requirements regarding teachers, instructional materials, and school facilities, by the end of the first full year of funding, and in each year of funding thereafter.

(c) (1) If a county superintendent of schools determines that a funded school has not substantially met the requirements of subdivision (b) after the first or second full year of funding, or any alternative program requirements approved under Section 52055.760, he or she shall notify the Superintendent. ~~If all of the interim and final requirements are not met by the end of any subsequent school year, the Superintendent shall terminate funding for that school.~~

7. Desired Outcome/ Rationale

Desired Outcome

Lennox Elementary School District is requesting that funding not be terminated due to exceeding QEIA class size requirement in grade 8 at Lennox Middle School during the 2010-11 school year.

Rationale

Lennox Elementary School District has had contractual agreements to maintain reduced class sizes at all grade levels. QEIA required the use of 2006-07 school year as the baseline year to set class size reduction targets throughout QEIA funded years. Based on the QEIA statute, Lennox Middle School is required to reduce class size by five students or to 25 students, whichever was lower. During the 2006-07 school year class sizes were below the ratios of 29:1 required in the Lennox School District Collective Bargaining Agreement. As a result, QEIA targets were set at:

	Base Year (06-07)	QEIA Targets
Grade 6	27.0	22.0
Grade 7	27.5	22.5
Grade 8	27.4	22.4

In the base year, the district more than met the contractual agreements at all grades which has resulted in very low QEIA targets. This is evidence that the district has always valued a low student-teacher ratio.

Lennox Middle School is the only middle school in the Lennox School District. Therefore, there is no other middle school to provide an option to avoid class size averages rising when enrollment comes in higher than predicted. At the end of the 2010-11 school year, Lennox Middle School met the target for 6th and 7th grades. However, Lennox Middle School missed the target at 8th grade by .31 of a student; it was 22.71. This unanticipated small rise in student enrollment resulted in the eight grade not meeting the QEIA target. Specifically, eight grade core classroom averages at Lennox Middle School peaked at 23.64 at the end of November, but, unusually, there was not the normal loss of enrollment that we typically experience as the year continues. Lennox School District has every intention of closely monitoring 6-8th grade level averages throughout all remaining QEIA years to ensure compliance with the QEIA CSR target requirements.

In addition, in June 2010, for the 2010-11 fiscal year, the district declared a Qualified Certification. In September-October, 2010, as part of the process of resolving this issue, the district met with a Budget Review Committee appointed by the Los Angeles County Office of Education. By working closely with LACOE the district was able to declare a Positive Certification at First Interim in December 2010. Given this fiscal background, when staffing our schools it was imperative to be fiscally responsible and not "over staff."

D.) API Growth with QEIA Support

The Lennox School District has 3 elementary schools and its only middle school in the QEIA program. During that time, and we believe due in a large part to the lowering of class size thanks to the QEIA funding, those four schools have grown in API as follows:

Felton	Jefferson	Moffett	Lennox MS	
2007-08	717	715	678	689
QEIA Funded Years:				
2008-09	771 (+54)	760 (+45)	738 (+60)	714 (+25)
2009-10	797 (+26)	795 (+35)	756 (+18)	719 (+5)
2010-11	839 (+42)	807 (+12)	781 (+25)	734 (+16)

Summary

The Lennox School District is committed to participating in the Quality Education Investment Act. We are proud of the academic achievements of our QEIA funded schools, and believe strongly that with the continued support of QEIA, we will continue to show the type of long term growth that is the goal of the QEIA program. We are committed to reduced class sizes and will monitor our enrollment figures at all of our QEIA schools to ensure we meet this requirement throughout all QEIA funded years.

Waiver Number: 16-9-2011

Jefferson Elementary School
Lennox School District

Period of Request: July 1, 2010, to June 30, 2011

Period Recommended: July 1, 2010, to June 30, 2011

CDS Code: 19 64709 6014963

LEA Request:

Lennox School District (SD) is an urban school district located in Los Angeles County and has a student population of approximately 6,102 students. Jefferson Elementary School (ES) serves 795 students in kindergarten through grade five. Monitoring performed by the Los Angeles County Office of Education indicates that the Class Size Reduction (CSR) requirements of the Quality Education Investment Act (QEIA) were not fully met by Jefferson ES in five grade three classes for the 2010–11 school year.

Lennox SD states that in December 2010 it was finally able to declare a positive certification, and when staffing schools it was imperative to be fiscally responsible and not overstaff. The district states that it was that need for fiscal responsibility that resulted in the grade three classes at Jefferson ES to be slightly above the CSR target of 20.44. The district states that it is committed to reducing class sizes and has had contractual agreements to maintain reduced class sizes at all grade levels. Because of high enrollments in October 2010, the school was not accepting any new students in grades three, four, and five. The district states that QEIA funding helped Jefferson ES exit program improvement at the end of the 2009–10 school year.

The district states that it has every intention of closely monitoring the grade level averages throughout all remaining QEIA years to ensure compliance with QEIA CSR target requirements. The district states that it is committed to participating in QEIA and is proud of the academic achievement of its QEIA schools.

Lennox SD is requesting a waiver for exceeding its QEIA CSR target in five grade three classes at Jefferson ES for the 2010–11 school year by .52, .50, .88, 1.23, and 1.55 students. The district is not asking for a revised QEIA CSR target for the 2011–12 school year.

California Department of Education (CDE) Recommendation and Conditions:

The California Department of Education (CDE) supports Lennox SD's request that the QEIA CSR requirements for five grade three classes at Jefferson ES be waived for the 2010–11 school year.

The CDE recommends approval with the following conditions: (1) Applies only to classes in grade three at Jefferson ES for school year 2010–11; (2) Jefferson ES meet the class size requirements in 2011–12 and all subsequent years the district received QEIA funds; and (3) Within 30 days of approval of this waiver, Lennox SD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the CSR requirement.

Reviewed by District QEIA Advisor Committee on August 30, 2011.

Supported by Lennox Teachers Association, August 3, 2011.

Local Board Approval: August 23, 2011.

GENERAL WAIVER REQUEST

GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

See below

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

See below

8. Demographic Information:
The Lennox School District has a student population of 6,102 and is located in an urban area of Los Angeles County

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee: Fred Navarro	Title: Superintendent	Date: 8-31-11
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Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Jefferson School/ Lennox School District Class Size Reduction Grade 3 Waiver Application

6. Education Code Section

52055.740. (a) For each funded school, the county superintendent of schools for the county in which the school is located shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

(b) For each funded school, the county superintendent of schools for the county in which the school is located shall annually review the school and its data to determine if the school has met all of the following interim requirements:

(1) Be at least one-third of the way toward meeting each of the program requirements specified in paragraphs (1) to (5), inclusive, of subdivision (a) by the end of the first full year of funding.

(2) Be at least two-thirds of the way toward meeting each of the program requirements specified in paragraphs (1) to (5), inclusive, of subdivision (a) by the end of the second full year of funding, and achieve full implementation by the end of the third full year and for each year thereafter.

(3) Have provided professional development to at least one-third of teachers and instructional paraprofessionals in the school annually.

(4) Meet all of the requirements of the settlement agreement in Williams v. State of California (Case Number CGC-00-312236 of the Superior Court for the County of San Francisco), including, among other things, the requirements regarding teachers, instructional materials, and school facilities, by the end of the first full year of funding, and in each year of funding thereafter.

(c) (1) If a county superintendent of schools determines that a funded school has not substantially met the requirements of subdivision (b) after the first or second full year of funding, or any alternative program requirements approved under Section 52055.760, he or she shall notify the Superintendent. ~~If all of the interim and final requirements are not met by the end of any subsequent school year, the Superintendent shall terminate funding for that school.~~

7. Desired Outcome/ Rationale

Desired Outcome

Lennox Elementary School District is requesting that funding not be terminated due to exceeding class size requirement in grade 3 at Jefferson Elementary School during the 2010-11 school year.

Rationale

In June, 2010, for the 2010-11 fiscal year, the district declared a Qualified Certification. In September-October, 2010, as part of the process of resolving this issue, the district met with a Budget Review Committee appointed by the Los Angeles County Office of Education. By working closely with LACOE the district was able to declare a Positive Certification at First Interim in December 2010. Given this fiscal background, when staffing our schools it was imperative to be fiscally responsible and not "over staff." It was in that need for fiscal responsibility in mind that classes in one grade level at one QEIA school went slightly above 20.44.

Lennox Elementary School District is committed to reducing class sizes and has had contractual agreements to maintain reduced class sizes at all grade levels. Based on the QEIA statute, Jefferson Elementary School was required to adhere to the K-3 Class Size Reduction Program requirements. At K-2, every class met the required 20.44 ratio. At grade three, due to high enrollment numbers in October, the school was not open accepting any new students at this grade level and also at grades 4, and 5.

Despite taking this action, and despite the fact that Lennox Schools typically decline in enrollment as the school year progresses, one grade level (3rd), at one QEIA school (Jefferson Elementary) in the Lennox School District exceeded the CSR 20.4 limit in 5 of the 6 classes as follows:

At third grade, we were able to attain the following targets that were very close to the 20.44 teacher-student ratio:

Class A	Class B	Class C	Class D	Class E	Class F
20.96	20.94	21.32	21.67	19.33 (met)	21.99

This was a unique situation and the Lennox School district has every intention of fully meeting QEIA K-3 CSR requirements in future years.

D.) API Growth with QEIA Support

The Lennox School District has 3 elementary schools and its only middle school in the QEIA program. During that time, we believe due in a large part to the lowering of class size thanks to the QEIA funding, those four schools have grown in API as follows:

	Felton	Jefferson	Moffett	Lennox MS
2007-08	717	715	678	689
QEIA Funded Years:				
2008-09	771 (+54)	760 (+45)	738 (+60)	714 (+25)
2009-10	797 (+26)	795 (+35)	756 (+18)	719 (+5)
2010-11	839 (+42)	807 (+12)	781 (+25)	734 (+16)

Thanks in a large part to QEIA funding Jefferson School was the first Lennox School to exit Program Improvement at the end of the 2009-10 school year. We believe the loss of this support at this time would cause a critical harm to a school that is seen as a model for QEIA schools statewide.

Summary

Lennox School District is committed to participating in the Quality Education Investment Act and class size reduction. We are proud of the academic achievements of our QEIA funded schools, and believe strongly that with the continued support of QEIA funding, we will continue to improve the quality of academic instruction and the level of pupil achievement. We are committed to reduced class sizes and will monitor our enrollment figures at all of our QEIA schools to ensure we meet this requirement throughout all QEIA funded years.

Waiver Number: 4-12-2010
Clover Flat Elementary School
Mountain Empire Unified School District

Period of Request: July 1, 2010, to June 30, 2012
Period Recommended: July 1, 2010 to June 29, 2012
CDS Code: 37 68213 6085054

LEA Request:

Mountain Empire Unified School District (USD) is a rural school district located in San Diego County and has a student population of approximately 2,400 students. Clover Flat Elementary School (ES) serves 158 students in grades two through eight and is the only school in the district with this grade configuration. The district provided class size information from 2006–07, the base year upon which QEIA CSR targets are calculated, showing that the average size of core classes of English, mathematics, history-social science, and science in ranged from 23.5 in grade four to 28 in grade five. The QEIA CSR targets for Clover Flat ES range from 18.5 in grade four to 23.0 in grade five.

Mountain Empire USD states that in the 2006–07 school year class sizes in grades four and six had very small numbers. The district states that Clover Flat ES originally served grades two through six, with grade seven added in 2009–10 and grade eight added in 2010–11. The district states the QEIA CSR targets are very difficult to meet as the population changes every year and it has added combination classes to meet CSR targets and remain in compliance with program requirements.

Mountain Empire USD requests that Clover Flat ES be allowed to average class sizes at 22.0 for all grades four through eight as opposed to meeting individual grade level class size targets.

California Department of Education Recommendation and Conditions:

The CDE does not support the LEAs request for a two year waiver. The CDE recommends a two year minus one day waiver for Mountain Empire USD's request to average class sizes at 22.0 for grades four through eight to meets its QEIA CSR target. This alternative method would be consistent with the intent of QEIA to ensure that students at funded schools benefit from lower class sizes.

The CDE recommends approval with the following conditions: (1) Applies only to classes in grades four through eight at Clover Flat ES for school year 2010–11 and 2011–12; and (2) Within 30 days of approval of this waiver, Mountain Empire USD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the CSR requirement.

Reviewed by Clover Flat Elementary Schoolsite Council on October 26, 2010.

Supported by Mountain Empire Teachers Association, October 29, 2010.

Local Board Approval: November 10, 2010.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	7	6	8	2	1	3

Local educational agency: Mountain Empire Unified School District for Clover Flat Elementary		Contact name and Title: Barbara Cowling, Principal		Contact person's e-mail address: bcowling@meusd.net	
Address: (City) (State) (ZIP)		Phone (and extension, if necessary):			
3291 Buckman Springs Road, Pine Valley, Ca 91962		(619) 766-4655			
		Fax Number: (619) 766-4537			
Period of request: (month/day/year)		Local board approval date: (Required)		Date of public hearing: (Required)	
From: 7/1/2010 To: 6/30/2012		November 10, 2010		November 10, 2010	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California* to be waived (number): EC 52055.740(a) regarding class size reduction requirements under the Quality Education Investment Act, that this school reduce their class sizes by an average of five students per class by the end of the 2010-2011 school year for Clover Flat Elementary School. Circle One: **EC** or **CCR**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: _____ and date of SBE Approval _____
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? X Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): 10/29/10
Name of bargaining unit and representative(s) consulted: Mari Mann, Mountain Empire Teacher's Association
Kak 12/7/11
The position(s) of the bargaining unit(s): X Support Oppose (*Please specify why*)
Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?
 Notice in a newspaper X Notice posted at each school Other: (*Please specify*)

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: October 26, 2010 Clover Flat School Site Council
Kak 12/7/10
Were there any objection(s)? No X Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**). following program requirements by the school by the end of the third full year of funding:

52055.740. (a) For each funded school, the county superintendent of schools for the county in which the school is located shall annually review the school and its data to determine if the school has met all of the

(1) Meet all of the following class size requirements:

(A) For kindergarten and grades 1 to 3, inclusive, no more than 20 pupils per class, as set forth in the Class Size Reduction Program (Chapter 6.10 (commencing with Section 52120)).

(B) For self-contained classrooms in grades 4 to 8, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

~~(i) At least five pupils fewer per classroom than was the average in 2006-07.~~

(ii) An average of 25 pupils per classroom.

(iii) For purposes of this subparagraph, average classroom size shall be calculated at the grade level based on the number of self-contained classrooms in that grade at the schoolsite. ~~If the self-contained classrooms at the school averaged fewer than 25 pupils per classroom during the 2005-06 school year, that lower average shall be used as the "average in 2006-07" for purposes of this subparagraph.~~ A school that receives funding under this article shall not have a self-contained classroom in grades 4 to 8, inclusive, with more than 27 pupils regardless of its average classroom size.

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

Clover Flat School is a small, rural school. The population is only 158 students. The 2006-2007 school year, on which the class size reduction target was calculated, grades four and six had only one class with very small numbers (see attached chart).

The school originally served only through 6th grade however starting in 2009-10 a 7th grade was added, and 8th grade was added in 2010-11. The 7th and 8th grade targets (below *) were derived from the only middle school in the district, Mountain Empire Middle School which also had only about 230 pupils.

These targets are very difficult for us to hold to as the population changes year to year based on the number of students in the previous grade, which has higher targets. The reason for the difficulty is the way the student numbers play out in such a small school. For example, this year we have exactly 23 seventh grade students. To stay with 20.0 class size, we made a seventh/eighth grade combination class, placing about 3 seventh grade students in the 7/8th grade combination class.

The purpose of this legislation was not to burden the school unnecessarily, but to help them improve their achievement through highly qualified teachers and small class sizes. The recommended smaller class size is 25 students, and we are well below this target. It is extremely difficult for a small rural school to remain within the calculated targets based on only one school year.

Clover Flat School requests a waiver to be able to have a average class size ratio of 20-1 across all grades 4th through 8th, with a maximum in any class of 25- 1.

8. Demographic Information:

(District/school/program) Clover Flat School has a student population of 158 and is located in a rural area in San Diego County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title: Superintendent	Date:
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Clover Flat Elementary School - QEIA Targets and Calculations of Class Size Averages in Recent Years

Up until the 2008-09 school year this school served only through 6th grade however starting in 2009-10 a 7th grade was added, and 8th grade will add in 2010-11. The 7th grade target (below *) was derived from the only middle school in the district, Mountain Empire Middle School.

Class Sizes at Clover Flat Elementary School, 2006-07 – BASE YEAR

Grade level	4	5	6	7	8
Actual Class size	23.5	28	26	0	0
Statutory CSR Target	18.5	23	21	17.7*	19

(Average class size in grades 4 through 6 at PES in 2006-07: **25.8**)

Class Sizes at Clover Flat Elementary School, 2007-08

Grade level	4	5	6	7	8
Actual Class size	20	17	19	0	0

(Average class size in grades 4 through 6 at PES in 2007-08: **18.6**)

Class Sizes at Clover Flat Elementary School, 2008-09

Grade level	4	5/6	6	7	8
Actual Class size	18	16	16	0	0

(Average class size in grades 3 through 6 at PES in 2008-09: **16.6**)

Class Sizes at Clover Flat Elementary School, 2009-10

Grade level	4	5	6	7	8
Actual Class size	20	21	21	18	0

(Average class size in grades 4 through 7 at PES in 2009-10: **20**)

Class Sizes at Clover Flat Elementary School, 2010-11

Grade level	4	5	6	7	8
Actual Class size	23	25	19	22	23

(Average class size in grades 4 through 7 at PES in 2009-10: **21**)

Waiver Request:

Clover Flat Elementary School request a waiver to be able to have a average class size ratio of 20-1 across all grades 4th through 8th, with a maximum in any one class of 25- 1.

Waiver Number: 15-10-2011 **Period of Request:** July 1, 2011, to June 30, 2014
Walnut Grove Elementary School **Period of Recommended:** July 1, 2011, to June 29, 2013
River Delta Unified School District **CDS Code:** 34 67413

LEA Request:

River Delta Unified School District (USD) is located in a rural community in Sacramento County and has a student population of approximately 1,593 students. Walnut Grove Elementary School (ES) serves 158 students in kindergarten through grade six. The district met the Class Size Reduction (CSR) requirements of the Quality Education Investment Act (QEIA) in school year 2010–11 and is asking for an alternative QEIA CSR target in years 2011–12 through 2013–14 at Walnut Grove ES. The district's current QEIA CSR targets for the average size of core classes of English, mathematics, history-social science, and science in kindergarten through grade six were 20.44 (K–3), 19.0, 20.0, and 25.0, respectively.

River Delta USD states that lower class sizes have always been important to them. Walnut Grove ES had a mass exodus of students prior to QEIA and now it is experiencing an influx of students returning to the community. The district anticipates the need to increase class size targets as they were set during the year in which many families removed their children from the school. The district's goal is to allow all students to return to their community school, and increasing the CSR will allow the district to accomplish this goal. It states that it is important to note that it is an isolated rural community and small school. Because of the different CSR requirements per grade level, it is often faced with the decision of splitting siblings, which is not beneficial or conducive for families.

River Delta USD requests a waiver of the QEIA CSR targets for kindergarten through grade five at Walnut Grove ES for school years 2011–12 through 2013–14 and establishment of alternative CSR targets of 22.0 per class in kindergarten through grade two, 24.0 per class in grade three, and 24.0 on average in core classes for grades four and five.

California Department of Education (CDE) Recommendation and Conditions:

The CDE does not support the LEAs request for a four year waiver. The CDE recommends a two year minus one day waiver for River Delta USD's request to increase its CSR targets for kindergarten through grade five. The alternative targets are consistent with the intent of QEIA to ensure that students at funded schools benefit from lower class sizes.

The CDE recommends approval with the following conditions: (1) Applies only to classes in kindergarten through grade five at Walnut Grove ES for school year 2011–12 and 2012–13; (2) Walnut Grove increase to 22.0 the class size in kindergarten through grade two, 24.0 per class in grade three, and an average class size in core classes at the school level to 24.0 students per classroom in grades four and five in the 2011–12 and 2012–13 school years; and (3) Within 30 days of approval of this waiver, River Delta ES must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the CSR requirement.

Reviewed by Walnut Grove Elementary Schoolsite Council on September 21, 2011.

Supported by River Delta Unified Teachers Association, September 12, 2011.

Local Board Approval: October 11, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 11-30-10) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	4	6	2	4	1	3

Local educational agency: River Delta Unified School District			Contact name and Title: Rick Hennes/Superintendent			Contact person's e-mail address: rhennes@riverdelta.k12.ca.us		
Address: 445 Montezuma Street		(City) Rio Vista	(State) CA	(ZIP) 94571	Phone (and extension, if necessary): 707-374-1700			
				Fax Number: 707-374-2995				
Period of request: (month/day/year) From: July 1, 2011 To: June 30, 2014		Local board approval date: (Required) October 11, 2011			Date of public hearing: (Required) October 11, 2011			

Jb 6/24/11

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number):

Circle One: EC or CCR
520550.740(a)

Topic of the waiver: **QEIA Class Size Reduction Targets**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: _____ and date of SBE Approval _____
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? X Yes No If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): September 12, 2011 4:00pm

Name of bargaining unit and representative(s) consulted: River Delta Unified Teacher's Association Janet Allen, President

The position(s) of the bargaining unit(s): Neutral X Support Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

 Notice in a newspaper X Notice posted at each school X Other: (*Please specify*)
District Office, District Web Site

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: September 21, 2011/Walnut Grove Elementary Site Council
Were there any objection(s)? No X Yes (*If there were objections please specify*)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

River Delta Unified School District requests that a portion of *Education Code (EC)* Section 52055.740 (a) be waived regarding the class size reduction requirements under the Quality Education Investment Act for Walnut Grove Elementary School. The River Delta Unified School District is requesting to waive Education Code section 52055.740 (C)(i), labeled below with the strike-out key.

52055.740. (a) For each funded school, the county superintendent of schools for the county in which the school is located shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

(1) Meet all of the following class size requirements:

(A) For kindergarten and grades 1 to 3, inclusive, no more than ~~20~~ pupils per class, as set forth in the Class Size Reduction Program (Chapter 6.10 (commencing with Section 52120)).

(B) For self-contained classrooms in grades 4 to 8, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

(i) At least five pupils fewer per classroom than was the average in 2006-07.

(ii) An average of 25 pupils per classroom.

(iii) For purposes of this subparagraph, average classroom size shall be calculated at the grade level based on the number of self-contained classrooms in that grade at the school site. If the self-contained classrooms at the school averaged fewer than 25 pupils per classroom during the 2005-06 school year, that lower average shall be used as the "average in 2006-07" for purposes of this subparagraph. A school that receives funding under this article shall not have a self-contained classroom in grades 4 to 8, inclusive, with more than 27 pupils regardless of its average classroom size.

(C) For classes in English language arts, reading, mathematics, science, or history and social science courses in grades 4 to 12, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

(i) At least five pupils fewer per classroom than was the average in 2006-07.

(ii) An average of 25 pupils per classroom.

(iii) For purposes of this subparagraph, average classroom size shall be calculated at the grade level based on the number of subject-specific classrooms in that grade at the school-site. If the subject-specific classrooms at the school averaged fewer than 25 pupils per classroom during the 2005-06 school year, that lower average shall be used as the "average in 2006-07" for purposes of this subparagraph. A school that receives funding under this article shall not have a class in English language arts, reading, mathematics, science, or history and social science in grades 4 to 12, inclusive, with more than 27 pupils regardless of its average classroom size.

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

Class Size Reduction (CSR)

River Delta Unified School District requests that a portion of *Education Code (EC)* Section 52055.740 (a) regarding the class size reduction requirements under the Quality Education Investment Act (QEIA) be waived for Walnut Grove Elementary. The 2005-2006 school year was selected as our baseline year, and thus we were required to reduce class size to 20.4 in K-3, 19 in grade 4, 20 in grade 5 and 25 in grade 6. Lower class sizes have always been important to our District. Walnut Grove Elementary had a mass exodus to the school prior to QEIA. Due to administrative changes and QEIA supports among others, we are seeing an influx of students returning to their community school. We anticipate the need to increase class size as the targets were set during the year in which many families removed their children from the school. Our goal is to allow all students to return to their community school and increasing the CSR to 22 in grades K-2, 24 in grades 3-5 and remain at 25 in grade 6 will allow us to do so.

It is important to note that we are an isolated rural community and small school. Overflowing students displaces them from their own community and forces them to attend school in a neighboring town. This uproots them from their cultural and social community and provides hardship for families to travel to a neighboring town to attend their children's activities and meetings. Because of the different CSR requirements per grade level, we are often faced with the decision of splitting siblings as well which is not beneficial or conducive for our families.

Student Demographics and Performance

Walnut Grove Elementary is providing extensive support to all students by providing intervention in English and Math. Walnut Grove Elementary has a high percentage of English Learners (60%) and a high percentage of low socio economic status students (90%). The schools provide Tier 3 Language Arts courses to many students and Tier 3 Math courses to many of the students. This increases the number of staff needed at the school and thus significantly increases the number of teachers required to meet the needs of students.

The Academic Performance Index (API) increased from 667 in 2006-2007 to 763 in the 2010-2011 school year Walnut Grove School.

API Growth from 2006 to 2010

	2006	2007	2008	2009	2010	2011
Walnut Grove Elementary	667	714	655	672	715	763

Attached is the CST Summary report for Walnut Grove Elementary school. The report includes data for the past three years, 2008-09, 2009-10 and 2010-11. Data indicates that the number of students scoring at the Proficient and Advanced levels has started to increase. The number of students at the Far Below Basic and Below Basic levels has significantly reduced.

Fiscal Impact

Based on current projections, Walnut Grove Elementary school will not have sufficient cash flow to hire the number of teachers required to meet the CSR targets throughout all QEIA funded years. Without adding increasing class size, Walnut Grove Elementary school will continue to have to overflow students who desire to attend their community school to schools throughout the district which due to geography and long distances on busses for students, parents are opting to take their children to other districts which impacts the ADA revenue, in turn impacting the general fund.

Approval of this waiver for Walnut Grove Elementary will result in the school meeting the intent of the QEIA program while continuing to make strong academic gains. It will allow them to maintain reasonable target class sizes in all grades but will allow families to return to their community school as well as allow for the much needed enrollment increase at Walnut Grove Elementary. This will still allow for the very necessary support and intervention programs that have significantly contributed to the increased achievement and academic performance of all students. During this time of economic uncertainty, this program would appear to be our only hope of maintaining low class size.

8. Demographic Information:
River Delta Unified School District has a student population of 1,593 and is located in a rural area along the Sacramento Delta extended 60 miles along the river.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – <i>I hereby certify that the information provided on this application is correct and complete.</i>		
Signature of Superintendent or Designee:	Title: Superintendent	Date: 10/11/2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Waiver Number: 16-11-2011 **Period of Request:** July 1, 2010, to June 30, 2014
Wallace Davis Elementary School **Period Recommended:** July 1, 2010 to July 29, 2012
Santa Ana Unified School District **CDS Code:** 30 66670 6114631

LEA Request:

Santa Ana Unified School District (USD) is an urban school district located in Orange County and has a student population of approximately 52,534 students. Wallace Davis Elementary School (ES) serves 764 students in kindergarten through grade five. Wallace Davis ES's Quality Education Investment Act (QEIA) Class Size Reduction (CSR) targets for kindergarten through grade three are 20.44, grade four 25.0, and grade five 23.7.

Santa Ana USD states that, due to fiscal constraints, class sizes were recalculated and have increased in subsequent years. The district states that the CSR program has been changed to allow classes in grades one through three to exceed the 20.44 cap to as many as 30.0 and continue to retain a majority of CSR funding. Santa Ana USD states that Wallace Davis ES met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The district states that it has managed to successfully staff to meet QEIA CSR targets for the past three years but has now reached a point where an increase of CSR targets is necessary to maintain the momentum that will help move its schools out of program improvement.

Santa Ana USD requests a waiver of the QEIA CSR targets and the establishment of alternative CSR targets at Wallace Davis ES for grades one through three of 25.0 per class and 25.0 on average in core classes for grades four and five.

California Department of Education (CDE) Recommendation and Conditions:

The CDE does not support the LEAs request for a four year waiver. The CDE recommends a two year minus one day waiver for Santa Ana USD's request to increase its CSR targets for grades one through five at Wallace Davis ES. The alternative targets are consistent with the intent of QEIA to ensure that students at funded schools benefit from lower class sizes.

The CDE recommends approval with the following conditions: (1) Applies only to classes in grades one through five at Wallace Davis ES for school years 2010–11 and 2011–12; (2) Wallace Davis ES increase to 25.0 the class size in grades one through three, and an average class size in core classes at the school level to 25.0 students in grades four and five in the 2010–11 and 2011–12 school years; and (3) Within 30 days of approval of this waiver, Santa Ana USD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the CSR requirement.

Reviewed by Wallace Davis Elementary Schoolsite Council on October 3, 2011.

Supported by Santa Ana Educators Association, August 31, September 13, 15, and 29, 2011.

Local Board Approval: October 11, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver:
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	0	6	6	6	7	0

Local educational agency: Santa Ana Unified School District		Contact name and Title: Cathie Olsky, Ed. D.		Contact person's e-mail address: Cathie.olsky@sausd.us	
Address: (City) (State) (ZIP) 1601 E. Chestnut Ave. Santa Ana California 92701		Phone (and extension, if necessary): (714) 558-5523 Fax Number: (714) 480-5321			
Period of request: (month/day/year) From: 07/01/2010 To: 06/30/2014		Local board approval date: (Required) October 11, 2011		Date of public hearing: (Required) October 11, 2011	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number):
Circle One: **EC** or *CCR*

Topic of the waiver: **QEIA CLASS SIZE Grades 1-5**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: **NOT APPLICABLE**
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **08/31/11, 09/13/11, 09/29/11, 09/15/11**

Name of bargaining unit and representative(s) consulted: **Santa Ana Educators Association; Susan Mercer (President) and Norma Ortiz (CTA representative)**

The position(s) of the bargaining unit(s): Neutral **Support** Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school **Other: Notice posted at District Office on September 27, 2011**

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: **October 3, 2011; School Site Council at Davis Elementary School**

Were there any objection(s)? **No** Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

SEE ATTACHED

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

PLEASE SEE ATTACHED

8. Demographic Information:
SANTA ANA UNIFIED has a student population of 52,534 and is located in an **urban area** in Orange County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title: Deputy Superintendent	Date: October 21, 2011
--	--	----------------------------------

FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use strike out key).

a. For each funded school, the county superintendent of schools for the country in which the school is located, shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

(1) Meet all of the following class size requirements:

i. For kindergarten and grades 1 to 3, inclusive, no more than 20 pupils per class, as set forth in the Class Size Reduction Program (Chapter 6.10 (commencing with Section 52120)).

(2) Meet all of the following class size requirements:

(B) For self-contained classrooms in grades 4-8, inclusive, an average classroom size that is the less of clause (i) or (ii), as follows: (i) At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average of 25 pupils per classroom.

(C) For classes in English language arts, reading, mathematics, science, or history and social science courses in grades 4-12, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average³ of 25 pupils per classroom.

Santa Ana Unified School District
1601 E. Chestnut Ave.
Santa Ana, CA 92701

October 2011

Desired Outcome/Rationale

Santa Ana Unified School District requests on behalf of **Davis Elementary School** a permanent single QEIA baseline target of 25:1 for grades 1 through 5 to fiscally support and meet all of the QEIA component mandates for the time periods of July 1, 2010-June 30, 2014.

Davis Elementary School is a Title 1 school with approximately **99.74%** of its students receiving free or reduced lunch. Approximately **83.2%** of the school's student population is English Language Learners. State level cuts to revenue limit funding have resulted in teacher reductions causing an increase of the student-to-teacher ratio.

Due to fiscal constraints, class sizes were recalculated and have increased in subsequent years after QEIA was enacted. Changes to the Class Size Reduction program have also been changed to allow classes in grades 1 through 3 to exceed the 20.44 cap to as many as 30 and continue to retain a majority of CSR funding. Approval of this waiver to exceed the 20.44 cap will permit Davis Elementary School to maintain and to continue to receive QEIA funding for 2012-13. In addition, approval of the waiver to exceed the 25:1 cap in grades 4-5 will also permit Davis to maintain and continue to receive a majority of CSR funding.

Davis Elementary School met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The school has exceeded its three year average for API, with an average gain of **32.3 points**. Davis has an API score of 775.

By creatively exhausting all flexible funding sources, SAUSD has managed to successfully staff our CSR targets for the past three years. We have now reached a point at which an increase of our baseline targets is necessary to maintain the momentum that will help move our schools out of Program Improvement.

SAUSD has 106 teachers who are staffed by QEIA funding of \$11 million for the 2011-2012 school year. Approval of this waiver would allow SAUSD to maintain its staffing and funding while continuing to make academic gains.

Waiver Number: 17-11-2011
Diamond Elementary School
Santa Ana Unified School District

Period of Request: July 1, 2010, to June 30, 2014
Period Recommended: July 1, 2010 to July 29, 2012
CDS Code: 30 66670 6030233

LEA Request:

Santa Ana Unified School District (USD) is an urban school district located in Orange County and has a student population of approximately 52,534 students. Diamond Elementary School (ES) serves 598 students in kindergarten through grade five. Diamond ES's Quality Education Investment Act (QEIA) Class Size Reduction (CSR) targets for kindergarten through grade three are 20.44, and 25.0 for grade four and five.

Santa Ana USD states that, due to fiscal constraints, class sizes were recalculated and have increased in subsequent years. The district states that the CSR program has been changed to allow classes in grades one through three to exceed the 20.44 cap to as many as 30.0 and continue to retain a majority of CSR funding. Santa Ana USD states that Diamond ES met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The district states that it has managed to successfully staff to meet QEIA CSR targets for the past three years but has now reached a point where an increase of CSR targets is necessary to maintain the momentum that will help move its schools out of program improvement.

Santa Ana USD requests a waiver of the QEIA CSR targets and the establishment of alternative CSR targets at Diamond ES for grades one through three of 25.0 per class and 25.0 on average in core classes for grades four and five.

California Department of Education (CDE) Recommendation and Conditions:

The CDE does not support the LEAs request for a four year waiver. The CDE recommends a two year minus one day waiver for Santa Ana USD's request to increase its CSR targets for grades one through five at Diamond ES. The alternative targets are consistent with the intent of QEIA to ensure that students at funded schools benefit from lower class sizes.

The CDE recommends approval with the following conditions: (1) Applies only to classes in grades one through five at Diamond ES for school years 2010–11 and 2011–12; (2) Diamond ES increase to 25.0 the class size in grades one through three, and an average class size in core classes at the school level to 25.0 students in grades four and five in the 2010–11 and 2011–12 school years; and (3) Within 30 days of approval of this waiver, Santa Ana USD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the CSR requirement.

Reviewed by Diamond Elementary Schoolsite Council on October 3, 2011.

Supported by Santa Ana Educators Association, August 31, September 13, 15, and 29, 2011.

Local Board Approval: October 11, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X

Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	0	6	6	6	7	0

Local educational agency: Santa Ana Unified School District		Contact name and Title: Cathie Olsky, Ed. D.		Contact person's e-mail address: Cathie.olsky@sausd.us	
Address: (City) (State) (ZIP) 1601 E. Chestnut Ave. Santa Ana California 92701		Phone (and extension, if necessary): (714) 558-5523 Fax Number: (714) 480-5321			
Period of request: (month/day/year) From: 07/01/2010 To: 06/30/2014		Local board approval date: (Required) October 11, 2011		Date of public hearing: (Required) October 11, 2011	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number):
Circle One: **EC** or *CCR*

Topic of the waiver: **QEIA CLASS SIZE Grades 1-5**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: **NOT APPLICABLE**
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No **Yes** If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **08/31/11, 09/13/11, 09/29/11, 09/15/11**

Name of bargaining unit and representative(s) consulted: **Santa Ana Educators Association; Susan Mercer (President) and Norma Ortiz (CTA representative)**

The position(s) of the bargaining unit(s): Neutral **Support** Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school **Other: Notice posted at District Office on September 27, 2011**

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: **October 3, 2011; School Site Council at Diamond Elementary School**

Were there any objection(s)? **No** **X** Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

SEE ATTACHED

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

PLEASE SEE ATTACHED

8. Demographic Information:
SANTA ANA UNIFIED has a student population of 52,534 and is located in an *urban area* in Orange County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title: Deputy Superintendent	Date: October 21, 2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use strike out key).

- a. For each funded school, the county superintendent of schools for the country in which the school is located, shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

(1) Meet all of the following class size requirements:

- i. For kindergarten and grades 1 to 3, inclusive, no more than 20 pupils per class, as set forth in the Class Size Reduction Program (Chapter 6.10 (commencing with Section 52120)).

(2) Meet all of the following class size requirements:

- (B) For self-contained classrooms in grades 4-8, inclusive, an average classroom size that is the less of clause (i) or (ii), as follows: (i) At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average of 25 pupils per classroom.
- (C) For classes in English language arts, reading, mathematics, science, or history and social science courses in grades 4-12, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average³ of 25 pupils per classroom.

Santa Ana Unified School District
1601 E. Chestnut Ave.
Santa Ana, CA 92701

October 2011

Desired Outcome/Rationale

Santa Ana Unified School District requests on behalf of **Diamond Elementary School** a permanent single QEIA baseline target of 25:1 for grades 1 through 5 to fiscally support and meet all of the QEIA component mandates for the time periods of July 1, 2010-June 30, 2014. Diamond Elementary School is a Title 1 school with approximately **100%** of its students receiving free or reduced lunch. Approximately **87.1%** of the school's student population is English Language Learners. State level cuts to revenue limit funding have resulted in teacher reductions causing an increase of the student-to-teacher ratio.

Due to fiscal constraints, class sizes were recalculated and have increased in subsequent years after QEIA was enacted. Changes to the Class Size Reduction program have also been changed to allow classes in grades 1 through 3 to exceed the 20.44 cap to as many as 30 and continue to retain a majority of CSR funding. Approval of this waiver to exceed the 20.44 cap will permit Diamond Elementary School to maintain and to continue to receive QEIA funding for 2012-13. In addition, approval of the waiver to exceed the 25:1 cap in grades 4-5 will also permit Diamond to maintain and continue to receive a majority of CSR funding.

Diamond Elementary School met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The school has exceeded its three year average for API, with an average gain of **20.7 points**. Diamond has an API score of 795.

By creatively exhausting all flexible funding sources, SAUSD has managed to successfully staff our CSR targets for the past three years. We have now reached a point at which an increase of our baseline targets is necessary to maintain the momentum that will help move our schools out of Program Improvement.

SAUSD has 106 teachers who are staffed by QEIA funding of \$11 million for the 2011-2012 school year. Approval of this waiver would allow SAUSD to maintain its staffing and funding while continuing to make academic gains.

Waiver Number: 18-11-2011 **Period of Request:** July 1, 2010, to June 30, 2014
Thomas Edison Elementary School **Period Recommendation:** July 1, 2010, to June 29, 2012
Santa Ana Unified School District **CDS Code:** 30 66670 6030241

LEA Request:

Santa Ana Unified School District (USD) is an urban school district located in Orange County and has a student population of approximately 52,534 students. Thomas Edison Elementary School (ES) serves 679 students in kindergarten through grade five. Thomas Edison ES's Quality Education Investment Act (QEIA) Class Size Reduction (CSR) targets for kindergarten through grade three are 20.44, 22.6 for grade four, and 19.2 for grade five.

Santa Ana USD states that, due to fiscal constraints, class sizes were recalculated and have increased in subsequent years. The district states that the CSR program has been changed to allow classes in grades one through three to exceed the 20.44 cap to as many as 30.0 and continue to retain a majority of CSR funding. Santa Ana USD states that Thomas Edison ES met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The district states that it has managed to successfully staff to meet QEIA CSR targets for the past three years but has now reached a point where an increase of CSR targets is necessary to maintain the momentum that will help move its schools out of program improvement.

Santa Ana USD requests a waiver of the QEIA CSR targets and the establishment of alternative CSR targets at Thomas Edison ES for grades one through three of 25.0 per class and 25.0 on average in core classes for grades four and five.

California Department of Education (CDE) Recommendation and Conditions:

The CDE does not support the LEAs request for a four year waiver. The CDE recommends a two year minus one day waiver for grades one through five at Thomas Edison ES. The alternative targets are consistent with the intent of QEIA to ensure that students at funded schools benefit from lower class sizes.

The CDE recommends approval with the following conditions: (1) Applies only to classes in grades one through five at Thomas Edison ES for school years 2010–11 and 2011–12; (2) Thomas Edison ES increase to 25.0 the class size in grades one through three, and an average class size in core classes at the school level to 25.0 students in grades four and five in the 2010–11 and 2011–12 school years; and (3) Within 30 days of approval of this waiver, Santa Ana USD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the CSR requirement.

Reviewed by Thomas Edison Elementary Schoolsite Council on October 3, 2011.

Supported by Santa Ana Educators Association, August 31, September 13, 15, and 29, 2011.

Local Board Approval: October 11, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X

Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	0	6	6	6	7	0

Local educational agency: Santa Ana Unified School District		Contact name and Title: Cathie Olsky, Ed. D.		Contact person's e-mail address: Cathie.olsky@sausd.us	
Address: (City) (State) (ZIP) 1601 E. Chestnut Ave. Santa Ana California 92701		Phone (and extension, if necessary): (714) 558-5523 Fax Number: (714) 480-5321			
Period of request: (month/day/year) From: 07/01/2010 To: 06/30/2014		Local board approval date: (Required) October 11, 2011		Date of public hearing: (Required) October 11, 2011	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number):
Circle One: **EC** or *CCR*

Topic of the waiver: **QEIA CLASS SIZE Grades 1-5**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: **NOT APPLICABLE**
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No **Yes** If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **08/31/11, 09/13/11, 09/29/11, 09/15/11**

Name of bargaining unit and representative(s) consulted: **Santa Ana Educators Association; Susan Mercer (President) and Norma Ortiz (CTA representative)**

The position(s) of the bargaining unit(s): Neutral **Support** Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school **Other: Notice posted at District Office on September 27, 2011**

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: **October 3, 2011; School Site Council at Edison Elementary School**

Were there any objection(s)? **No** **X** Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

SEE ATTACHED

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

PLEASE SEE ATTACHED

8. Demographic Information:
SANTA ANA UNIFIED has a student population of 52,534 and is located in an **urban area** in Orange County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title: Deputy Superintendent	Date: October 21, 2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use strike out key).

- a. For each funded school, the county superintendent of schools for the country in which the school is located, shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

(1) Meet all of the following class size requirements:

- i. For kindergarten and grades 1 to 3, inclusive, no more than 20 pupils per class, as set forth in the Class Size Reduction Program (Chapter 6.10 (commencing with Section 52120)).

(2) Meet all of the following class size requirements:

- (B) For self-contained classrooms in grades 4-8, inclusive, an average classroom size that is the less of clause (i) or (ii), as follows: (i) At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average of 25 pupils per classroom.
- (C) For classes in English language arts, reading, mathematics, science, or history and social science courses in grades 4-12, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average³ of 25 pupils per classroom.

Santa Ana Unified School District
1601 E. Chestnut Ave.
Santa Ana, CA 92701

October 2011

Desired Outcome/Rationale

Santa Ana Unified School District requests on behalf of **Edison Elementary School** a permanent single QEIA baseline target of 25:1 for grades 1 through 5 to fiscally support and meet all of the QEIA component mandates for the time periods of July 1, 2010-June 30, 2014.

Edison Elementary School is a Title 1 school with approximately **100%** of its students receiving free or reduced lunch. Approximately **84.6%** of the school's student population is English Language Learners. State level cuts to revenue limit funding have resulted in teacher reductions causing an increase of the student-to-teacher ratio.

Due to fiscal constraints, class sizes were recalculated and have increased in subsequent years after QEIA was enacted. Changes to the Class Size Reduction program have also been changed to allow classes in grades 1 through 3 to exceed the 20.44 cap to as many as 30 and continue to retain a majority of CSR funding. Approval of this waiver to exceed the 20.44 cap will permit Edison Elementary School to maintain and to continue to receive QEIA funding for 2012-13. In addition, approval of the waiver to exceed the 25:1 cap in grades 4-5 will also permit Edison to maintain and continue to receive a majority of CSR funding.

Edison Elementary School met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The school has exceeded its three year average for API, with an average gain of **15.7 points**. Edison has an API score of 764.

By creatively exhausting all flexible funding sources, SAUSD has managed to successfully staff our CSR targets for the past three years. We have now reached a point at which an increase of our baseline targets is necessary to maintain the momentum that will help move our schools out of Program Improvement.

SAUSD has 106 teachers who are staffed by QEIA funding of \$11 million for the 2011-2012 school year. Approval of this waiver would allow SAUSD to maintain its staffing and funding while continuing to make academic gains.

Waiver Number: 19-11-2011
Garfield Elementary School
Santa Ana Unified School District

Period of Request: July 1, 2010, to June 30, 2014
Period Recommended: July 1, 2010 to June 29, 2012
CDS Code: 30 66670 6108484

LEA Request:

Santa Ana Unified School District (USD) is an urban school district located in Orange County and has a student population of approximately 52,534 students. Garfield Elementary School (ES) serves 696 students in kindergarten through grade five. Garfield ES's Quality Education Investment Act (QEIA) Class Size Reduction (CSR) targets for kindergarten through grade three are 20.44, 25.0 for grade four, and 23.0 for grade five.

Santa Ana USD states that, due to fiscal constraints, class sizes were recalculated and have increased in subsequent years. The district states that the CSR program has been changed to allow classes in grades one through three to exceed the 20.44 cap to as many as 30.0 and continue to retain a majority of CSR funding. Santa Ana USD states that Garfield ES met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The district states that it has managed to successfully staff to meet QEIA CSR targets for the past three years but has now reached a point where an increase of CSR targets is necessary to maintain the momentum that will help move its schools out of program improvement.

Santa Ana USD requests a waiver of the QEIA CSR targets and the establishment of alternative CSR targets at Garfield ES for grades one through three of 25.0 per class and 25.0 on average in core classes for grades four and five.

California Department of Education (CDE) Recommendation and Conditions:

The CDE does not support the LEAs request for a four year waiver. The CDE recommends a two year minus one day waiver for grades one through five at Garfield ES. The alternative targets are consistent with the intent of QEIA to ensure that students at funded schools benefit from lower class sizes.

The CDE recommends approval with the following conditions: (1) Applies only to classes in grades one through five at Garfield ES for school years 2010–11 and 2011–12; (2) Garfield ES increase to 25.0 the class size in grades one through three, and an average class size in core classes at the school level to 25.0 students in grades four and five in the 2010–11 and 2011–12 school years; and (3) Within 30 days of approval of this waiver, Santa Ana USD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the CSR requirement.

Reviewed by Garfield Elementary Schoolsite Council on October 3, 2011.

Supported by Santa Ana Educators Association, August 31, September 13, 15, and 29, 2011.

Local Board Approval: October 11, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver:

Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	0	6	6	6	7	0

Local educational agency: Santa Ana Unified School District		Contact name and Title: Cathie Olsky, Ed. D.		Contact person's e-mail address: Cathie.olsky@sausd.us	
Address: (City) (State) (ZIP) 1601 E. Chestnut Ave. Santa Ana California 92701		Phone (and extension, if necessary): (714) 558-5523 Fax Number: (714) 480-5321			
Period of request: (month/day/year) From: 07/01/2010 To: 06/30/2014		Local board approval date: (Required) October 11, 2011		Date of public hearing: (Required) October 11, 2011	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number):
Circle One: **EC** or *CCR*

Topic of the waiver: **QEIA CLASS SIZE Grades 1-5**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: **NOT APPLICABLE**
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **08/31/11, 09/13/11, 09/29/11, 09/15/11**

Name of bargaining unit and representative(s) consulted: **Santa Ana Educators Association; Susan Mercer (President) and Norma Ortiz (CTA representative)**

The position(s) of the bargaining unit(s): Neutral **Support** Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school **Other: Notice posted at District Office on September 27, 2011**

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: **October 3, 2011; School Site Council at Garfield Elementary School**

Were there any objection(s)? **No** Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

SEE ATTACHED

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

PLEASE SEE ATTACHED

8. Demographic Information:
SANTA ANA UNIFIED has a student population of 52,534 and is located in an **urban area** in Orange County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title: Deputy Superintendent	Date: October 21, 2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

6. Education Code or California Code of Regulations section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use strike out key).

- a. For each funded school, the county superintendent of schools for the country in which the school is located, shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

(1) Meet all of the following class size requirements:

- i. For kindergarten and grades 1 to 3, inclusive, no more than 20 pupils per class, as set forth in the Class Size Reduction Program (Chapter 6.10 (commencing with Section 52120)).

(2) Meet all of the following class size requirements:

(B) For self-contained classrooms in grades 4-8, inclusive, an average classroom size that is the less of clause (i) or (ii), as follows: (i) At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average of 25 pupils per classroom.

(C) For classes in English language arts, reading, mathematics, science, or history and social science courses in grades 4-12, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average³ of 25 pupils per classroom.

Santa Ana Unified School District
1601 E. Chestnut Ave.
Santa Ana, CA 92701

October 2011

Desired Outcome/Rationale

Santa Ana Unified School District requests on behalf of **Garfield Elementary School** a permanent single QEIA baseline target of 25:1 for grades 1 through 5 to fiscally support and meet all of the QEIA component mandates for the time periods of July 1, 2010-June 30, 2014.

Garfield Elementary School is a Title 1 school with approximately **95.66%** of its students receiving free or reduced lunch. Approximately **89.5%** of the school's student population is English Language Learners. State level cuts to revenue limit funding have resulted in teacher reductions causing an increase of the student-to-teacher ratio.

Due to fiscal constraints, class sizes were recalculated and have increased in subsequent years after QEIA was enacted. Changes to the Class Size Reduction program have also been changed to allow classes in grades 1 through 3 to exceed the 20.44 cap to as many as 30 and continue to retain a majority of CSR funding. Approval of this waiver to exceed the 20.44 cap will permit Garfield Elementary School to maintain and to continue to receive QEIA funding for 2012-13. In addition, approval of the waiver to exceed the 25:1 cap in grades 4-5 will also permit Garfield to maintain and continue to receive a majority of CSR funding.

Garfield Elementary School met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The school has exceeded its three year average for API, with an average gain of **30 points**. Garfield has an API score of 747.

By creatively exhausting all flexible funding sources, SAUSD has managed to successfully staff our CSR targets for the past three years. We have now reached a point at which an increase of our baseline targets is necessary to maintain the momentum that will help move our schools out of Program Improvement.

SAUSD has 106 teachers who are staffed by QEIA funding of \$11 million for the 2011-2012 school year. Approval of this waiver would allow SAUSD to maintain its staffing and funding while continuing to make academic gains.

Waiver Number: 20-11-2011
John F. Kennedy Elementary School
Santa Ana Unified School District

Period of Request: July 1, 2010, to June 30, 2014
Period Recommended: July 1, 2010 to June 29, 2012
CDS Code: 30 66670 6107692

LEA Request:

Santa Ana Unified School District (USD) is an urban school district located in Orange County and has a student population of approximately 52,534 students. John F. Kennedy Elementary School (ES) serves 696 students in kindergarten through grade five. John F. Kennedy ES's Quality Education Investment Act (QEIA) Class Size Reduction (CSR) targets for kindergarten through grade three are 20.44, 25.0 for grade four, and 23.0 for grade five.

Santa Ana USD states that, due to fiscal constraints, class sizes were recalculated and have increased in subsequent years. The district states that the CSR program has been changed to allow classes in grades one through three to exceed the 20.44 cap to as many as 30.0 and continue to retain a majority of CSR funding. Santa Ana USD states that Garfield ES met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The district states that it has managed to successfully staff to meet QEIA CSR targets for the past three years but has now reached a point a which an increase of CSR targets is necessary to maintain the momentum that will help move its schools out of program improvement.

Santa Ana USD requests a waiver of the QEIA CSR targets and the establishment of alternative CSR targets at John F. Kennedy ES for grades one through three of 25.0 per class and 25.0 on average in core classes for grades four and five.

California Department of Education (CDE) Recommendation and Conditions:

The CDE does not support the LEAs request for a four year waiver. The CDE recommends a two year minus one day waiver for grades one through five at John F. Kennedy ES. The alternative targets are consistent with the intent of QEIA to ensure that students at funded schools benefit from lower class sizes.

The CDE recommends approval with the following conditions: (1) Applies only to classes in grades one through five at John F. Kennedy ES for school years 2010–11 and 2011–12; (2) John F. Kennedy ES increase to 25.0 the class size in grades one through three, and an average class size in core classes at the school level to 25.0 students in grades four and five in the 2010–11 and 2011–12 school years; and (3) Within 30 days of approval of this waiver, Santa Ana USD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the CSR requirement.

Reviewed by Garfield Elementary Schoolsite Council on October 3, 2011.

Supported by Santa Ana Educators Association, August 31, September 13, 15, and 29, 2011.

Local Board Approval: October 11, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION

GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09)

<http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: **X**

Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	0	6	6	6	7	0

Local educational agency: Santa Ana Unified School District		Contact name and Title: Cathie Olsky, Ed. D.		Contact person's e-mail address: Cathie.olsky@sausd.us	
Address: (City) (State) (ZIP) 1601 E. Chestnut Ave. Santa Ana California 92701		Phone (and extension, if necessary): (714) 558-5523 Fax Number: (714) 480-5321			
Period of request: (month/day/year) From: 07/01/2010 To: 06/30/2014		Local board approval date: (Required) October 11, 2011		Date of public hearing: (Required) October 11, 2011	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number):
Circle One: **EC** or *CCR*

Topic of the waiver: **QEIA CLASS SIZE Grades 1-5**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: **NOT APPLICABLE**
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No **X** Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **08/31/11, 09/13/11, 09/29/11, 09/15/11**

Name of bargaining unit and representative(s) consulted: **Santa Ana Educators Association; Susan Mercer (President) and Norma Ortiz (CTA representative)**

The position(s) of the bargaining unit(s): Neutral **X** Support Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school **X** Other: **Notice posted at District Office on September 27, 2011**

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: **October 3, 2011; School Site Council at Kennedy Elementary School**

Were there any objection(s)? **No** **X** Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

SEE ATTACHED

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

PLEASE SEE ATTACHED

8. Demographic Information:
SANTA ANA UNIFIED has a student population of 52,534 and is located in an *urban area* in Orange County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title: Deputy Superintendent	Date: October 21, 2011
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FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

6. Education Code or California Code of Regulations section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use strike out key).

- a. For each funded school, the county superintendent of schools for the country in which the school is located, shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

(1) Meet all of the following class size requirements:

- i. For kindergarten and grades 1 to 3, inclusive, no more than 20 pupils per class, as set forth in the Class Size Reduction Program (Chapter 6.10 (commencing with Section 52120)).

(2) Meet all of the following class size requirements:

- (B) For self-contained classrooms in grades 4-8, inclusive, an average classroom size that is the less of clause (i) or (ii), as follows: (i) At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average of 25 pupils per classroom.

- (C) For classes in English language arts, reading, mathematics, science, or history and social science courses in grades 4-12, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average³ of 25 pupils per classroom.

Santa Ana Unified School District
1601 E. Chestnut Ave.
Santa Ana, CA 92701

October 2011

Desired Outcome/Rationale

Santa Ana Unified School District requests on behalf of **Kennedy Elementary School** a permanent single QEIA baseline target of 25:1 for grades 1 through 5 to fiscally support and meet all of the QEIA component mandates for the time periods of July 1, 2010-June 30, 2014. Kennedy Elementary School is a Title 1 school with approximately **100%** of its students receiving free or reduced lunch. Approximately **93.4%** of the school's student population is English Language Learners. State level cuts to revenue limit funding have resulted in teacher reductions causing an increase of the student-to-teacher ratio.

Due to fiscal constraints, class sizes were recalculated and have increased in subsequent years after QEIA was enacted. Changes to the Class Size Reduction program have also been changed to allow classes in grades 1 through 3 to exceed the 20.44 cap to as many as 30 and continue to retain a majority of CSR funding. Approval of this waiver to exceed the 20.44 cap will permit Kennedy Elementary School to maintain and to continue to receive QEIA funding for 2012-13. In addition, approval of the waiver to exceed the 25:1 cap in grades 4-5 will also permit Kennedy to maintain and continue to receive a majority of CSR funding.

Kennedy Elementary School met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The school has exceeded its three year average for API, with an average gain of **21.7 points**. Kennedy has an API score of 714.

By creatively exhausting all flexible funding sources, SAUSD has managed to successfully staff our CSR targets for the past three years. We have now reached a point at which an increase of our baseline targets is necessary to maintain the momentum that will help move our schools out of Program Improvement.

SAUSD has 106 teachers who are staffed by QEIA funding of \$11 million for the 2011-2012 school year. Approval of this waiver would allow SAUSD to maintain its staffing and funding while continuing to make academic gains.

Waiver Number: 21-11-2011
Lowell Elementary School
Santa Ana Unified School District

Period of Request: July 1, 2010, to June 30, 2014
Period Recommended: July 1, 2010 to July 29, 2012
CDS Code: 30 66670 6030316

LEA Request:

Santa Ana Unified School District (USD) is an urban school district located in Orange County and has a student population of approximately 52,534 students. Lowell Elementary School (ES) serves 886 students in kindergarten through grade five. Lowell ES's Quality Education Investment Act (QEIA) Class Size Reduction (CSR) targets for kindergarten through grade three are 20.44, 22.8 for grade four, and 22.3 for grade five.

Santa Ana USD states that, due to fiscal constraints, class sizes were recalculated and have increased in subsequent years. The district states that the CSR program has been changed to allow classes in grades one through three to exceed the 20.44 cap to as many as 30.0 and continue to retain a majority of CSR funding. Santa Ana USD states that Lowell ES met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The district states that it has managed to successfully staff to meet QEIA CSR targets for the past three years but has now reached a point where an increase of CSR targets is necessary to maintain the momentum that will help move its schools out of program improvement.

Santa Ana USD requests a waiver of the QEIA CSR targets and the establishment of alternative CSR targets at Lowell ES for grades one through three of 25.0 per class and 25.0 on average in core classes for grades four and five.

California Department of Education (CDE) Recommendation and Conditions:

The CDE does not support the LEAs request for a four year waiver. The CDE recommends a two year minus one day waiver for grades one through five at Lowell ES. The alternative targets are consistent with the intent of QEIA to ensure that students at funded schools benefit from lower class sizes.

The CDE recommends approval with the following conditions: (1) Applies only to classes in grades one through five at Lowell ES for school years 2010–11 and 2011–12; (2) Lowell ES increase to 25.0 the class size in grades one through three, and an average class size in core classes at the school level to 25.0 students in grades four and five in the 2010–11 and 2011–12 school years; and (3) Within 30 days of approval of this waiver, Santa Ana USD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the CSR requirement.

Reviewed by Lowell Elementary Schoolsite Council on October 3, 2011.

Supported by Santa Ana Educators Association, August 31, September 13, 15, and 29, 2011.

Local Board Approval: October 11, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION

GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09)

<http://www.cde.ca.gov/re/lr/wr/>First Time Waiver: XRenewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	0	6	6	6	7	0

Local educational agency: Santa Ana Unified School District		Contact name and Title: Cathie Olsky, Ed. D.		Contact person's e-mail address: Cathie.olsky@sausd.us	
Address: (City) (State) (ZIP) 1601 E. Chestnut Ave. Santa Ana California 92701		Phone (and extension, if necessary): (714) 558-5523			
				Fax Number: (714) 480-5321	
Period of request: (month/day/year) From: 07/01/2010 To: 06/30/2014		Local board approval date: (Required) October 11, 2011		Date of public hearing: (Required) October 11, 2011	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number):
Circle One: **EC** or *CCR*

Topic of the waiver: **QEIA CLASS SIZE Grades 1-5**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: **NOT APPLICABLE**
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **08/31/11, 09/13/11, 09/29/11, 09/15/11**

Name of bargaining unit and representative(s) consulted: **Santa Ana Educators Association; Susan Mercer (President) and Norma Ortiz (CTA representative)**

The position(s) of the bargaining unit(s): Neutral **Support** Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school **Other: Notice posted at District Office on September 27, 2011**

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: **October 3, 2011; School Site Council at Lowell Elementary School**

Were there any objection(s)? **No** **X** Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

SEE ATTACHED

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

PLEASE SEE ATTACHED

8. Demographic Information:
SANTA ANA UNIFIED has a student population of 52,534 and is located in an *urban area* in Orange County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title: Deputy Superintendent	Date: October 21, 2011
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FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use strike out key).

- a. For each funded school, the county superintendent of schools for the country in which the school is located, shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

(1) Meet all of the following class size requirements:

- i. For kindergarten and grades 1 to 3, inclusive, no more than 20 pupils per class, as set forth in the Class Size Reduction Program (Chapter 6.10 (commencing with Section 52120)).

(2) Meet all of the following class size requirements:

- (B) For self-contained classrooms in grades 4-8, inclusive, an average classroom size that is the less of clause (i) or (ii), as follows: (i) At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average of 25 pupils per classroom.
- (C) For classes in English language arts, reading, mathematics, science, or history and social science courses in grades 4-12, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average³ of 25 pupils per classroom.

Santa Ana Unified School District
1601 E. Chestnut Ave.
Santa Ana, CA 92701

October 2011

Desired Outcome/Rationale

Santa Ana Unified School District requests on behalf of **Lowell Elementary School** a permanent single QEIA baseline target of 25:1 for grades 1 through 5 to fiscally support and meet all of the QEIA component mandates for the time periods of July 1, 2010-June 30, 2014.

Lowell Elementary School is a Title 1 school with approximately **100%** of its students receiving free or reduced lunch. Approximately **88.7%** of the school's student population is English Language Learners. State level cuts to revenue limit funding have resulted in teacher reductions causing an increase of the student-to-teacher ratio.

Due to fiscal constraints, class sizes were recalculated and have increased in subsequent years after QEIA was enacted. Changes to the Class Size Reduction program have also been changed to allow classes in grades 1 through 3 to exceed the 20.44 cap to as many as 30 and continue to retain a majority of CSR funding. Approval of this waiver to exceed the 20.44 cap will permit Lowell Elementary School to maintain and to continue to receive QEIA funding for 2012-13. In addition, approval of the waiver to exceed the 25:1 cap in grades 4-5 will also permit Lowell to maintain and continue to receive a majority of CSR funding.

Lowell Elementary School met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The school has exceeded its three year average for API, with an average gain of **17.3 points**. Lowell has an API score of 732

By creatively exhausting all flexible funding sources, SAUSD has managed to successfully staff our CSR targets for the past three years. We have now reached a point at which an increase of our baseline targets is necessary to maintain the momentum that will help move our schools out of Program Improvement.

SAUSD has 106 teachers who are staffed by QEIA funding of \$11 million for the 2011-2012 school year. Approval of this waiver would allow SAUSD to maintain its staffing and funding while continuing to make academic gains.

Waiver Number: 22-11-2011
Martin Elementary School
Santa Ana Unified School District

Period of Request: July 1, 2010, to June 30, 2014
Period Recommended: July 1, 2010, to June 29, 2012
CDS Code: 30 66670 6030332

LEA Request:

Santa Ana Unified School District (USD) is an urban school district located in Orange County and has a student population of approximately 52,534 students. Martin Elementary School (ES) serves 756 students in kindergarten through grade five. Martin ES's Quality Education Investment Act (QEIA) Class Size Reduction (CSR) targets for kindergarten through grade three are 20.44, and 25.0 for grade four and five.

Santa Ana USD states that, due to fiscal constraints, class sizes were recalculated and have increased in subsequent years. The district states that the CSR program has been changed to allow classes in grades one through three to exceed the 20.44 cap to as many as 30.0 and continue to retain a majority of CSR funding. Santa Ana USD states that Martin ES met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The district states that it has managed to successfully staff to meet QEIA CSR targets for the past three years but has now reached a point where an increase of CSR targets is necessary to maintain the momentum that will help move its schools out of program improvement.

Santa Ana USD requests a waiver of the QEIA CSR targets and the establishment of alternative CSR targets at Martin ES for grades one through three of 25.0 per class and 25.0 on average in core classes for grades four and five.

California Department of Education (CDE) Recommendation and Conditions:

The CDE does not support the LEAs request for a four year waiver. The CDE recommends a two year minus one day waiver for grades one through five at Martin ES. The alternative targets are consistent with the intent of QEIA to ensure that students at funded schools benefit from lower class sizes.

The CDE recommends approval with the following conditions: (1) Applies only to classes in grades one through five at Martin ES for school years 2010–11 and 2011–12; (2) Martin ES increase to 25.0 the class size in grades one through three, and an average class size in core classes at the school level to 25.0 students in grades four and five in the 2010–11 and 2011–12 school years; and (3) Within 30 days of approval of this waiver, Santa Ana USD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the CSR requirement.

Reviewed by Martin Elementary Schoolsite Council on October 3, 2011.

Supported by Santa Ana Educators Association, August 31, September 13, 15, and 29, 2011.

Local Board Approval: October 11, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION

GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09)

<http://www.cde.ca.gov/re/lr/wr/>First Time Waiver: X Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

		CD CODE						
		3	0	6	6	6	7	0
Local educational agency: Santa Ana Unified School District			Contact name and Title: Cathie Olsky, Ed. D.			Contact person's e-mail address: Cathie.olsky@sausd.us		
Address: (City) (State) (ZIP)		Phone (and extension, if necessary):			Fax Number:			
1601 E. Chestnut Ave. Santa Ana California 92701		(714) 558-5523			(714) 480-5321			
Period of request: (month/day/year)		Local board approval date: (Required)			Date of public hearing: (Required)			
From: 07/01/2010 To: 06/30/2014		October 11, 2011			October 11, 2011			
LEGAL CRITERIA								
1. Under the general waiver authority of <i>Education Code</i> 33050-33053, the particular <i>Education Code</i> or <i>California Code of Regulations</i> section(s) to be waived (number): Circle One: EC or <i>CCR</i>								
Topic of the waiver: QEIA CLASS SIZE Grades 1-5								
2. If this is a renewal of a previously approved waiver, please list Waiver Number: NOT APPLICABLE Renewals of waivers must be submitted two months before the active waiver expires.								
3. Collective bargaining unit information. Does the district have any employee bargaining units? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If yes, please complete required information below: Bargaining unit(s) consulted on date(s): 08/31/11, 09/13/11, 09/29/11, 09/15/11 Name of bargaining unit and representative(s) consulted: Santa Ana Educators Association; Susan Mercer (President) and Norma Ortiz (CTA representative) The position(s) of the bargaining unit(s): <input type="checkbox"/> Neutral <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose (<i>Please specify why</i>) Comments (if appropriate):								
4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district. How was the required public hearing advertised? <input type="checkbox"/> Notice in a newspaper <input type="checkbox"/> Notice posted at each school <input checked="" type="checkbox"/> Other: Notice posted at District Office on September 27, 2011								
5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver: Date the committee/council reviewed the waiver request: October 3, 2011; School Site Council at Martin Elementary School Were there any objection(s)? No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> (<i>If there were objections please specify</i>)								

GENERAL WAIVER REQUEST

GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

SEE ATTACHED

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

PLEASE SEE ATTACHED

8. Demographic Information:
SANTA ANA UNIFIED has a student population of 52,534 and is located in an **urban area** in Orange County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title: Deputy Superintendent	Date: October 21, 2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use strike out key).

- a. For each funded school, the county superintendent of schools for the country in which the school is located, shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:
- (1) Meet all of the following class size requirements:
 - i. For kindergarten and grades 1 to 3, inclusive, no more than 20 pupils per class, as set forth in the Class Size Reduction Program (Chapter 6.10 (commencing with Section 52120)).
 - (2) Meet all of the following class size requirements:
 - (B) For self-contained classrooms in grades 4-8, inclusive, an average classroom size that is the less of clause (i) or (ii), as follows: (i) At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average of 25 pupils per classroom.
 - (C) For classes in English language arts, reading, mathematics, science, or history and social science courses in grades 4-12, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:
At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average³ of 25 pupils per classroom.

Santa Ana Unified School District
1601 E. Chestnut Ave.
Santa Ana, CA 92701

October 2011

Desired Outcome/Rationale

Santa Ana Unified School District requests on behalf of **Martin Elementary School** a permanent single QEIA baseline target of 25:1 for grades 1 through 5 to fiscally support and meet all of the QEIA component mandates for the time periods of July 1, 2010-June 30, 2014.

Martin Elementary School is a Title 1 school with approximately **96.18%** of its students receiving free or reduced lunch. Approximately **74.5%** of the school's student population is English Language Learners. State level cuts to revenue limit funding have resulted in teacher reductions causing an increase of the student-to-teacher ratio.

Due to fiscal constraints, class sizes were recalculated and have increased in subsequent years after QEIA was enacted. Changes to the Class Size Reduction program have also been changed to allow classes in grades 1 through 3 to exceed the 20.44 cap to as many as 30 and continue to retain a majority of CSR funding. Approval of this waiver to exceed the 20.44 cap will permit Martin Elementary School to maintain and to continue to receive QEIA funding for 2012-13. In addition, approval of the waiver to exceed the 25:1 cap in grades 4-5 will also permit Martin to maintain and continue to receive a majority of CSR funding.

Martin Elementary School met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The school has exceeded its three year average for API, with an average gain of **31.3 points**. Martin has an API score of 789.

By creatively exhausting all flexible funding sources, SAUSD has managed to successfully staff our CSR targets for the past three years. We have now reached a point at which an increase of our baseline targets is necessary to maintain the momentum that will help move our schools out of Program Improvement.

SAUSD has 106 teachers who are staffed by QEIA funding of \$11 million for the 2011-2012 school year. Approval of this waiver would allow SAUSD to maintain its staffing and funding while continuing to make academic gains.

Waiver Number: 23-11-2011 **Period of Request:** July 1, 2010, to June 30, 2014
Monte Vista Elementary School **Period of Request:** July 1, 2010, to June 29, 2012
Santa Ana Unified School District **CDS Code:** 30 66670 6030365

LEA Request:

Santa Ana Unified School District (USD) is an urban school district located in Orange County and has a student population of approximately 52,534 students. Monte Vista Elementary School (ES) serves 666 students in kindergarten through grade five. Monte Vista ES's Quality Education Investment Act (QEIA) Class Size Reduction (CSR) targets for kindergarten through grade three are 20.44, 24.8 for grade four, and 23.0 for grade five.

Santa Ana USD states that, due to fiscal constraints, class sizes were recalculated and have increased in subsequent years. The district states that the CSR program has been changed to allow classes in grades one through three to exceed the 20.44 cap to as many as 30.0 and continue to retain a majority of CSR funding. Santa Ana USD states that Monte Vista ES met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The district states that it has managed to successfully staff to meet QEIA CSR targets for the past three years but has now reached a point where an increase of CSR targets is necessary to maintain the momentum that will help move its schools out of program improvement.

Santa Ana USD requests a waiver of the QEIA CSR targets and the establishment of alternative CSR targets at Monte Vista ES for grades one through three of 25.0 per class and 25.0 on average in core classes for grades four and five.

California Department of Education (CDE) Recommendation and Conditions:

The CDE does not support the LEAs request for a four year waiver. The CDE recommends a two year minus one day waiver for grades one through five at Monte Vista ES. The alternative targets are consistent with the intent of QEIA to ensure that students at funded schools benefit from lower class sizes.

The CDE recommends approval with the following conditions: (1) Applies only to classes in grades one through five at Monte Vista ES for school years 2010–11 and 2011–12; (2) Monte Vista ES increase to 25.0 the class size in grades one through three, and an average class size in core classes at the school level to 25.0 students in grades four and five in the 2010–11 and 2011–12 school years; and (3) Within 30 days of approval of this waiver, Santa Ana USD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the CSR requirement.

Reviewed by Monte Vista Elementary Schoolsite Council on October 3, 2011.

Supported by Santa Ana Educators Association, August 31, September 13, 15, and 29, 2011.

Local Board Approval: October 11, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: **X**
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	0	6	6	6	7	0

Local educational agency: Santa Ana Unified School District		Contact name and Title: Cathie Olsky, Ed. D.		Contact person's e-mail address: Cathie.olsky@sausd.us	
Address: (City) (State) (ZIP) 1601 E. Chestnut Ave. Santa Ana California 92701		Phone (and extension, if necessary): (714) 558-5523 Fax Number: (714) 480-5321			
Period of request: (month/day/year) From: 07/01/2010 To: 06/30/2014		Local board approval date: (Required) October 11, 2011		Date of public hearing: (Required) October 11, 2011	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number):
Circle One: **EC** or *CCR*

Topic of the waiver: **QEIA CLASS SIZE Grades 1-5**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: **NOT APPLICABLE**
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No **X** Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **08/31/11, 09/13/11, 09/29/11, 09/15/11**

Name of bargaining unit and representative(s) consulted: **Santa Ana Educators Association; Susan Mercer (President) and Norma Ortiz (CTA representative)**

The position(s) of the bargaining unit(s): Neutral **X** Support Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school **X** Other: **Notice posted at District Office on September 27, 2011**

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: **October 3, 2011; School Site Council at Monte Vista Elementary School**

Were there any objection(s)? **No** **X** Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

SEE ATTACHED

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

PLEASE SEE ATTACHED

8. Demographic Information:
SANTA ANA UNIFIED has a student population of 52,534 and is located in an *urban area* in Orange County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title: Deputy Superintendent	Date: October 21, 2011
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FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use strike out key).

- a. For each funded school, the county superintendent of schools for the country in which the school is located, shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

(1) Meet all of the following class size requirements:

- i. For kindergarten and grades 1 to 3, inclusive, no more than 20 pupils per class, as set forth in the Class Size Reduction Program (Chapter 6.10 (commencing with Section 52120)).

(2) Meet all of the following class size requirements:

(B) For self-contained classrooms in grades 4-8, inclusive, an average classroom size that is the less of clause (i) or (ii), as follows: (i) At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average of 25 pupils per classroom.

(C) For classes in English language arts, reading, mathematics, science, or history and social science courses in grades 4-12, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average³ of 25 pupils per classroom.

Santa Ana Unified School District
1601 E. Chestnut Ave.
Santa Ana, CA 92701

October 2011

Desired Outcome/Rationale

Santa Ana Unified School District requests on behalf of **Monte Vista Elementary School** a permanent single QEIA baseline target of 25:1 for grades 1 through 5 to fiscally support and meet all of the QEIA component mandates for the time periods of July 1, 2010-June 30, 2014.

Monte Elementary School is a Title 1 school with approximately **96.70%** of its students receiving free or reduced lunch. Approximately **78.1%** of the school's student population is English Language Learners. State level cuts to revenue limit funding have resulted in teacher reductions causing an increase of the student-to-teacher ratio.

Due to fiscal constraints, class sizes were recalculated and have increased in subsequent years after QEIA was enacted. Changes to the Class Size Reduction program have also been changed to allow classes in grades 1 through 3 to exceed the 20.44 cap to as many as 30 and continue to retain a majority of CSR funding. Approval of this waiver to exceed the 20.44 cap will permit Monte Vista Elementary School to maintain and to continue to receive QEIA funding for 2012-13. In addition, approval of the waiver to exceed the 25:1 cap in grades 4-5 will also permit Monte Vista to maintain and continue to receive a majority of CSR funding.

Monte Vista Elementary School met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The school has exceeded its three year average for API, with an average gain of **23.7 points**. Monte Vista has an API score of 797.

By creatively exhausting all flexible funding sources, SAUSD has managed to successfully staff our CSR targets for the past three years. We have now reached a point at which an increase of our baseline targets is necessary to maintain the momentum that will help move our schools out of Program Improvement.

SAUSD has 106 teachers who are staffed by QEIA funding of \$11 million for the 2011-2012 school year. Approval of this waiver would allow SAUSD to maintain its staffing and funding while continuing to make academic gains.

Waiver Number: 24-11-2011 **Period of Request:** July 1, 2010, to June 30, 2014
Wilson Elementary School **Period of Request:** July 1, 2010, to June 29, 2012
Santa Ana Unified School District **CDS Code:** 30 66670 6030449

LEA Request:

Santa Ana Unified School District (USD) is an urban school district located in Orange County and has a student population of approximately 52,534 students. Wilson Elementary School (ES) serves 697 students in kindergarten through grade five. Wilson ES's Quality Education Investment Act (QEIA) Class Size Reduction (CSR) targets for kindergarten through grade three are 20.44, 22.8 for grade four, and 25.0 for grade five.

Santa Ana USD states that, due to fiscal constraints, class sizes were recalculated and have increased in subsequent years. The district states that the CSR program has been changed to allow classes in grades one through three to exceed the 20.44 cap to as many as 30.0 and continue to retain a majority of CSR funding. Santa Ana USD states that Wilson ES met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The district states that it has managed to successfully staff to meet QEIA CSR targets for the past three years but has now reached a point where an increase of CSR targets is necessary to maintain the momentum that will help move its schools out of program improvement.

Santa Ana USD requests a waiver of the QEIA CSR targets and the establishment of alternative CSR targets at Wilson ES for grades one through three of 25.0 per class and 25.0 on average in core classes for grades four and five.

California Department of Education (CDE) Recommendation and Conditions:

The CDE does not support the LEAs request for a four year waiver. The CDE recommends a two year minus one day waiver for grades one through five at Wilson ES. The alternative targets are consistent with the intent of QEIA to ensure that students at funded schools benefit from lower class sizes.

The CDE recommends approval with the following conditions: (1) Applies only to classes in grades one through five at Wilson ES for school years 2010–11 and 2011–12; (2) Wilson ES increase to 25.0 the class size in grades one through three, and an average class size in core classes at the school level to 25.0 students in grades four and five in the 2010–11 and 2011–12 school years; and (3) Within 30 days of approval of this waiver, Santa Ana USD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the CSR requirement.

Reviewed by Wilson Elementary Schoolsite Council on October 3, 2011.

Supported by Santa Ana Educators Association, August 31, September 13, 15, and 29, 2011.

Local Board Approval: October 11, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X
Renewal Waiver: _____

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	0	6	6	6	7	0

Local educational agency: Santa Ana Unified School District		Contact name and Title: Cathie Olsky, Ed. D.	Contact person's e-mail address: Cathie.olsky@sausd.us
Address: (City)	(State)	(ZIP)	Phone (and extension, if necessary): (714) 558-5523
1601 E. Chestnut Ave.	Santa Ana	California	Fax Number: (714) 480-5321
92701			
Period of request: (month/day/year)	Local board approval date: (Required)	Date of public hearing: (Required)	
From: 07/01/2010 To: 06/30/2014	October 11, 2011	October 11, 2011	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): Circle One: **EC** or *CCR*

Topic of the waiver: **QEIA CLASS SIZE Grades 1-5**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: **NOT APPLICABLE**
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No **Yes** If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **08/31/11, 09/13/11, 09/29/11, 09/15/11**

Name of bargaining unit and representative(s) consulted: **Santa Ana Educators Association; Susan Mercer (President) and Norma Ortiz (CTA representative)**

The position(s) of the bargaining unit(s): Neutral **Support** Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school **Other: Notice posted at District Office on September 27, 2011**

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: **October 3, 2011; School Site Council at Wilson Elementary School**

Were there any objection(s)? **No** **X** Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

SEE ATTACHED

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

PLEASE SEE ATTACHED

8. Demographic Information:
SANTA ANA UNIFIED has a student population of 52,534 and is located in an *urban area* in Orange County.

Is this waiver associated with an apportionment related audit penalty? (per *EC 41344*) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of *CPM* finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title: Deputy Superintendent	Date: October 21, 2011
--	--	----------------------------------

FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use strike out key).

- a. For each funded school, the county superintendent of schools for the country in which the school is located, shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

(1) Meet all of the following class size requirements:

- i. For kindergarten and grades 1 to 3, inclusive, no more than 20 pupils per class, as set forth in the Class Size Reduction Program (Chapter 6.10 (commencing with Section 52120)).

(2) Meet all of the following class size requirements:

(B) For self-contained classrooms in grades 4-8, inclusive, an average classroom size that is the less of clause (i) or (ii), as follows: (i) At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average of 25 pupils per classroom.

(C) For classes in English language arts, reading, mathematics, science, or history and social science courses in grades 4-12, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average³ of 25 pupils per classroom.

Santa Ana Unified School District
1601 E. Chestnut Ave.
Santa Ana, CA 92701

October 2011

Desired Outcome/Rationale

Santa Ana Unified School District requests on behalf of **Wilson Elementary School** a permanent single QEIA baseline target of 25:1 for grades 1 through 5 to fiscally support and meet all of the QEIA component mandates for the time periods of July 1, 2010-June 30, 2014. Wilson Elementary School is a Title 1 school with approximately **96.74%** of its students receiving free or reduced lunch. Approximately **87.3%** of the school's student population is English Language Learners. State level cuts to revenue limit funding have resulted in teacher reductions causing an increase of the student-to-teacher ratio.

Due to fiscal constraints, class sizes were recalculated and have increased in subsequent years after QEIA was enacted. Changes to the Class Size Reduction program have also been changed to allow classes in grades 1 through 3 to exceed the 20.44 cap to as many as 30 and continue to retain a majority of CSR funding. Approval of this waiver to exceed the 20.44 cap will permit Wilson Elementary School to maintain and to continue to receive QEIA funding for 2012-13. In addition, approval of the waiver to exceed the 25:1 cap in grades 4-5 will also permit Wilson to maintain and continue to receive a majority of CSR funding.

Wilson Elementary School met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The school has exceeded its three year average for API, with an average gain of **48.7 points**. Wilson has an API score of 777.

By creatively exhausting all flexible funding sources, SAUSD has managed to successfully staff our CSR targets for the past three years. We have now reached a point at which an increase of our baseline targets is necessary to maintain the momentum that will help move our schools out of Program Improvement.

SAUSD has 106 teachers who are staffed by QEIA funding of \$11 million for the 2011-2012 school year. Approval of this waiver would allow SAUSD to maintain its staffing and funding while continuing to make academic gains.

Waiver Number: 24-10-2011 **Period of Request:** July 1, 2011, to June 30, 2012
Period Recommended: July 1, 2011, to June 30, 2012

Barbara Webster Elementary School	CDS Code: 56 72587 6055545
Glen City Elementary School	CDS Code: 56 72587 6055578
Grace S. Thille Elementary School	CDS Code: 56 72587 6055586
Santa Paula Elementary School District	

LEA Request:

Santa Paula Elementary School District (ESD) is located in a small city in Ventura County and has a student population of approximately 3,760 students. Barbara Webster Elementary School (ES), Glen City Elementary School (ES), and Grace S. Thille Elementary School (ES) serve 404, 592, and 369 students, respectively, in kindergarten through grade five. The district met the Class Size Reduction (CSR) requirements of the Quality Education Investment Act (QEIA) in school year 2010–11 and is asking for an alternative QEIA CSR target in grades kindergarten through grade three for the above schools in the 2011–12 school year. The district’s current QEIA CSR target for kindergarten through grade three is 20.44 per class.

Santa Paula ESD states that revenue limit funding cuts have resulted in teacher reductions, causing an increase in the student-to-teacher ratio in all schools in the district. The district states that all QEIA first grade classes have twenty students and non-QEIA schools have twenty-six students, which is the maximum capacity allowed based on the bargaining unit agreement. As new students attempt to enroll at the QEIA schools, combination classes will be created. The district states that kindergarten and grade two classes are at capacity at two of the three QEIA schools and results in students being transported across the district where space may exist.

Santa Paula ESD requests a waiver of the QEIA CSR targets for kindergarten through grade three at Barbara Webster ES, Glen City ES, and Grace S. Thille ES for school year 2011–12 and the establishment of alternative CSR targets of 22.0 per class in kindergarten through grade three.

The California Department of Education (CDE) Recommendation and Conditions:

The California Department of Education (CDE) supports Santa Paula ESD’s request to increase its CSR targets for kindergarten through grade three. The alternative target is consistent with the intent of QEIA to ensure that students at funded schools benefit from lower class sizes.

The CDE recommends approval with the following conditions: (1) Applies only to classes in kindergarten through grade three at Barbara Webster ES, Glen City ES, and Grace S. Thille ES for school year 2011–12; (2) Barbara Webster ES, Glen City ES, and Grace S. Thille ES increase enrollment to 22.0 per class in kindergarten through grade three for the 2011–12 school year; and (3) Within 30 days of approval of this waiver, Santa Paula ES must provide to the CDE a description, including costs covered by QEIA funds, of

professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the CSR requirement.

Reviewed by Barbara Webster, Glen City, and Grace S. Thille Elementary Schoolsite Councils on October 4, October 11, and September 21, 2011.

Supported by Santa Paula Federal Teacher's Union, October 11, 2011.

Local Board Approval: October 11, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver:
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
5	6	7	2	5	8	7

Local educational agency: Santa Paula Elementary School District			Contact name and Title: Robin I. Freeman Assistant Superintendent			Contact person's e-mail address: rfreeman@spsed.org		
Address: (City)		(State)		(ZIP)		Phone (and extension, if necessary): (805) 933-8804		
201 S. Steckel Drive		Santa Paula		CA		93060		
Period of request: (month/day/year) From: July 1, 2011 To: June 30, 2012			Local board approval date: (Required) October 11, 2011			Date of public hearing: (Required) October 11, 2011		

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number):
Circle One: *EC* or *CCR*
52055.740(a)

Topic of the waiver: **QEIA Class Size Reduction**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: _____ and date of SBE Approval: _____
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:
Bargaining unit(s) consulted on date(s): **October 11, 2011**
Name of bargaining unit and representative(s) consulted: **Santa Paula Federal Teacher's Union, Carolyn Ishida, President**
The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)
Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.
How was the required public hearing advertised?
 Notice in a newspaper Notice posted at each school Other: (*Please specify*)
Santa Paula High School, City of Santa Paula, Blanchard Library

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:
School Site Councils
Date the committee/council reviewed the waiver request: **Grace Thille, September 29, 2011
Barbara Webster, October 4, 2011
Glen City, October 11, 2011**
Were there any objection(s)? No Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

52055.740 (a) For each funded school, the county superintendent of schools for the county in which the school is located shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:
(1) Meet all of the following class size requirements:
~~(A) For kindergarten and grades 1 to 3, inclusive, no more than 20 pupils per class, as set forth in the Class Size Reduction Program (Chapter 6.10 (commencing with Section 52120)).~~

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

The district is requesting a permanent single QEIA class size average of 22 pupils per classroom in grades kindergarten through third for the time periods from July 1, 2011 through June 30, 2012.

State level cuts to revenue limit funding have resulted in teacher reductions, causing an increase of the student-to-teacher ratio in all schools in the district. Currently, all first grade classrooms are at capacity: QEIA schools have 20 students in all first grade classes; non-QEIA schools have 26 students, which is the maximum capacity based on the bargaining unit agreement with the teachers' union. As new students attempt to enroll at the QEIA schools, K-1 combination classes or 1-2 combination classes will have to be created, with only one student in the first grade group. Additionally kindergarten and grade two classes are at capacity at two of the three QEIA schools, which will result in students being transported across the district where a space may exist.

A waiver would allow the district to keep students in their home school, and in a class with their grade level peers. Student achievement on CST has improved at all three QEIA schools due in part to limiting combination classes. Each of these QEIA schools are schoolwide Title I schools; they qualify for Provision 2 free and reduced lunch; and they have a significant number of English learners. Consistent enrollment in the neighborhood school with teachers focused on one grade level curricula is in the best interest of these students.

8. Demographic Information:
Santa Paula Elementary School District has a student population of **3,760** and is located in a **small city in Ventura County**.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
 (If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
 (If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title: Superintendent	Date: October 6, 2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM W-17



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

General Waiver

SUBJECT Request by two local educational agencies to waive portions of California <i>Education Code</i> Section 52055.740(a), regarding the Teacher Experience Index under the Quality Education Investment Act. Waiver Numbers: South Bay Union Elementary 27-10-2011 Taft City School District 27-8-2011	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Consent
--	---

RECOMMENDATION

Approval Approval with conditions Denial

See Attachments 1 and 3 for details.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At the November 2011 State Board of Education (SBE) Meeting, the California Department of Education (CDE) Waiver Office presented 7 Teacher Experience Index (TEI) waivers related to the Quality Education Investment Act (QEIA) to the SBE. All TEI waivers were approved by the SBE.

SUMMARY OF KEY ISSUES

Teacher Experience Index

Schools participating in the QEIA Program were monitored by their county offices of education for compliance with program requirements, including TEI, for the first time at the end of the 2008–09 school year. At that time, local educational agencies (LEAs) were required to demonstrate one-third progress toward full implementation of program requirements. At the end of the 2009–10 school year, QEIA LEAs were required to demonstrate two-thirds progress toward full program implementation.

QEIA schools are required to include an index based on the 2005–06 California Basic Educational Data System Professional Assignment Information Form as the base-reporting year to evaluate annual improvements of funded schools toward balancing the index of teacher experience. Approved by the district superintendent, the index is an aggregate indicator of the teaching experience on a scale of one to ten. QEIA schools are required to have a TEI equal to or exceeding the average for the school district for this type of school and maintain or exceed this experience level for the duration of

SUMMARY OF KEY ISSUES (Cont.)

funding.

If an LEA requests a waiver of the TEI, the CDE reviews a range of information regarding the unique circumstances of the school and the LEA when formulating a recommendation to the SBE.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in EC 33051(a). The state board shall approve any and all requests for waivers except in those cases where the board specifically finds any of the following: (1) The educational needs of the pupils are not adequately addressed; (2) The waiver affects a program that requires the existence of a schoolsite council and the schoolsite council did not approve the request; (3) The appropriate councils or advisory committees, including bilingual advisory committees, did not have an adequate opportunity to review the request and the request did not include a written summary of any objections to the request by the councils or advisory committees; (4) Pupil or school personnel protections are jeopardized; (5) Guarantees of parental involvement are jeopardized; (6) The request would substantially increase state costs; and (7) The exclusive representative of employees, if any, as provided in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, was not a participant in the development of the waiver.

FISCAL ANALYSIS (AS APPROPRIATE)

There are no statewide costs as a result of waiver approval. If the waiver is denied, the school must implement the TEI targets based on statute requirements to stay in the program. Any school in the program not meeting those targets will risk the loss of future funding. The QEIA statute calls for any undistributed annual QEIA funding to be redistributed to other schools currently in the program (no new schools are funded).

ATTACHMENT(S)

Attachment 1: South Bay Union Elementary School District Request for a Quality Education Investment Act Teacher Experience Index Waiver 27-10-2011 (2 pages)

Attachment 2: South Bay Union Elementary School District General Waiver Request 27-10-2011 (3 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Taft City School District Request for a Quality Education Investment Act Teacher Experience Index Waiver 27-8-2011 (2 pages)

Attachment 4: Taft City School District General Waiver Request 27-8-2011 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Waiver Number: 27-10-2011 **Period of Request:** August 15, 2010, to June 24, 2011
Period Recommended: July 1, 2010 to June 30, 2011
 Bayside Elementary School CDS Code: 37 68395 6040463
 South Bay Union Elementary School District

LEA Request:

South Bay Union Elementary School District (ESD) is an urban school district located in San Diego County and has a student population of approximately 7,708 students. Bayside Elementary School (ES) serves students in kindergarten through grade six. South Bay Union ESD provided teacher experience information from 2005–06, the base year upon which Quality Education Investment Act (QEIA) Teacher Experience Index (TEI) targets are calculated, showing that the average South Bay Union ESD TEI is 8.1. South Bay Union ESD’s average TEI for 2010–11 for this type of school is 8.68.

South Bay Union ESD states that staff projections for the 2010–11 school year indicate a TEI of 8.5. However, when the TEI report was prepared, the index was only 7.7. The district states this was an unintended consequence of reducing its operating budget that triggered a lay-off of 36 teachers district wide. When the 2010–11 school year began, the student population of Bayside ES grew beyond the projected enrollment and 4 additional teachers were needed. In the placement of re-hired teachers from the district’s layoff list and the hiring of new teachers; teachers with fewer years experience were hired and the TEI was not maintained; and the district takes full responsibility for this lapse.

South Bay Union ESD requests a waiver of the QEIA TEI target for Bayside ES and establishment of an alternative TEI target of 7.7 for the 2010–11 school year. Bayside ES further states that the 2011–12 TEI calculation is 8.1 and it will ensure the index will remain above 8.1 for the remainder of the grant.

Additional LEA and School Information for Consideration:

School Locale Code	21*
LEA Average Daily Attendance (ADA)	7,708
School ADA	519
Grade Span	K–6
Total Number Of Schools With Similar Grade Span	10
2005–06 TEI	8.1
2010–11 QEIA School TEI	7.7
2011–12 QEIA School TEI	8.1
2010–11 Similar Type School TEI	8.68
2011–12 Similar Type School TEI	8.65
Percent Of Similar Type School (2010–11 Data)	95.1
Made API Growth?	Yes
Made AYP?	No

*Suburb Large: Territory outside a principal city and inside an urbanized area with population of 250,000 or more.

California Department of Education (CDE) Recommendation and Conditions:

The CDE supports South Bay Union ESD's request to reduce its TEI target for Bayside ES for 2010–11.

The CDE recommends approval with the following conditions: (1) Applies only to teachers at Bayside ES; (2) For 2010–11, the alternate TEI index of 7.7 shall be established at Bayside ES; (3) For 2011–12 and subsequent years, Bayside ES must meet or exceed the TEI of 8.1; and (4) Within 30 days of approval of this waiver, South Bay USD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the TEI requirement.

Reviewed by District Advisory Committee and District English Learners Advisory Committee on September 13, 2011.

Supported by Southwest Teachers Association, September 15, 2011.

Local Board Approval: October 13, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION

GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09)

<http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X

Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	7	6	8	3	9	5

Local educational agency: South Bay Union School District		Contact name and Title: Shelley Burgess, Assistant Superintendent, Educational Leadership		Contact person's e-mail address: sburgess@sbusd.org	
Address: 601 Elm Ave.		(City) Imperial Beach	(State) CA	(ZIP) 91932	Phone (and extension, if necessary): (619) 628-1609 Fax Number: (619) 628-1608
Period of request: (month/day/year) From: August 15, 2010 To: June 24, 2011		Local board approval date: (Required) October 13, 2011		Date of public hearing: (Required) October 13, 2011	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number):
Circle One: *EC* or *CCR*

Topic of the waiver: QEIA Grant Requirements – Teacher Experience Index

2. If this is a renewal of a previously approved waiver, please list Waiver Number: N/A and date of SBE Approval
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No X Yes If yes, please complete required information below:
Bargaining unit(s) consulted on date(s): September 15, 2011
Southwest Teachers Association per Amy Cooper jb 10-31-2011
The position(s) of the bargaining unit(s): Neutral X Support Oppose (Please specify why)
Name of bargaining unit and representative(s) consulted: We consulted the entire team – Chief Negotiator for the unit is Chris Almeria
Our administrative staff and bargaining unit have worked closely through the implementation of QEIA. We have held joint meetings at each site and have shared information re: funding through site council meetings where teachers are very involved. This waiver was discussed with the negotiations team on 9/15/11 and we have consulted with the SWTA President.

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

 Notice in a newspaper X Notice posted at each school Other: (Please specify)

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:
District Advisory Committee/District English Learners Advisory Committee jb 10-31-2011 per Amy Cooper

Date the committee/council reviewed the waiver request: DAC/DELAC: September 13, 2011

Were there any objection(s)? No Yes ___ (If there were objections please specify)

Bayside SSC: October 12, 2011

Were there any objection(s)? No Yes ___ (If there were objections please specify)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

EC 52055.740 (a) For each funded school, the county superintendent of schools for the county in which the school is located shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

~~(4) Using the index established under Section 52055.730, have an average experience of classroom teachers in the school equal to or exceeding the average for the school district for this type of school.~~

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

Bayside School currently has a teacher experience index target of 8.1.

In 2009-2010, Bayside met their teacher experience index target of 8.1.

In May 2010, staff projections for the 2010-11 school year indicated a teacher index target of 8.5. The school index target when the report ran was 7.7. This was an unintended consequence of our district reducing their operating budget triggering a lay off of 36 teachers district wide. Additionally, when the 2010-11 school year began, the student population of Bayside school grew beyond their projected enrollment and 4 additional teachers were needed. At that time we opened a voluntary transfer process where no teachers showed interest. In the placement of re-hiring teachers from our layoff list and hiring new teachers in late August – this increased the number of newer to the profession teachers to Bayside and the projected calculation of the index of 8.5 was not maintained. We take full responsibility for that.

Please consider: The Bayside Staff index for the 2010-2011 school year, if calculating exact years of teaching experience for staff, would give the teacher index rating of 13.34 not 7.7 as calculated by capping more experienced teachers at 10 years. Furthermore, we have calculated the current Bayside School staffing and for the 2011-2012 school year at 8.2. We ask that you accept our petition to keep funding and we will ensure that the teacher experience index will remain above the 8.1 target for the remainder of the grant.

Also consider that Bayside School did show academic growth in the 2010-2011 school year as follows: (see attached)

8. Demographic Information:

(District/school/program) Bayside_has a student population of 519 and is located in a small beach community (urban, rural, or small city etc. in San Diego County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes ___

(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes ___

(If yes, please attach explanation or copy of CPM finding)

District or County Certification – <i>I hereby certify that the information provided on this application is correct and complete.</i>		
Signature of Superintendent or Designee: Carol Parish	Title: District Superintendent	Date: October 14, 2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Waiver Number: 27-8-2011

Period of Request: August 1, 2011, to June 30, 2014

Lincoln Junior High School
Taft City School District

Period Recommended: July 1, 2011, to June 29, 2012

CDS Code: 15 63800 6010136

LEA Request:

Taft City School District (SD) is a rural school district located in Kern County and has a student population of approximately 2,108 students. Lincoln Junior High School (JHS) serves students in grades six through eight. Taft City SD provided teacher experience information from 2005–06, the base year upon which Quality Education Investment Act (QEIA) Teacher Experience Index (TEI) targets are calculated, showing that the average Taft City SD TEI is 6.7. Lincoln JHS is the only school in Taft City SD with a grade configuration of six through eight, so no comparative TEI data are available for 2010–11.

Taft City SD states that the TEI target for Lincoln JHS is 6.7 years, and at the present date, the actual TEI is 6.3. The district would need to accumulate 16 more years of experience on the campus to meet the 6.7 target and thus this is currently unattainable. Lincoln JHS has had numerous retirements in the last year and it is anticipated that the school will have 4 or 5 more retirements at the conclusion of the 2011–12 school year. Hiring highly qualified teachers in the Junior High setting is very difficult and very few, if any, come with prior teaching experience.

Taft City SD requests a waiver of the QEIA TEI target for Lincoln JHS and establishment of an alternative TEI target of 5.0 for the 2011–12 school year.

Additional LEA and School Information for Consideration:

School Locale Code	32*
LEA Average Daily Attendance (ADA)	2,108
School ADA	710
Grade Span	6–8
Total Number Of Schools With Similar Grade Span	Only JHS
2005–06 TEI	6.7
2010–11 QEIA School TEI	6.7
2010–11 Similar Type School TEI	Only JHS
Percent Of Similar Type School	Only JHS
Made API Growth?	Yes
Made AYP?	No

*Town Distant: Territory inside an urban cluster that is more than 10 miles and less than or equal to 35 miles from an urbanized area.

California Department of Education (CDE) Recommendation and Conditions:

The CDE supports Taft City SD's request to reduce its TEI target for Lincoln JHS. Taft City SD is located in rural Kern County and has no other school with a similar grade span, and the school has an average daily attendance less than 800 students and has met the QEIA Academic Performance Index growth requirement.

The CDE recommends approval with the following conditions: (1) Applies only to teachers at Lincoln JHS; (2) For 2011–12 and subsequent years, Lincoln JHS must meet or exceed the alternative TEI of 5.0; and (3) Within 30 days of approval of this waiver, Taft City SD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the TEI requirement.

Reviewed by Lincoln Junior High Schoolsite Council on August 25, 2011.

Supported by Taft Elementary Teachers Association, August 23, 2011.

Local Board Approval: September 14, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: **Renewal Waiver:**

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
1	5	6	3	8	0	0

Local educational agency: Taft City School District			Contact name and Title: Ron Bryant, Superintendent			Contact person's e-mail address: rbryant@taftcity.org		
Address: (City)		(State)		(ZIP)		Phone (and extension, if necessary): 661- 763-1521 661-201-7354 Fax Number: 661-763-1495		
820 Sixth St. Taft		California		93268				
Period of request: (month/day/year) From: August 1, 2011 To: June 30, 2014			Local board approval date: (Required) September 14, 2011			Date of public hearing: (Required) September 14, 2011		

LEGAL CRITERIA

- Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): Section 52055.740 (a) Circle One: EC or CCR
Topic of the waiver: Regarding Teacher Experience Index requirements under the Quality Education Investment Act
- If this is a renewal of a previously approved waiver, please list Waiver Number: No and date of SBE Approval _____
Renewals of waivers must be submitted two months before the active waiver expires.
- Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): August 23, 2011

Name of bargaining unit and representative(s) consulted: Taft Elementary Teachers Association, Patricia Carino, President And Lincoln Jr. High School Staff.

The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)

Comments (if appropriate):
- Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

 Notice in a newspaper Notice posted at each school Other: (*Please specify*)
- Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: August 25, 2011
Lincoln JH – School Site Council

Were there any objection(s)? No Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

Request by **Taft City School District** to waive portions of California Education Code Section 52055.740 (a), regarding teacher experience requirements under the Quality Education Investment Act, that this funded school have a Teacher Experience Index of 6.7 years by the end of the 2010-11 school year for **Lincoln Junior High** (requesting to reduce the TEI of 6.7 years to a TEI of 5.0 years).

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

Taft City School District is a rural school district in Kern County. Lincoln Junior High is the only school in the district that serves students in sixth, seventh and eighth grade. In 2010-2011, Lincoln Junior High served a total of 710 students. Taft City School District has a total population of 2,108 students. The TEI target for Lincoln Junior High is 6.7 years for the 11-12 school year, at the present date the actual TEI rate is 6.3 years. The district would need to accumulate 16 more years of experience on the campus to meet the 6.7 target, making this target unattainable at this time. Lincoln Junior High has had numerous retirements in the last year. It is anticipated that the school will have 4 to 5 more retirements at the conclusion of the 11-12 school year. Hiring highly qualified teachers in the Junior High setting is very difficult and very few if any come with prior teaching experience.

8. Demographic Information:
Taft City School District has a student population of 2,108 students and Lincoln JH has a student population of 710 (at CBEDS). Taft City School District is located in a rural city in Kern County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title:	Date:
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FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (<i>type or print</i>):	Staff Signature:	Date:
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Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
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Division Director (<i>type or print</i>):	Division Director Signature:	Date:
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Deputy (<i>type or print</i>):	Deputy Signature:	Date:
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California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM W-18



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

General Waiver

SUBJECT Request by four local educational agencies to waive portions of California <i>Education Code</i> Section 52055.740(a), regarding Highly Qualified Teachers and/or the <i>Williams</i> case settlement requirements under the Quality Education Investment Act. Waiver Numbers: Dinuba Unified 14-9-2011 Lodi Unified 8-10-2011 Long Beach Unified 42-10-2011 Taft City 45-10-2011	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Consent
---	---

RECOMMENDATION

Approval Approval with conditions Denial

See Attachments 1, 3, 5, and 7 for details and rationale of the recommendation.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

This is the second State Board of Education (SBE) Meeting that waivers related to revising Highly Qualified Teachers (HQT) and the *Williams* case settlement requirements under the Quality Education Investment Act (QEIA) have been received by the CDE Waiver Office and presented to the SBE.

SUMMARY OF KEY ISSUES

Quality Education Investment Act

Per California *Education Code* (EC) Section 52055.710(c) and (d) it is the intent of the Legislature that QEIA funding accomplish the following:

(c) Improve the quality of academic instruction and the level of pupil achievement in schools in which pupils have high levels of poverty and complex educational needs.

(d) Develop exemplary school district and school practices that will create the working conditions and classroom learning environments that will attract and retain well qualified teachers, administrators, and other staff.

SUMMARY OF KEY ISSUES (Cont.)

To assist local educational agencies (LEAs) in properly implementing requirements to meet statutory timelines, schools participating in the QEIA Program were monitored by their county offices of education for compliance with program requirements for the first time at the end of the 2008–09 school year. At that time, QEIA schools were required to demonstrate one-third progress toward full implementation of program requirements. At the end of the 2009–10 school year, QEIA schools were required to demonstrate two-thirds progress toward full program implementation. QEIA schools were required to demonstrate full compliance with all program requirements at the end of the 2010–11 school year.

Highly Qualified Teachers

California *EC* Section 52055.740(a)(3) requires in QEIA funded schools by the end of the 2010–11 school year and each year after, each teacher, including intern teachers, be highly qualified in accordance with the federal No Child Left Behind Act (NCLB) of 2001.

The federal NCLB statutes require that all elementary, middle and high school teachers assigned to teach core academic subjects are highly qualified. In California, the NCLB Core Academic Subjects are defined as:

- English/language arts/reading [including reading intervention and California High School Exit Exam (CAHSEE) English classes]
- Mathematics (including math intervention and CAHSEE-math classes)
- Biological sciences; chemistry; geosciences; physics
- Social science (history, government, economics, geography)
- Foreign languages (specific)
- Drama/theater; visual arts (including dance); and music

Meeting the federal requirement for HQT is based on the number of classes in core academic subjects taught by highly qualified teachers as reported in the California Longitudinal Pupil Achievement Data System (CALPADS).

Williams Case Settlement Requirements

California *EC* Section 52055.740(b)(4) requires QEIA funded schools by the end of the 2008–09 school year, and each year thereafter, to meet all of the requirements of the settlement agreement in *Eliezer Williams, et al., vs. State of California, et al.*

SUMMARY OF KEY ISSUES (Cont.)

These requirements include:

- Ensuring students have sufficient instructional materials.
- Ensuring school facilities pose no emergency or urgent threat to health and safety.
- Ensuring there are no teacher vacancies or misassignments.

If an LEA requests a waiver of the HQT or *Williams* case settlement requirements, the CDE reviews a range of information regarding the unique circumstances of the school and the district to formulate a recommendation to the SBE.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in EC 33051(a). The state board shall approve any and all requests for waivers except in those cases where the board specifically finds any of the following: (1) The educational needs of the pupils are not adequately addressed; (2) The waiver affects a program that requires the existence of a schoolsite council and the schoolsite council did not approve the request; (3) The appropriate councils or advisory committees, including bilingual advisory committees, did not have an adequate opportunity to review the request and the request did not include a written summary of any objections to the request by the councils or advisory committees; (4) Pupil or school personnel protections are jeopardized; (5) Guarantees of parental involvement are jeopardized; (6) The request would substantially increase state costs; and (7) The exclusive representative of employees, if any, as provided in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, was not a participant in the development of the waiver.

FISCAL ANALYSIS (AS APPROPRIATE)

There are no statewide costs as a result of waiver approval. If the waiver is denied, the school must implement the HQT targets based on statute requirements to stay in the program. Any school in the program not meeting those targets will risk the loss of future funding. The QEIA statute calls for any undistributed annual QEIA funding to be redistributed to other schools currently in the program (no new schools are funded).

ATTACHMENT(S)

Attachment 1: Dinuba Unified School District Request for a Quality Education Investment Act Highly Qualified Teachers Waiver 14-9-2011 (1 page)

Attachment 2: Dinuba Unified School District General Waiver Request 14-9-2011 (3 pages) (Original waiver request is signed and on file in the Waiver Office.)

ATTACHMENT(S) (Cont.)

Attachment 3: Lodi Unified School District Request for a Quality Education Investment Act Highly Qualified Teachers Waiver 8-10-2011 (1 page)

Attachment 4: Lodi Unified School District General Waiver Request 8-10-2011 (3 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: Long Beach Unified School District Request for a Quality Education Investment Act Highly Qualified Teachers Waiver 42-10-2011 (1 page)

Attachment 6: Long Beach Unified School District General Waiver Request 42-10-2011 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 7: Taft City School District Request for a Quality Education Investment Act Highly Qualified Teachers Waiver 45-10-2011 (1 page)

Attachment 8: Taft City School District General Waiver Request 45-10-2011 (3 pages) (Original waiver request is signed and on file in the Waiver Office.)

Waiver Number: 14-9-2011 **Period of Request:** July 1, 2010, to June 30, 2011
Washington Intermediate School **Period Recommended:** July 1, 2010 to June 29, 2012
Dinuba Unified School District
CDS Code: 75531 6053995

LEA Request:

Dinuba Unified School District (USD) is an urban fringe school district located in Tulare County and has a student population of approximately 5,984 students. Washington Intermediate School (IS) serves 896 students in grades seven and eight. Monitoring performed by the Tulare County Office of Education indicates that the Highly Qualified Teacher (HQT) requirements of the Quality Education Investment Act (QEIA) were not fully met by Washington IS for the 2010–11 school year.

Dinuba USD states that it and Washington IS have met a number of challenges in meeting the HQT requirements of QEIA. The district states that while implementing the QEIA class size requirements, it was necessary to increase the number of math teachers from a diminishing pool of highly qualified teachers, and these shortages are especially evident in the rural San Joaquin Valley in the subject areas of mathematics and science. In 2010–11 the district had two mathematics teachers with multiple subject credentials that failed to meet the HQT criteria. The teachers had a professional development plan to become HQT and took course work, participated in professional development classes and participated in California Subject Examination for Teachers (CSET) subject matter preparation classes. The district states that the teachers took the CSET subject matter test in March 2011, but they failed to meet the passing score for subject matter.

The Dinuba USD is requesting that the HQT requirement for teachers at Washington IS be waived for school years 2010–11 and 2011–12.

CDE Recommendation and Conditions:

The California Department of Education (CDE) supports Dinuba USD's request that HQT requirements for teachers at Washington IS be waived for school years 2010–11 and 2011–12.

The CDE recommends approval with the following conditions: (1) Applies only to teachers at Washington IS for school year 2010–11 and 2011–12; (2) Washington IS meet the HQT requirements in years 2012–13 and all subsequent years the district receives QEIA funds; and (3) Within 30 days of approval of this waiver, Dinuba USD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the HQT requirement.

Reviewed by Washington Intermediate Schools Council on August 23, 2011.

Supported by Dinuba Teachers Association and Classified School Employees Association, August 24, 2011.

Local Board Approval: August 25, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: **X**
Renewal Waiver: _____

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
5	4	7	5	5	3	1

Local educational agency: Washington Intermediate School CDS: 54 - 75531 - 6053995 Dinuba Unified School District		Contact name and Title: Paul Rogers Assistant Superintendent		Contact person's e-mail address: progers@dinuba.k12.ca.us
Address: 1150 Hayes Ave 1327 E. El Monte Way	(City) Dinuba Dinuba	(State) CA CA	(ZIP) 93618 93618	Phone (and extension, if necessary): (559) 595-7200 ext 295 Fax Number: (559) 591-3334
Period of request: (month/day/year) From: July 1, 2010 To: June 30, 2011	Local board approval date: (Required) August 25, 2011		Date of public hearing: (Required) August 25, 2011	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): 52055.740 (a) (3) Circle One: EC or CCR

Topic of the waiver: Highly Qualified Teachers (HQT) Quality Education Investment Act (QEIA)

2. If this is a renewal of a previously approved waiver, please list Waiver Number: _____ and date of SBE Approval _____
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): Dinuba Teachers Association DTA/CTA
Classified School Employees Association
Name of bargaining unit and representative(s) consulted: Rich White, President, Dinuba Teachers Association
Sage Clark, President Dinuba Chapter # 152 CSEA
The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school Other: (*Please specify*)

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:
Washington Intermediate School Site Council

Date the committee/council reviewed the waiver request: August 23, 2011

Were there any objection(s)? No Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

EC 52055.740 (a) For each funded school, the county superintendent of schools for the county in which the school is located shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

~~(3) Ensure that each teacher in the school, including intern teachers, shall be highly qualified in accordance with the federal No Child Left Behind Act of 2001 (20 U.S.C. SEC. 6301 et seq.).~~

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

By 2010-2011, and each year after, QEIA funded schools must ensure that each teacher be highly qualified in accordance with the federal No Child Left Behind Act of 2001 (NCLB). The federal NCLB statutes require that all elementary, middle and high school teachers assigned to teach core academic subjects are highly qualified. Meeting the federal requirement for highly qualified teachers is based on the number of classes taught by highly qualified teachers as reported on the ESEA (NCLB) Teacher Requirements of the school's Consolidated application (Part 1).

Washington Intermediate School is seeking a waiver of this requirement from 2010-2011 to the 2011-2012 school year. [See attached]

8. Demographic Information: Washington Intermediate School is a middle school serving grade 7 and 8 students. It has a student population of 896 students: 91% Hispanic, 6% White. All students qualify for Free or Reduced Lunch under Provision II. English Learners represent 28% of the student population. The school is located in the urban fringe of a mid-size city in northern Tulare County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title:	Date:
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

CALIFORNIA DEPARTMENT OF EDUCATION

GENERAL WAIVER REQUEST

7. Desired outcome/rationale

Dinuba Unified School District and Washington Intermediate School have met a number of challenges in meeting the Highly Qualified Teacher Requirement. Several factors have impacted the school's ability to meet the HQT:

- In research conducted by SRI International and Reported by the Center for the Future of Teaching and Learning, it was found that the pool of prospective teachers in California has declined dramatically. The number of enrollee in teacher preparation programs in California has dropped by nearly half in the last seven years from more than 75,000 to 44, 558 in 2007-2008. The number of new teaching credentials issued by the state is similarly down. Source: California Commission on Teacher Credentialing
- While student enrollment is expected to turn upwards soon, the teaching force is declining from 310,000 teachers two years ago to slightly more than 300,000 in 2009-10. The drop in novice teacher over the same time was from 29,961 to 18,164. Source: California Department of Education.
- California continues to experience severe shortages of qualified teachers for specific teaching assignments. Mathematics and science, long identified as shortage areas, continue to be problematic with between 10 percent and 13 percent underprepared teachers (teachers who do not hold a full credential). Source: C. E. Esch and others, *The Status of the Teaching Profession, 2005*. Center for the Future of Teaching and Learning, 2005
- Implementing the QEIA CSR made it necessary to increase math teachers from a diminishing pool of Highly Qualified Teachers. These shortages are especially evident in the rural San Joaquin Valley where it is difficult to recruit Highly Qualified Teachers in the subject areas of mathematics and science.
- One mathematics teacher failed to meet the HQT criteria. The teacher has a multiple subject credential.
- The teacher was on a professional development plan to become HQT. The teacher took course work, participated in Holt SB 472 Professional Development, and participated in CSET subject matter. The teacher took the CSET subject matter test in March with the results in April indicated she had failed to meet the passing score for subject matter.

The QEIA grant has provided the resources that have reduced class sizes, provided professional development to improve instruction, repaired facilities and increased student learning.

Washington Intermediate School has met the following requirements at the previous benchmark years:

- Met the class size reduction requirements for full implementation 2010-2011.
- Teachers that are highly qualified as defined by federal requirements teach all classes. (100%)
- Forty hours of professional development provided to teachers. (100%)
- Professional development provided to paraprofessionals.
- Met all the requirements for the Williams settlement.
- Exceeded the API growth targets for the school averaged over the past three years.

The combination of new hires for CSR, a diminished pool of Highly Qualified Teachers and documented shortages in mathematics teachers, has made it a challenge for Washington Intermediate School to meet the HQT requirement in mathematics. One teacher failed to meet the requirement. The district is requesting that the HQT requirement be waived for the school year 2010-2011 with the stipulation that all teachers will meet the requirement in 2011-2012.

Waiver Number: 8-10-2011

Period of Request: July 1, 2010, to June 30, 2011

Period Recommended: July 1, 2010, to June 30, 2011

Delta Sierra Middle School
Lodi Unified School District

CDS Code: 39 68585 6107114

LEA Request:

Lodi Unified School District (USD) is an urban school district located in San Joaquin County and has a student population of approximately 30,528 students. Delta Sierra Middle School (MS) serves 423 students in grades seven and eight. Monitoring performed by the County Office of Education indicates that the Highly Qualified Teacher (HQT) and *Williams* case settlement requirements of the Quality Education Investment Act (QEIA) were not fully met by Delta Sierra MS for the 2010–11 school year.

Lodi USD states that in June 2011 it was determined that one of Delta Sierra MS's teachers failed to obtain his CLAD certificate by the end of the 2010–11 school year. The district states that the teacher did complete the CLAD certification requirements by passing the exam in 1997, but there have been some paperwork problems that ultimately have resulted in the Delta Sierra MS not meeting the HQT and *Williams* case settlement requirements. The district states that the teacher has re-enrolled in a course and will be certified by the end of the 2011–12 school year.

The district states that Delta Sierra MS would benefit from the continuation of the QEIA grant and students have improved academically and continue to grow.

The Lodi USD is requesting that the HQT and *Williams* case settlement requirements for teachers at Delta Sierra MS be waived for school year 2010–11.

CDE Recommendation and Conditions:

The California Department of Education (CDE) supports Lodi USD's request that HQT and *Williams* case settlement requirements for teachers at Delta Sierra MS be waived for school year 2010–11.

The CDE recommends approval with the following conditions: (1) Applies only to teachers at Delta Sierra MS for school year 2010–11; (2) Delta Sierra MS meet the HQT and *Williams* case settlement requirements in 2011–12; and; (3) Within 30 days of approval of this waiver, Lodi USD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the HQT and *Williams* case settlement requirements.

Reviewed by Delta Sierra Middle Schoolsite Council on September 12, 2011.

Supported by Lodi Education Association, September 14, 2011.

Local Board Approval: October 4, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: x

Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
6	1	0	7	1	1	4

Local educational agency: Lodi Unified School District			Contact name and Title: Dr. Odie Douglas, Assistant Superintendent of 7-12 Instruction			Contact person's e-mail address: odouglas@lodiUSD.net		
Address:		(City)	(State)	(ZIP)	Phone (and extension, if necessary): 209-331-7005			
1305 E. Vine Street		Lodi	CA	95209	Fax Number: 209-331-7031			
Period of request: (month/day/year)			Local board approval date: (Required)			Date of public hearing: (Required)		
From: 7/01/2011 To: 6/30/2012			October 4, 2011			October 4, 2011		

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): **52055.740 3** Circle One: EC or CCR

Topic of the waiver: **QEIA Highly Qualified Teacher and Williams Settlement**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: not a renewal and date of SBE Approval: _____
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): Lodi Education Association (LEA) – September 14, 2011

Name of bargaining unit and representative(s) consulted: LEA Jeff Johnston, President

The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)

Comments (if appropriate): The LEA bargaining unit and School Site Council unanimously agreed to support this waiver request.

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school Other: (*Please specify*)

Posted: McNair High, Delta Sierra Middle, Lodi Public Library, LUSD Web, LUSD District Office

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Delta Sierra Schoolsite council per Dianna Miller 10/14/11 jb

Date the committee/council reviewed the waiver request: September 12, 2011

Were there any objection(s)? No x Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

52055.740. (a) For each funded school, the county superintendent of schools for the county in which the school is located shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

~~(3) Ensure that each teacher in the school, including intern teachers, shall be highly qualified in accordance with the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.).~~

~~(4) Meet all of the requirements of the settlement agreement in Williams v. State of California (Case Number CGC-00-312236 of the Superior Court for the County of San Francisco), including, among other things, the requirements regarding teachers, instructional materials, and school facilities, by the end of the first full year of funding, and in each year of funding thereafter.~~

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

See page below regarding number 7.

8. Demographic Information:
(District/school/program) Delta Sierra Middle School has a student population of 423 students and is located in an urban community (urban, rural, or small city etc.) in San Joaquin County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No xx Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No xx Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title: Superintendent	Date:
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FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (type or print):	Staff Signature:	Date:
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Unit Manager (type or print):	Unit Manager Signature:	Date:
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Division Director (type or print):	Division Director Signature:	Date:
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Deputy (type or print):	Deputy Signature:	Date:
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Regarding # 7 Above:

Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

During a routine QEIA (Quality Education Investment Act) grant review (June 2011), it was determined that one of Delta Sierra Middle School's teachers failed to obtain his CLAD (Cross-cultural, Language Academic Development) certificate by the end of the 2010-2011 school year. This then triggered Delta Sierra Middle School's "NOT MET" for Highly Qualified Teacher and Williams Settlement.

As illustrated in supporting materials, the teacher did complete the CLAD certification requirements by passing the exam on 2/22/1997. He was under the impression that he also had to complete a minimum number of units in a foreign language to obtain his bilingual – CLAD certification as well. He began taking classes to obtain the necessary foreign language credits. When he was informed that this option was no longer needed to obtain the CLAD in December of 2003, he submitted his test results to the CDE (California Department of Education) to obtain his CLAD certificate. He was notified, however, that since he missed the five-year deadline his scores did not count. This information is inaccurate because he was completing the BCLAD certificate and did make the deadline of 7 years that is described on his examination Bilingual (CLAD) examination passing report.

Subsequently, he has re-enrolled in a course offered by Stanford CTEL and will be certified by the end of the 2011-2012 school year.

Delta Sierra Middle School would benefit from the continuation of the QEIA grant. Since the implementation of the QEIA grant, Delta Sierra Middle School students have improved academically and continue to do so; the school has had an overall 78 point gain in its API (Academic Performance Index). The school continues to meet the QEIA growth targets as outlined in the grant. The QEIA grant also affords the opportunity to provide needed professional development for teachers, administrators, and paraprofessionals.

Taken as a whole, the small class sizes, professional development, and the school-wide vision/goals set forth by Administration have all worked together to improve student achievement at Delta Sierra Middle School. The Lodi Unified School District therefore recognizes the need to continue Delta Sierra Middle School's participation in QEIA and request that this waiver be granted.

Waiver Number: 42-10-2011

Period of Request: July 1, 2010, to June 30, 2011

Period Recommended: July 1, 2010 to June 30, 2011

Jefferson Leadership Academies
Long Beach Unified School District

CDS Code: 19 64725 6057806

LEA Request:

Long Beach Unified School District (USD) is an urban school district located in Los Angeles County and has a student population of approximately 84,816 students. Jefferson Leadership Academies (LA) serves 892 students in grades six, seven, and eight. Monitoring performed by the Los Angeles County Office of Education indicates that the Highly Qualified Teacher (HQT) requirements of the Quality Education Investment Act (QEIA) were not fully met by Jefferson LA for the 2010–11 school year.

Long Beach USD states that Jefferson LA substantially met all of its 2010–11 QEIA requirements except the HQT requirement. The district states that there were eight core classes out of 140 that were taught by two teachers who were not HQT. Three teachers were strongly encouraged and supported to become highly qualified via taking and passing the CSET in their subject matter. Long Beach USD states that one of the teachers was successful and two were unable to meet the requirements needed to be highly qualified. One teacher was subsequently removed from the school and the other was reassigned. The Jefferson LA is currently HQT compliant for the 2011–12 school year.

The Long Beach USD is requesting that the HQT requirement for teachers at Jefferson LA be waived for school year 2010–11.

CDE Recommendation and Conditions:

The California Department of Education (CDE) supports Long Beach USD's request that HQT requirements for teachers at Jefferson LA be waived for school year 2010–11.

The CDE recommends approval with the following conditions: (1) Applies only to teachers at Jefferson LA for school year 2010–11; (2) Jefferson LA meet the HQT requirements in years 2011–12 and all subsequent years the district receives QEIA funds; and (3) Within 30 days of approval of this waiver, Long Beach USD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the HQT requirement.

Reviewed by Jefferson Leadership Academies Schoolsite Council on October 13, 2011.

Supported by Teachers Association of Long Beach, October 6, 2011.

Local Board Approval: October 18, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver:
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in Word and
back-up material to: waiver@cde.ca.gov

CD CODE					

Local educational agency: Long Beach Unified School District			Contact name and Title: Patricia Chambers, Administrative Assistant			Contact person's e-mail: PChambers@ LBSchools.net		
Address: (City)		(State)		(ZIP)		Phone (and extension, if necessary): (562) 290-0323 x276		
1515 Hughes Way, Long Beach, CA 90810						Fax Number: (562) 981-3468		
Period of request: (month/day/year)			Local board approval date: (Required)			Date of public hearing: (Required)		
From: 9/8/10		To: 6/16/11		October 18, 2011		October 18, 2011		

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): **52055.740 section (c)** Circle One: EC or CCR
Topic of the waiver: Quality Education Investment Act of 2006 termination of funding if requirements are not met

2. If this is a renewal of a previously approved waiver, please list Waiver Number: _____ and date of SBE Approval _____
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:
Bargaining unit(s) consulted on date(s): **October 6, 2011**
Name of bargaining unit and representative(s) consulted: **Joe Boyd, Executive Director of Teachers Association of Long Beach**
The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)
Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised? **Notice posted at Jefferson Leadership Academies and at the Long Beach Unified School District's central office building. The notice was also placed into the Long Beach Press Telegram newspaper.**

Notice in a newspaper Notice posted at school Other: **Notice posted at District Office**

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:
Date the committee/council reviewed the waiver request: **October 13, 2011**
Were there any objection(s)? No Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a strike out key).

52055.740. SECTION (c) (1) If a county superintendent of schools determines that a funded school has not substantially met the requirements of subdivision (b) after the first or second full year of funding, or any alternative program requirements approved under Section 52055.760, he or she shall notify the Superintendent. ~~If all of the interim and final requirements are not met by the end of any subsequent school year, the Superintendent shall terminate funding for that school.~~

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

Jefferson Leadership Academies (a middle school) in Long Beach Unified substantially met all of its 2010-11 QEIA requirements except for the 100% Highly Qualified Teachers requirement. There were eight core classes out of 140 that were taught by two teachers who were not Highly Qualified. Three teachers were strongly encouraged and supported in their endeavor to become highly qualified via taking and passing the California Subject Examination for Teachers (CSET) in their subject matter. While one of these three teachers was successful, two were unable to meet the requirements needed to be highly qualified in compliance with NCLB. One teacher was subsequently removed from the school while the other teacher was reassigned and now the school meets the 100% Highly Qualified Teachers requirement. Given that the school has addressed its HQT issue and met all of it's other 2010-11 QEIA requirements including significantly exceeding it's 3-year API average growth target (*17.3 growth vs. 7.3 target*), a waiver for funding termination is being requested so that the school can continue to receive QEIA funding through 2014-2015. The funding is needed to ensure that student achievement and student outcomes continue to improve.

8. Demographic Information:
(District/school/program) Jefferson Leadership Academies has a student population of 892 students and is located in an urban area in Long Beach which is part of Los Angeles County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title:	Date:
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Waiver Number: 45-10-2011

Period of Request: July 1, 2010, to June 30, 2011

Period Recommended: July 1, 2010 to June 30, 2011

Lincoln Junior High School
Taft City School District

CDS Code: 15 63800 6010136

LEA Request:

Taft City School District (SD) is a rural school district located in Kern County and has a student population of approximately 2,108 students. Lincoln Junior High School (JHS) serves 710 students in grades six, seven and eight. Monitoring performed by the Kern County Office of Education indicates that the Highly Qualified Teacher (HQT) requirements of the Quality Education Investment Act (QEIA) were not fully met by Lincoln JHS for the 2010–11 school year.

Taft City SD states that Lincoln JHS is the only school in the district that serves students in grades six, seven, and eight. During an October 2011 monitoring visit, the district was informed that it was not HQT compliant for school year 2010–11 because of one teacher. The district states that the teacher had ample support to take the CSET, but unfortunately was unable to pass the exam and employment was ultimately terminated. Taft City SD states that a new HQT science teacher was hired for the 2011–12 school year and Lincoln JHS is now fully HQT compliant.

The Taft City SD is requesting that the HQT requirement for teachers at Lincoln JHS be waived for school year 2010–11.

CDE Recommendation and Conditions:

The California Department of Education (CDE) supports Taft City SD's request that HQT requirements for teachers at Lincoln JHS be waived for school year 2010–11.

The CDE recommends approval with the following conditions: (1) Applies only to teachers at Lincoln JHS for school year 2010–11; (2) Lincoln JHS meet the HQT requirements in years 2011–12 and all subsequent years the district receives QEIA funds; and (3) Within 30 days of approval of this waiver, Taft City SD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the HQT requirement.

Reviewed by Lincoln Junior High Schoolsite Council on October 19, 2011.

Supported by Taft Elementary Teachers Association, October 13, 2011.

Local Board Approval: October 20, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver:
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
1	5	6	3	8	0	0

Local educational agency: Taft City School District			Contact name and Title: Ron Bryant, Superintendent			Contact person's e-mail address: rbryant@taftcity.org		
Address:		(City)	(State)	(ZIP)	Phone (and extension, if necessary): 661- 763-1521			
820 Sixth St.		Taft	California	93268	Fax Number: 661-763-1495			
Period of request: (month/day/year) From: August 1, 2010 To: June 30, 2011			Local board approval date: (Required) October 20, 2011			Date of public hearing: (Required) September 20, 2011		

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): Section 52055.740 (a) Circle One: EC or CCR
Topic of the waiver: Regarding Highly Qualified Teacher requirements under the Quality Education Investment Act

2. If this is a renewal of a previously approved waiver, please list Waiver Number: No and date of SBE Approval _____
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): October 13, 2011

Name of bargaining unit and representative(s) consulted: Taft Elementary Teachers Association, Patricia Carino, President And Lincoln Jr. High School Staff.

The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

 Notice in a newspaper Notice posted at each school Other: (*Please specify*)

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: October 19,2011
Lincoln JH – School Site Council

Were there any objection(s)? No X Yes ____ (If there were objections please specify)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

Request by **Taft City School District** to waive portions of California Education Code Section 52055.740 (a), regarding Highly Qualified Teacher requirements under the Quality Education Investment Act, that this funded school have a 100% of their Teachers by the end of the 2010-2011 school year.

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

Taft City School District is a rural school district in Kern County. Lincoln Junior High is the only school in the district that serves students in sixth, seventh and eighth grade. In 2010-2011, Lincoln Junior High served a total of 710 students. Taft City School District has a total population of 2,108 students.

On October 11, 2011 during a monitoring visit, the district was informed that we had to be 100% HQT by the last day of school in 2010-2011. The district has been strategic in hiring all teachers who meet HQT status. Lincoln had one Science teacher who was not HQT in 2010-2011. That teacher had ample amounts of support that included paying her to take the CSET four times, as well as, providing a personal tutor to help with the Science content. After all options were exhausted, the board voted to lay the teacher off at the March 2011 meeting. A new (HQT) Science Teacher was hired in March of 2011 for the 2011-2012 school year. As of the first day of school in 2011-2012 Lincoln is 100% compliant.

Over the past three years, Lincoln has undergone significant positive changes. The Lincoln staff has been able to participate in Explicit Direct Instruction (EDI) training which has changed the look of our classrooms. Our students are overall API has increased by 48 points over the last three years. Our AYP percentages have increased 6.8% in ELA and 9.2% in Math. We have also been able to increase our academic rigor across all content areas by incorporating AVID strategies in grades 6-8 as well as early intervention for students who have failing grades at progress reports. These students are able to attend a homework club where certificated teachers are present and able to assist them with any academic issues that they are having. While this is a new program, we anticipate an overall increase in student performance at the quarter.

Hiring highly qualified teachers in the Junior High setting is very difficult for any rural district. Taft City School District has worked diligently on meeting all requirements of QEIA. QEIA provides 7.33 FTE's of certificated staff and numerous other program support mechanisms. Loss of QEIA funding will have a devastating effect on the academic program and the students of Lincoln Jr. High School

8. Demographic Information:

Taft City School District has a student population of 2,108 students and Lincoln JH has a student population of 710 (at CBEDS). Taft City School District is located in a rural city in Kern County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

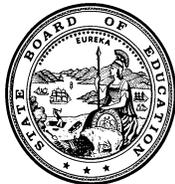
Signature of Superintendent or Designee:	Title: Superintendent	Date: 10/20/11
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM W-19



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

General Waiver

<p>SUBJECT</p> <p>Request by five local educational agencies to waive portions of California <i>Education Code</i> Section 52055.740(a)(5), regarding the Academic Performance Index under the Quality Education Investment Act.</p> <p>Waiver Number: Farmersville Unified 12-10-2011 Needles Unified 14-10-2011 Santa Ana Unified 25-11-2011 Vallejo City Unified 47-10-2011 Vallejo City Unified 48-10-2011 Wasco Union Elementary 16-10-2011</p>	<p><input checked="" type="checkbox"/> Action</p> <p><input type="checkbox"/> Consent</p>
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RECOMMENDATION

Approval Approval with conditions Denial

The California Department of Education (CDE) recommends denial of these waivers request because its approval would not adequately address the educational need of pupils within the meaning of Education Code Section 33051(a)(1).

See Attachments 1, 3, 5, 7, 9, and 11 for details and rationale of the recommendation.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

This is the first State Board of Education (SBE) meeting that waivers related to revising the Academic Performance Index (API) under the Quality Education Investment Act (QEIA) have been received by the CDE Waiver Office and presented to the SBE.

SUMMARY OF KEY ISSUES

Academic Performance Index

Schools participating in the QEIA Program were monitored by their county offices of education for compliance with program requirements for the first time at the end of the 2008–09 school year. At that time, local educational agencies (LEAs) were required to demonstrate one-third progress toward full implementation of program requirements. At the end of the 2009–10 school year, QEIA LEAs were required to demonstrate two-thirds progress toward full program implementation. QEIA schools were required to demonstrate full compliance with all program requirements at the end of the 2010–11 school year.

SUMMARY OF KEY ISSUES (Cont.)

Quality Education Investment Act schools are required to exceed their API growth target for the school by 2010–11 averaged over the first three full years of funding. Beginning in 2011–12, regular QEIA schools must meet their annual API growth targets, and alternative application schools must exceed their annual API growth targets.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in EC 33051(a). The state board shall approve any and all requests for waivers except in those cases where the board specifically finds any of the following: (1) The educational needs of the pupils are not adequately addressed; (2) The waiver affects a program that requires the existence of a schoolsite council and the schoolsite council did not approve the request; (3) The appropriate councils or advisory committees, including bilingual advisory committees, did not have an adequate opportunity to review the request and the request did not include a written summary of any objections to the request by the councils or advisory committees; (4) Pupil or school personnel protections are jeopardized; (5) Guarantees of parental involvement are jeopardized; (6) The request would substantially increase state costs; and (7) The exclusive representative of employees, if any, as provided in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, was not a participant in the development of the waiver.

FISCAL ANALYSIS (AS APPROPRIATE)

There are no statewide costs as a result of waiver approval. If the waiver is denied, the school must meet the API targets based on statute requirements to stay in the program. Any school in the program not meeting those targets will risk the loss of future funding. The QEIA statute calls for any undistributed annual QEIA funding to be redistributed to other schools currently in the program (no new schools are funded).

ATTACHMENT(S)

Attachment 1: Farmersville Unified School District Request 12-10-2011 for a Quality Education Investment Act Academic Performance Index Waiver (2 pages.)

Attachment 2: Farmersville Unified School District General Waiver Request 12-10-2011 (5 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Needles Unified School District Request 14-10-2011 for a Quality Education Investment Act Academic Performance Index Waiver (2 pages)

Attachment 4: Needles Unified School District General Waiver Request 14-10-2011 (6 pages) (Original waiver request is signed and on file in the Waiver Office.)

ATTACHMENT(S) Cont.

Attachment 5: Santa Ana Unified School District Request for a Quality Education Investment Act Academic Performance Index Waiver 25-11-2011 (4 pages)

Attachment 6: Santa Ana Unified School District General Waiver Request 25-11-2011 (3 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 7: Vallejo City Unified School District Request 47-10-2011 for a Quality Education Investment Act Academic Performance Index Waiver (2 pages)

Attachment 8: Vallejo City Unified School District General Waiver Request 47-10-2011 (3 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 9: Vallejo City Unified School District Request 48-10-2011 for a Quality Education Investment Act Academic Performance Index Waiver (2 pages)

Attachment 10: Vallejo City Unified School District General Waiver Request 48-10-2011 (5 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 11: Wasco Union Elementary School District Request 16-10-2011 for a Quality Education Investment Act Academic Performance Index Waiver (2 pages)

Attachment 12: Wasco Union Elementary School District General Waiver Request 16-10-2011 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Waiver Number: 12-10-2011

Period of Request: July 1, 2010, to June 30, 2011

Period Recommended: July 1, 2010, to June 30, 2011

Freedom Elementary School

CDS Code: 54 75325 0106021

Farmersville Unified School District

LEA Request:

Farmersville Unified School District (USD) is a rural school district located in Tulare County and has a student population of approximately 2,626 students. Freedom Elementary School (ES) serves 418 students in grades four and five. Academic Performance Index (API) data for Freedom ES shows that the school did not exceed the three-year average growth requirement of the Quality Education Investment Act (QEIA). API data shows that Freedom ES's three-year growth average target is 5.0, but its three-year growth average is only 3.3. Farmersville USD was granted a class size reduction QEIA waiver for this school in July 2011 to raise class sizes to 25.0 on average.

Farmersville USD states that it recognized it was not sufficiently meeting the needs of all students. In addition to adding intensive intervention curriculum to its programs, the district contracted with the Tulare County Office of Education for an English Language Arts and a Mathematics consultant. The district states that another change that has been made is how data are used more purposefully. Students are being targeted with the specific instruction they need to fill the gaps in learning. The district states that a final change that has been made is a stronger partnership with the after school program. Tutoring has been added to the after school program which is designed to enhance what has been going on in the regular school day.

Farmersville USD requests a waiver of the QEIA API three-year average growth requirement for Freedom ES for the 2010–11 school year.

Additional LEA and School Information for Consideration:

School Locale Code	22*
LEA Average Daily Attendance (ADA)	2,626
School ADA	418
Grade Span	4–5
2008–09 API	740
2009–10 API	746
2010–11 API	746
3 Year API Target Average	5.0
3 Year API Growth Average	3.3
Made API Growth?	No
Made AYP?	No

*Suburb Midsize: Territory outside a principal city and inside an urbanized area with population less than 250,000 and greater than or equal to 100,000.

California Department of Education (CDE) Recommendation and Conditions:

The California Department of Education (CDE) recommends denial of this waiver request because its approval would not adequately address the educational need of pupils within the meaning of Education Code Section 33051(a)(1). Specifically, (1) QEIA program requirements were known to the district prior to its decision to apply for program participation; and (2) QEIA funding is expected to result in increased academic achievement over time and Freedom ES showed no growth in 2010–11.

Reviewed by Farmersville USD Superintendent's Cabinet and Freedom Elementary Schoolsite Council on October 6, 2011.

Supported by Farmersville Teachers Association, October 6, 2011.

Local Board Approval: October 11, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
5	4	7	5	3	2	5

Local educational agency: Farmersville Unified School District			Contact name and Title: Grant Schimelpfening, CBO			Contact person's e-mail address: gschimel@farmersville.k12.ca.us		
Address: (City)		(State)		(ZIP)		Phone (and extension, if necessary): (559) 592-2010 Ext. 1108		
571 E. Citrus		Farmersville		CA		93223		
Fax Number: (559) 592-2203			Period of request: (month/day/year)			Local board approval date: (Required)		
From: 7/1/2010 To: 6/30/2011			October 11, 2011			Date of public hearing: (Required)		
October 11, 2011								

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): **52055.740 (a) (5)** Circle One: EC or CCR

Topic of the waiver: **QEIA Academic Performance Index (API) Target**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: **Not Applicable** and date of SBE Approval: _____ Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): October 6, 2011

Name of bargaining unit and representative(s) consulted: **Farmersville Teachers' Association, Melinda Urton, President**

The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)

Comments (if appropriate): **The Bargaining Unit members listed above, as well as our School Site Council unanimously agreed in separate meetings to support this waiver request.**

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school Other: District Office, Post Office, City Hall

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver: Bargaining members aforementioned on this waiver, Farmersville USD Superintendent's Cabinet, and Freedom Elementary School Site Council

Date the committee/council reviewed the waiver request: October 6, 2011

Were there any objection(s)? No Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

Education Code 52055.740 (a), For each funded school, the county superintendent of schools for the county in which the school is located shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

- (5) ~~Exceed the API growth target for the school averaged over the first three full years of funding.~~
Beginning in the fifth year of participation, funded schools shall meet their annual API growth targets. If the school fails to meet its annual growth target, the school shall continue to receive funding pursuant to this article, but shall be subject to state review, assistance, and timeline requirements pursuant to the HPSGP under Section 52055.650. The schoolsite administrator shall not automatically be reassigned based solely on that failure.

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

Since 2006, Freedom Elementary School's API has increased. The 2010-2011 school year is the first year Freedom did not make any growth. As a school, we recognized we were not sufficiently meeting the needs of all the students. While Math scores are steadily increasing, ELA scores in the 5th grade have been a struggle which has caused us to rethink the way we deliver instruction. At the end of the year, the staff met to discuss what changes we could make to ensure that our students receive rigorous instruction at their levels. We adopted Hampton Brown's Inside curriculum for our students that are two or more years below grade level. We identified our strongest teachers and those are the teachers delivering instruction to our neediest students. We deploy our students out for English Language Arts so that each student is receiving instruction on their level. This time has been made common in that each grade level is teaching English Language Arts at the same time without interruption. We are monitoring the effectiveness of our instruction by assessing often to see if the concept being taught is being retained. Student scores and progress are analyzed often so that students who are making adequate gains can move back into the regular curriculum in a timely fashion.

In addition to adding the intensive intervention curriculum, we contracted with an English Language Arts Consultant and Mathematics Consultant from the Tulare County Office of Education. We began revising our benchmark tests last year and are continuing to revise them in the current year. There are also days built into the contract that the consultants come and monitor the instructional practices of teachers. Following the observations, the consultant meets with the teaching staff and principal to debrief what was seen. Discussions take place on how to deliver instruction more effectively.

Another change that was made to ensure our students will achieve at higher levels is how we use data. Teachers had always used data in the past, but this year it is used more purposefully. From CST, CELDT, Benchmark, and informal classroom data, students are being targeted with the specific instruction they need to fill the gaps in their learning. This data is dissected in grade level meetings held weekly. Teachers are responsible to fill out a data analysis sheet for their classroom and for the grade level. Teachers discuss teaching and reteaching strategies as well as set goal setting for their classroom and the grade level.

A final change that has been made is a stronger partnership with our after school program. The principal has met with the Boys and Girls Club site coordinator to build a bridge between the in-school and after school program. Tutoring has been added to the after school program which is designed to enhance what has been going on in the regular school day. Data is shared with the after school program staff so that they know the skills the students are lacking. It is of great benefit to the students when all the stakeholders have all information necessary to provide skill specific interventions with each pupil.

If Freedom is not able to receive the funding, we could quite possibly encounter a huge setback. This would mean we would have to lay off staff and class sizes would increase. The progress my staff and students are making right now will propel our scores. It would be devastating to lose momentum by losing the funding which has allowed us to make the necessary changes to ensure student success. At this current moment, our first set of benchmarks were given in Language Arts and Mathematics. After careful analysis, we have more students scoring in the Advanced and Proficient range than in the previous year. This is a sign to myself and my staff that what we are doing *is* working.

8. Demographic Information:
Freedom Elementary School has a student population of 418 and is located in a rural area in Tulare County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee: _____	Title: Superintendent	Date: _____
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Farmersville Unified School District

Freedom Elementary

School Yr	API BASE (DEC) Scores	API GROWTH (JULY) Scores	Base to Growth:	# points
2005	649			
2006	670	669	05 to 06	20
2007	674	675	06 to 07	5
2008	736	742	07 to 08	68
2009	740	740	08 to 09	4
2010	746	746	09 to 10	6
2011	746	746	10 to 11	0
			Total Growth	103
			Average Yearly Growth	17.2

Waiver Number: 14-10-2011

Period of Request: August 28, 2012, to June 7, 2013

Needles High School
Needles Unified School District

Period Recommended: July 1, 2010, to June 30, 2011

CDS Code: 36 67801 3634169

LEA Request:

Needles Unified School District (USD) is a rural school district located in San Bernardino County and has a student population of approximately 1,026 students. Needles High School (HS) serves 271 students in grades nine through twelve. Academic Performance Index (API) data for Needles HS show that the school did not exceed the three-year average growth requirement of the Quality Education Investment Act (QEIA). API data show that Needles HS's three-year growth average target is 5.7, but its three-year growth average is only 1.0. Needles USD was granted a class size reduction (CSR) QEIA waiver for this school in March 2011 to establish an alternative CSR target of 18.9 students on average per class in grades nine through twelve.

Needles USD states that it had no knowledge of the immensity of QEIA and has made great strides at the school site. All QEIA requirements have been met except the API three-year growth average. The district states that interventions are in place for students and training in effective instructional strategies for teachers is on-going for staff. Support classes in math and English are in place, AVID for grades nine through eleven is part of the school schedule, and targeted tutoring based on CST analysis is ongoing. Teachers can also take advantage of an instructional coach to help improve strategies and improve curriculum because of the QEIA funds. The district states that since receiving QEIA funding, Needles HS has undergone three changes in administration at the principal level and a change in superintendent. Along with the change in administrators, the district states that it has other challenges with the grant because of its rural location and size. With one high school and two math and English teachers, the district does not have the luxury of transferring students to other classes and has the disadvantage of not being able to attract teachers to a small, rural and isolated location.

Needles USD requests a waiver of the QEIA API three-year average growth requirement for Freedom ES for the 2010–11 school year.

Additional LEA and School Information for Consideration:

School Locale Code	41*
LEA Average Daily Attendance (ADA)	1,026
School ADA	271
Grade Span	9–12
2008–09 API	708
2009–10 API	692
2010–11 API	669
3 Year API Target Average	5.7
3 Year API Growth Average	1.0
Made API Growth?	No
Made AYP?	No

*Rural Fringe: Census-defined territory that is less than or equal to 5 miles from an urbanized area, as well as rural territory that is less than or equal to 2.5 miles from an urban cluster.

California Department of Education (CDE) Recommendation and Conditions:

The CDE recommends denial of this waiver request because its approval would not adequately address the educational need of pupils within the meaning of Education Code Section 33051(a)(1). Specifically, (1) QEIA program requirements were known to the district prior to its decision to apply for program participation; and (2) QEIA funding is expected to result in increased academic achievement over time and Needles HS showed a negative twenty-five point growth in 2010–11.

Reviewed by Needles High Schoolsite Council on September 13, 2011.

Supported by California Teachers Association and Needles Teachers Association, September 29, 2011.

Local Board Approval: October 20, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**). 52055.740. a.

(5) Exceed the API growth target for the school averaged over the first three full years of funding. ~~Beginning in the fifth year of participation, funded schools shall meet their annual API growth targets.~~ If the school fails to meet its annual growth target, the school shall continue to receive funding pursuant to this article, but shall be subject to state review, assistance, and timeline requirements pursuant to the HPSGP under Section 52055.650. The school site administrator shall not automatically be reassigned based solely on that failure.

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

Please see attached

8. Demographic Information:
Needles High School has a student population of 271 and is located in a ~~(urban, rural, or small city etc.)~~ in San Bernardino County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No x Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No x Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title: Superintendent, Needles Unified School District	Date: October 10, 2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

The teachers, parents and students of Needles High School would like to express our gratitude for the improvements we have implemented due to the QEIA grant. Since being awarded the grant, we have made great strides at our school site and we have also struggled to grasp the intricacies of the grant. To be honest, the first year of implementation the staff had little or no knowledge of the immensity of QEIA. We have met all the requirements of the QEIA grant except one: our API scores. The purpose of this request is an urgent one: we are requesting to stay in the program despite the drop in our API. If we have to exit QEIA, the problems we experience will not exit with it; the problems will remain and we will be less capable of remediating those problems.

Needles High School has come so far since receiving the QEIA grant. Interventions are in place for our students and training in effective instructional strategies for teachers are on-going for our staff. Support classes in math and English are in place, AVID for grades 9-11 is part of our schedule, and targeting tutoring based on CST analysis is happening at NHS. Needles High School took advantage of the grant to make staff changes to place teachers in the best position for their students' success. These improvements were a direct result of QEIA with the single focus on improving student achievement.

Early Release Days for teacher-training have also been a priority due to QEIA. QEIA has given our school site the opportunity to utilize ERD's specifically for teacher training, like math institute, and PLC training with Austin Buffum. Teachers can also take advantage of an instructional coach to help improve strategies and improve curriculum because of QEIA. An anti-bullying program was introduced at our site to ensure a safe environment for our students

and staff; this type of intervention is not directly funded by QEIA, however because QEIA monies fund other intervention, NHS is able to provide the anti-bullying program

We started a targeted tutoring program after school based on gap analysis of the CST, we want to continue our involvement in the Math and Algebra Institute, and we are targeting students who have scored BASIC or below and move them to PROFICIENT and ADVANCED and remediate those students during the regular school day. Without the benefit of the QEIA grant, we will not be able to provide this remediation and teacher training; this would be a detriment to the students already struggling to improve.

As a staff, we have worked hard to understand the QEIA grant and our responsibilities regarding its implementation and success, but understanding the intricacies of QEIA is a process and a process that we did not start the first year of implementation. Since receiving QEIA, NHS has undergone 3 changes in administration at the principal level and a change at the superintendent level. With each change, the new administrator had to “catch up” to the grant and its requirements. Along with the change in administrators, our district has had other challenges regarding the grant. Needles High School is very unique; our location and our size are both what make us special and what makes it difficult to make changes that may be beneficial. Because we are so small, we cannot transfer teachers to other sites or other positions that may better utilize their skills; we have one high school with basically two math teachers and two English teachers. We do not have the luxury of transferring students out of one Algebra class into another Algebra class for a better fit, for example. Our district also has the disadvantage of not being able to attract teachers to the area; we are small, rural and isolated.

This request is not about what Needles High School lacks. We have put the full force of our talented students and staff behind the goal of becoming high achievers. We have ownership, as a student body and as a faculty, of this goal. The strides we have made in data analysis, gap analysis, PLC training, and basic awareness of targets are proof that the QEIA grant is at work at our school site. This request is about continuing extremely valuable work that we have started here at Needles High School. We need time; time to see the fruits of these improvements and many other improvements for our students. We are a proactive community of educators dedicated to using this resource to improve our school and our test scores. We have many more remediation programs we are working on at this moment. These plans cannot be implemented without staying in the program.

If Needles High School exits QEIA, students will lose valuable staff who are providing excellent instruction and who are familiar with gaps in student achievement. If Needles High School exits QEIA, we could lose the ground we have gained and be pushed back even farther. With the grant, students can continue reaping the rewards of the outstanding improvements and we can continue to assist them in overcoming the drop in API. Needles High School stands to lose AP Physics, AP Calculus, and A-G Requirement.

We have had such positive change and we are marching forward with improvements and support of our students' success. Losing that momentum would devastate our students and impede the progress already made. Institutional change takes 3-5 years to implement and see the effectiveness of that change. We are asking for more time to evaluate the effectiveness of these changes on test scores. Although we did not meet API this year, our 3 year average is up; so with sustained change we are confident we can make a difference with the continued help of the

QEIA grant. We do not have our heads in the sand regarding the drop in the API score. We diagnosed the problems and know how to treat them. Staff has been adjusted and instructional strategies are in place to improve those specific scores. For example, a math teacher was replaced and new math teacher hired to help our students succeed in math and intervention classes are in place for English. Academic coaches and administrators do regular walk-throughs to ensure the best instructional practices are in place in every classroom.

Please consider keeping Needles High School in the QEIA program so we may continue to improve our educational community and continue our momentum in the right direction to help our students.

Waiver Number: 25-11-2011

Period of Request: July 1, 2010, to June 30, 2014

Period Recommended: July 1, 2010, to June 29, 2012

Spurgeon Intermediate School

CDS Code: 30 66670 6094684

Santa Ana Unified School District

LEA Request:

Santa Ana Unified School District (USD) is an urban school district located in Orange County and has a student population of approximately 52,534 students. Spurgeon Intermediate School (IS) serves 1,212 students in grades five through eight. Academic Performance Index (API) data for Spurgeon IS show that the school did not exceed the three-year average growth requirement of the Quality Education Investment Act (QEIA). API data show that Spurgeon IS's three-year growth average target is 8.3, but its three-year growth average is only 7.0.

Santa Ana USD states that Spurgeon IS has met the spirit of the law and has improved the quality of academic instruction and the level of student achievement. The district states that Spurgeon IS has made great progress towards its academic growth over the past two years. Under new leadership, the district states the school developed a school-wide systemic initiative to implement instructional practices that foster proficiency. Santa Ana USD states that the professional learning community is based around shared curriculum/grade level content and the school has provided professional development in strategies that will assist English learners to better access a rigorous curriculum. The district believes Spurgeon IS has demonstrated consistent success in raising its student achievement through comprehensive initiative touching on all aspects of the educational program.

Santa Ana USD requests a waiver of the QEIA API three-year average growth requirement for Spurgeon IS for the 2010–11 school year.

Additional LEA and School Information for Consideration:

School Locale Code	11*
LEA Average Daily Attendance (ADA)	52,534
School ADA	1,212
Grade Span	5–8
2008–09 API	614
2009–10 API	641
2010–11 API	656
3 Year API Target Average	8.3
3 Year API Growth Average	7.0
Made API Growth?	No
Made AYP?	No

*City Large: Territory inside an urbanized area and inside a principal city with population of 250,000 or more.

California Department of Education (CDE) Recommendation and Conditions:

The CDE recommends denial of this waiver request because its approval would not adequately address the educational need of pupils within the meaning of Education Code Section 33051(a)(1). Specifically, (1) QEIA program requirements were known to the district prior to its decision to apply for program participation; and (2) QEIA funding is expected to result in increased academic achievement over time and Spurgeon IS has not demonstrated the required growth.

Reviewed by Spurgeon Intermediate Schoolsite Council on October 3, 2011.

Supported by Santa Ana Educators Association, August 31, September 13, 15, and 29, 2011.

Local Board Approval: October 11, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X
Renewal Waiver: _____

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	0	6	6	6	7	0

Local educational agency: SANTA ANA UNIFIED SCHOOL DISTRICT			Contact name and Title: Cathie Olsky, Ed.D.			Contact person's e-mail address: Cathie.olsky@sausd.us		
Address: (City)		(State)		(ZIP)		Phone (and extension, if necessary): (714) 558-5523		
1601. E. Chestnut Ave. Santa Ana		California		92701		Fax Number: (714) 480-5321		
Period of request: (month/day/year) From: 07/01/2010 To: 06/30/2014			Local board approval date: (Required) October 11, 2011			Date of public hearing: (Required) October 11, 2011		

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number):
Circle One: **EC** or *CCR*

Topic of the waiver: **API GROWTH**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: **NOT APPLICABLE**
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **08/31/11, 09/13/11, 09/15/11, 09/29/11**

Name of bargaining unit and representative(s) consulted: **Santa Ana Educators Association; Susan Mercer (President) and Norma Ortiz, CTA Representative**

The position(s) of the bargaining unit(s): Neutral **Support** Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school Other: **Notice posted at District Office on September 27, 2011**

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: **October 3, 2011: School Site Council at Spurgeon Intermediate School**

Were there any objection(s)? **No** Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).
- (5) Exceed the API growth target for the school averaged over the first three full years of funding. Beginning in the fifth year of participation, funded schools shall meet their annual API growth targets. If the school fails to meet its annual growth target, the school shall continue to receive funding pursuant to this article, but shall be subject to state review, assistance, and timeline requirements pursuant to the HPSGP under Section 52055.650. the schools site administrator shall not automatically be reassigned based solely on that failure.
- (2) Be at least two-thirds of the way toward meeting each of the program requirements specified in paragraphs (1) to (5), inclusive, of subdivision (a) by the end of the second full year of funding, and achieve full implementation by the end of the third full year and for each year thereafter.

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

PLEASE SEE ATTACHED

8. Demographic Information:
SANTA ANA UNIFIED SCHOOL DISTRICT has a student population of 52,534 and is located in an **urban area** in Orange County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title: Deputy Superintendent	Date: October 21, 2011
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Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Santa Ana Unified School District
1601 E. Chestnut Ave.
Santa Ana, CA 92701

October 2011

Desired Outcome/Rationale

Santa Ana Unified School District requests on behalf of **Spurgeon Intermediate School** a waiver to accept the progress towards the API growth target over the past three years.

Spurgeon Intermediate is a Title 1 school with approximately 91.17% of its students receiving free or reduced lunch. Approximately 60% of its student population is English Language Learners.

Spurgeon Intermediate has met the spirit of the law and has improved the quality of academic instruction and the level of student achievement. Spurgeon has an API of 656.

After year one, a new principal was put in place. With the new administrative leadership at Spurgeon Intermediate, the school has made great progress towards its academic growth over the past two years. Under this new leadership, the school developed a school-wide, systemic initiative to implement instructional practices that foster proficiency. The Professional Learning Community is based around shared curriculum/grade level content. The school has provided Professional Development in strategies that will assist English Learners to better access a rigorous curriculum. Spurgeon Intermediate has demonstrated consistent success in raising its student achievement through comprehensive initiative touching on all aspects of the educational program.

	Year 1 2008-09	Year 2 2009-10	Year 3 2010-11	3-Year Average
School-wide API Growth Target	8.0	9.0	8.0	8.3
API Growth Attained	-23.0	28.0	15.0	6.7

Waiver Number: 47-10-2011

Period of Request: July 1, 2010, to June 30, 2013

Period Recommended: July 1, 2011, to June 30, 2012

Vallejo High School

CDS Code: 48 70581 4838504

Vallejo City Unified School District

LEA Request:

Vallejo City Unified School District (USD) is an urban school district located in Solano County and has a student population of approximately 15,600 students. Vallejo High School (HS) serves 1,781 students in grades nine through twelve. Academic Performance Index (API) data for Vallejo HS show that the school did not exceed the three-year average growth requirement of the Quality Education Investment Act (QEIA). API data show that Vallejo HS's three-year growth average target is 7.7, but its three-year growth average is only 4.0.

Vallejo City USD states that both the district and Vallejo HS have undergone transformation in leadership over the first three years of QEIA implementation, operating under four superintendents from 2009–11. These transitions in leadership and other changes have resulted in both challenges and improvements. As a district under State Administration since 2004, Vallejo City USD states that they had to overcome and continue to work on fiscal and systemic challenges in addition to maintaining day to day operations and striving to improve conditions and learning opportunities for all students. Vallejo City USD states that they have a redesigned administrative team at Vallejo HS for the 2011–12 school year and leadership is aligned, committed and prepared to do what is needed to increase student achievement. The district states that Vallejo HS has taken many measures to build capacity of its system and team.

Vallejo City USD requests a waiver of the QEIA API three-year average growth requirement for Vallejo HS for the 2010–11 school year and to have its API growth target averaged over four full years of funding.

Additional LEA and School Information for Consideration:

School Locale Code	12*
LEA Average Daily Attendance (ADA)	15,600
School ADA	1,781
Grade Span	9–12
2008–09 API	634
2009–10 API	653
2010–11 API	662
3 Year API Target Average	7.7
3 Year API Growth Average	4.0
Made API Growth?	No
Made AYP?	No

*City Midsize: Territory inside an urbanized area and inside a principal city with population less than 250,000 and greater than or equal to 100,000.

California Department of Education (CDE) Recommendation and Conditions:

The CDE recommends denial of this waiver request because its approval would not adequately address the educational need of pupils within the meaning of Education Code Section 33051(a)(1). Specifically, (1) QEIA program requirements were known to the district prior to its decision to apply for program participation; and (2) QEIA funding is expected to result in increased academic achievement over time and Vallejo HS has not demonstrated the required growth.

Reviewed by Vallejo High Schoolsite Council on October 18, 2011.

Supported by Vallejo Education Association, October 10, 2011.

Local Board Approval: October 19, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver:

Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
4	8	7	0	5	8	1

Local educational agency: Vallejo City Unified School District Re: Vallejo High School		Contact name and Title: Cassie Gossett, Coordinator, Categorical and English Language Learner Dept.		Contact person's e-mail address: cgossett@vallejo.k12.ca.us	
Address: (City) (State) (ZIP) 665 Walnut Ave., Vallejo, CA 94592		Phone (and extension, if necessary): 707-556-8921 x50240		Fax Number: 707-556-8827	
Period of request: (month/day/year) From: July 1, 2011 To: June 30, 2012 7-1-2010 2013		Local board approval date: (Required) October 19, 2011		Date of public hearing: (Required) October 19, 2011	

CG

LEGAL CRITERIA

- Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): **52055.740(5)** Circle One: **EC** or CCR
Topic of the waiver: **QEIA API Assurance**
- If this is a renewal of a previously approved waiver, please list Waiver Number: _____ and date of SBE Approval _____
Renewals of waivers must be submitted two months before the active waiver expires.
- Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **October 10, 2011**

Name of bargaining unit and representative(s) consulted: **Vallejo Education Association (VEA)**
Christal Watts, President
Sheila Gradwohl, Bargaining Chair

The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)
Comments (if appropriate):
- Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?
 Notice in a newspaper Notice posted at each school Other: (*Please specify*)
Notice posted on website, District Office
- Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:
Vallejo High School Site Council **jb 11/1/11 per Kathy Gossett**

Date the committee/council reviewed the waiver request: **October 18, 2011**

Were there any objection(s)? No Yes _____ (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

52055.740(5) Exceed the API growth target for the school averaged over the first ~~three~~ **four** full years of funding. Beginning in the fifth year of participation, funded schools shall meet their annual API growth targets. If the school fails to meet its annual growth target, the school shall continue to receive funding pursuant to this article, but shall be subject to state review, assistance, and timeline requirements pursuant to the HPSGP under Section 52055.650. The schoolsite administrator shall not automatically be reassigned based solely on that failure.

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations.

Vallejo City Unified School District (VCUSD) requests consideration to maintain QEIA funding by increasing the length of time to measure the average of API growth for Vallejo High School from three years to four years in order to demonstrate the positive impact QEIA funding has had on student achievement.

As a District under State Administration since 2004, Vallejo City Unified has had to overcome and continues to work with a number of fiscal and systematic challenges in addition to maintaining day to day operations while striving to improve conditions and learning opportunities for all students. Nonetheless, VCUSD recognizes that the QEIA grant comes with strict assurances and has invested resources to ensure that these expectations are met.

Both VCUSD and Vallejo High have undergone transformation in leadership over the first three years of QEIA implementation. From 2009 to 2011, the District has operated under four superintendents. Vallejo High has also had several changes in lead administration. These transitions in addition to other changes have resulted in both challenges and improvements to the site. Despite this period of transition, Vallejo High was able to meet or exceed the QEIA monitoring expectations for each school year. Furthermore, student performance on the California Standards Tests from 2009-2011 demonstrates that instructional choices made have had a positive impact on student achievement.

	Annual API Growth Target	School's Annual API Growth
1 st year: 2008-2009	8	-12
2 nd year: 2009-2010	8	16
3 rd year: 2010-2011	7	8

With the hiring of a determined Superintendent at the District level and a redesigned administrative team at Vallejo High for the 2011-2012 school year, leadership at both levels is aligned, committed and prepared to do what is needed to increase student achievement. Furthermore, the VCUSD Governing Board and Superintendent have set district- wide goals with support and monitoring to be an additional on-going support for Vallejo High to exceed the expectations of assurances set by the QEIA grant.

Vallejo High School has taken many measures to build capacity of its system and team. Continuation of QEIA funds will increase opportunities for site stakeholders to aggressively address student achievement, enhance learning opportunities, and raise the graduation rate.

<p>8. Demographic Information: Vallejo High School has a student population of 1781 students and is located in an urban setting in Solano County.</p>		
<p>Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> (If yes, please attach explanation or copy of audit finding)</p> <p>Has there been a Categorical Program Monitoring (CPM) finding on this issue? No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> (If yes, please attach explanation or copy of CPM finding)</p>		
<p>District or County Certification – <i>I hereby certify that the information provided on this application is correct and complete.</i></p>		
<p>Signature of Superintendent or Designee: Dr. Ramona E. Bishop</p>	<p>Title: Superintendent, Vallejo City Unified</p>	<p>Date: October 20, 2011</p>
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
<p>Staff Name (<i>type or print</i>):</p>	<p>Staff Signature:</p>	<p>Date:</p>
<p>Unit Manager (<i>type or print</i>):</p>	<p>Unit Manager Signature:</p>	<p>Date:</p>
<p>Division Director (<i>type or print</i>):</p>	<p>Division Director Signature:</p>	<p>Date:</p>
<p>Deputy (<i>type or print</i>):</p>	<p>Deputy Signature:</p>	<p>Date:</p>

Waiver Number: 48-10-2011

Period of Request: July 1, 2012, to June 30, 2013

Period Recommended: July 1, 2012, to June 30, 2013

Johnston Cooper Elementary

CDS Code: 48 70581 6051395

Vallejo City Unified School District

LEA Request:

Vallejo City Unified School District (USD) is an urban school district located in Solano County and has a student population of approximately 15,600 students. Johnston Cooper Elementary School (ES) serves 509 students in kindergarten through grade five. Academic Performance Index (API) data for Johnston Cooper ES show that the school did not exceed the three-year average growth requirement of the Quality Education Investment Act (QEIA). API data show that Johnston Cooper ES's three-year growth average target is 5.0, but its three-year growth average is only 2.0.

Vallejo City USD states that State funding cuts to revenue limit funding have had an impact on the QEIA program at Johnston Cooper ES. The district states that in 2009 the teachers and administration had to refocus their efforts to build common understanding of the site vision and goals, and this had a negative effect on accelerating student achievement. With the hiring of a superintendent and a redesigned administrative team for 2011–12, leadership is aligned, committed and prepared to do what is needed to increase student achievement at Johnston Cooper ES. As a district under State Administration since 2004, Vallejo City USD states that it had to overcome and continue to work on fiscal and systemic challenges in addition to maintaining day to day operations and striving to improve conditions and learning opportunities for all students.

Vallejo City USD requests a waiver of the QEIA API three-year average growth requirement for Johnston Cooper ES for the 2010–11 school year and to have its API growth target averaged over four full years of funding.

Additional LEA and School Information for Consideration:

School Locale Code	12*
LEA Average Daily Attendance (ADA)	15,600
School ADA	509
Grade Span	K–5
2008–09 API	773
2009–10 API	758
2010–11 API	755
3 Year API Target Average	5.0
3 Year API Growth Average	2.0
Made API Growth?	No
Made AYP?	No

*City Midsize: Territory inside an urbanized area and inside a principal city with population less than 250,000 and greater than or equal to 100,000.

California Department of Education (CDE) Recommendation and Conditions:

The California Department of Education (CDE) recommends denial of this waiver request because its approval would not adequately address the educational need of pupils within the meaning of Education Code Section 33051(a)(1). Specifically, (1) QEIA program requirements were known to the district prior to its decision to apply for program participation; and (2) QEIA funding is expected to result in increased academic achievement over time and Johnston Cooper ES showed a negative seven point growth in 2010–11.

Reviewed by Johnston Cooper Elementary Schoolsite Council on October 18, 2011.

Supported by Vallejo Education Association, October 10, 2011.

Local Board Approval: October 19, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver:

Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
4	8	7	0	5	8	1

Local educational agency: Vallejo City Unified School District Re: Cooper Elementary School		Contact name and Title: Cassie Gossett, Coordinator, Categorical and English Language Learner Dept.		Contact person's e-mail address: cgossett@vallejo.k12.ca.us	
Address: (City) (State) (ZIP)		Phone (and extension, if necessary):			
665 Walnut Ave., Vallejo, CA 94592		707-556-8921 x50240			
Period of request: (month/day/year) From: July 1, 2012 To: June 30, 2013 7-1-2010 CG		Local board approval date: (Required) October 19, 2011		Date of public hearing: (Required) October 19, 2011	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): **52055.740(5)** Circle One: **EC** or *CCR*
Topic of the waiver: **QEIA API Assurance**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: _____ and date of SBE Approval _____
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **October 10, 2011**

Name of bargaining unit and representative(s) consulted: **Vallejo Education Association (VEA)**
Christal Watts, President
Sheila Gradwohl, Bargaining Chair
The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)
Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?
 Notice in a newspaper Notice posted at each school Other: (*Please specify*)
Notice posted on website, District Office

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:
Cooper Elementary School Site Council **jb 11/1/11 per Kathy Gossett**

Date the committee/council reviewed the waiver request: **October 18, 2011**

Were there any objection(s)? No Yes _____ (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

52055.740(5) Exceed the API growth target for the school averaged over the first ~~three~~ **four** full years of funding. Beginning in the fifth year of participation, funded schools shall meet their annual API growth targets. If the school fails to meet its annual growth target, the school shall continue to receive funding pursuant to this article, but shall be subject to state review, assistance, and timeline requirements pursuant to the HPSGP under Section 52055.650. The school site administrator shall not automatically be reassigned based solely on that failure.

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations.
Vallejo City Unified School District (VCUSD) requests consideration to maintain QEIA funding by increasing the length of time to measure the average of API growth for Johnston Cooper Elementary from three years to four years in order to demonstrate the positive impact QEIA funding has had on student achievement as well as on sustainable system and cultural change.

As a District under State Administration since 2004, Vallejo City Unified has had to overcome and continues to work with fiscal and systematic challenges in addition to maintaining day to day operations while striving to improve conditions and learning opportunities for all students.

VCUSD recognizes the QEIA grant comes with strict assurances and has invested resources to ensure that these expectations are met. Beginning in 2009-2010, VCUSD has made general fund contributions to maintain the class size reduction (CSR) targets for QEIA funded elementary schools while class sizes increased for kindergarten through third grade at all other sites. Per QEIA assurances, choices made in 2009-2010 provided full implementation of CSR, raised the sites' Teacher Experience Index (TEI) and ensured a 100% rate of Highly Qualified Teaching staff for the school.

State level cuts to revenue limit funding resulted in choices that have had an impact on the QEIA program at Cooper Elementary. Due to unprecedented teacher layoffs in Spring 2009, decisions were made on behalf of all schools to follow negotiated protocol for rescinding layoff notices and staffing elementary sites. Many of the newly hired teachers at Cooper were laid off and low seniority precluded their return to regular classroom assignments anywhere within the District.

With the transition of both teachers and administration in 2009, the staff had to refocus their efforts to build common understanding of the site vision and goals. This change had a negative effect on accelerating student achievement. However, time invested to address school climate in the critical second and third year of QEIA implementation has resulted in a significant decrease in referrals and suspensions. Given the transition, improvements made to address student engagement and on-going commitment to student achievement, Johnston Cooper Elementary is primed to make significant gains in the 2011-2012 school year.

With the hiring of a determined Superintendent at the District level and a redesigned administrative team at Cooper Elementary for the 2011-2012 school year, leadership at both levels is aligned, committed and prepared to do what is needed to increase student achievement. Furthermore, the VCUSD Governing Board and Superintendent have set District-wide goals with support and monitoring to be an additional on-going support for Vallejo High to exceed the expectations of assurances set by the QEIA grant.

To date, Cooper Elementary has met or exceeded all of the expectations of the QEIA assurances. It is a site that has taken the goals and intent of the QEIA grant and enthusiastically assumed them as a part of the culture and identity. With the approval of this waiver, Cooper will have the opportunity to demonstrate that it is a model example of this QEIA intent where stakeholders are empowered to work together to transform a school and sustain positive change.

<p>8. Demographic Information: Cooper Elementary School has a student population of 509 students and is located in an urban setting in Solano County.</p>		
<p>Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> (If yes, please attach explanation or copy of audit finding)</p> <p>Has there been a Categorical Program Monitoring (CPM) finding on this issue? No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> (If yes, please attach explanation or copy of CPM finding)</p>		
<p>District or County Certification – <i>I hereby certify that the information provided on this application is correct and complete.</i></p>		
<p>Signature of Superintendent or Designee: Dr. Ramona E. Bishop</p>	<p>Title: Superintendent, Vallejo City Unified</p>	<p>Date: October 20, 2011</p>
<p>FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY</p>		
<p>Staff Name (<i>type or print</i>):</p>	<p>Staff Signature:</p>	<p>Date:</p>
<p>Unit Manager (<i>type or print</i>):</p>	<p>Unit Manager Signature:</p>	<p>Date:</p>
<p>Division Director (<i>type or print</i>):</p>	<p>Division Director Signature:</p>	<p>Date:</p>
<p>Deputy (<i>type or print</i>):</p>	<p>Deputy Signature:</p>	<p>Date:</p>

Vallejo City Unified School District

Johnston Cooper Elementary Teacher Transition 2008/09 to 2011/12

2008/09 Teaching Staff		2009/10 Teaching Staff		2010/11 Teaching Staff		2011/12 Teaching Staff	
Teacher	Grade	Teacher	Grade	Teacher	Grade	Teacher	Grade
Corkrean	K	Bridwell	K	Bridwell	K	Bridwell	K
Grasse	K	Corkrean	K	Corkrean	K	Bushby	K
Joy	K	Joy	K	Joy	K	Corkrean	K
Ruggiero	K	Vevoda	K	Vevoda	K	Joy	K
Vevoda	K	Baxter	1	McPherson	K/1	Vevoda	K
Baxter	1	Finnigan	1	Baxter	1	Baxter	01
Crane	1	Gutierrez	1	Pedder	1	McPherson	01
DeLaMater	1	McPherson	1	Peterson	1	Peterson	01
Finnigan	1	Pedder	1	R Kavarian	1	Saldivar	01
O'Brien	1	Peterson	1	Chrum	2	Sanghere	02
Chrum	2	Chrum	2	Finnigan	2	Grand	02
Grand	2	Grand	2	Grand	2	Jones	02
Malin	2	Malin	2	Malin	2	Quinn	02
Quinn Davis	2	Quinn Davis	2	Quinn	2	Davis	02
Durham	3/4	Eloff	3	Davis	2	Eloff	03
Eloff	3	Ira	3	Eloff	3	Gutierrez	03
Ira	3	Mercado	3	Gutierrez	3	Ira	03
Mercado	3	Sims	3	Ira	3	Mercado	03
Sims	3	Fuerst	4	Mercado	3	Thomas	03
Gilmore	4	R Kavarian	4	Harris	4	Bell	04
McHale	4	Yakabe	4	Nahal	4	Harris	04
Yakabe	4	Behrens	4/5	Yakabe	4	Nahal	04
Braxton	5	Edwards	5	Edwards	5	Edwards	05
				Kellett	5	Kellett	05

Edwards	5	Kellett	5	Moreira	5	Moreira	05
Kellett	5	Moreira	5	McHale	ST	Gilmore	ST
Behrens	ST	Nahal	ST	Bushby	ST		ST
Palor	ST	Ruggerio	ST	Sutton	SDC	Sutton	SDC
Sutton	SDC	Sutton	SDC				
Notes:		Notes:		Notes:			
API Growth 2008-09:	24	API Growth 2009-2010:	-15	API Growth 2010-11:	-3		
Classroom Teachers Moved from Cooper June 2009 due to Reduction in Force (RIF):	9	Classroom Teachers Moved from Cooper June 2010 due to RIF or Choice/Retirement:	3	Classroom Teachers Moved from Cooper June 2010 due to RIF or Choice/Retirement:	5		

Key: ~~Name~~ Teachers who have left Cooper Teachers new to Cooper

**From first year of implementation to 2011/12, 60% of the classroom teaching staff has been replaced.
Therefore, only 40% of the original staff remains.**

Waiver Number: 16-10-2011 **Period of Request:** July 1, 2011, to June 29, 2013
Period Recommended: July 1, 2011, to June 29, 2013

Thomas Jefferson Middle School CDS Code: 15 63842 6010268
Wasco Union Elementary School District

LEA Request:

Wasco Union Elementary School District (UESD) is an urban school district located in Kern County and has a student population of approximately 3,299 students. Thomas Jefferson Middle School (MS) serves 667 students in grades seven and eight. Academic Performance Index (API) data for Thomas Jefferson MS are not available for years 2009–10 and 2010–11 due to the district’s self monitoring and testing irregularities. Thus, the district did not exceed the three-year average growth requirement of the Quality Education Investment Act (QEIA).

The Wasco UESD is requesting that the Thomas Jefferson MS use the API scores from the 2010–11, 2011–12, and 2012–13 testing for the determination of the average as stated in the guidelines for the program. Alternatively, the Wasco UESD requests that it be evaluated on a single year format such as is done subsequent to the three-year growth model.

Additional LEA and School Information for Consideration:

School Locale Code	32*
LEA Average Daily Attendance (ADA)	3,299
School ADA	667
Grade Span	7–8
2008–09 API	Unknown
2009–10 API	Unknown
2010–11 API	694
3 Year API Target Average	Unknown
3 Year API Growth Average	Unknown
Made API Growth?	Unknown
Made AYP?	No

*Town Distant: Territory inside an urban cluster that is more than 10 miles and less than or equal to 35 miles from an urbanized area.

California Department of Education (CDE) Recommendation and Conditions:

The CDE recommends denial of this waiver request because its approval would not adequately address the educational need of pupils within the meaning of Education Code Section 33051(a)(1). Specifically, (1) QEIA program requirements were known to the district prior to its decision to apply for program participation; and (2) QEIA funding is expected to result in increased academic achievement over time and Thomas Jefferson MS failed to adequately demonstrate this growth via testing.

Reviewed by Thomas Jefferson Middle Schoolsite Council on September 6, 2011.

Supported by Wasco Union Elementary Teachers Association, August 24, 2011.

Local Board Approval: September 13, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION

GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09)

<http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver:

Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
1	5	6	3	8	4	2

Local educational agency: Wasco Union Elementary School District for Thomas Jefferson Middle School			Contact name and Title: Elizabeth McCray Superintendent			Contact person's e-mail address: EMcCray@wasco.k12.ca.us		
Address:		(City)	(State)	(ZIP)	Phone (and extension, if necessary): 661-758-7100			
639 Broadway Ave.		Wasco	CA	93280	Fax Number: 661-758-7110			
Period of request: (month/day/year)			Local board approval date: (Required)			Date of public hearing: (Required)		
From: July 1, 2011 To: June 29, 2013			September 13, 2011			September 13, 2011		

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): **52055.740 (5)** Circle One: EC or CCR

Topic of the waiver: QEIA - API Score Calculation time period

2. If this is a renewal of a previously approved waiver, please list Waiver Number: _____ and date of SBE Approval _____
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): August 24, 2011

Name of bargaining unit and representative(s) consulted:
Wasco Union Elementary Teachers Association, Cheryl Stephens, President

The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school Other: (*Please specify*) District Office Foyer

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver: Thomas Jefferson Middle School Site Council

Date the committee/council reviewed the waiver request: September 6, 2011

Were there any objection(s)? No Yes _____ (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

52055.740 (5) ~~Exceed the API growth target for the school averaged over the first three full years of funding. Beginning in the fifth year of participation, funded schools shall meet their annual API growth targets.~~ If the school fails to meet its annual growth target, the school shall continue to receive funding pursuant to this article, but shall be subject to state review, assistance, and timeline requirements pursuant to the HPSGP under Section 52055.650.

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

In 2007-2008 the API score at Thomas Jefferson was 666. The target for 2008 was 673. In 2008 the base was 692 and the target for 2009 was 697. Due to self monitoring, the district determined that testing irregularities existed for the 2009 test and reported this to the state. Due to this there were no valid API scores reported for 2009. In 2010 the district again self monitored and reported testing irregularities, reported to the state and there were no valid API scores for 2010. In 2011 preliminary reports indicate that the API will be in the area of 694. However, this does not give an adequate portrait of the school according to Ed. Code 52055.740.

We are requesting that the school use the scores from the 2010-2011, 2011-2012 and 2012-2013 testing for the determination of the average as stated in the guidelines for the program: "A school's growth targets in 2008-09, 2009-10 and 2010-11 are summed and divided by three, then compared to the growth scores also summed over the same time frame and divided by three. If the averaged growth score is greater than the averaged growth target, it has met the requirement for the first three years of full funding."

Alternatively we request that we be evaluated on a single year format such as is done subsequent to the three year growth model. Therefore a base needs to be established from which we can be expected to achieve growth. The suggested base is whatever this year base is determined to be.

8. Demographic Information:
Thomas Jefferson Middle School has a student population of 667 and is located in the Wasco Union Elementary School District. Wasco Union Elementary School District has a student population of 3299 and is located in a small city (Wasco) in Kern County. Thomas Jefferson is the only middle grades school in Wasco.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee: 	Title: Susan Andreas-Bervel, Assistant Superintendent	Date: August 29, 2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM W-20



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

General Waiver

<p>SUBJECT</p> <p>Request by Santa Ana Unified School District to waive portions of California <i>Education Code</i> Section 52055.740(a), regarding class size reduction requirements under the Quality Education Investment Act.</p> <p>Waiver Numbers: Santa Ana Unified 26-11-2011 Santa Ana Unified 27-11-2011 Santa Ana Unified 28-11-2011 Santa Ana Unified 29-11-2011 Santa Ana Unified 30-11-2011</p>	<p><input checked="" type="checkbox"/> Action</p> <p><input type="checkbox"/> Consent</p>
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RECOMMENDATION

Approval Approval with conditions Denial

The California Department of Education (CDE) recommends denial of these waiver requests because their approval would not adequately address the educational need of pupils within the meaning of Education Code Section 33051(a)(1). See Attachments 1, 3, 5, 7, and 9 for details and rationale of the recommendation.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

As of November 2011, the California Department of Education (CDE) Waiver Office has presented 36 waivers regarding class size reduction requirements (CSR) under the Quality Education Investment Act (QEIA) to the State Board of Education (SBE). Of that number 25 were approved with conditions, 5 were denied, and 6 were withdrawn.

SUMMARY OF KEY ISSUES

Class Size Reduction

Schools participating in the QEIA were monitored by their county offices of education for compliance with program requirements, including CSR, for the first time at the end of the 2008–09 school year. They were required to demonstrate one-third progress toward full implementation of program requirements. Monitoring for compliance with second-year program requirements was completed to ensure that schools made two-thirds progress toward full implementation in the 2009–10 school year. QEIA schools were required to demonstrate full compliance with all program requirements at the end of the 2010–11 school year.

SUMMARY OF KEY ISSUES (Cont.)

Quality Education Investment Act schools are required to reduce class sizes by five students compared to class sizes in the base year (either 2005–06 or 2006–07), or to an average of 25 students per classroom, whichever is lower, with no more than 27 students per classroom regardless of the average classroom size. The calculation is done by grade level, as each grade level has a target average class size based on QEIA CSR rules. For small schools with a single classroom at each grade level, some grade level targets may be very low. If, for example, a school had a single grade four classroom of 15 students in 2005–06, the school's target QEIA class size for grade four is ten students. Absent a waiver, an unusually low grade level target may result in a greater number of combination classes at the school, or very small classes at the grade level, which is prohibitively costly and may result in withdrawal or termination from the program.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in EC 33051(a). The state board shall approve any and all requests for waivers except in those cases where the board specifically finds any of the following: (1) The educational needs of the pupils are not adequately addressed; (2) The waiver affects a program that requires the existence of a schoolsite council and the schoolsite council did not approve the request; (3) The appropriate councils or advisory committees, including bilingual advisory committees, did not have an adequate opportunity to review the request and the request did not include a written summary of any objections to the request by the councils or advisory committees; (4) Pupil or school personnel protections are jeopardized; (5) Guarantees of parental involvement are jeopardized; (6) The request would substantially increase state costs; and (7) The exclusive representative of employees, if any, as provided in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, was not a participant in the development of the waiver.

FISCAL ANALYSIS (AS APPROPRIATE)

There are no statewide costs as a result of waiver approval. If the waiver is denied, the school must implement the CSR targets based on statute requirements to stay in the program. Any school in the program not meeting those targets will risk the loss of future funding. The QEIA statute calls for any undistributed annual QEIA funding to be redistributed to other schools currently in the program (no new schools are funded).

ATTACHMENT(S)

Attachment 1: Santa Ana Unified School District Request for a Quality Education Investment Act Class Size Reduction Waiver 26-11-2011 (1 page)

Attachment 2: Santa Ana Unified School District General Waiver Request 26-11-2011 (3 pages) (Original waiver request is signed and on file the Waiver Office.)

ATTACHMENT(S) (Cont.)

Attachment 3: Santa Ana Unified School District Request for a Quality Education Investment Act Class Size Reduction Waiver 27-11-2011 (1 page)

Attachment 4: Santa Ana Unified School District General Waiver Request 27-11-2011 (3 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: Santa Ana Unified School District Request for a Quality Education Investment Act Class Size Reduction Waiver 28-11-2011 (1 page)

Attachment 6: Santa Ana Unified School District General Waiver Request 28-11-2011 (3 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 7: Santa Ana Unified School District Request for a Quality Education Investment Act Class Size Reduction Waiver 29-11-2011 (1 page)

Attachment 8: Santa Ana Unified School District General Waiver Request 29-11-2011 (3 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 9: Santa Ana Unified School District Request for a Quality Education Investment Act Class Size Reduction Waiver 30-11-2011 (1 page)

Attachment 10: Santa Ana Unified School District General Waiver Request 30-11-2011 (3 pages) (Original waiver request is signed and on file in the Waiver Office.)

Waiver Number: 26-11-2011

Period of Request: July 1, 2010, to June 30, 2014

Period Recommended: July 1, 2010, to June 29, 2012

Spurgeon Intermediate School
Santa Ana Unified School District

CDS Code: 30 66670 6094684

LEA Request:

Santa Ana Unified School District (USD) is an urban school district located in Orange County and has a student population of approximately 52,534 students. Spurgeon Intermediate School (IS) serves 1,212 students in grade six through eight. Spurgeon IS's Quality Education Investment Act (QEIA) Class Size Reduction (CSR) target for grade six through eight is 25.0.

Santa Ana USD states that, due to fiscal constraints, class sizes were recalculated and have increased in subsequent years. The district states that cuts to revenue limit funding have resulted in teacher reductions causing an increase of the student-to-teacher ratio. Santa Ana USD states that Spurgeon IS met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The district states that it has managed to successfully staff to meet QEIA CSR targets for the past three years but has now reached a point where an increase of CSR targets is necessary to maintain the momentum that will help move its schools out of program improvement.

Santa Ana USD requests a waiver of the QEIA CSR targets at Spurgeon IS and the establishment of an alternative CSR target of 27.0 on average in core classes for grade six through eight.

CDE Recommendation and Conditions:

The California Department of Education recommends denial of this request based on four factors: (1) QEIA program requirements were known to the district prior to its decision to apply for program participation; (2) QEIA funding is expected to be used to hire teachers resulting in significantly reduced class sizes for students at QEIA schools; (3) QEIA legislation requires an average classroom size of 25 students or lower for core subjects, with no more than 27 students per classroom regardless of the average classroom size; and (4) class size data provided by Santa Ana USD indicates that Spurgeon IS met the QEIA CSR requirements for school year 2010–11 and, based on projections, is on target to meet the requirements in 2011–12.

Reviewed by Spurgeon Intermediate Schoolsite Council on October 3, 2011.

Supported by Santa Ana Educators Association, August 31, September 13, 15, and 29, 2011.

Local Board Approval: October 11, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION

GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09)

<http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X

Renewal Waiver:

Send Original plus one copy to:
 Waiver Office, California Department of Education
 1430 N Street, Suite 5602
 Sacramento, CA 95814

Send Electronic copy in **Word** and
 back-up material to: waiver@cde.ca.gov

CD CODE						
3	0	6	6	6	7	0

Local educational agency: SANTA ANA UNIFIED SCHOOL DISTRICT			Contact name and Title: Cathie Olsky, Ed.D.			Contact person's e-mail address: Cathie.olsky@sausd.us		
Address: (City)		(State)		(ZIP)		Phone (and extension, if necessary): (714) 558-5523		
1601. E. Chestnut Ave.		Santa Ana		California		92701		Fax Number: (714) 480-5321
Period of request: (month/day/year) From: 07/01/2010 To: 06/30/2014			Local board approval date: (Required) October 11, 2011			Date of public hearing: (Required) October 11, 2011		

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number):
 Circle One: **EC** or *CCR*

Topic of the waiver: **QEIA CLASS SIZE Grades 6-8**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: **NOT APPLICABLE**
 Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No **Yes** If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **08/31/11, 09/13/11, 09/15/11, 09/29/11**

Name of bargaining unit and representative(s) consulted: **Santa Ana Educators Association; Susan Mercer (President) and Norma Ortiz, CTA Representative**

The position(s) of the bargaining unit(s): Neutral **Support** Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school Other: **Notice posted at District Office on September 27, 2011**

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: **October 3, 2011: School Site Council at Spurgeon Intermediate School**

Were there any objection(s)? **No** **X** Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

(a) For each funded school, the county superintendent of schools for the country in which the school is located, shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

(1) Meet all of the following class size requirements:

(B) For self-contained classrooms in grades 4-8, inclusive, an average classroom size that is the less of clause (i) or (ii), as follows:

(i) At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average of 25 pupils per classroom.

(B) For classes in English language arts, reading, mathematics, science, or history and social science courses in grades 4-12, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

(i) At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average³ of 25 pupils per classroom.

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

PLEASE SEE ATTACHED

8. Demographic Information:
SANTA ANA UNIFIED SCHOOL DISTRICT has a student population of 52,534 and is located in an *urban area* in Orange County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title: Deputy Superintendent	Date: October 21, 2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Santa Ana Unified School District
1601 E. Chestnut Ave.
Santa Ana, CA 92701

October 2011

Desired Outcome/Rationale

Santa Ana Unified School District requests on behalf of **Spurgeon Intermediate School** a permanent single QEIA baseline target of 27:1 for grades 6-8 to fiscally support and meet all of the QEIA component mandates for the time periods of July 1, 2010-June 30, 2014.

Spurgeon Intermediate School is a Title 1 school with approximately **91.17%** of its students receiving free or reduced lunch. Approximately **54.1%** of these schools student populations are English Language Learners. State level cuts to revenue limit funding have resulted in teacher reductions causing an increase of the student-to-teacher ratio.

Due to fiscal constraints, class sizes were recalculated and have increased in subsequent years after QEIA was enacted. Approval of this waiver to exceed the 25:1 cap will permit Spurgeon Intermediate School to maintain and continue to receive QEIA funding for 2012-13. Spurgeon met the spirit of the law and has improved the quality of academic instruction and the level of student achievement. Spurgeon did not exceed its three year average for API; however, it did make a **15 point** growth for the 2010-2011 school year. Spurgeon has an API score of 656.

By creatively exhausting all flexible funding sources, SAUSD has managed to successfully staff our CSR targets for the past three years. We have now reached a point at which an increase of our baseline targets is necessary to maintain the momentum that will help move our schools out of Program Improvement.

SAUSD has 106 teachers who are staffed by QEIA funding of \$11 million for the 2011-2012 school year. Approval of this waiver would allow SAUSD to maintain its staffing and funding while continuing to make academic gains.

Waiver Number: 27-11-2011

Period of Request: July 1, 2010, to June 30, 2014

Period Recommended: July 1, 2010 to June 29, 2012

Willard Intermediate School
Santa Ana Unified School District

CDS Code: 30 66670 6061758

LEA Request:

Santa Ana Unified School District (USD) is an urban school district located in Orange County and has a student population of approximately 52,534 students. Willard Intermediate School (IS) serves 969 students in grade six through eight. Willard IS's Quality Education Investment Act (QEIA) Class Size Reduction (CSR) target for grade six is 24.7 and 25.0 for grades seven and eight.

Santa Ana USD states that, due to fiscal constraints, class sizes were recalculated and have increased in subsequent years. The district states that cuts to revenue limit funding have resulted in teacher reductions causing an increase of the student-to-teacher ratio. Santa Ana USD states that Willard IS met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The district states that it has managed to successfully staff to meet QEIA CSR targets for the past three years but has now reached a point where an increase of CSR targets is necessary to maintain the momentum that will help move its schools out of program improvement.

Santa Ana USD requests a waiver of the QEIA CSR targets at Willard IS and the establishment of an alternative CSR target of 27.0 on average in core classes for grade six through eight.

CDE Recommendation and Conditions:

The California Department of Education recommends denial of this request based on three factors: (1) QEIA program requirements were known to the district prior to its decision to apply for program participation; (2) QEIA funding is expected to be used to hire teachers resulting in significantly reduced class sizes for students at QEIA schools; and (3) QEIA legislation requires an average classroom size of 25 students or lower for core subjects, with no more than 27 students per classroom regardless of the average classroom size.

Reviewed by Willard Intermediate Schoolsite Council on October 3, 2011.

Supported by Santa Ana Educators Association, August 31, September 13, 15, and 29, 2011.

Local Board Approval: October 11, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver:
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	0	6	6	6	7	0

Local educational agency: Santa Ana Unified School District			Contact name and Title: Cathie Olsky, Ed. D.			Contact person's e-mail address: Cathie.olsky@sausd.us		
Address: (City) (State) (ZIP)		Phone (and extension, if necessary):			Fax Number:			
1601 E. Chestnut Ave. Santa Ana California 92701		(714) 558-5523			(714) 480-5321			
Period of request: (month/day/year)		Local board approval date: (Required)			Date of public hearing: (Required)			
From: 07/01/2010 To: 06/30/2014		October 11, 2011			October 11, 2011			

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number): Circle One: **EC** or *CCR*

Topic of the waiver: **QEIA CLASS SIZE GRADES 6-8**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: **NOT APPLICABLE**
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **08/31/11, 09/13/11, 09/29/11, 09/15/11**

Name of bargaining unit and representative(s) consulted: **Santa Ana Educators Association; Susan Mercer (President) and Norma Ortiz (CTA representative)**

The position(s) of the bargaining unit(s): Neutral Support Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school Other: **Notice posted at District Office on September 27, 2011**

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: **October 3, 2011; School Site Council at Willard Intermediate School**

Were there any objection(s)? **No** Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

(a) For each funded school, the county superintendent of schools for the county in which the school is located, shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

(1) Meet all of the following class size requirements:

(B) For self-contained classrooms in grades 4-8, inclusive, an average classroom size that is the less of clause (i) or (ii), as follows: (i) At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average of 25 pupils per classroom.

(C) For classes in English language arts, reading, mathematics, science, or history and social science courses in grades 4-12, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

(i) At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average³ of 25 pupils per classroom.

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

PLEASE SEE ATTACHED

8. Demographic Information:
SANTA ANA UNIFIED has a student population of 52,534 and is located in an *urban area* in Orange County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title: Deputy Superintendent	Date: October 21, 2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Santa Ana Unified School District
1601 E. Chestnut Ave.
Santa Ana, CA 92701

October 2011

Desired Outcome/Rationale

Santa Ana Unified School District requests on behalf of **Willard Intermediate School** a permanent single QEIA baseline target of 27:1 for grades 6-8 to fiscally support and meet all of the QEIA component mandates for the time periods of July 1, 2010-June 30, 2014.

Willard Intermediate School is a Title 1 school with approximately **95.37%** of its students receiving free or reduced lunch. Approximately **59%** of these schools student populations are English Language Learners. State level cuts to revenue limit funding have resulted in teacher reductions causing an increase of the student-to-teacher ratio.

Due to fiscal constraints, class sizes were recalculated and have increased in subsequent years after QEIA was enacted. Approval of this waiver to exceed the 25:1 cap will permit Willard Intermediate School to maintain and continue to receive QEIA funding for 2012-13. Willard met the spirit of the law and has improved the quality of academic instruction and the level of student achievement. Lathrop has exceeded its three year average for API, with an average gain of **45 points**. Willard has an API score of 658.

By creatively exhausting all flexible funding sources, SAUSD has managed to successfully staff our CSR targets for the past three years. We have now reached a point at which an increase of our baseline targets is necessary to maintain the momentum that will help move our schools out of Program Improvement.

SAUSD has 106 teachers who are staffed by QEIA funding of \$11 million for the 2011-2012 school year. Approval of this waiver would allow SAUSD to maintain its staffing and funding while continuing to make academic gains.

Waiver Number: 28-11-2011

Period of Request: July 1, 2010, to June 30, 2014

Period Recommended: July 1, 2010, to June 29, 2012

Sierra Intermediate School
Santa Ana Unified School District

CDS Code: 30 66670 6030415

LEA Request:

Santa Ana Unified School District (USD) is an urban school district located in Orange County and has a student population of approximately 52,534 students. Sierra Intermediate School (IS) serves 866 students in grade six through eight. Sierra IS's Quality Education Investment Act (QEIA) Class Size Reduction (CSR) target for grade six through eight is 25.0.

Santa Ana USD states that, due to fiscal constraints, class sizes were recalculated and have increased in subsequent years. The district states that cuts to revenue limit funding have resulted in teacher reductions causing an increase of the student-to-teacher ratio. Santa Ana USD states that Sierra IS met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The district states that it has managed to successfully staff to meet QEIA CSR targets for the past three years but has now reached a point where an increase of CSR targets is necessary to maintain the momentum that will help move its schools out of program improvement.

Santa Ana USD requests a waiver of the QEIA CSR targets at Sierra IS and the establishment of an alternative CSR target of 27.0 on average in core classes for grade six through eight.

CDE Recommendation and Conditions:

The California Department of Education recommends denial of this request based on four factors: (1) QEIA program requirements were known to the district prior to its decision to apply for program participation; (2) QEIA funding is expected to be used to hire teachers resulting in significantly reduced class sizes for students at QEIA schools; (3) QEIA legislation requires an average classroom size of 25 students or lower for core subjects, with no more than 27 students per classroom regardless of the average classroom size; and (4) class size data provided by Santa Ana USD indicates that Sierra IS met the QEIA CSR requirements for school year 2010–11 and, based on projections, is on target to meet the requirements in 2011–12.

Reviewed by Sierra Intermediate Schoolsite Council on October 3, 2011.

Supported by Santa Ana Educators Association, August 31, September 13, 15, and 29, 2011.

Local Board Approval: October 11, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	0	6	6	6	7	0

Local educational agency: Santa Ana Unified School District		Contact name and Title: Cathie Olsky, Ed. D.		Contact person's e-mail address: Cathie.olsky@sausd.us	
Address: (City) (State) (ZIP) 1601 E. Chestnut Ave. Santa Ana California 92701		Phone (and extension, if necessary): (714) 558-5523 Fax Number: (714) 480-5321			
Period of request: (month/day/year) From: 07/01/2010 To: 06/30/2014		Local board approval date: (Required) October 11, 2011		Date of public hearing: (Required) October 11, 2011	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number):
Circle One: **EC** or *CCR*

Topic of the waiver: **QEIA CLASS SIZE GRADES 6-8**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: **NOT APPLICABLE**
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **08/31/11, 09/13/11, 09/29/11, 09/15/11**

Name of bargaining unit and representative(s) consulted: **Santa Ana Educators Association; Susan Mercer (President) and Norma Ortiz (CTA representative)**

The position(s) of the bargaining unit(s): Neutral **Support** Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school **Other: Notice posted at District Office on September 27, 2011**

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: **October 3, 2011; School Site Council at Sierra Preparatory Academy**

Were there any objection(s)? **No** Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).
 (a) For each funded school, the county superintendent of schools for the country in which the school is located, shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:
 (1) Meet all of the following class size requirements:
 (B) For self-contained classrooms in grades 4-8, inclusive, an average classroom size that is the less of clause (i) or (ii), as follows: (i) At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average of 25 pupils per classroom.
 (C) For classes in English language arts, reading, mathematics, science, or history and social science courses in grades 4-12, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:
 (i) At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average³ of 25 pupils per classroom.

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

PLEASE SEE ATTACHED

8. Demographic Information:
SANTA ANA UNIFIED has a student population of 52,534 and is located in an *urban area* in Orange County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
 (If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
 (If yes, please attach explanation or copy of CPM finding)

District or County Certification – *I hereby certify that the information provided on this application is correct and complete.*

Signature of Superintendent or Designee:	Title: Deputy Superintendent	Date: October 21, 2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Santa Ana Unified School District
1601 E. Chestnut Ave.
Santa Ana, CA 92701

October 2011

Desired Outcome/Rationale

Santa Ana Unified School District requests on behalf of **Sierra Preparatory Academy** a permanent single QEIA baseline target of 27:1 for grades 6-8 to fiscally support and meet all of the QEIA component mandates for the time periods of July 1, 2010-June 30, 2014.

Sierra Preparatory Academy is a Title 1 school with approximately **94.83%** of its students receiving free or reduced lunch. Approximately **61.8%** of these schools student populations are English Language Learners. State level cuts to revenue limit funding have resulted in teacher reductions causing an increase of the student-to-teacher ratio.

Due to fiscal constraints, class sizes were recalculated and have increased in subsequent years after QEIA was enacted. Approval of this waiver to exceed the 25:1 cap will permit Sierra Preparatory Academy to maintain and continue to receive QEIA funding for 2012-13. Sierra Preparatory met the spirit of the law and has improved the quality of academic instruction and the level of student achievement. Sierra Preparatory Academy has exceeded its three year average for API, with an average gain of **27 points**. Sierra Preparatory has an API score of 692.

By creatively exhausting all flexible funding sources, SAUSD has managed to successfully staff our CSR targets for the past three years. We have now reached a point at which an increase of our baseline targets is necessary to maintain the momentum that will help move our schools out of Program Improvement.

SAUSD has 106 teachers who are staffed by QEIA funding of \$11 million for the 2011-2012 school year. Approval of this waiver would allow SAUSD to maintain its staffing and funding while continuing to make academic gains.

Waiver Number: 29-11-2011

Period of Request: July 1, 2010, to June 30, 2014

Period Recommended: July 1, 2010, to June 29, 2012

Julia C. Lathrop Intermediate School
Santa Ana Unified School District

CDS Code: 30 66670 6058978

LEA Request:

Santa Ana Unified School District (USD) is an urban school district located in Orange County and has a student population of approximately 52,534 students. Julia C. Lathrop Intermediate School (IS) serves 1,298 students in grade six through eight. Julia C. Lathrop IS's Quality Education Investment Act (QEIA) Class Size Reduction (CSR) target for grade six through eight is 25.0.

Santa Ana USD states that, due to fiscal constraints, class sizes were recalculated and have increased in subsequent years. The district states that cuts to revenue limit funding have resulted in teacher reductions causing an increase of the student-to-teacher ratio. Santa Ana USD states that Julia C. Lathrop IS met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The district states that it has managed to successfully staff to meet QEIA CSR targets for the past three years but has now reached a point where an increase of CSR targets is necessary to maintain the momentum that will help move its schools out of program improvement.

Santa Ana USD requests a waiver of the QEIA CSR targets at Julia C. Lathrop IS and the establishment of an alternative CSR target of 27.0 on average in core classes for grade six through eight.

CDE Recommendation and Conditions:

The California Department of Education recommends denial of this request based on four factors: (1) QEIA program requirements were known to the district prior to its decision to apply for program participation; (2) QEIA funding is expected to be used to hire teachers resulting in significantly reduced class sizes for students at QEIA schools; (3) QEIA legislation requires an average classroom size of 25 students or lower for core subjects, with no more than 27 students per classroom regardless of the average classroom size; and (4) class size data provided by Santa Ana USD indicates that Julia C. Lathrop IS met the QEIA CSR requirements for school year 2010–11 and, based on projections, is on target to meet the requirements in 2011–12.

Reviewed by Julia C. Lathrop Intermediate Schoolsite Council on October 3, 2011.

Supported by Santa Ana Educators Association, August 31, September 13, 15, and 29, 2011.

Local Board Approval: October 11, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	0	6	6	6	7	0

Local educational agency: Santa Ana Unified School District		Contact name and Title: Cathie Olsky, Ed. D.		Contact person's e-mail address: Cathie.olsky@sausd.us	
Address: (City) (State) (ZIP) 1601 E. Chestnut Ave. Santa Ana California 92701		Phone (and extension, if necessary): (714) 558-5523 Fax Number: (714) 480-5321			
Period of request: (month/day/year) From: 07/01/2010 To: 06/30/2014		Local board approval date: (Required) October 11, 2011		Date of public hearing: (Required) October 11, 2011	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number):
Circle One: **EC** or *CCR*

Topic of the waiver: **QEIA CLASS SIZE GRADES 6-8**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: **NOT APPLICABLE**
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **08/31/11, 09/13/11, 09/29/11, 09/15/11**

Name of bargaining unit and representative(s) consulted: **Santa Ana Educators Association; Susan Mercer (President) and Norma Ortiz (CTA representative)**

The position(s) of the bargaining unit(s): Neutral **Support** Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school **Other: Notice posted at District Office on September 27, 2011**

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: **October 3, 2011; School Site Council at Lathrop Intermediate**

Were there any objection(s)? **No** **X** Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code or California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

(a) For each funded school, the county superintendent of schools for the country in which the school is located, shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

(1) Meet all of the following class size requirements:

(B) For self-contained classrooms in grades 4-8, inclusive, an average classroom size that is the less of clause (i) or (ii), as follows: (i) At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average of 25 pupils per classroom.

(C) For classes in English language arts, reading, mathematics, science, or history and social science courses in grades 4-12, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

(i) At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average³ of 25 pupils per classroom.

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

PLEASE SEE ATTACHED

8. Demographic Information:
SANTA ANA UNIFIED has a student population of 52,534 and is located in an **urban area** in Orange County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title: Deputy Superintendent	Date: October 21, 2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (<i>type or print</i>):	Staff Signature:	Date:
Unit Manager (<i>type or print</i>):	Unit Manager Signature:	Date:
Division Director (<i>type or print</i>):	Division Director Signature:	Date:
Deputy (<i>type or print</i>):	Deputy Signature:	Date:

Santa Ana Unified School District
1601 E. Chestnut Ave.
Santa Ana, CA 92701

October 2011

Desired Outcome/Rationale

Santa Ana Unified School District requests on behalf of **Lathrop Intermediate School** a permanent single QEIA baseline target of 27:1 for grades 6-8 to fiscally support and meet all of the QEIA component mandates for the time periods of July 1, 2010-June 30, 2014.

Lathrop Intermediate School is a Title 1 school with approximately **90.46%** of its students receiving free or reduced lunch. Approximately **59.7%** of these schools student populations are English Language Learners. State level cuts to revenue limit funding have resulted in teacher reductions causing an increase of the student-to-teacher ratio.

Due to fiscal constraints, class sizes were recalculated and have increased in subsequent years after QEIA was enacted. Approval of this waiver to exceed the 25:1 cap will permit Lathrop Intermediate School to maintain and continue to receive QEIA funding for 2012-13. Lathrop met the spirit of the law and has improved the quality of academic instruction and the level of student achievement. Lathrop has exceeded its three year average for API, with an average gain of **9.3 points**. Lathrop has an API score of 648.

By creatively exhausting all flexible funding sources, SAUSD has managed to successfully staff our CSR targets for the past three years. We have now reached a point at which an increase of our baseline targets is necessary to maintain the momentum that will help move our schools out of Program Improvement.

SAUSD has 106 teachers who are staffed by QEIA funding of \$11 million for the 2011-2012 school year. Approval of this waiver would allow SAUSD to maintain its staffing and funding while continuing to make academic gains.

Waiver Number: 30-11-2011

Period of Request: July 1, 2010, to June 30, 2014

Century High School
Santa Ana Unified School District

Period Recommended: July 1, 2010, to June 29, 2012

CDS Code: 30 66670 3030491

LEA Request:

Santa Ana Unified School District (USD) is an urban school district located in Orange County and has a student population of approximately 52,534 students. Century High School (HS) serves 2,163 students in grade nine through twelve. Century HS's Quality Education Investment Act (QEIA) Class Size Reduction (CSR) target for grade nine is 16.4 and 25.0 for grade ten through twelve.

Santa Ana USD states that, due to fiscal constraints, class sizes were recalculated and have increased in subsequent years. The district states that cuts to revenue limit funding have resulted in teacher reductions causing an increase of the student-to-teacher ratio. Santa Ana USD states that Century HS met the spirit of law and has improved the quality of academic instruction and the level of student achievement. The district states that it has managed to successfully staff to meet QEIA CSR targets for the past three years but has now reached a point where an increase of CSR targets is necessary to maintain the momentum that will help move its schools out of program improvement.

Santa Ana USD requests a waiver of the QEIA CSR targets at Century HS and the establishment of an alternative CSR target of 27.0 on average in core classes for grade six through eight.

CDE Recommendation and Conditions:

The California Department of Education recommends denial of this request based on three factors: (1) QEIA program requirements were known to the district prior to its decision to apply for program participation; (2) QEIA funding is expected to be used to hire teachers resulting in significantly reduced class sizes for students at QEIA schools; and (3) QEIA legislation requires an average classroom size of 25 students or lower for core subjects, with no more than 27 students per classroom regardless of the average classroom size.

Reviewed by Century High Schoolsite Council on October 3, 2011.

Supported by Santa Ana Educators Association, August 31, September 13, 15, and 29, 2011.

Local Board Approval: October 11, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	0	6	6	6	7	0

Local educational agency: Santa Ana Unified School District		Contact name and Title: Cathie Olsky, Ed. D.		Contact person's e-mail address: Cathie.olsky@sausd.us	
Address: (City) (State) (ZIP) 1601 E. Chestnut Ave. Santa Ana California 92701		Phone (and extension, if necessary): (714) 558-5523 Fax Number: (714) 480-5321			
Period of request: (month/day/year) From: 07/01/2010 To: 06/30/2014		Local board approval date: (Required) October 11, 2011		Date of public hearing: (Required) October 11, 2011	

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number):
Circle One: **EC** or *CCR*

Topic of the waiver: **QEIA CLASS SIZE GRADES 9-12**

2. If this is a renewal of a previously approved waiver, please list Waiver Number: **NOT APPLICABLE**
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? No Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): **08/31/11, 09/13/11, 09/29/11, 09/15/11**

Name of bargaining unit and representative(s) consulted: **Santa Ana Educators Association; Susan Mercer (President) and Norma Ortiz (CTA representative)**

The position(s) of the bargaining unit(s): Neutral **Support** Oppose (*Please specify why*)

Comments (if appropriate):

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

Notice in a newspaper Notice posted at each school **Other: Notice posted at District Office on September 27, 2011**

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Date the committee/council reviewed the waiver request: **October 3, 2011; School Site Council at Century High School**

Were there any objection(s)? **No** Yes (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

(a) For each funded school, the county superintendent of schools for the country in which the school is located, shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

(1) Meet all of the following class size requirements:

(B) For self-contained classrooms in grades 4-8, inclusive, an average classroom size that is the less of clause (i) or (ii), as follows: (i) At least five pupils fewer per classroom than was the average in ~~2006-2007~~; (ii) an average of 25 pupils per classroom.

(C) For classes in English language arts, reading, mathematics, science, or history and social science courses in grades 4-12, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

(i) ~~At least five pupils fewer per classroom than was the average in 2006-2007;~~ (ii) ~~an average~~ 3 of 25 pupils per classroom

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

PLEASE SEE ATTACHED

8. Demographic Information:
SANTA ANA UNIFIED has a student population of 52,534 and is located in an **urban area** in Orange County.

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title: Deputy Superintendent	Date: October 21, 2011
FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY		
Staff Name (type or print):	Staff Signature:	Date:
Unit Manager (type or print):	Unit Manager Signature:	Date:
Division Director (type or print):	Division Director Signature:	Date:
Deputy (type or print):	Deputy Signature:	Date:

Santa Ana Unified School District
1601 E. Chestnut Ave.
Santa Ana, CA 92701

October 2011

Desired Outcome/Rationale

Santa Ana Unified School District requests on behalf of **Century High School** a permanent single QEIA baseline target of 27:1 for grades 9-12 to fiscally support and meet all of the QEIA component mandates for the time periods of July 1, 2010-June 30, 2014.

Century High School is a Title 1 school with approximately **83.29%** of its students receiving free or reduced lunch. Approximately **46.4%** of these schools student populations are English Language Learners. State level cuts to revenue limit funding have resulted in teacher reductions causing an increase of the student-to-teacher ratio.

Due to fiscal constraints, class sizes were recalculated and have increased in subsequent years after QEIA was enacted. Approval of this waiver to exceed the 25:1 cap will permit Century High School to maintain and continue to receive QEIA funding for 2012-13. Century met the spirit of the law and has improved the quality of academic instruction and the level of student achievement. Lathrop has exceeded its three year average for API, with an average gain of **13 points**. Century has an API score of 614.

By creatively exhausting all flexible funding sources, SAUSD has managed to successfully staff our CSR targets for the past three years. We have now reached a point at which an increase of our baseline targets is necessary to maintain the momentum that will help move our schools out of Program Improvement.

SAUSD has 106 teachers who are staffed by QEIA funding of \$11 million for the 2011-2012 school year. Approval of this waiver would allow SAUSD to maintain its staffing and funding while continuing to make academic gains.



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM W-21



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

General Waiver

SUBJECT Request by Chula Vista Elementary School District local educational agency to waive portions of California <i>Education Code</i> Section 52055.740(a), regarding Teacher Experience Index under the Quality Education Investment Act. Waiver Number: Chula Vista Elementary 22-4-2011	<input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent
---	--

RECOMMENDATION

Approval Approval with conditions Denial

See Attachment 1 for details and rationale of the recommendation.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

As of November 2011, the California Department of Education (CDE) Waiver Office has presented 11 waivers regarding Teacher Experience Index under the Quality Education Investment Act (QEIA) to the State Board of Education (SBE). Of that number, 5 were approved with conditions, 3 were denied, and 3 were withdrawn. Chula Vista Elementary School District had a TEI QEIA waiver on the November 2011 SBE agenda, however, it was withdrawn by the district.

SUMMARY OF KEY ISSUES

Teacher Experience Index

Schools participating in the QEIA Program were monitored by their county offices of education for compliance with program requirements, including TEI, for the first time at the end of the 2008–09 school year. At that time, local educational agencies (LEAs) were required to demonstrate one-third progress toward full implementation of program requirements. At the end of the 2009–10 school year, QEIA LEAs were required to demonstrate two-thirds progress toward full program implementation.

QEIA schools are required to include an index based on the 2005–06 California Basic Educational Data System Professional Assignment Information Form as the base-reporting year to evaluate annual improvements of funded schools toward balancing the index of teacher experience. Approved by the district superintendent, the index is an aggregate indicator of the teaching experience on a scale of one to ten. QEIA schools are required to have a TEI equal to or exceeding the average for the school district for this type of school and maintain or exceed this experience level for the duration of

SUMMARY OF KEY ISSUES (Cont.)

funding.

If an LEA requests a waiver of the TEI, the CDE reviews a range of information regarding the unique circumstances of the school and the district when formulating a recommendation to the SBE.

Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in EC 33051(a). The state board shall approve any and all requests for waivers except in those cases where the board specifically finds any of the following: (1) The educational needs of the pupils are not adequately addressed; (2) The waiver affects a program that requires the existence of a schoolsite council and the schoolsite council did not approve the request; (3) The appropriate councils or advisory committees, including bilingual advisory committees, did not have an adequate opportunity to review the request and the request did not include a written summary of any objections to the request by the councils or advisory committees; (4) Pupil or school personnel protections are jeopardized; (5) Guarantees of parental involvement are jeopardized; (6) The request would substantially increase state costs; and (7) The exclusive representative of employees, if any, as provided in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, was not a participant in the development of the waiver.

FISCAL ANALYSIS (AS APPROPRIATE)

There are no statewide costs as a result of waiver approval. If the waiver is denied, the school must implement the CSR/TEI targets based on statute requirements to stay in the program. Any school in the program not meeting those targets will risk the loss of future funding. The QEIA statute calls for any undistributed annual QEIA funding to be redistributed to other schools currently in the program (no new schools are funded).

ATTACHMENT(S)

Attachment 1: Chula Vista Elementary District Request for a Quality Education Investment Act Teacher Experience Index Waiver 22-4-2011 (2 pages)

Attachment 2: Chula Vista Elementary District General Waiver Request 22-4-2011 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Waiver Number: 22-4-2011

Period of Request: July 1, 2010, to June 30, 2011

Period Recommended: July 1, 2010, to June 30, 2011

Silver Wing Elementary School
Chula Vista Elementary School District

CDS: 37 68023 6038004

LEA Request:

Chula Vista Elementary School District (ESD) is an urban school district located in San Diego County. Silver Wing Elementary School (ES) serves students in kindergarten through grade six. Chula Vista ESD has a student population of approximately 27,400 students. Chula Vista ESD provided teacher experience information from 2005–06, the base year upon which Quality Education Investment Act (QEIA) Teacher Experience Index (TEI) targets are calculated, showing that the average Chula Vista ESD TEI is 6.5. Chula Vista ESD’s average TEI for 2010–11 for this type of school is 8.05.

Chula Vista ESD states that its TEI was calculated using erroneous information that had been entered on the school’s CBEDS report. A recalculation of the TEI was performed with the help of the San Diego County Office of Education and discrepancies were corrected during that process. Chula Vista ESD and the Chula Vista Educators are currently negotiating a Memorandum of Understanding to implement a transfer policy and procedures to address TEI issues. Chula Vista ESD requests a waiver of the QEIA TEI target for Silver Wing ES and establishment of an alternative TEI target of 5.2 which is based on 2010–11 TEI levels. The 2011–12 TEI calculation is 6.95 for Silver Wing ES and is above the Chula Vista ESD’s TEI target.

Additional LEA and School Information for Consideration:

School Locale Code	11*
LEA Average Daily Attendance (ADA)	27,400
School ADA	418
Grade Span	K–6
Total Number Of Schools With Similar Grade Span	38 elementary
2005–06 TEI	6.5
2010–11 QEIA School TEI	5.2
2011–12 QEIA School TEI	6.95
2010–11 Similar Type School TEI	8.05
Percent Of Similar Type School	64.6
Made API Growth?	Yes
Made AYP?	No

*City Large: Territory inside an urbanized area and inside a principal city with population of 250,000 or more.

CDE Recommendation and Conditions:

The California Department of Education (CDE) supports Chula Vista ESD's request to reduce its TEI target for Silver Wing ES for 2010–11.

The CDE recommends approval with the following conditions: (1) Applies only to teachers at Silver Wing ES; (2) For 2010–11, the alternate TEI index of 5.2 shall be established at Silver Wing ES; (3) For 2011–12 and subsequent years, Silver Wing ES must meet or exceed the TEI of 6.5; and (4) Within 30 days of approval of this waiver, Chula Vista ESD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the TEI requirement.

Reviewed by Silver Wing Elementary Schoolsite Council on March 28, 2011.

Supported by Chula Vista Educators on March 9, 2011.

Local Board Approval: April 5, 2011.

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST

GW-1 (Rev. 10-2-09) <http://www.cde.ca.gov/re/lr/wr/>

First Time Waiver: X
Renewal Waiver:

Send Original plus one copy to:
Waiver Office, California Department of Education
1430 N Street, Suite 5602
Sacramento, CA 95814

Send Electronic copy in **Word** and
back-up material to: waiver@cde.ca.gov

CD CODE						
3	7	6	8	0	2	3

Local educational agency: Chula Vista Elementary School District			Contact name and Title: Emma Sanchez, Executive Director of Language Acquisition & Development			Contact person's e-mail address: emma.sanchez@cvesd.org		
Address: (City)		(State)		(ZIP)		Phone (and extension, if necessary): 619-425-9600 x 1521		
84 East J Street, Chula Vista, CA 91910						Fax Number: 619-420-3743		
Period of request: (month/day/year) From: July 1, 2010 To: June 30, 2011			Local board approval date: (Required) April 15, 2011			Date of public hearing: (Required) April 5, 2011		

LEGAL CRITERIA

1. Under the general waiver authority of *Education Code* 33050-33053, the particular *Education Code* or *California Code of Regulations* section(s) to be waived (number):
Circle One: *EC* or *CCR*

Topic of the waiver: QEIA – Timeline for Meeting Teacher Experience Index

2. If this is a renewal of a previously approved waiver, please list Waiver Number: _____ and date of SBE Approval _____
Renewals of waivers must be submitted two months before the active waiver expires.

3. Collective bargaining unit information. Does the district have any employee bargaining units? ___ No X Yes If yes, please complete required information below:

Bargaining unit(s) consulted on date(s): March 9, 2011

Name of bargaining unit and representative(s) consulted: Chula Vista Educators – Peg Meyers, President

The position(s) of the bargaining unit(s): ___ Neutral x Support ___ Oppose (*Please specify why*)

Comments (if appropriate): Need to work together to either transfer or place teachers who volunteer to be assigned at Silver Wing

4. Public hearing requirement: A public hearing is not simply a board meeting, but a properly noticed public hearing held during a board meeting at which time the public may testify on the waiver proposal. Distribution of local board agenda does not constitute notice of a public hearing. Acceptable ways to advertise include: (1) print a notice that includes the time, date, location, and subject of the hearing in a newspaper of general circulation; or (2) in small school districts, post a formal notice at each school and three public places in the district.

How was the required public hearing advertised?

___ Notice in a newspaper ___ Notice posted at each school X Other: (*Please specify*) - Posted at District

5. Advisory committee or school site councils. Please identify the council(s) or committee that reviewed this waiver:

Silver Wing Elementary School Site Council kak 5/16/11

Date the committee/council reviewed the waiver request: March 28, 2011

Were there any objection(s)? No x Yes ___ (*If there were objections please specify*)

CALIFORNIA DEPARTMENT OF EDUCATION
GENERAL WAIVER REQUEST
GW-1 (10-2-09)

6. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use a **strike out key**).

52055.740(a) For each funded school, the county superintendent of schools for the county in which the school is located shall annually review the school and its data to determine if the school has met all of the following program requirements.

7. Desired outcome/rationale. Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional pages.

Chula Vista Elementary School District requests a waiver of the timeline in Ed Code Section 52055.740 solely as it pertains to the Teacher Experience Index (TEI) as referenced in 52055.740(a) for Silver Wing Elementary School. The QEIA Teacher Experience Index (TEI) was calculated using erroneous information that had been entered on the school's CBEDS report. A recalculation of the TEI was done with the help of the San Diego County Office of Education and discrepancies during the recalculation. Chula were corrected Vista Elementary School District and Chula Vista Educators are currently negotiating a Memorandum of Understanding policy and procedures school year to implement transfer to remedy the TEI for the 2011-12 and sustain it through the remainder of the QEIA settlement agreement. The school's current teacher experience average is 5.2 years and the target is 6.5 years. The TEI target of 6.5 years will be met through these efforts effective with the 2011-12 school year; the timeline change requested through this waiver application is approximately six (6) weeks.

8. Demographic Information:
Chula Vista Elementary School District has a student population of 27,400 and is located in an urban area in San Diego County.

Silver Wing 418, K-6

Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes
(If yes, please attach explanation or copy of audit finding)

Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes
(If yes, please attach explanation or copy of CPM finding)

District or County Certification – I hereby certify that the information provided on this application is correct and complete.

Signature of Superintendent or Designee:	Title:	Date:
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FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

Staff Name (type or print):	Staff Signature:	Date:
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Unit Manager (type or print):	Unit Manager Signature:	Date:
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Division Director (type or print):	Division Director Signature:	Date:
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Deputy (type or print):	Deputy Signature:	Date:
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California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM 8



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

SUBJECT STATE BOARD PROJECTS AND PRIORITIES. Including, but not limited to, future meeting plans; agenda items; and officer nominations and/or elections; State Board office budget, staffing, appointments, and direction to staff; declaratory and commendatory resolutions; bylaw review and revision; Board policy; approval of minutes; Board liaison reports; training of Board members; and other matters of interest.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing
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SUMMARY OF THE ISSUE(S)

1. State Board of Education (SBE) Draft Preliminary Report of Actions/Minutes for the November 2011 Meeting
2. SBE Screening Committee's recommendations for appointments to the Child Nutrition Advisory Council
3. Board member liaison reports

RECOMMENDATION

The SBE staff recommends that the SBE approve:

- The Preliminary Report of Actions/Minutes for the November 2011 Meeting (Attachment 3), and
- The SBE Screening Committee's recommendations for appointments to the Child Nutrition Advisory Council, which will be provided as an Item Addendum.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

At each regular meeting, the State Board has traditionally had an agenda item under which to address "housekeeping" matters, such as agenda planning, non-closed session litigation updates, non-controversial proclamations and resolutions, bylaw review and revision, Board policy; Board minutes; Board liaison reports; and other matters of interest. The State Board has asked that this item be placed appropriately on each agenda.

FISCAL ANALYSIS (AS APPROPRIATE)

Not applicable.

ATTACHMENT(S)

Attachment 1: Acronyms Chart (3 Pages)

Attachment 2: Bylaws for the California State Board of Education, amended July 9, 2003, may be viewed at the following link:
<http://www.cde.ca.gov/be/ag/ag/bylawsoc2002.asp>.

Attachment 3: State Board of Education Draft Preliminary Report of Actions/Minutes for the November 2011 Meeting (26 Pages)

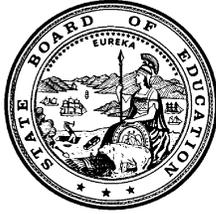
Attachment 4: State Board of Education Screening Committee's recommendations for appointments to the Child Nutrition Advisory Council will be provided as an Item Addendum.

<i>ACRONYMS CHART</i>	
<i>ACRONYMS</i>	
AB	Assembly Bill
ACCS	Advisory Commission on Charter Schools
ACES	Autism Comprehensive Educational Services
ACSA	Association of California School Administrators
ADA	Americans with Disabilities Act
ADA	Average Daily Attendance
AFT	American Federation of Teachers
AP	Advanced Placement
API	Academic Performance Index
ASAM	Alternative Schools Accountability Model
AYP	Adequate Yearly Progress
BTSA	Beginning Teacher Support and Assessment
CAHSEE	California High School Exit Examination
CAPA	California Alternate Performance Assessment
CASBO	California Association of School Business Officials
CASH	Coalition for Adequate School Housing
CAT/6	California Achievement Test, 6th Edition
CCSESA	California County Superintendents Educational Services Association
CDE	California Department of Education
CELDT	California English Language Development Test
CFT	California Federation of Teachers
CHSPE	California High School Proficiency Exam
CNAC	Child Nutrition Advisory Council
COE	County Office of Education
ConAPP	Consolidated Applications
CRP	Content Review Panel
CSBA	California School Boards Association
CSIS	California School Information System
CST	California Standards Test
CTA	California Teachers Association

CTC	California Commission on Teacher Credentialing
ED	United States Department of Education
EL	English Learner
ELAC	English Learner Advisory Committee
ESL	English as a Second Language
FAPE	Free and Appropriate Public Education
FEP	Fluent English Proficient
GATE	Gifted and Talented Education
GED	General Education Development
HPSGP	High-Priority School Grant Program
HumRRO	Human Resources Research Organization
IDEA	Individuals with Disabilities Education Act
IEP	Individualized Education Program
II/USP	Immediate Intervention/Underperforming Schools Program
IMAP	Instructional Materials Advisory Panel
IMFRP	Instructional Materials Fund Realignment Program
LEA	Local Educational Agency
LEP	Limited English Proficient
NAEP	National Assessment of Educational Progress
NEA	National Education Association
NCLB	No Child Left Behind Act of 2001
NPS/NPA	Non Public Schools/Non Public Agencies
NRT	Norm-Referenced Test
OSE	Office of the Secretary for Education
PAR	Peer Assistance and Review Program for Teachers
PSAA	Public School Accountability Act
ROP	Regional Occupation Program
RLA/ELD	Reading/Language Arts/English Language Development
SABE/2	Spanish Assessment of Basic Education, 2nd Edition
SAIT	School Assistance and Intervention Team
SARC	School Accountability Report Card
SAT 9	Stanford Achievement Test, 9th Edition
	ACRONYMS CHART

<i>ACRONYMS</i>	
SB	Senate Bill
SEA	State Educational Agency
SELPA	Special Education Local Plan Area
SBCP	School Based Coordination Program
SBE	State Board of Education
SSPI	State Superintendent of Public Instruction (Jack O'Connell)
STAR	Standardized Testing and Reporting Program
TDG	Technical Design Group (PSAA Advisory Committee)
USD	Unified School District
UTLA	United Teachers-Los Angeles
WIA	Workforce Investment Act

The State Board of Education posted on October 29, 2010.



CALIFORNIA STATE BOARD OF EDUCATION

**Preliminary Report of
Actions / Draft Minutes**

November 9-10, 2011

Please note that the complete proceedings of the November 9-10, 2011, State Board of Education meeting, including close-captioning, are available online at: <http://www.cde.ca.gov/be/ag/ag/sbewebcastarchive.asp>.

Members Present:

Michael W. Kirst, President
Trish Williams, Vice President
Jim Aschwanden
Yvonne Chan
Carl Cohn
Aida Molina
Patricia Rucker
Ilene Straus
Caitlin Snell, Student Member

Members Absent:

James Ramos (11-9 and 11-10)

Secretary and Executive Officer

Tom Torlakson, State Superintendent of Public Instruction

Principal Staff

Sue Burr, Executive Director, State Board of Education (SBE)
Patricia de Cos, Deputy Executive Director, SBE
Judy Cias, Chief Counsel, SBE
Camille Esch, Principal Education Policy Consultant, SBE
Beth Rice, Education Programs Consultant, SBE
Richard Zeiger, Chief Deputy Superintendent, California Department of Education (CDE)
Deb Sigman, Deputy Superintendent, CDE
Amy Holloway, General Counsel, CDE
Mary Prather, Education Administrator I, CDE

Public Session

November 9, 2011

President Kirst called the meeting to order at 9:00 a.m.

AGENDA ITEMS

Item 1

Subject: 2012-2013 State Board of Education Student Member: Recommendation of Three Finalists for Submission to the Governor.

Action: Member Straus moved to adopt the recommendation of the State Board of Education's (SBE) Screening Committee and approve the following three students as finalists for the position of 2012-2013 SBE Student member: Eden Concoff of Malibu High School, Santa Monica-Malibu Unified School District; Hector Delgado of Wasco Union High School, Wasco Unified School District; and Josephine Kao of Mira Loma High School, San Juan Unified School District. The approved finalists will be forwarded to the Governor for his consideration, and one will be selected to serve as the 2012-13 SBE Student Member.

Member Molina seconded the motion.

Yes votes: Members Aschwanden, Snell, Chan, Cohn, Kirst, Williams, Straus, Molina, and Rucker.

No votes: None.

Absent: Member Ramos.

The motion passed with nine votes.

Item 2

Subject: Reports from the 2011-2012 Student Advisory Board on Education (SABE).

Action: No action taken.

Item 3

Subject: Update on the Activities of the California Department of Education and State Board of Education Regarding Implementation of Common Core State Standards Systems.

Action: No action taken.

Item 4

Subject: Update on the Next Generation of Science Standards.

Action: No action taken.

Item 5

Subject: Elementary and Secondary Education Act: Principles and Requirements for a Waiver of Selected Provisions of the No Child Left Behind Act of 2001 to Implement a Specific Statewide Accountability System for All California Local Educational Agencies in Advance of Elementary and Secondary Education Act Reauthorization.

Action: No action taken.

Item 6

Subject: Update on Issues Related to California's Implementation of the Elementary and Secondary Education Act and Other Federal Programs Including, but Not Limited to, the School Improvement Grant and California's Striving Readers Comprehensive Literacy Plan.

Action: No action taken.

Item 7

Subject: Elementary and Secondary Education Act: Assignment of Corrective Action and Associated Technical Assistance for each of the 55 Local Educational Agencies in Cohort 5 of Program Improvement Year 3.

Action:

Member Molina moved to not go forward in assigning corrective action to the identified LEAs at this time and to direct CDE to go back to the LEA self-assessment tools and rethink the definition of corrective action.

Member Straus seconded the motion.

Following discussion, Member Straus rescinded the motion.

Member Chan moved to approve CDE's three recommendations with conditions as follows:

- Assign Corrective Action 6 and technical assistance resources to each of the 55 LEAs in Cohort 5 of PI Year 3 as indicated in Attachments 3 and 4 to this item, consistent with federal requirements to provide technical assistance to support implementation of any corrective action, and direct those LEAs to proceed with the steps outlined in California *EC* sections 52055.57 and 52059.
- End the requirement for LEAs in Cohorts 1, 2, and 3 that were subject to report quarterly on the implementation of their LEA Plan.
- Require each LEA in Cohorts 1–5 of PI Year 3 to demonstrate progress of LEA Plan implementation and monitoring through annual electronic submission of local evidence to the CDE.

In addition, Member Chan directed CDE to align the technical assistance tools for districts in corrective action to focus on the most needy local education agencies and student subgroups to ensure that technical assistance focused on the unique needs of those subgroups.

Member Molina seconded the motion.

Yes votes: Members Aschwanden, Snell, Chan, Cohn, Kirst, Williams, Straus, Molina, and Rucker.

No votes: None.

Absent: Member Ramos.

The motion passed with nine votes.

*****REGULAR CONSENT ITEMS*****

ACTION: Member Straus moved to approve CDE's recommendations on Items 16 through 22.

Member Aschwanden seconded the motion.

Yes votes: Members Aschwanden, Snell, Chan, Cohn, Kirst, Williams, Straus, Molina, and Rucker.

No votes: None.

Absent: Member Ramos.

The motion passed with nine votes.

Item 16

Subject: Appoint Jason Spencer to a staff position to the Superintendent of Public Instruction in Accordance with Article IX, Section 2.1, of the Constitution of the State of California.

CDE Recommendation: Confirm appointment.

Item 17

Subject: Revision to the 2008–12 California State Plan for Career Technical Education to allow for the establishment of a Reserve Fund for use by the Community College.

CDE Recommendation: Adopt a modification to the 2008–12 California State Plan for Career Technical Education to permit the California Community College Chancellor’s Office to utilize the 10 percent reserve option for funds allocated for local assistance to the community colleges as allowed by the Perkins Act.

Item 18

Subject: The Administrator Training Program, formerly Assembly Bill 430 (Chapter 364, Statutes of 2005): Approval of Applications for Funding from Local Educational Agencies.

CDE Recommendation: Approve funding for Local Education Agencies listed in Attachment 1 to this agenda item that have submitted applications under the Administrator Training Program.

Item 19

Subject: Approval of 2011–12 Consolidated Applications.

CDE Recommendation: Approve the 2011–12 Consolidated Applications (ConApps) submitted by LEAs in Attachments 1 and 2 to this agenda item.

Item 20

Subject: Standardized Testing and Reporting Program: Release of 10 Percent Withheld for 2010–11 Educational Testing Service Contract.

CDE Recommendations:

1. Release progress payment withholdings (10 percent) for all contract component tasks for the California Alternate Performance Assessment (CAPA) and the Standards-based Tests in Spanish (STS) and the release of progress payment withholdings (10 percent) for contract Component Tasks 1 through 9, 11, 12, 13, and 14 for the California Standards Tests (CSTs) and the California Modified Assessment (CMA) as part of the 2010–11 STAR Program contract with ETS pending completion of all contract component tasks for the 2011 STAR Program test administration through December 2011.

2. Find that ETS failed to successfully complete contract Component Task 10 for the CST and CMA writing portion of the English–language arts tests as part of

the 2011 STAR Program test administration and that the SBE not approve the release of a portion of ETS' progress payment withholdings (10 percent) for grade seven writing for that task for the 2010–11 STAR Program contract. (Note: ETS performed all tasks related to grade four writing at no cost to the state.)

3. Release a total of \$5,414,712.40 from funds withheld during the 2011 test administration. The CDE further recommends not releasing \$7,233.70 to the contractor from Component Task 10 for the grade seven CST and CMA writing tests. The amounts per task are listed in Attachment 3 to this agenda item.

Item 21

Subject: Elementary and Secondary Education Act: Approval of Local Educational Agency Plans, Title I, Section 1112.

CDE Recommendation: Approve the eight direct-funded charter school Local Education Agency Plans listed in Attachment 1 to this agenda item.

Item 22

Subject: Assignment of Numbers for Charter School Petitions.

CDE Recommendation: Assign charter numbers to the charter schools identified in Attachment 1 to this agenda item.

*****END REGULAR CONSENT ITEMS*****

*****WAIVERS ON CONSENT*****

ACTION: Member Cohn moved to approve CDE's recommendations, with conditions as applicable, on Waiver Items W-4, W-9, and W-10
Member Aschwanden seconded the motion.

Yes votes: Members Aschwanden, Snell, Chan, Cohn, Kirst, Williams, Straus, Molina, and Rucker.

No votes: None.

Absent: Member Ramos.

The motion passed with nine votes.

STATE TESTING APPORTIONMENT REPORT

Item W-4

Subject: Request by five local educational agencies to waive the State Testing Apportionment Information Report deadline of December 31 in the *California Code of Regulations*, Title 5, Section 11517.5(b)(1)(A) regarding the California English Language Development Test; or Title 5, Section 1225(b)(2)(A) regarding

the California High School Exit Examination; or Title 5, Section 862(c)(2)(A) regarding the Standardized Testing and Reporting Program.

Waiver Numbers: Fountain Valley Elementary 2-8-2011
Orange Unified 7-8-2011
Soledad Unified 12-8-2011
East Whittier City 14-8-2011
Cupertino Union 15-8-2011

(Recommended for APPROVAL)

(Meets Waiver Policy: [State Testing Apportionment Informational Report Deadline](#))

COMMUNITY DAY SCHOOLS (CDS) (Colocate Facilities and Commingle Grade Levels)

Item W-9

Subject: Request by five districts, under the authority of California *Education Code* Section 33050, to waive portions of *Education Code* sections 48660 and 48916.1(d) relating to the allowable grade spans for community day schools and/or *Education Code* Section 48661 relating to the colocation of a community day school with other types of schools.

Waiver Number: Big Valley Joint Unified 11-7-2011

(Recommended for APPROVAL)

Waiver Numbers: Chaffey Joint Union 13-8-2011
Chawanakee Unified 20-9-2011
Corcoran Joint Unified 14-7-2011
Lakeport Unified 13-7-2011
Lucerne Valley Unified 4-8-2011

(Recommended for APPROVAL WITH CONDITIONS)

SALE OR LEASE OF SURPLUS PROPERTY (Lease of Surplus Property)

Item W-10

Subject: Request by two districts, under the authority of California *Education Code* Section 33050, to waive all portions of California *Education Code* sections 17473 and 17474 and portions of 17455, 17466, 17472, and 17475 relating to the sale and lease of surplus property. Approval of these waivers will allow the districts to lease or sell property using a "request for proposal process," thereby maximizing the proceeds from the sale or lease of the properties.

Waiver Numbers: Huntington Beach Elementary 16-8-2011

Orange Unified 19-8-2011
Orange Unified 20-8-2011
Orange Unified 21-8-2011

(Recommended for APPROVAL WITH CONDITIONS)

***** END OF WAIVERS ON CONSENT *****

***** WAIVERS NOT ON CONSENT *****

Please note that several waiver items were taken out of order to accommodate out-of-town speakers. The order below reflects the order in which the Board heard the items. The Board acted on waiver items W-1, W-5, W-7, W-16, and W-17 on November 10th.

Member Rucker recused herself from discussion of this item.

CLASS SIZE PENALTIES (Over Limit on Grades 1-3)

Item W-6

Subject: Request by Montebello Unified School District, under the authority of California *Education Code* Section 41382, to waive portions of *Education Code* sections 41376 (a), (c), and (d) and 41378 (a) through (e), relating to class size penalties for kindergarten through grade three. For kindergarten, the overall class size average is 31 to one with no class larger than 33. For grades one through three, the overall class size average is 30 to one with no class larger than 32
Waiver Numbers: 6-8-2011
(Recommended for APPROVAL WITH CONDITIONS)

Member Aschwanden moved to approve CDE's recommendation for the waiver with conditions, as specified in the agenda item.

Member Chan seconded the motion.

Yes votes: Members Aschwanden, Snell, Chan, Cohn, Kirst, Williams, Straus, and Molina.

No votes: None.

Recused: Member Rucker.

Absent: Member Ramos.

The motion passed with eight votes.

Member Rucker recused herself from discussion of this item.

CLASS SIZE PENALTIES (Over Limit on Grades 4-8)

Item W-8

Subject: Request by three districts to waive portions of California *Education Code* Section 41376 (b) and (e), relating to class size penalties for grades four through eight. A district's current class size maximum is the greater of the 1964 statewide average of 29.9 to one or the district's 1964 average.
Waiver Numbers: Banning Unified 2-6-2011

Center Joint Unified 46-6-2011
Inglewood Unified 45-6-2011
(Recommended for APPROVAL WITH CONDITIONS)

Action: Member Straus moved to approve CDE's recommendation for the waiver for Center Joint Unified School District (46-6-2011) with the revised condition that the average class size not exceed 32.

Member Molina seconded the motion.

Yes votes: Members Aschwanden, Snell, Chan, Cohn, Kirst, Williams, Straus, and Molina.

No votes: None.

Recused: Member Rucker.

Absent: Member Ramos.

The motion passed with eight votes.

ACTION: Member Aschwanden moved to approve CDE's recommendation for the waiver for Banning Unified School District (2-6-2011) with the CDE's recommended condition that the average class size not exceed 34.

Member Williams seconded the motion.

Yes votes: Members Aschwanden, Snell, Chan, Cohn, Kirst, Williams, Straus, and Molina.

No votes: None.

Recused: Member Rucker.

Absent: Member Ramos.

The motion passed with eight votes.

ACTION: Member Chan moved to deny the waiver for Inglewood Unified School District (45-6-2011) on the grounds that the educational needs of the pupils would not be adequately addressed.

Member Cohn seconded the motion.

Yes votes: Members Snell, Chan, Cohn, and Molina.

No votes: Members Williams, Straus, Kirst, and Aschwanden.

Recused: Member Rucker.

Absent: Member Ramos.

With only four yes votes, the motion did not pass.

ACTION: Member Aschwanden then moved to approve CDE's recommendation for the waiver with CDE's recommended condition that the average class size not exceed 36.

Member Williams seconded the motion.

Yes votes: Members Molina, Straus, Williams, Kirst, Aschwanden, and Snell.

No votes: Members Cohn and Chan.

Recused: Member Rucker.

Absent: Member Ramos.

The motion passed with six votes.

Member Rucker recused herself from discussion of this item.

QUALITY EDUCATION INVESTMENT ACT (Teacher Experience Index)

Item W-13

Subject: Request by four local educational agencies to waive portions of California *Education Code* Section 52055.740(a), regarding the Teacher Experience Index under the Quality Education Investment Act.

Waiver Numbers: Cutler-Orosi Joint Unified 126-2-2011

Dinuba Unified 53-3-2011

Dinuba Unified 54-3-2011

Mountain Empire Unified 37-3-2011

Planada Elementary 61-2-2011

(Recommended for APPROVAL WITH CONDITIONS)

ACTION: Member Chan moved to approve CDE's recommendation for the two waivers for Dinuba Unified School District (53-3-2011 and 54-3-2011) with the conditions specified in the agenda item.

Member Straus seconded the motion.

Yes votes: Members Aschwanden, Snell, Chan, Cohn, Kirst, Williams, Straus, and Molina.

No votes: None.

Recused: Member Rucker.

Absent: Member Ramos.

The motion passed with eight votes.

ACTION: Member Aschwanden moved to approve CDE's recommendation for the waivers for Cutler-Orosi Joint Unified School District (126-2-2011), Mountain Empire Unified School District (37-3-2011) and Planada Elementary School District (61-2-2011) with the conditions specified in the agenda item.

Member Molina seconded the motion.

Yes votes: Members Aschwanden, Snell, Chan, Cohn, Kirst, Williams, Straus, and Molina.

No votes: None.

Recused: Member Rucker.

Absent: Member Ramos.

The motion passed with eight votes.

Member Rucker recused herself from discussion of this item.

QUALITY EDUCATION INVESTMENT ACT (Class Size Reduction)

Item W-14

Subject: Request by Chualar Union School District local educational agency to waive California *Education Code* Section 52055.740(a), regarding class size reduction requirements under the Quality Education Investment Act.

Waiver Number: 2-4-2011

(Recommended for APPROVAL WITH CONDITIONS)

Member Aschwanden moved to approve CDE's recommendation for the waiver with conditions as specified in the agenda item.

Member Williams seconded the motion.

Yes votes: Members Aschwanden, Snell, Chan, Cohn, Kirst, Williams, Straus, and Molina.

No votes: None.

Recused: Member Rucker.

Absent: Member Ramos.

The motion passed with eight votes.

Member Rucker recused herself from discussion of this item.

QUALITY EDUCATION INVESTMENT ACT (Money to Follow Identified Students)

Item W-15

Subject: Request by Los Angeles Unified School District to waive California *Education Code* Section 52055.750(a)(9) regarding funds expenditure requirements under the Quality Education Investment Act in order to allow funds from San Fernando Middle School and Lincoln High School to follow identified students who will be transferring to San Fernando Institute of Applied Learning and Leadership in Entertainment and Media Arts to ensure that they will not lose the benefits of the Quality Education Investment Act.

Waiver Number: 71-10-2010

(Recommended for DENIAL)

Member Aschwanden moved to approve CDE's recommendation to deny the waiver.

Member Williams seconded the motion.

Yes votes: Members Aschwanden, Snell, Kirst, and Williams.

No votes: Members Chan, Cohn, and Straus.

Abstained: Member Molina.

Recused: Member Rucker.

Absent: Member Ramos.

With only four votes, the motion did not pass. Because this was the second regular meeting that the waiver appeared before the Board, the waiver was deemed approved for one year with no conditions.

President Kirst adjourned the day's meeting at 5:45 p.m.

***** ADJOURNMENT OF DAY'S SESSION *****

**Public Session
November 10, 2011**

President Kirst called the meeting to order at 8:38 a.m.

CLOSED SESSION

State Board President Kirst made the following report regarding the Board's Closed Session:

The Board took action to grant counsel the authority to negotiate and pay legal fees in the matter of *Emma C. et al. v. Delaine Eastin et al.*

In addition, the board took action to grant litigation counsel the authority to pay attorney's fees and costs in the matter of *California School Boards Association and its Education Legal Alliance, et al. v. The California State Board of Education*, the Algebra I litigation.

*****CONTINUATION OF WAIVERS NOT ON CONSENT*****

Please note that several waiver items were taken out of order to accommodate out-of-town speakers. The order below reflects the order in which the Board heard the items.

Member Rucker recused herself from discussion of this item.

**QUALITY EDUCATION INVESTMENT ACT (Teacher Experience Index)
Item W-16**

Subject: Request by Los Angeles Unified School District to waive portions of California *Education Code* Section 52055.740(a), regarding the Teacher Experience Index, Highly Qualified Teacher requirements, and Williams' settlement agreement requirements under the Quality Education Investment Act, so that the full implementation of these programmatic requirements is not required until 2012–13 at Alain LeRoy Locke Charter High School, Animo Locke #1, Animo Locke #2, Animo Locke #3, and Animo Locke ACE Academy.
Waiver Number: 8-5-2011

(Recommended for DENIAL)

ACTION: Member Aschwanden moved to approve CDE's recommendation to deny the waiver.

There was no second to the motion.

Member Cohn moved to approve the waiver.

Member Chan seconded the motion.

Yes votes: Members Snell, Chan, Cohn, Williams, Straus, and Molina.

No votes: Members Kirst and Aschwanden.

Recused: Member Rucker.

Absent: Member Ramos.

The motion passed with six votes.

Member Rucker recused herself from discussion of this item.

QUALITY EDUCATION INVESTMENT ACT (Teacher Experience Index)

Item W-17

Subject: Request by four local educational agencies to waive California *Education Code* Section 52055.740(a), regarding Teacher Experience Index under the Quality Education Investment Act.

Waiver Numbers: Bakersfield City School 83-2-2011

San Diego Unified 13-5-2011

(Recommended for DENIAL)

The waiver requests for Chula Vista Elementary (22-4-2011) and Petaluma City Schools (4-4-2011) were withdrawn from the November 2011 agenda at the request of the applicable district. Staff reported that the waiver request for Chula Vista Elementary is expected to come back to the January 2012 SBE meeting.

ACTION: Member Chan moved to approve the waiver request for San Diego Unified School District (13-5-2011).

Member Cohn seconded the motion.

Yes votes: Members Snell, Chan, Cohn, Kirst, Williams, Straus, and Molina.

No votes: Member Aschwanden.

Recused: Member Rucker.

Absent: Member Ramos.

The motion passed with seven votes.

Member Molina then recused herself from the discussion of Bakersfield City School District's waiver request.

ACTION: Member Cohn moved to approve the waiver request for Bakersfield City School District (83-2-2011) from July 1, 2010 through November 4, 2011, subject to CDE's verification of the district's statement that the district is in compliance with QEIA requirements now and moving forward.

Member Straus seconded the motion.

Yes votes: Members Snell, Chan, Cohn, Kirst, Williams, and Straus.

No votes: None.

Recused: Members Molina and Rucker.

Absent: Member Ramos.

The motion passed with six votes.

Member Rucker recused herself from discussion of this item.

CLASS SIZE PENALTIES (Over Limit on Grades K-3)

Item W-5

Subject: Request by five districts, under the authority of California *Education Code* Section 41382, to waive portions of *Education Code* sections 41376 (a), (c), and (d) and/or 41378 (a) through (e), relating to class size penalties for kindergarten through grade three. For kindergarten, the overall class size average is 31 to one with no class larger than 33. For grades one through three, the overall class size average is 30 to one with no class larger than 32.

Waiver Numbers: Coachella Valley Unified 8-8-2011

Lemon Grove 12-7-2011

Manteca Unified 1-8-2011

San Marcos Unified 29-6-2011

South Whittier Elementary 17-8-2011

(Recommended for APPROVAL WITH CONDITIONS)

Member Chan moved to approve CDE's recommendation for the waivers with the conditions specified in the agenda item.

Member Cohn seconded the motion.

Yes votes: Members Aschwanden, Snell, Chan, Cohn, Kirst, Williams, Straus, and Molina.

No votes: None.

Recused: Member Rucker.

Absent: Member Ramos.

The motion passed with eight votes.

Member Rucker recused herself from discussion of this item.

CLASS SIZE PENALTIES (Over Limit on Grades 4-8)

Item W-7

Subject: Request by two districts to waive portions of California *Education Code* Section 41376 (b) and (e), relating to class size penalties for grades four through eight. A district's current class size maximum is the greater of the 1964 statewide average of 29.9 to one or the district's 1964 average.

Waiver Numbers: Lemon Grove 10-7-2011

South Whittier Elementary 18-8-2011

(Recommended for APPROVAL WITH CONDITIONS)

Member Chan moved to approve CDE's recommendation for the waivers with the conditions specified in the agenda item.

Member Cohn seconded the motion.

Yes votes: Members Aschwanden, Snell, Chan, Cohn, Kirst, Williams, Straus, and Molina.

No votes: None.

Recused: Member Rucker.

Absent: Member Ramos.

The motion passed with eight votes.

CHARTER SCHOOL PROGRAM (Attendance Accounting for Multi-Track)

Item W-1

Subject: Request by two county offices of education and two school districts to waive portions of *California Code of Regulations*, Title 5, Section 11960(a), to allow charter school attendance to be calculated as if it were a regular multi-track school.

Waiver Numbers: Raisin City Elementary 31-8-2011
Adelanto Elementary 32-8-2011
Alameda County Office of Education 23-8-2011

(Recommended for APPROVAL WITH CONDITIONS)

(Meets Waiver Policy: [Charter School ADA: Alternative Calculation Method](#))

ACTION: President Kirst moved to approve CDE's recommendations for the waiver requests with the conditions specified in the agenda item, except for condition #6 for Raisin City Elementary and Adelanto Elementary (as a result, those two waivers were made permanent).

Member Chan seconded the motion.

Yes votes: Members Aschwanden, Snell, Chan, Cohn, Kirst, Williams, Straus, and Molina.

No votes: Member Rucker.

Absent: Member Ramos.

The motion passed with eight votes.

CHARTER SCHOOL PROGRAM (Pupil Teacher Ratio)

Item W-2

Subject: Request by Alpaugh Unified School District for a renewal to waive portions of *California Education Code* Section 51745.6, and *California Code of Regulations*, Title 5, Section 11704, and portions of Section 11963.4(a)(3), related to charter school independent study pupil-to-teacher ratios to allow an increase from 25:1 to a 27.5:1 pupil-to-teacher ratio at Central California Connections Academy Charter School.

Waiver Number: 19-6-2011

(Recommended for APPROVAL)

(Meets Waiver Policy: [Independent Study Average Daily Attendance \(ADA\)-to-Teacher Ratio](#))

ACTION: Member Chan moved to approve CDE's recommendation for the waiver for Alpaugh Unified School District (19-6-2011).

Member Cohn seconded the motion.

Yes votes: Members Aschwanden, Snell, Chan, Cohn, Kirst, Williams, Straus, Molina, and Rucker.

No votes: None.

Absent: Member Ramos.

The motion passed with nine votes.

SPECIAL EDUCATION PROGRAM (Educational Interpreter for Deaf and Hard of Hearing)

Item W-3

Subject: Request by five local educational agencies to waive *California Code of Regulations*, Title 5, Section 3051.16(b)(3), the requirement that educational interpreters for deaf and hard of hearing pupils meet minimum qualifications as of July 1, 2009, to allow nine educational interpreters to continue to provide services to students until June 30, 2012, under a remediation plan to complete those minimum qualifications.

Waiver Numbers: Lemoore for Gail Tackett 9-8-2011

Lindsay for Brianna Terrill 18-7-2011

Lindsay for Sara Palmitessa 23-7-2011

El Dorado for Mary Coburn 24-8-2011

El Dorado for Susie Paker 25-8-2011

El Dorado for Michaela Radney 26-8-2011

Dinuba for Rosa Velasco 10-8-2011

Dinuba for Eva Martinez 11-8-2011

Clovis for Roland Hendrix 15-7-2011

(Recommended for APPROVAL WITH CONDITIONS)

(Meets Waiver Policy: [Educational Interpreters Not Meeting Regulatory Standards](#))

ACTION: Member Chan moved to approve CDE's recommendation for the waiver requests for Gail Tackett (9-9-2011), Brianna Terrill (18-7-2011), Sara Palmitessa (23-7-2011), Mary Coburn (24-8-2011), Susie Paker (25-8-2011), Michaela Radney (26-8-2011), Rosa Velasco (10-8-2011), Eva Martinez (11-8-2011), and Roland Hendrix (15-7-2011) with the individual conditions specified in Attachment 3 to this agenda item.

Member Straus seconded the motion.

Yes votes: Members Aschwanden, Snell, Chan, Cohn, Kirst, Williams, Straus, Molina, and Rucker.

No votes: None.

Absent: Member Ramos.

The motion passed with nine votes.

SPECIAL EDUCATION PROGRAM (Educational Interpreter for Deaf and Hard of Hearing)

Item W-12

Subject: Request by Lindsay Unified School District to waive the *California Code of Regulations*, Title 5, Section 3051.16(b)(3), the requirement that educational interpreters for deaf and hard of hearing pupils meet minimum qualifications as of July 1, 2009. To allow David Mashtal, Nicholas Cervantes, Kurt Graves, and Alex Cervantes to continue to provide services to students until June 30, 2012, under a remediation plan to complete those minimum requirements.

Waiver Numbers: David Mashtal 19-7-2011

Nicholas Cervantes 20-7-2011

Kurt Graves 21-7-2011

Alex Cervantes 22-7-2011

(Recommended for DENIAL)

Member Chan moved to approve the CDE's recommendation to deny the waiver requests for David Mashtal (19-7-2011), Nicholas Cervantes (20-7-2011), Kurt Graves (21-7-2011), and Alex Cervantes (22-7-2011).

Member Rucker seconded the motion.

Yes votes: Members Aschwanden, Snell, Chan, Cohn, Kirst, Williams, Straus, Molina, and Rucker.

No votes: None.

Absent: Member Ramos.

The motion passed with nine votes.

SCHOOL CONSTRUCTION BONDS (Bond Indebtedness Limit - Unified after 2000)

Item W-11

Subject: Request by Twin Rivers Unified School District to waive California *Education Code* sections 15102, 15106, 15268, 15270(a), to allow the district to exceed its bonding indebtedness limit of 1.25 percent of the taxable assessed value of property and \$30 per \$100,000 assessed value (requesting 2.50 percent and \$60 per \$100,000, respectively).

Waiver Number: 14-5-2011
(Recommended for APPROVAL WITH CONDITIONS)

Member Rucker moved to approve CDE's recommendation for the waiver with conditions, as specified in the agenda item.

Member Molina seconded the motion.

Yes votes: Members Aschwanden, Snell, Chan, Cohn, Kirst, Williams, Straus, Molina, and Rucker.

No votes: None.

Absent: Member Ramos.

The motion passed with nine votes.

***** END OF WAIVERS NOT ON CONSENT *****

*****CONTINUATION OF REGULAR AGENDA ITEMS*****

Please note that several agenda items were taken out of order to ensure that action items were heard when a quorum was present. The order below reflects the order in which the Board heard the items.

Item 10

Subject: Request for Approval of Sonoma County Office of Education Charter Special Education Local Plan Area.

Action: Member Strauss moved to adopt the CDE's recommendations to:

1. Approve the Sonoma COE SELPA local plan (Attachment 1 to the agenda item) for a membership-only charter schools LEA, subject to the following conditions:
 - The Sonoma COE must submit a revised local plan to identify charter school LEA members pursuant to California *Education Code (EC)* Section 56195.
 - The Sonoma COE local plan must meet all statutorily required elements.
 - The Sonoma COE SELPA local plan must assure students with disabilities receive a free appropriate public education (FAPE).

2. Delegate final approval of the Sonoma COE SELPA local plan to the SSPI upon receipt of documents fulfilling the conditions of approval.

Member Rucker seconded the motion.

Yes votes: Members Aschwanden, Snell, Chan, Cohn, Kirst, Williams, Straus, Molina, and Rucker.

No votes: None.

Absent: Member Ramos.

The motion passed with nine votes.

Item 11

Subject: Appeal of a decision by the San Mateo County Committee on School District Organization to Disapprove a Petition to Transfer Territory from the Redwood City School District to the Las Lomas School District in San Mateo.

Action: Member Aschwanden moved to approve the CDE's recommendation to deny the appeal and uphold the decision of the San Mateo County Committee on School District Organization.

Member Rucker seconded the motion.

Yes votes: Members Aschwanden, Snell, Chan, Cohn, Kirst, Williams, Straus, Molina, and Rucker.

No votes: None.

Absent: Member Ramos.

The motion passed with nine votes.

***** PUBLIC HEARING *****

President Kirst opened the public hearing at 1:25 p.m. and closed the hearing at 1:39 p.m.

Item 12

Subject: Petition for Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of the Synergy Charter School

Petition, Which Was Denied by the Pittsburg Unified School District and the Contra Costa County Board of Education.

Action: Member Aschwanden moved to adopt the Advisory Commission on Charter Schools (ACCS)'s recommendation to approve the petition to establish the Synergy Charter School under the oversight of the SBE, subject to the following provisions:

- The SBE Conditions on Opening and Operation as set forth in Attachment 1 to the agenda item.
- Modifications to the charter in accordance with the CDE report as set forth in detail in Attachment 2 to the agenda item.

In addition, Member Aschwanden moved to adopt CDE's recommendation to include the following provisions that are standard to SBE authorization of charter schools:

- Specification of a five-year term beginning July 1, 2012, and ending June 30, 2017.
- Termination of the charter if the school does not begin operations between July 1 and September 30, 2012.

In addition, Member Aschwanden directed the school to share the following data with CDE's Charter School Division and SBE staff as soon as available: CBEDs data in October, the fiscal report in November, and the P1 report in December.

Member Straus seconded the motion.

Yes votes: Members Aschwanden, Snell, Chan, Cohn, Kirst, Williams, Straus, and Molina.

No votes: Member Rucker.

Absent: Member Ramos.

The motion passed with eight votes.

***** END OF PUBLIC HEARING *****

***** PUBLIC HEARING *****

President Kirst opened the public hearing at 2:42 p.m. and closed it at 3:56 p.m.

Item 13

Subject: Standardized Testing and Reporting Program: Adoption of California Modified Assessment Performance Standards for English–Language Arts in Grades Ten and Eleven, and Geometry.

Action: Member Chan moved to approve CDE’s recommendation to adopt the proposed performance standards (levels) for the CMA for English–language arts in grades ten and eleven and geometry.

Member Cohn seconded the motion.

Yes votes: Members Aschwanden, Chan, Cohn, Kirst, Williams, Straus, and Rucker.

No votes: Member Molina.

Absent: Members Ramos and Snell.

The motion passed with seven votes.

***** END OF PUBLIC HEARING *****

Item 14

Subject: Elementary and Secondary Education Act: Recommendation for Adoption of the Exit Plan Regarding the State Trustee in Alisal Union Elementary School District.

Action: Member Aschwanden moved to approve the State Trustee's recommendation to move toward full local governing authority for Alisal Union Elementary School District on or before June 30, 2012, and to authorize both the SBE President and Executive Director to work with SBE staff, CDE staff, and the State Trustee to move toward the Exit Plan outlined in the Attachment to the agenda item.

Member Rucker seconded the motion.

Yes votes: Members Aschwanden, Chan, Cohn, Kirst, Williams, Straus, Molina, and Rucker.

No votes: None.

Absent: Members Ramos and Snell.

The motion passed with eight votes.

Item 9

Subject: Annual Performance Report for Part B of the Individuals with Disabilities Education Act Covering Program Year 2010-11.

Action: No action taken.

Item 15

Subject: PUBLIC COMMENT.

Public Comment is invited on any matter **not** included on the printed agenda.

Action: No action taken.

Item 8

Subject: STATE BOARD PROJECTS AND PRIORITIES.

Including, but not limited to, future meeting plans; agenda items; and officer nominations and/or elections; State Board office budget, staffing, appointments, and direction to staff; declaratory and commendatory resolutions; bylaw review and revision; Board policy; approval of minutes; Board liaison reports; training of Board members; and other matters of interest.

Action: Member Aschwanden moved to approve the September 2011 SBE Minutes.

Member Rucker seconded the motion

Yes votes: Members Aschwanden, Chan, Cohn, Kirst, Williams, Straus, Molina, and Rucker.

No votes: None.

Absent: Members Snell and Ramos.

The motion passed with eight votes.

President Kirst adjourned the meeting at 5:25 p.m.

***** ADJOURNMENT OF MEETING *****



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM 9



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

SUBJECT	
Update on the Activities of the California Department of Education and State Board of Education Regarding Implementation of Common Core State Standards Systems.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

SUMMARY OF THE ISSUE(S)

California *Education Code* Section 60605.8 (h) requires the State Superintendent of Public Instruction (SSPI) and the State Board of Education (SBE) to present a schedule and an implementation plan to the governor and the appropriate policy and fiscal committees of the California State Legislature for integrating the Common Core State Standards (CCSS) into the state educational system. This agenda item is the fourth in a series of regular updates.

RECOMMENDATION

The California Department of Education (CDE) recommends that the SBE take action as deemed necessary and appropriate but recommends no specific action at this time.

BRIEF HISTORY OF KEY ISSUES

When the SBE adopted the CCSS with additions in August of 2010, these standards became the current subject-matter standards in English language arts and mathematics. The full implementation of these standards will occur over several years as a new system of CCSS-aligned curriculum, instruction, and assessment is developed. New tools to support the system are important; professional learning support modules, curriculum frameworks, instructional materials, and assessment tools are all key components. However, in addition to the tools, successful implementation requires that California's diverse educational stakeholders work in concert to achieve the shared objective of preparing every student for success in college and career.

The CDE has developed a comprehensive statewide plan for implementing a system designed to support student attainment of the CCSS. California's CCSS Systems Implementation Plan is provided as Attachment 1.

The CDE continues to be engaged in many implementation activities, as described in Attachment 2.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

November 2011: The CDE presented to the SBE the third in a series of updates on the implementation of the CCSS.

September 2011: The CDE presented to the SBE the second in a series of updates on the implementation of the CCSS.

July 2011: The CDE presented to the SBE the first in a series of updates on the implementation of the CCSS.

June 2011: Governor Edmund G. Brown, Jr., SSPI Tom Torlakson, and SBE President Michael Kirst signed the memorandum of understanding for California's participation as a governing state in the SMARTER Balanced Assessment Consortium (SBAC). California was previously a participating state in the Partnership for the Assessment of Readiness for College and Careers (PARCC).

November 2010: The CDE presented to the SBE an update on the implementation of the CCSS. This update was provided at the joint meeting between the SBE and the Commission on Teacher Credentialing (See agenda at <http://www.cde.ca.gov/be/pn/pn/ctcsbeagenda08nov2010.asp>).

August 2010: Pursuant to Senate Bill X5 1, the SBE adopted the academic content standards in English language arts and mathematics as proposed by the California Academic Content Standards Commission (ACSC); the standards include the CCSS and specific additional standards that the ACSC had deemed necessary to maintain the integrity and rigor of California's already high standards.

May 2009: The SSPI, the Governor of California, and the SBE President agreed to participate in the Council of Chief State School Officers and the National Governors Association Center for Best Practices initiative to develop the CCSS as part of California's application to the federal Race to the Top grant.

FISCAL ANALYSIS (AS APPROPRIATE)

The cost of implementing the CCSS is significant, but will be offset by the improved efficiencies, benefits of shared costs with other states, and the shifting of current costs to CCSS activities. Currently, the CDE is providing professional learning support via webinars and presentations and is providing ongoing guidance to the field for transitioning to the CCSS. In addition, current efforts will be redirected to support the implementation of the CCSS, especially in the area of professional learning support. In terms of instructional materials, costs will span multiple years but will be offset by access to a national market of materials and greater price competition. Nonetheless, the implementation of new standards assessments, the development and implementation of new accountability measures, local and statewide professional learning support, the development of new curriculum frameworks, and the review and acquisition of new

FISCAL ANALYSIS (AS APPROPRIATE) (Cont.)

instructional materials will require a refocusing of efforts, shifting and infusion of new resources.

ATTACHMENT(S)

Attachment 1: Common Core State Standards Systems Implementation Plan for California (38 Pages) (PDF Document)

Attachment 2: Programmatic Highlights (1 Page)

Programmatic Highlights

The following list references additional State Board of Education January 2012 meeting agenda items regarding Common Core State Standards systems implementation:

- *Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve*, 2013 Revision: Approval of the Timeline and Curriculum Framework and Evaluation Criteria Committee Application Form. (SBE Item 11)
- Supplemental Instructional Materials Review Aligned to the Common Core State Standards: Evaluation Criteria. (SBE Item 10)
- Reauthorization of Statewide Pupil Assessment System: Development of Superintendent Recommendations. (SBE Item 12)

Common Core State Standards Systems Implementation Plan for California

January 2012



COMMON CORE
STATE STANDARDS

CALIFORNIA



Contents

Introduction.....	1
1. Facilitate high quality professional learning opportunities for educators to ensure that every student has access to teachers who are prepared to teach to the levels of rigor and depth required by the CCSS.....	5
2. Provide CCSS-aligned instructional resources designed to meet the diverse needs of all students.....	9
3. Develop and transition to CCSS-aligned assessment systems to inform instruction, establish priorities for professional learning, and provide tools for accountability.....	12
4. Collaborate with parents, guardians and the early childhood and extended learning communities to integrate the CCSS into programs and activities beyond the K–12 school setting.....	15
5. Collaborate with the postsecondary and business communities to ensure that all students are prepared for success in career and college.....	18
6. Seek, create, and disseminate resources to support stakeholders as CCSS systems implementation moves forward.....	21
7. Design and establish systems of effective communication among stakeholders to continuously identify areas of need and disseminate information.....	24
Suggestions and Opportunities for LEAs.....	27
Appendix A: CCSS Systems Implementation – Significant Milestones.....	34
Appendix B: Common Core State Standards Web Resources.....	36

Introduction

Mission Statement

California will provide a world-class education for all students, from early childhood to adulthood. The California Department of Education serves our state by innovating and collaborating with educators, schools, parents, and community partners. Together, as a team, we prepare students to live, work, and thrive in a highly connected world.

The California Department of Education (CDE) oversees the state's diverse and dynamic public school system, which is responsible for the education of more than seven million children and young adults in more than 9,000 schools. The CDE and the State Superintendent of Public Instruction are responsible for enforcing education law and regulations; and for continuing to reform and improve public elementary school programs, secondary school programs, adult education, some preschool and child care programs.

Our purpose is to provide for and support an effective educational system that affords every child the ability to attain their highest degree of education and to support the local educational agencies (LEAs) in this endeavor.

Acknowledgements

This Common Core State Standards (CCSS) Systems Implementation Plan has been developed by the CDE under the leadership of State Superintendent of Public Instruction, Tom Torlakson and the California State Board of Education (SBE), and is presented to the California State Legislature, Governor Jerry Brown, and the people of the State of California.

The Purpose of This Document

The CCSS Systems Implementation Plan identifies major phases and activities in the implementation of the CCSS throughout California's educational system. The plan describes the philosophy of and strategies for the successful integration of new kindergarten through grade twelve academic content standards that permeate both well before and far beyond these grade levels.

While it provides a pathway for activities related to implementation, this document is not designed to be an exhaustive task list. Nor is its purpose to identify or discuss the specifics of the standards themselves—many other resources produced by the CDE and its collaborative partners provide reviews and analyses of the CCSS.

LEAs should use this plan to develop their own specific CCSS implementation plans in order to meet their own local needs. This plan provides LEAs with information on the CCSS alignment work of statewide programs that involve most, if not all, LEAs. It also includes information on many specific resources they may wish to utilize and implementation activities in which they may choose to participate.

California's Standards-Based Educational System

Academic content standards encourage the highest achievement of every student by defining the knowledge, concepts, and skills that students should acquire at each grade level. A standards-based system of education is an integrated system in which each element is an essential part of the whole. No single element ensures student achievement, and ineffective implementation of any aspect risks the success of the entire system. Each element informs the others to

create a single plan for student mastery of the standards.

This system of clear expectations for student achievement promotes educational equity. This equity—ensured through universal access for all students—is the cornerstone to our educational philosophy. It’s from the results of our continuing research for and development of improved programs and instructional techniques that students will actually achieve their true potential for academic success. When this success is attained—when there is no measureable gap between the academic performance levels of student subgroups—will we have achieved true educational equality.

The SBE first adopted statewide academic content standards for English-language arts and mathematics in 1997. Since that time, California has been building an educational system based upon some of the most rigorous and well respected academic content standards in the nation. California’s standards-based educational system is one in which standards, curriculum, assessment, and accountability are aligned to support student attainment of the standards. Teachers and local school officials, in collaboration with families and community partners, use standards to help students achieve academic success.

The Common Core State Standards

In 2009, the Council of Chief State School Officers (CCSSO) and the National Governors Association Center for Best Practices (NGA) committed to developing a set of standards that would help prepare students for success in career and college. The CCSS Initiative is a voluntary, state-led effort coordinated by the CCSSO and NGA to establish clear and consistent education standards.

The CCSS exist for English-language arts and mathematics, kindergarten through grade twelve. They are founded upon the best state standards; the experiences of teachers, content experts, and

leading thinkers; and feedback from the general public. In addition, the standards are internationally benchmarked to the top performing nations to ensure that our students are globally competitive. Parents, educators, content experts, researchers, national organizations, and community groups from forty-eight states, two territories, and the District of Columbia all participated in the development of the standards. The CCSS are rigorous, research-based, and relevant to the real world. On August 2, 2010, the SBE voted unanimously to adopt the CCSS. More information about the standards may be found on the CDE’s CCSS Resources Web page at <http://www.cde.ca.gov/ci/cc>.

Common Core State Standards Systems Implementation Plan

California’s adoption of the CCSS demonstrates its commitment to providing a world-class education to all of its students. California’s implementation of the CCSS renews its vision *that all students graduating from our public school system be life long learners and have the skills and knowledge necessary to be ready to assume their position in the 21st century global economy.*

California is not only fully committed to the complete and successful implementation of the CCSS, it is now fully engaged in that process. Across all branches of the CDE, within county offices of education, at every level of LEA administrations, and in classrooms across the state, stakeholders are examining their education programs and preparing for full implementation of the CCSS.

There is much work to be done. Although California's 1997 academic content standards and the CCSS for English-language arts and mathematics share many similarities in content and design, there are a number of notable differences between the two sets of standards. For example, since students are often required to write, research, and analyze non-literary texts in college and the

workplace, the CCSS place an emphasis on developing literacy in history, science, and technical subjects. The CCSS also focus on applying mathematical ways of thinking to real world challenges, helping students develop a depth of understanding and ability to apply mathematics to novel situations.

In addition, the new CCSS require significant student collaboration, fluency with multimedia and technology, and the development of strong complex reasoning, problem solving, and communication skills. Elements such as these transcend subject matter and demand a re-examination of our existing system of professional learning, curricula development, assessments, and accountability. Further, California's active participation in new CCSS system-related multi-state collaborations present the state with additional opportunities to expand and improve upon previous standards implementation efforts.

California's Diverse Stakeholders

A systems approach to implementing the CCSS provides coherence and necessitates extensive communication and collaboration among all of California's educational stakeholders. The CDE is working diligently to ensure clear communications and expectations, and this document is an important component of this goal. Yet, without the engagement and assistance of all educational stakeholders, the CDE cannot successfully oversee the implementation of the CCSS. The role of each stakeholder group in contributing to the implementation is vitally important to the success of the plan.

The CCSS were created by representative groups of teachers, administrators, parents, content experts, and education professionals, each bringing a unique educational perspective into the development. For the implementation of the CCSS to be successful, it will take a vast majority of all members of these groups working to achieve the common goals.

Of all stakeholders, students are perhaps the most ready to implement the new standards. Offered engaging content by well-prepared teachers using effective strategies, students will respond with determined interest and perform to their best ability. The role of every other stakeholder group is to ensure that the students—all students—gain meaningful access to the content and that all necessary support systems are in place.

In reviewing this document, stakeholders should note instances for potential involvement. For various groups, these opportunities may be different. Teachers and administrators may wish to participate in professional learning opportunities. Families may wish to view CDE-sponsored Webinars or review publications such as *A Look at Kindergarten through Grade Six in California Public Schools*. In many cases, the opportunity for stakeholder input will be more open-ended. For example, the SBE invites public comment on meeting agenda items. In other instances, the CDE will seek stakeholder feedback on particular issues. Involvement may be as easy as subscribing to a listserv for information on a particular topic. Opportunities abound, and the CDE and SBE welcome and encourage participation.

Phases of Implementation

Full implementation of CCSS systems will occur over several years and in the context of a continuous learning process. Accordingly, the plan exists within a framework of phases of the change process. The phases are straightforward yet lightly defined because for each program and project there exists an ongoing development and progression that must evolve both at the individual elemental level and the integrated systems level.

- ❖ *The Awareness Phase* represents an introduction to the CCSS, the initial planning of systems implementation, and establishment of collaborations.

- ❖ *The Transition Phase* is the concentration on building foundational resources, implementing needs assessments, establishing new professional learning opportunities, and expanding collaborations between all stakeholders.
- ❖ *The Implementation Phase* expands the new professional learning support, fully aligns curriculum, instruction, and assessments, and effectively integrates these elements across the field.

Guiding Strategies

As a structural framework for activities, and the phases into which they fall, the plan is grounded in seven guiding strategies for implementation. These strategies encompass all areas of our educational system, and while they provide focus to the work, they also reveal its highly integrated nature. The seven guiding strategies for CCSS systems implementation are:

1. Facilitate high quality professional learning opportunities for educators to ensure that every student has access to teachers who are prepared to teach to the levels of rigor and depth required by the CCSS.
2. Provide CCSS-aligned instructional resources designed to meet the diverse needs of all students.
3. Develop and transition to CCSS-aligned assessment systems to inform instruction, establish priorities for professional learning, and provide tools for accountability.
4. Collaborate with parents, guardians, and the early childhood and extended learning communities to integrate the CCSS into programs and activities beyond the K–12 school setting.

5. Collaborate with the postsecondary and business communities and additional stakeholders to ensure that all students are prepared for success in career and college.
6. Seek, create, and disseminate resources to support stakeholders as CCSS systems implementation moves forward.
7. Design and establish systems of effective communication among stakeholders to continuously identify areas of need and disseminate information.

Transformation

Within each of these seven strategies exists the basis for the work to be done, the major work projects, and what that work will ultimately establish in terms of full transformation to the CCSS systems. While a plan usually starts at the beginning, this plan first establishes what transformation to the CCSS systems will look like. Each strategy begins with what we know we want—and what we know we need to achieve—in transforming to an integrated system of CCSS education. For many of the strategies, the list of indicators of transformation is quite detailed. However, the indicators of transformation for the CCSS system as a whole are relatively simple. In essence, we will know that our educational system has been transformed when teachers across the state, informed by student assessment data gleaned from CCSS-aligned tools, employ differentiated instructional strategies to support the success of every student in attaining the standards. Quite simply, more of California’s students, supported by a network of engaged and informed stakeholders, will graduate from high school prepared to transition to career and college successfully.

1. Facilitate high quality professional learning opportunities for educators to ensure that every student has access to teachers who are prepared to teach to the levels of rigor and depth required by the CCSS.

Successful implementation of the CCSS requires strong instructional leadership in every school and well-prepared teachers in every classroom. In order for any standards-based system to be successful, educators must possess a thorough understanding of what students are expected to know and be able to do, as well as an array of instructional strategies designed to support every student in meeting those expectations. There are a number of differences between the California content standards adopted in 1997 and the CCSS. It is critical to the success of the CCSS system that educators have access to high quality professional learning opportunities that develop facility with the new standards and a variety of instructional strategies that will support student attainment of them.

The CDE will work with the Commission on Teacher Credentialing (CTC) to ensure that pre-service teachers and administrators have access to programs that provide the pedagogical and content knowledge needed to successfully support student attainment of the CCSS. Similarly, induction programs will reflect and support effective teaching of the CCSS-aligned material. Collaborations with higher education and the coordination of programs will guide revisions to teacher competencies, credentialing, and course work for students in all teacher preparation and credentialing programs.

The CDE will also collaborate with various educational entities to ensure that existing and newly developed CCSS-aligned resources

are efficiently and adequately distributed to educators throughout California and will maintain ongoing communication with the higher education community in the development of professional learning resources for educators. The CDE will compile a list of professional learning activities and resources that are currently available and conduct needs surveys to determine what professional learning activities and resources are most needed by LEAs. The CDE will then form a design team to develop criteria for new professional learning modules designed to meet the identified needs of educators. Modules will be available for both individual study and group activity, web-based and school-based delivery, and will assist in the implementation of the CCSS and increase the effectiveness of teachers based on the *California Standards for the Teaching Profession* and the *Learning Forward Standards for Professional Learning*. Topics will include instructional strategies to support all learners including English learners, pupils with disabilities, and underperforming students; instructional strategies that promote creativity, innovation, critical thinking, problem solving, collaboration and communication skills; the integration of subject area content knowledge; and instructional leadership and coaching. The CDE will refine its existing Professional Development Opportunities Web site to identify activities aimed at transitioning to the CCSS.

Traditionally, once the SBE adopts standards, the CDE develops new curriculum frameworks that provide guidance regarding instructional strategies to support student achievement of the standards. In 2009, California enacted a series of laws that suspended the framework development process. This process will resume in January 2012. To support transition to the CCSS until the curriculum frameworks are revised, the CDE has developed and published a grade-level curriculum document, *A Look at Kindergarten Through Grade Six in California Public Schools*, that

includes substantial material to support the transition to the CCSS. The CDE will continue to develop materials that promote familiarity with the CCSS and implementation of the CCSS system, and collaborate with professional organizations to conduct presentations and workshops at regional and statewide conferences.

Historically, socio-economically disadvantaged and linguistic minority student subgroups have experienced a gap in student achievement as compared to their non-disadvantaged and native English-speaking counterparts. The CDE will continue to use Title I resources for schools and LEAs to strengthen the academic achievement of students not meeting state standards and will create and promote professional learning opportunities and resources to support teachers in addressing the diverse needs of all students.

The CDE will partner with LEAs regarding potential programmatic refinements designed to align with various assessments and will promote familiarity with SMARTER Balanced Assessment Consortium (SBAC) assessments and how they may be used to inform instruction.

Indicators of Transformation

Educators will have access to professional learning opportunities that promote best practices for teaching all students, including our youngest students, gifted students, students with disabilities, English learners, and underperforming students. Educators will know how to use student data provided by SBAC assessments to inform their practice and will be prepared to differentiate instruction to meet the needs of all students.

Teacher and administrator credentialing and induction programs will align to the CCSS. Pre-service educators will be familiar with the standards and possess a range of instructional strategies that support student attainment of them. A multitude of professional learning resources that support best practices as related to CCSS-aligned instruction will be available. Various providers of professional learning opportunities will continue to work in collaboration with the CDE to create methods of delivery that include online portals and discussion boards, resource Web pages, Webcasts, workshops, seminars, and publications. CDE staff will regularly survey school, district, and county office personnel to assess needs and continue to provide technical assistance and develop new resources in response to stakeholder feedback. The revised curriculum frameworks will provide instructional guidance to classroom teachers and serve as the basis for professional development on the CCSS and their implementation for teachers and administrators.

California Department of Education Implementation Activities

	Awareness	Transition	Implementation
Development of Professional Learning Modules	<ul style="list-style-type: none"> Identify high-quality professional learning opportunities that are aligned to CCSS and representative of the SBAC assessments (2011) Compile a list of existing state and national professional learning activities (2012) Conduct a needs assessment of LEAs to determine and prioritize professional learning needs (2012) Establish a design team to develop guidelines for professional learning modules (2012) Collaborate with stakeholders to establish a work plan for professional development activities and priorities (2012) 	<ul style="list-style-type: none"> Participate in development of professional learning opportunities created by county offices of education and other providers of professional development (2011–12) Develop guidelines for model professional learning modules based upon the Standards for Professional Learning and the California Standards for the Teaching Profession (CSTPs) (2012) Oversee development of the first set of 4–6 professional learning modules (summer 2012) 	<ul style="list-style-type: none"> Conduct Web-based and site-based seminars for facilitators on professional learning modules (2012) Conduct evaluation of effectiveness of existing modules and revise as needed (2012–13) Develop 8–10 new modules as needed (2013–2014)
Educator Preparation and Induction Programs	<ul style="list-style-type: none"> Discuss with the CTC the need to review the teacher preparation and Beginning Teacher Support and Assessment (BTSA) program requirements, as well as teacher performance expectations for necessary changes for alignment to the CCSS Communicate with institutions of higher education regarding the CCSS and new requirements for teacher and administrator preparation programs Build collaborations with the higher education community to align teacher competencies and standards for special education programs and credentialing 	<ul style="list-style-type: none"> Work with the CTC to incorporate new requirements into teacher preparation and BTSA programs and create teacher performance expectations Work with institutions of higher education to revise teacher and administrator preparation programs to align with the CCSS and new CTC requirements Collaborate with higher education, addressing teacher preparation issues for early childhood and career technical education, English learners, students with disabilities, underperforming students, use of assessment data to inform instruction, and integration of the CCSS 	<ul style="list-style-type: none"> Work with BTSA Regional infrastructure to ensure CCSS are included within local BTSA programs Support institutions of higher education implementation of CCSS in appropriate coursework

California Department of Education Implementation Activities

	Awareness	Transition	Implementation
Transition Document	<ul style="list-style-type: none"> ◆ Develop a K–6 grade-level curriculum document that includes sections on professional learning in terms of transitioning from the 1997 standards to the CCSS in addition to sections on all of the subject areas for which there are state-adopted content standards (2011) 	<ul style="list-style-type: none"> ◆ Publish the grade-level curriculum document online (spring 2011) ◆ Prepare, conduct, and record a series of Webinars for the grade-level curriculum document (2011) 	<ul style="list-style-type: none"> ◆ Archive the grade-level curriculum document Webinars online (2011) ◆ Publish and promote <i>A Look at Kindergarten Through Grade Six in California Public Schools</i> (fall 2011)
Outreach	<ul style="list-style-type: none"> ◆ Prepare professional learning focused presentations and workshops to promote awareness of the CCSS ◆ Reach out to educational organizations/associations regarding availability of CDE staff to provide informational presentations 	<ul style="list-style-type: none"> ◆ Schedule and conduct presentations and workshops at professional learning conferences ◆ Continue to solicit stakeholder organizations for opportunities to present workshops at state-wide and regional conferences and meetings to familiarize stakeholders with the CCSS 	<ul style="list-style-type: none"> ◆ Post professional learning presentations online ◆ Maintain and strengthen collaborative relationships with stakeholder organizations. ◆ Continue to develop and provide new relevant presentations as implementation progresses
Web-based Promotion of Professional Learning Opportunities	<ul style="list-style-type: none"> ◆ Develop informational materials to promote awareness of the CCSS ◆ Establish partnership with Apple, Inc. to develop and design CDE on iTunes U (spring 2010) ◆ Establish CDE’s CCSS Resources Web page (summer 2010) ◆ Refine existing professional learning Web site to better communicate activities aimed at the transition to CCSS (2012) ◆ Identify professional development content, resources, videos, and CDE hosted or sponsored web portals that should be modified to address CCSS 	<ul style="list-style-type: none"> ◆ Post informational materials on CCSS Resources Web page and CDE on iTunes U ◆ Collaborate with stakeholders to gather and review materials to include on CDE on iTunes U ◆ Provide a series of Webinars and presentations on the CCSS and develop a library of CCSS-related resources available online ◆ Modify content and resources as necessary ◆ Establish and promote listserv to notify educators and the public about CCSS resources and professional learning opportunities (summer 2011) 	<ul style="list-style-type: none"> ◆ Post recordings of webinars and presentations on CDE on iTunes U ◆ Maintain and continually update a library of resources, webinars, and presentations regarding the CCSS ◆ Maintain and continually update clearinghouse for professional learning resources and opportunities ◆ Disseminate information to LEAs about the availability of updated online resources as well as professional learning modules ◆ Maintain, expand, and promote listserv to notify educators and the public about CCSS resources and professional learning opportunities

2. Provide CCSS-aligned instructional resources designed to meet the diverse needs of all students.

The traditional implementation of new academic content standards in California has been the progressive pathway of the development, review, and adoption of standards, curriculum frameworks, instructional materials, and assessments. Due to fiscal crisis, the state enacted a series of laws beginning in 2009 designed to create flexibility for LEAs. These laws suspended the authority of the CDE to initiate curriculum frameworks development and the authority of the SBE to adopt any new materials until July 2015. However, due to the passage of Assembly Bill 250 (Statutes of 2011), the CDE is now revising the curriculum frameworks for mathematics and English language arts. These new curriculum frameworks will provide instructional guidance aligned to the CCSS and will provide publishers with criteria for the development of new instructional materials.

While instructional materials adoptions remain suspended, the CDE is conducting a review of supplemental instructional materials that will bridge the gap between SBE-adopted programs currently being used by LEAs and the new CCSS. Once the review is complete, the CDE will list on its Web site these CCSS-aligned materials designed to help LEAs transition to the new standards.

Fundamental to California’s concept of successful instruction is the assurance of universal access for all students—which means that all students must have meaningful access to the content in order to achieve their own highest potential. The CDE continues to strive to ensure that instructional resources, including those that are developed to support student

attainment of the CCSS, are designed to meet the many different needs of California’s diverse student population, including gifted students, adult students, English learners, migrant students, students with disabilities, as well as students with disabilities who are English learners.

A revision of the English Language Development (ELD) standards is crucial to successful implementation of the new CCSS. Nearly 25 percent of California’s students are English learners, and the ELD standards establish what students must know and be able to do as they move toward full fluency in English. With the passage of AB 124 (Statutes of 2011), California is embarking upon a revision of the ELD standards to bring them into full alignment with the CCSS and will include the revised standards in the new curriculum framework for English language arts.

Additionally, as technology-based materials become more common, the CDE will continue to promote the use of platform-neutral software and adaptive technology—both in curriculum and assessments.

Indicators of Transformation

Revised curriculum frameworks will provide instructional guidance on the CCSS and provide the criteria for development of new instructional materials. The frameworks will provide information regarding strategies for universal access, use of assessments to inform instruction, and tiered interventions for any students not meeting the CCSS; and stakeholders will utilize them to improve the achievement of all students. Students will have the opportunity to access CCSS-aligned curriculum via a variety of formats, including digital technology that will also be capable of supporting assessment administration.

California Department of Education Implementation Activities

	Awareness	Transition	Implementation
Standards Documents		<ul style="list-style-type: none"> ◆ Publish and present in print and online the CCSS with CA additions ◆ Translate the CCSS with CA additions into Spanish 	<ul style="list-style-type: none"> ◆ Publish and present in print and online the Spanish translation of the CCSS with CA additions
English Language Development Standards	<ul style="list-style-type: none"> ◆ Convene education experts to update the ELD standards (winter 2012) ◆ Align the ELD standards to the CCSS for ELA ◆ Hold two public hearings for stakeholder input (spring 2012) ◆ Present the revised ELD standards to the SBE for action (summer 2012) 	<ul style="list-style-type: none"> ◆ Announce adoption of the revised ELD standards (fall 2012) ◆ Publish in print and online the revised ELD standards ◆ Incorporate new ELD standards into revised ELA framework 	<ul style="list-style-type: none"> ◆ Develop an introduction to the revised ELD standards and present at conferences and in Webinars
Supplemental Instructional Materials	<ul style="list-style-type: none"> ◆ Develop a plan and timeline for the review of supplemental instructional materials aligned to the CCSS (2011–12) ◆ Brief publishers on the review (2011–12) ◆ Post an information page and FAQ on the review (2011) 	<ul style="list-style-type: none"> ◆ Develop evaluation criteria and review timelines for SBE action (January 2012) ◆ Recruit and train reviewers (summer 2012) ◆ Conduct reviewer deliberations; develop a report of findings (fall 2012) ◆ Hold meetings for public comment (fall 2012) ◆ Submit to the SBE for action the report of findings (fall 2012) 	<ul style="list-style-type: none"> ◆ Post list of recommended supplemental instructional materials online (winter 2012) ◆ Provide ongoing support to the field on issues related to instructional materials and the CCSS (e.g., instructional materials funding, sufficiency)

California Department of Education Implementation Activities

	Awareness	Transition	Implementation
Curriculum Frameworks	<ul style="list-style-type: none"> ◆ Develop a plan and timeline for the revision of the curriculum frameworks for mathematics and ELA to incorporate and support the CCSS 	<ul style="list-style-type: none"> ◆ Submit to the SBE a timeline and general plan for the framework revision and Curriculum Framework and Evaluation Criteria Committee (CFCC) applications for both mathematics and ELA (January 2012) ◆ Convene four regional focus groups for each framework to gather input on the revision of the framework and submit a report to the SBE (2012) ◆ Submit to the SBE the Instructional Quality Commission (IQC)-recommended CFCC applicants and guidance for the revision of the framework (2012) ◆ Contract with writers/content experts to draft the revised frameworks (2012) ◆ Conduct two 60-day public review periods and make recommendations to the IQC and SBE regarding the comments received (2012 math; 2013 ELA) ◆ Submit the CFCC-recommended revised curriculum frameworks to the SBE for action (2013 math; 2014 ELA) 	<ul style="list-style-type: none"> ◆ Announce adoption of revised frameworks (2013 math; 2014 ELA) ◆ Publish in print and postonline the revised curriculum frameworks ◆ Develop and present an introduction of the revised frameworks to LEAs, including presentations at conferences and in Webinars ◆ Provide the revised curriculum frameworks in the form of an “app”
Instructional Materials Adoptions	<ul style="list-style-type: none"> ◆ Plan timeline for future CCSS-aligned instructional materials adoptions for kindergarten through grade eight following the July 1, 2015 expiration of legislative suspension 	<ul style="list-style-type: none"> ◆ Initiate cycle of new adoptions following the July 1, 2015 expiration of legislative suspension of SBE instructional materials adoptions. ◆ Promote increased use of platform-neutral technology-based instructional resources 	<ul style="list-style-type: none"> ◆ SBE adopts CCSS-aligned instructional materials for mathematics (2016) and ELA (2018)

3. Develop and transition to CCSS-aligned assessment systems to inform instruction, establish priorities for professional learning, and provide tools for accountability.

Standards-aligned assessments assist in providing information about student progress towards full attainment of the standards. In a standards-based system, student assessment data is used to inform instructional practice and professional learning activities at the district, school, and classroom level.

On June 9, 2011, California joined the SMARTER Balanced Assessment Consortium (SBAC) as a governing state. The SBAC is a national consortium of 29 states that have been working collaboratively to develop a student assessment system aligned to the CCSS. Of those, California is one of 19 governing states, which allows decision-making participation.

The SBAC is developing a system of online, computer adaptive summative assessments, optional interim assessments, formative resources and tools, professional development resources, and an online reporting system that will allow educators to readily access information regarding student progress toward the standards. California's educators, along with educators from the other 28 SBAC states, will have the opportunity to provide feedback on draft content specifications, test item development, test scoring, formative tool development, range-finding and score validation, and designing score reports and Web tools.

The SBAC is developing assessments for mathematics and ELA for students in grades 3 through 8 and grade 11. SBAC assessments will not assess students with significant

disabilities as they will still take the California Alternate Performance Assessment.

California will continue to address questions regarding the assessment of students in grades 2, 9, and 10 and subjects beyond mathematics and English language arts as it transitions to the next generation of assessments. Pursuant to Assembly Bill 250 (Statutes of 2011), the CDE will work with stakeholders to develop an assessment transition plan that reflects input from the educational field about assessments that are not provided by SBAC. The CDE will present a report regarding the assessment transition to the California State Legislature by November 1, 2012.

To support the transition to the new assessments, the CDE and SBAC will develop Webinars and digital presentations for administrators, teachers, parents, and students to introduce adaptive computer testing and to also help teachers, counselors, and other school service personnel explain individual assessment results to students, parents, and community members.

In addition, the transition to the CCSS, along with the eventual reauthorization of ESEA, will require a redefinition of the school and LEA accountability structure in California. This process will include review and revision of tools created to assist schools and LEAs that fall below established performance targets. The CDE developed the current tools in conjunction with stakeholder groups; these groups, along with representatives from LEAs, will assist in the process of revising them to align with the CCSS and related assessments.

Indicators of Transformation

As the system is transformed, teachers will have access to SBAC formative assessment strategies and tools to use in their classrooms. The formative tools and resources will assist teachers in adjusting instructional strategies as needed.

Assessment interpretation resources will help teachers and administrators interpret student results and use the results to inform students and parents about student progress and also to target classroom instruction. Special education staff will be trained on the participation of students with disabilities in the SBAC system and alternate assessments for students with disabilities. Online Web pages will provide pathway access to multiple resources within and outside of the CDE. Professional learning opportunities provided through Webcasts, workshops, and seminars will include assessment and accountability information.

California Department of Education Implementation Activities

	Awareness	Transition	Implementation
SMARTER Balanced Assessment Consortium	<ul style="list-style-type: none"> Establish 10 work groups comprised of CDE staff to review and inform SBAC processes (summer 2011) Complete item writing and review activities (summative and interim assessments) (ongoing until 2013–14) Communicate with test vendors regarding revisions of deliverables affected by the changes 	<ul style="list-style-type: none"> Maintain involvement with SBAC work groups, guidance, and the field to keep abreast of outreach to the diverse needs of all students Pilot testing of summative and interim assessments conducted (spring 2013) Begin field testing of summative and interim assessments (spring 2014) 	<ul style="list-style-type: none"> Summative and interim assessments aligned to the CCSS available (2014–15) Formative resources and tools available on-line (2014–15) Administer operational summative assessment (spring 2015)
Transition to New Assessment System	<ul style="list-style-type: none"> Collaborate with stakeholders to develop assessment transition plan (2011–12) Assess stakeholder need for professional learning opportunities regarding new assessment system Establish SBAC page on the CDE Web site (summer 2011) Utilize online technology readiness tool (being developed on behalf of the national assessment consortia) to evaluate current technology and infrastructure of LEAs (spring 2012) 	<ul style="list-style-type: none"> Present assessment transition plan to Legislature (fall 2012) Plan and deliver professional learning opportunities for all components of the assessment system Maintain and regularly update the SBAC Web page to provide current information regarding the new assessment system Use information from technology readiness tool and input from LEAs to identify technology gaps and develop a plan that identifies strategies to be technologically ready to implement the SBAC assessment system 	<ul style="list-style-type: none"> Collaborate with Legislature to transition to next generation of assessments Develop additional resources to assist stakeholders in the transition to the new assessment system as needs and opportunities develop Promote CDE’s SBAC Web page listserv as means of accessing current information and opportunities for stakeholder involvement Implement LEA technology update plan

4. Collaborate with parents, guardians and the early childhood and extended learning communities to integrate the CCSS into programs and activities beyond the K–12 school setting.

The path to academic and personal success begins well before students enter kindergarten, and programs beyond the regular school day can have significant positive effects on student achievement. To support student attainment of the CCSS, the CDE will work closely with parents, guardians, and parent organizations to develop and disseminate tools that provide families with information about the new standards and explain how they are designed to prepare children not for success in career and college, but throughout their K–12 education. The CDE will also work with parents, guardians, teachers, and the early childhood community to ensure that preschool programs and experiences and transitional kindergarten (TK) curricula provide students with a strong foundation for success with the CCSS when they enter kindergarten. Additionally, the CDE will conduct outreach and professional development activities to enable district administrators, school principals, and after school/extended day program directors to effectively work together to enrich and augment regular day learning experiences related to the CCSS.

The CDE has posted its *California Infant/Toddler Learning and Development Foundations* and the *California Preschool Learning Foundations* (early learning foundations) on the CDE web site for easy accessibility and makes presentations at early childhood conferences on both. These early learning foundations are aligned to the CCSS and include ELD foundations for preschool-aged children. The CDE will continue to collaborate with the early childhood community to promote the use of these documents as precursors of the CCSS.

Work is underway to align the preschool foundations to the kindergarten CCSS for the early childhood field. The resulting alignment

document will inform the development of TK curricula and best practices.

The CDE will continue to provide technical assistance to inform parents and guardians about how they can be involved in the education of their children and be active participants in assisting their children to meet the CCSS. The CDE will also provide technical to homeless educational programs and private school educators to assist outreach to parents and support to students in school and other settings.

The CDE will support the development of documents and professional development focused on parents, guardians, and the early childhood, after school, adult education, and extended learning communities to integrate the CCSS into programs and activities beyond the K–12 school setting, including technical assistance and translation support.

Indicators of Transformation

California’s early childhood programs will use the early learning foundations, their companion curriculum frameworks, and Desired Results child assessment results to inform curriculum planning and practices leading to more positive child outcomes. Professional learning opportunities will teach early childhood professionals to utilize the early learning foundations and their companion curriculum frameworks, and the use of the documents will be incorporated into early childhood education (ECE) coursework at all California colleges and universities that conduct ECE programs. The early learning foundations-CCSS alignment document will inform TK curricula and best practices. Educational programs that extend beyond the K–12 school day will infuse the CCSS to support student attainment of the standards. Parents, guardians, and the after school/extended learning communities of all students will understand how CCSS will successfully support their students’ education and how they can participate in shaping local implementation.

California Department of Education Implementation Activities

	Awareness	Transition	Implementation
Early Childhood Education	<ul style="list-style-type: none"> ◆ Collaborate with partners to offer training on California’s early learning foundations to ECE ◆ Post California’s early learning foundations on the CDE Web site ◆ Develop and Web-post a document that demonstrates alignment between the early learning foundations and the CCSS (fall 2011) ◆ Use the early learning foundations to inform development, revision, and updating of resources; reflecting the diversity of California’s youngest children. ◆ Facilitate access to professional learning opportunities on the early learning foundations 	<ul style="list-style-type: none"> ◆ Develop a method to ensure that all professional development providers of CDE-sponsored training have deep knowledge of the early learning foundations and how they correspond with their given training content ◆ Release the <i>Infant/Toddler Curriculum Framework</i> (spring 2012) ◆ Release the final volume of the <i>Preschool Learning Foundations</i> and its companion <i>Curriculum Framework</i> (fall 2012) ◆ Provide training to explain the alignment of the early learning foundations to the CCSS to local child care resource and referral agencies local child care planning councils, professional development providers, and institutions of higher education 	<ul style="list-style-type: none"> ◆ Provide professional learning opportunities in local early learning communities so that all early childhood professionals will utilize the early learning foundations and their companion curriculum frameworks ◆ Develop a certificate system to acknowledge early childhood educators who have completed training or coursework on the full set of early learning foundations; use this system to track the level of implementation
Transitional Kindergarten	<ul style="list-style-type: none"> ◆ Develop and Web-post an alignment document that clearly explains how the early learning foundations align with the CCSS and can be used to inform development of TK curricula (winter 2012) ◆ Work with contractors to align the kindergarten CCSS to the <i>Preschool Learning Foundations</i> 	<ul style="list-style-type: none"> ◆ Promote the use of the alignment document as a tool to develop TK curricula that supports the CCSS and incorporates developmentally appropriate best practices 	<ul style="list-style-type: none"> ◆ Provide training regarding the implementation of the CCSS for TK with all stakeholders

California Department of Education Implementation Activities

	Awareness	Transition	Implementation
Parent/Guardian Engagement	<ul style="list-style-type: none"> ◆ Collaborate with stakeholders to develop materials for families of diverse students to promote awareness of the CCSS and resources and strategies that will support student attainment of the standards ◆ Incorporate family and community engagement into the professional learning modules, curriculum frameworks, and online resources for educators 	<ul style="list-style-type: none"> ◆ Prepare CCSS systems-related training materials for stakeholders to present to parent groups that include research-based strategies to improve achievement of all students 	<ul style="list-style-type: none"> ◆ Provide parents and guardians with information and resources about CCSS through CDE Web pages ◆ Communicate with LEAs regarding the availability of professional learning resources that include updated information on family and community engagement as well as instructional strategies to help all students learn, including ELs and students with disabilities.
After School and Extended Learning	<ul style="list-style-type: none"> ◆ Develop materials to deliver to district administrators, school principals, and after school/extended day program administrators describing opportunities for enriching regular day learning through activities delivered outside the regular school day. 	<ul style="list-style-type: none"> ◆ Develop training and professional development materials on establishing effective working relationships between regular day and after school/extended day programs. 	<ul style="list-style-type: none"> ◆ Provide professional development to district administrators, school principals, and after school program directors on how to collaborate to incorporate, into after school/extended day programs, activities that enrich and extend the CCSS-related learning initiated during the regular day.

5. Collaborate with the postsecondary and business communities to ensure that all students are prepared for success in career and college.

The CCSS were designed to ensure that every student would be prepared to succeed in career and college. While the standards do not attempt to outline and define everything that makes a student career and college ready, they do define the mathematics and ELA content and skills most students require to be successful in entry-level, credit-bearing academic college courses and in workforce training programs. More students will be better prepared to transition from high school to success in postsecondary education and engagement in a career with full implementation of the CCSS.

To this end, the CDE will work with identified partners to ensure that the K–12, post-secondary, and business communities have a common agreement upon the definition of career and college readiness that includes the CCSS for mathematics and English language arts and will review and revise programs and materials to reflect this definition.

The majority of students will, at some point, participate in the paid workforce, and the purpose of high school is to provide students with the skills to make informed choices about the next steps in their lives once they have earned a high school diploma. In this context, college is defined in the broadest sense to include two- and three-year certification programs, four-year degrees, and graduate degrees.

Many high school Career Technical Education (CTE) programs, in alignment with industry requirements, offer certifications in specific industry sectors. This allows high school graduates to become employed within a specific industry sector immediately upon high school graduation. The CDE will revise the *California*

Career Technical Education Model Curriculum Standards to include CCSS alignment identification, reinforcement, and enhancement. The CDE will facilitate the integration of the CCSS into CTE programs and continue to consult with industry leaders to ensure that the CTE curriculum frameworks reflect an alignment to industry needs as well as an alignment to the CCSS.

The CDE will strengthen connections between K–12 faculty and higher education faculty by ensuring that the higher education community has an advisory role in the SBAC and by determining the role of the CCSS assessment results in college admissions and in determining student readiness for credit bearing courses in the freshman year of college. The CDE will work with postsecondary and career experts to ensure that the SBAC assessments show depth of knowledge and critical thinking skills, use items/questions that mirror real life, and reflect the thinking required in career and college. Additionally, the CDE will collaborate with the University of California, Office of the President, and the Western Association of Schools and Colleges (WASC) to facilitate the alignment of accreditations and A–G course requirements to the CCSS.

The CDE will also provide resources regarding the transition to career and college into professional learning modules and curriculum frameworks designed to support the success of all students. The CDE will facilitate communication with and participation of the higher education community, including leading scholars and researchers, in the development of these resources.

Indicators of Transformation

Stakeholders will have an agreed upon and clear understanding of the purpose of high school and the definition of career and college readiness. Fewer students will need remediation upon entering post-secondary programs, and industries will be able to fill their

positions with a high-quality skilled labor force. CTE students entering postsecondary programs will have mastered the CCSS within an industry sector context and be prepared to successfully continue their studies without need for remediation.

High school teachers will be fluent in the CCSS and their alignment to A–G courses as well as CTE courses. The CDE will take the lead in professional learning opportunities to stay abreast of and maintain growth in the CCSS and related assessments. WASC accreditation will reflect the implementation of the CCSS.

The CCSS as included in the *CTE Model Curriculum Standards* will promote advisory committee collaboration and serve as a central component of programs of study. This document will influence new courses and lesson plans. Program-related, work-based learning experiences will include the demonstration and application of standards. The 15 CTE Industry Sector Leads will include the revised *CTE Model Curriculum Standards* in their individual curriculum development projects that serve teachers throughout the state. Conferences, workshops, and other meetings for CTE faculty and other stakeholders will include frequent updates on implementation strategies and resources. CTE stakeholders across the state will participate in regularly scheduled video conferences and Webinars to share implementation strategies and challenges faced by LEAs to inform continuous improvement.

California Department of Education Implementation Activities

	Awareness	Transition	Implementation
Define Career and College Readiness	<ul style="list-style-type: none"> ◆ Provide briefings on the CCSS and the SBAC to California’s education segment leaders and senior leaders of institutions of higher education utilizing the California Education Round Table (CERT) Intersegmental Coordinating Committee (ICC) ◆ Consult and collaborate with business and industry stakeholders, such as the California Business Roundtable, to identify the specific 21st century skills related to the CCSS. 	<ul style="list-style-type: none"> ◆ Participate in a multi-state panel including representatives from the business, K–12, and higher education communities to reach common agreement upon the definition of career and college readiness that includes the CCSS (winter 2012) 	<ul style="list-style-type: none"> ◆ Revise programs and materials to reflect agreed upon definition of career and college readiness that includes the CCSS (2012) ◆ Produce and disseminate Web-based information for and directly relevant to the business community
Integrate CCSS and CTE	<ul style="list-style-type: none"> ◆ Share information regarding the <i>CTE Model Curriculum Standards</i> revision that includes the CCSS with the advisory committees (comprised of business and industry representatives, postsecondary and secondary faculty) for each of the 15 industry sectors (2011–12) 	<ul style="list-style-type: none"> ◆ Revise the <i>CTE Model Curriculum Standards</i> to include CCSS alignment identification, reinforcement, and enhancement (2012) ◆ Add application and demonstration to the CTE TEACH program to ensure that CTE teacher candidates and teaching staff across the state have information and strategies necessary to include the CCSS in their programs of study ◆ Develop the programs, notifications, and dissemination methods to unveil the <i>CTE Model Curriculum Standards</i> 	<ul style="list-style-type: none"> ◆ Introduce the revised <i>CTE Model Curriculum Standards</i> at regional professional development events (2012–13) ◆ Train individual leads from each region to assist the industry sector leads with sustained professional learning opportunities, answer questions and assist with new program startups utilizing the documents

6. Seek, create, and disseminate resources to support stakeholders as CCSS systems implementation moves forward.

California must foster a well-educated population in order to compete in the global economy. Proper and appropriate funding for education is an investment where the returns are exponential. Students and educators must have access to the tools and resources necessary for students to achieve the CCSS.

The CDE will be responsible for working with the United States Department of Education, California State Legislature, and Governor to align state and federal fiscal resources to support implementation activities. These efforts will focus on the fact that these resources must be both adequate and sustained in order to realize State and LEA CCSS systems implementation efforts. Additionally, the CDE will promote both state and federal legislative support to provide LEAs with the flexibility they need to engineer successful local educational programs.

The CDE will secure and disseminate local assistance and state operational resources and leverage partnerships with California-based and multi-state organizations to develop new tools and resources to support stakeholders in the implementation of the CCSS. The CDE will seek out and coordinate technology support and partnerships that will assist LEAs as they implement new technologies into instruction. While providing leadership and coordinating efforts, the CDE will encourage and actively pursue regular participation and contribution by stakeholders at statewide, regional, and local levels.

The CDE will offer extensive resources to train LEAs in understanding federal and state legal requirements, use of data, implementation of aligned instructional programs for all students,

and application of these resources in Web-enabled environments. Examples include: maintenance of the Compensatory Education instrument used in Federal Program Monitoring; technical assistance to LEAs in the design, implementation, and evaluation of Title I services; use of the Consolidated Application; and preparation, revision, and implementation of the LEA Plan and corollary activities for the Single Plan for Student Achievement (SPSA).

Indicators of Transformation

Proper and adequate funding will support implementation activities. Technology will be readily available for LEAs to employ at any level as a resource for instruction and assessment. Updated monitoring tools and associated resources will be available. State and federal legislation will anticipate LEA and student needs and provide all necessary guidance and support but with a focus on local flexibility.

California Department of Education Implementation Activities

	Awareness	Transition	Implementation
Funding	<ul style="list-style-type: none"> Identify state and federal funds currently available for use in CCSS systems implementation Establish fiscal boundaries and timelines for the development of specific programmatic resources Seek funding from the United States Department of Education to support implementation efforts Seek funding from state government to support implementation efforts Seek funding from private foundations for targeted pilot implementation projects 	<ul style="list-style-type: none"> Develop a detailed fiscal analysis of the costs associated with CCSS systems implementation (fall 2012) Work with local, state, and federal elected officials to highlight the ongoing need for implementation resources Advocate for new grant funding opportunities Inform LEAs of appropriate use of federal supplemental funds (i.e., Title I, Title III, special education) in purchasing CCSS-aligned supplemental instructional materials and for other implementation activities 	<ul style="list-style-type: none"> Secure and disseminate local assistance and state operational resources to support implementation of CCSS systems Continue to work with local, state, and federal elected officials to highlight the ongoing need for implementation resources Conduct evaluation to determine effectiveness of specific implementation activities
Legislation	<ul style="list-style-type: none"> Review current laws related to all programs requiring CCSS implementation activities 	<ul style="list-style-type: none"> Propose follow-up legislation as needed to facilitate CCSS systems implementation 	<ul style="list-style-type: none"> Collaborate with the California State Legislature and Governor to align resources and support implementation of CCSS system

California Department of Education Implementation Activities

		Awareness	Transition	Implementation
Tools	<ul style="list-style-type: none"> ◆ Review and revise existing CDE policies, documents, and Web pages to align to the CCSS ◆ Review and revise documents/policies related to access of the core curriculum ◆ Initiate review and revision of all tools for compliance monitoring 	<ul style="list-style-type: none"> ◆ Promote external reviews of existing policies, documents, and Web pages to align to the CCSS ◆ Develop and revise online LEA plan and SPSA templates, Academic Program Surveys, District Assistance Surveys, Compensatory education instruments, English Learner Subgroup Self Assessment, Inventory of Services and Support, and K–12 Improvement Web-portals to support implementation of CCSS and any new ESEA legislated priorities ◆ Collaborate with stakeholders to research and develop resources to support educational staff, teachers, and administrators on how to provide educational settings to promote CCSS, including resources relating to professional learning, LEA Plan development, SPSA development, and other similar activities related to Title I schools and districts 	<ul style="list-style-type: none"> ◆ Ensure that all contractors have updated Web sites to reflect CCSS systems implementation ◆ Communicate development and implementation of intervention for the Early Warning and Intervention System ◆ Ensure that all monitoring tools have been revised to fully integrate CCSS systems ◆ Ensure that appropriate resources have been disseminated to educational services contractors 	

7. Design and establish systems of effective communication among stakeholders to continuously identify areas of need and disseminate information.

California’s public schools serve more than 6.2 million ethnically, culturally, and linguistically diverse students along with their families and communities. Fortunately, there are a number of well-established alliances and infrastructures that allow effective communication and collaboration with our various education stakeholders. The CDE will utilize these structures to facilitate communication, collaboration, and feedback during the implementation of the CCSS system.

California constructed its CCSS Systems Implementation Plan using information collected from internal and external stakeholders during CCSS-related meetings, conferences, and webinars. The CDE will continue to collect feedback to inform the ongoing expansion of the plan using these venues but is also committed to improving current methods of reciprocal communication through the development of a comprehensive communications outreach plan. The plan will incorporate a variety of strategies to identify and meet the information needs of all stakeholders and will include various forums and technologies for ongoing needs identification and open dialogue.

In the meantime, the CDE will continue to collaborate with stakeholders to collect and disseminate information about the CCSS and aligned assessments. The CDE will continually update the CCSS Resources Web page and provide current information about the CCSS and related high quality resources. Similarly, the CDE has established an SBAC Web page to provide current information about the development of SBAC assessments. A listserv is available for each of these pages. The Professional Development Opportunities Web page will provide information regarding CCSS-

related professional learning activities. The CDE will also utilize Taking Center Stage and other additional web-based venues for information dissemination and public participation. The CDE will update the pages regularly as new information and resources emerge. As implementation activities progress, the CDE will utilize State Superintendent of Public Instruction news releases, media advisories, speeches, and events to apprise stakeholders of California’s CCSS implementation activities.

Indicators of Transformation

Stakeholders may access CCSS systems implementation information and resources via a variety of communication venues and provide feedback and participate at every stage of the implementation process. The CDE Web pages regarding CCSS systems activities will include expanding collections of resources. The CCSS Systems Implementation Plan will serve as a guide for implementation activities and as the guiding document for LEAs in the development of their own local plans. Comprehensive, user-friendly systems will be in place to continuously elicit feedback and identify needs and ensure the delivery of timely and useful information to the field.

California Department of Education Implementation Activities

	Awareness	Transition	Implementation
CCSS Systems Implementation Plan	<ul style="list-style-type: none"> Utilize meetings and webinars to provide information regarding CCSS systems implementation activities and collect information from stakeholders regarding local needs Use input from internal and external stakeholders to create a comprehensive department-wide plan for CCSS systems implementation 	<ul style="list-style-type: none"> Post CCSS Systems Implementation Plan on the CDE Web site Design and establish systems to support effective execution of the plan Prepare materials, resources, and presentations for webinars to stakeholder groups on the CCSS implementation plan Develop Web-based CCSS Systems Implementation Plan interactive tool Design systems to collect, analyze, evaluate, and distribute feedback and information regarding emerging needs and opportunities 	<ul style="list-style-type: none"> Maintain and expand Web-based CCSS Systems Implementation Plan interactive tool as implementation progresses Implement feedback systems, conduct evaluations, and provide additional resources and tools in response to stakeholder feedback Continuously collaborate with and elicit feedback from stakeholders to refine implementation strategies
Communications Plan	<ul style="list-style-type: none"> Conduct needs assessment to identify communication preferences of stakeholders Use data from communication preferences needs assessment to design communications plan 	<ul style="list-style-type: none"> Implement communication/outreach plan Design systems to collect, analyze, evaluate, and distribute feedback and information regarding effectiveness of communications 	<ul style="list-style-type: none"> Implement feedback systems, conduct evaluations, and modify and expand methods of communication as needed

California Department of Education Implementation Activities

	Awareness	Transition	Implementation
CDE Web Pages	<ul style="list-style-type: none"> ◆ Collaborate with stakeholders to develop CCSS Resources Web page to provide the latest information and high-quality resources (summer 2010) ◆ Plan and develop SBAC Web page to provide detailed and comprehensive information about the SBAC (summer 2011) ◆ Repurpose the Professional Development Opportunities Web page to support CCSS systems implementation (winter 2012) ◆ Identify additional existing pages that may be utilized to disseminate information ◆ Establish listservs to disseminate timely information regarding CCSS implementation activities 	<ul style="list-style-type: none"> ◆ Review and update identified Web pages as implementation activities progress ◆ Expand internal and external collaborations through the development and sharing of effective resources and tools ◆ Add stakeholders to listservs as needed 	<ul style="list-style-type: none"> ◆ Disseminate resources for stakeholders on a regular basis to communicate the newest information on expanding professional learning support, aligning curriculum and instruction, and developing assessments ◆ Maintain Web pages and promote and expand listservs ◆ Consider additional web-based venues for information dissemination and public participation



Suggestions and Opportunities for LEAs

Guiding Strategy One: Facilitate high quality professional learning opportunities for educators to ensure that every student has access to teachers who are prepared to teach to the levels of rigor and depth required by the CCSS.

2011–12	2012–13	2013–14	2014–15
<ul style="list-style-type: none"> ◆ Support professional learning to promote awareness of and familiarity with the CCSS ◆ <i>Area of focus:</i> Compare and contrast the CCSS with the 1997 content standards ◆ Conduct local needs assessment to identify needs and set priorities for professional learning and develop local professional learning plan based on identified needs and full implementation in 2014-15 	<ul style="list-style-type: none"> ◆ Support ongoing professional learning to promote transition to the CCSS based upon priorities established in local plan ◆ <i>Areas of focus</i> may include: <ul style="list-style-type: none"> ◆ Mathematics: the standards for mathematical practice, modeling, and content shifts in mathematics for grades K-8 ◆ English language arts: text complexity, text-based questions and tasks, developing literacy across the content areas, writing informational text collaborative conversations, the new English Language Development (ELD) standards ◆ New Challenges: transitioning to the SBAC assessment system, effective utilization of technology and media, 21st century skills, career and college readiness 		<ul style="list-style-type: none"> ◆ Provide professional learning to support full implementation of the CCSS ◆ <i>Areas of focus:</i> content shifts in mathematics, transition to SBAC assessments
<ul style="list-style-type: none"> ◆ Utilize new resource from the CDE: <i>A Look at Kindergarten Through Grade Six in California Public Schools</i> and companion Webinars 	<ul style="list-style-type: none"> ◆ Utilize new resources from the CDE: New professional learning modules (available summer 2012) 	<ul style="list-style-type: none"> ◆ Utilize new resources from the CDE: New professional learning modules (summer 2013) and curriculum frameworks (math available fall 2013, ELA available spring 2014) 	
<ul style="list-style-type: none"> ◆ Subscribe to the CDE’s CCSS Resources and SBAC Web pages listservs to remain apprised of the latest developments and resources related to CCSS systems implementation and utilize resources as appropriate ◆ Regularly review the CDE’s Professional Development Opportunities Web page and utilize resources as appropriate ◆ Review and utilize professional learning resources available on CDE-hosted or sponsored web portals including archived webinars and presentations on CDE on iTunes U ◆ Utilize CCSS professional learning resources offered by professional organizations and your county office of education ◆ Participate in California Subject Matter Projects offerings for research-based instructional strategies and assessment tools 			

Guiding Strategy Two: Provide CCSS-aligned instructional resources designed to meet the diverse needs of all students.

2011–12	2012–13	2013–14	2014–15
<ul style="list-style-type: none"> ◆ Review current instructional materials and identify material which aligns to CCSS ◆ Identify CCSS that current materials do not support (use supplemental instructional materials review evaluation criteria for grades K-8) and develop lessons using resources from the library, internet, and primary source documents 	<ul style="list-style-type: none"> ◆ Continue to assess existing instructional materials and supplement them with resources from the library, internet, primary source documents, and materials on the CDE’s supplemental instructional materials list (available fall 2012) to develop CCSS-aligned lessons 		
<ul style="list-style-type: none"> ◆ Subscribe to the CDE’s Common Core State Standards Resources Web page listserv to remain apprised of the latest developments in CCSS systems implementation, curriculum frameworks development, and the supplemental instructional materials review process. Apply to serve as a member of the Instructional Quality Commission, participate in regional focus groups, or serve as a reviewer of supplemental materials. 	<ul style="list-style-type: none"> ◆ Participate in public comment meetings for supplemental instructional materials (fall 2012) ◆ Submit public comment on the curriculum frameworks (math: 2012, ELA: 2013) 	<ul style="list-style-type: none"> ◆ Review curriculum frameworks (math: fall 2013, ELA: spring 2014) 	
<ul style="list-style-type: none"> ◆ Participate in public hearings for the revised ELD standards (spring 2012) 	<ul style="list-style-type: none"> ◆ Review SBE-adopted new ELD standards 		

Guiding Strategy Three: Develop and transition to the CCSS-aligned assessment systems to inform instruction, establish priorities for professional learning, and provide tools for accountability.

2011–12	2012–13	2013–14	2014–15
<ul style="list-style-type: none"> ◆ Subscribe to CDE’s SBAC Web page listserv to remain apprised of the latest developments and resources for professional learning regarding the new assessment system. 	<ul style="list-style-type: none"> ◆ Monitor CDE’s SBAC Web page for opportunities to participate in pilot testing 	<ul style="list-style-type: none"> ◆ Monitor CDE’s SBAC Web page for opportunities to participate in field testing 	<ul style="list-style-type: none"> ◆ Administer operational summative assessment
<ul style="list-style-type: none"> ◆ Compare/contrast CCSS with current content standards and begin to incorporate new skills in the CCSS into instructional planning 	<ul style="list-style-type: none"> ◆ Revise existing quizzes, unit exams, and end-of-course exams to assess higher-level thinking, constructed responses, synthesis, and collaboration as indicated in the CCSS 		
<ul style="list-style-type: none"> ◆ Visit CAHSEE and STAR’s Web sites for released test questions and constructed responses. Mirror the format into quiz/test questions and weekly writing prompts 	<ul style="list-style-type: none"> ◆ Revisit end-of-chapter/unit questions and quizzes in existing materials and elevate them to higher level thinking. For example, a question may ask, “What tone does the author use in the article?” Elevate the question to, “Which words or phrases set the tone of this article?” Or, “Replace words or phrases to change the tone of this article from impersonal to friendly.” For mathematics, utilize word problems to provide students with opportunities to apply mathematical thinking to real-world challenges. 		
<ul style="list-style-type: none"> ◆ Participate in public meetings regarding development of assessment transition plan 	<ul style="list-style-type: none"> ◆ Monitor CDE’s SBAC Web page for information regarding the assessment transition plan 	<ul style="list-style-type: none"> ◆ Promote local awareness of the assessment transition plan, SBAC assessments, and purposes of assessment 	
<ul style="list-style-type: none"> ◆ Utilize online technology readiness tool to evaluate current technology and infrastructure 	<ul style="list-style-type: none"> ◆ Use information from tool to identify technology gaps and develop a plan that identifies strategies to update technology 	<ul style="list-style-type: none"> ◆ Implement technology plan 	<ul style="list-style-type: none"> ◆ SBAC assessments and resources available online
<ul style="list-style-type: none"> ◆ Provide opportunities for professional learning to develop understanding of difference between formative assessments and formative practices 	<ul style="list-style-type: none"> ◆ Generate and implement a “Formative Assessment Plan” which includes Learning Targets, Criteria for Success, Collecting Evidence, and Documenting Evidence 	<ul style="list-style-type: none"> ◆ Visit SBAC Web site for ideas (formatting, scope) on formative assessments and professional development 	<ul style="list-style-type: none"> ◆ SBAC formative resources and tools available online

Guiding Strategy Four: Collaborate with parents, guardians and the early childhood and extended learning communities to integrate the CCSS into programs and activities beyond the K–12 school setting.

2011–12	2012–13	2013–14	2014–15
<ul style="list-style-type: none"> ◆ Utilize parent communication structures to share resources on the CDE’s Web site with parents, families, and the local educational community to promote awareness and understanding of the CCSS and new developments regarding CCSS systems implementation Structures may include: <ul style="list-style-type: none"> ◆ School Site Council meetings ◆ PTA/PTSO meetings ◆ Back to School Nights ◆ Parent newsletters ◆ Local school board meetings ◆ News releases and letters to the editor of the local newspaper 			
<ul style="list-style-type: none"> ◆ Review and utilize the <i>California Infant/Toddler Learning and Development Foundations</i>, the <i>California Preschool Learning Foundations</i> and their accompanying curriculum frameworks to inform development and continuous improvement of curriculum and developmentally appropriate CCSS-aligned practices for ECE programs ◆ Participate in professional learning opportunities related to the <i>California Infant/Toddler Learning and Development Foundations</i>, the <i>California Preschool Learning Foundations</i> and their accompanying curriculum frameworks 			
<ul style="list-style-type: none"> ◆ Review the alignment document that explains how the early learning foundations align with the CCSS and relate to TK (available winter 2012) ◆ Use the alignment document to support development of developmentally appropriate, CCSS-aligned TK curricula ◆ Participate in professional learning opportunities regarding the implementation of the CCSS for TK and meeting the diverse needs of all children 			
<ul style="list-style-type: none"> ◆ Integrate the CCSS into after school programs and extended learning opportunities through alignment with the regular school day to provide academic enrichment and safe constructive alternatives for students ◆ Build partnerships with external stakeholders to provide additional resources to support extended learning opportunities 			

Guiding Strategy Five: Collaborate with the postsecondary and business communities to ensure that all students are prepared for success in career and college.

2011–12	2012–13	2013–14	2014–15
<ul style="list-style-type: none"> ◆ Conduct professional learning activities that promote awareness of the new definition of career and college readiness 	<ul style="list-style-type: none"> ◆ Revise programs and materials to reflect new definition of career and college readiness that includes the CCSS and promote awareness of the new definition 		
<ul style="list-style-type: none"> ◆ Monitor/participate in revision of the <i>CTE Model Curriculum Standards</i> to include CCSS alignment 	<ul style="list-style-type: none"> ◆ Participate in professional learning events introducing the revised <i>CTE Model Curriculum Standards</i> 	<ul style="list-style-type: none"> ◆ Develop new courses, lesson plans, and work-based experiences that include the demonstration and application of the revised <i>CTE Model Curriculum Standards</i> 	
<ul style="list-style-type: none"> ◆ Monitor/participate in California Business Roundtable, to identify the specific 21st century skills related to the CCSS 	<ul style="list-style-type: none"> ◆ Identify, through CDE resources, the availability of business and industry resources for targeted 21st century skills as they relate to the CCSS 		
<ul style="list-style-type: none"> ◆ Participate in professional learning opportunities regarding secondary transition and the CCSS to prepare all students, including students with disabilities, English learners, and underperforming students, for career and college ◆ Seek opportunities for students to engage in events at local community colleges ◆ Provide and promote participation in Advancement Via Individual Determination classes ◆ Encourage students to participate in the Early Assessment Program ◆ Invite business leaders to speak to students in grades 6-12, elaborating on 2-3 specific standards and their role in possible careers ◆ Include counselors in discussions regarding career and college readiness to ensure comprehensive school implementation of the CCSS 			

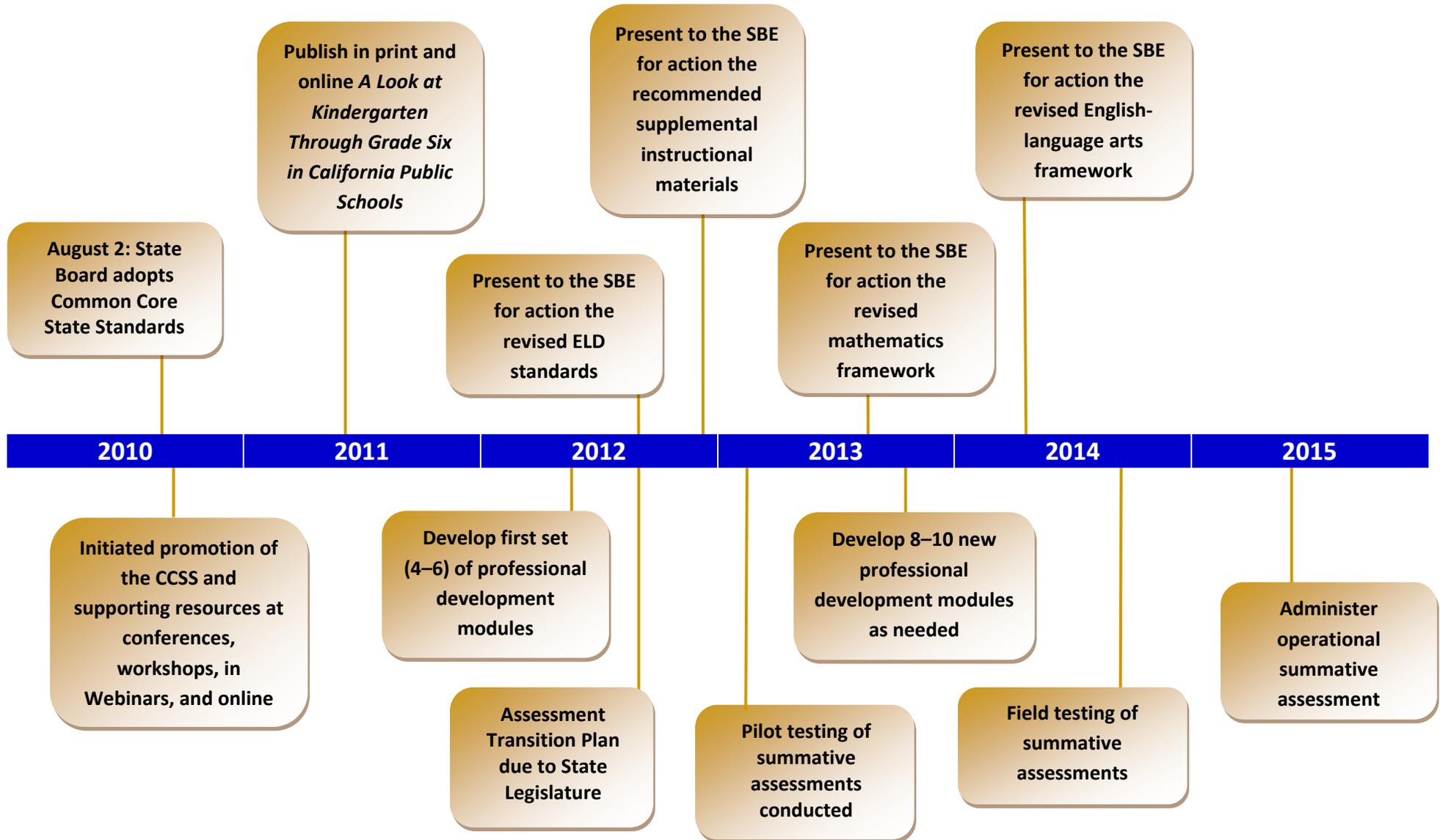
Guiding Strategy Six: Seek, create, and disseminate resources to support stakeholders as CCSS systems implementation moves forward.

2011–12	2012–13	2013–14	2014–15
<ul style="list-style-type: none"> ◆ Identify potential state and federal funds currently available for use in CCSS systems implementation ◆ Monitor/seek funding opportunities from state government to support implementation efforts ◆ Seek funding from private foundations for targeted pilot implementation projects ◆ Establish fiscal boundaries and timelines for the development and/or acquisition of specific programmatic resources ◆ Inform program staff of appropriate use of federal supplemental funds (i.e., Title I, Title III, special education) in purchasing CCSS-aligned supplemental instructional materials and for other implementation activities 			
<ul style="list-style-type: none"> ◆ Review and revise existing LEA policies, documents, and Web pages to align to the CCSS and accessing the core curriculum ◆ Research and develop resources to support educational staff, teachers, and administrators on how to provide educational settings to promote CCSS, including resources relating to: <ul style="list-style-type: none"> ◆ professional learning ◆ LEA Plan development ◆ SPSA development ◆ additional activities related to Title I schools and districts ◆ Participate in state level workshops for the Compensatory Education Instrument requirements for Title I, Part A, and the use of data to prepare for FPM 			

Guiding Strategy Seven: Design and establish systems of effective communication among stakeholders to continuously identify areas of need and disseminate information.

2011–12	2012–13	2013–14	2014–15
<ul style="list-style-type: none"> ◆ Subscribe to the CDE’s CCSS Resources Web page listserv to remain apprised of the latest developments in CCSS systems implementation ◆ Subscribe to the CDE’s SBAC Web page listserv to remain apprised of the latest developments in the SBAC assessment system ◆ Identify existing stakeholder communication structures ◆ Identify local stakeholders who will receive communications regarding implementation of CCSS systems 	<ul style="list-style-type: none"> ◆ Monitor the CDE’s CCSS Resources and SBAC Web pages regularly and share new information with members of the local educational community as appropriate ◆ Utilize existing communication structures to disseminate information regarding CCSS systems implementation activities <ul style="list-style-type: none"> ◆ Meetings ◆ Newsletters ◆ Webinars ◆ Local school board meetings ◆ Letters to the editor ◆ News releases ◆ Support intradepartmental communication during implementation activities 		
<ul style="list-style-type: none"> ◆ Use input from local stakeholders and the CCSS Systems Implementation Plan for California to create a comprehensive LEA-wide plan for CCSS systems implementation 	<ul style="list-style-type: none"> ◆ Post local implementation plan on the LEA Web site ◆ Link to the statewide implementation plan ◆ Design and establish communications systems to identify emerging needs and opportunities and support effective implementation of the local CCSS implementation plan 	<ul style="list-style-type: none"> ◆ Continuously collaborate with and elicit feedback from stakeholders ◆ Refine local implementation strategies 	

Appendix A: CCSS Systems Implementation – Significant Milestones



Appendix B: Common Core State Standards Web Resources

California Department of Education Resources

- ❖ Common Core State Standards Resources Website: <http://www.cde.ca.gov/ci/cc/>
- ❖ SMARTER Balanced Assessment Consortium Webpage: <http://www.cde.ca.gov/ta/tg/sa/smarterbalanced.asp>
- ❖ Professional Development Opportunity Search Form: <http://ww3.cde.ca.gov/prodevops/search.aspx>
- ❖ CDE on iTunes U: <http://www.cde.ca.gov/re/mm/it/>
- ❖ Taking Center Stage Act II: <http://pubs.cde.ca.gov/tcsii/index.aspx>
- ❖ Child Development Division Resources: <http://www.cde.ca.gov/sp/cd/re/>

Multi-State Resources

- ❖ Common Core State Standards Initiative Website: <http://www.corestandards.org/> (Outside Source)
- ❖ SMARTER Balanced Assessment Consortium Webpage: <http://www.k12.wa.us/SMARTER/default.aspx> (Outside Source)



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM 10



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

SUBJECT	
Supplemental Instructional Materials Review Aligned to the Common Core State Standards: Evaluation Criteria.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

SUMMARY OF THE ISSUE(S)

Education Code Section 60605.86, created by Senate Bill 140 (Chapter 623 of the Statutes of 2011), requires the California Department of Education (CDE) to develop, and the State Board of Education (SBE) to approve, a list of supplemental instructional materials that are aligned with California's common core academic content standards in mathematics and English-language arts. This new law requires that the SBE approve the evaluation criteria that will be used for the review of those supplemental materials.

RECOMMENDATION

The CDE recommends that the SBE approve the criteria for the evaluation of supplemental instructional materials.

BRIEF HISTORY OF KEY ISSUES

In 2010, the Council of Chief State School Officers and the National Governors Association Center for Best Practices released Common Core State Standards (CCSS) in mathematics and English-language arts. The SBE adopted the CCSS with California additions on August 2, 2010. California has committed to implementing the CCSS and is currently part of a multistate assessment consortium that plans on having CCSS-based assessments in place by the 2014–15 school year.

It will take a number of years to develop new curriculum frameworks and instructional materials aligned to the CCSS. Earlier this year, the State Superintendent of Public Instruction (SSPI) initiated a process for the review of supplemental materials aligned to the CCSS. SB 140, signed by the Governor on October 8, 2011, calls for the expansion of that process. Pursuant to that law, the SSPI is inviting publishers and producers of instructional materials in mathematics and language arts to submit supplemental instructional materials that bridge the gap between programs currently being used by local educational agencies (LEAs) and the CCSS.

BRIEF HISTORY OF KEY ISSUES (Cont.)

The law requires that the SBE approve the evaluation criteria that will be used for the review. The review will be conducted by CDE staff and selected instructional material reviewers and content experts approved by the SBE. The review is not a state adoption, and recommended supplemental instructional materials will not be added to any existing state adoption lists.

This review is entirely optional for publishers and producers, and the results will be strictly advisory for LEAs. LEAs will not be compelled in any way to purchase the supplemental materials that are recommended as a result of this review. LEAs may use unrestricted general funds, federal funds, Proposition 20 lottery funds for instructional materials, or other funds to purchase them.

The review process is being conducted by the CDE with the help of San Joaquin County Office of Education (SJCOE) for language arts and the Orange County Department of Education (OCDE) for mathematics. The CDE is currently recruiting reviewers, primarily teachers and educators, throughout the state and the SBE will act on the nominees in March 2012. Publishers and producers of instructional materials will have to submit their materials in May 2012 and distribute them to the reviewers later in the year. The reviewers will be trained in the use of the evaluation criteria in June and each reviewer will independently examine the materials. In September, the reviewers will be convened to discuss the results of their review and come to a consensus about whether the materials meet the criteria. In cases of where a program is not recommended, an appeal panel will be created and its findings will be included with the original recommendation. The SBE will act on the recommendations in either November 2012 or January 2013.

The draft evaluation criteria are included as Attachment 1 to this item. A schedule of significant events in the review process is included as Attachment 2.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

November 2011: The CDE presented to the SBE the third in a series of updates on the implementation of the CCSS.

September 2011: The CDE presented to the SBE the second in a series of updates on the implementation of the CCSS.

July 2011: The CDE presented to the SBE the first in a series of updates on the implementation of the CCSS.

June 2011: Governor Edmund G. Brown, Jr., SSPI Tom Torlakson, and SBE President Michael Kirst signed the memorandum of understanding for California's participation as a governing state in the SMARTER Balanced Assessment Consortium (SBAC). California was previously a participating state in the Partnership for the Assessment of Readiness for College and Careers (PARCC).

SUMMARY OF PREVIOUS (Cont.)

November 2010: The CDE presented to the SBE an update on the implementation of the CCSS. This update was provided at the joint meeting between the SBE and the Commission on Teacher Credentialing (See agenda at <http://www.cde.ca.gov/be/pn/pn/ctcsbeagenda08nov2010.asp>).

August 2010: Pursuant to SB X5 1, the SBE adopted the academic content standards in English-language arts and mathematics as proposed by the California Academic Content Standards Commission (ACSC); the standards include the CCSS and specific additional standards that the ACSC had deemed necessary to maintain the integrity and rigor of California's already high standards.

May 2009: The SSPI, the Governor of California, and the SBE President agreed to participate in the Council of Chief State School Officers and the National Governors Association Center for Best Practices initiative to develop the CCSS as part of California's application to the federal Race to the Top grant.

FISCAL ANALYSIS (AS APPROPRIATE)

SB 140 directs the CDE to "use federal carryover funds received pursuant to Title I of the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.)" to carry out the supplemental instructional materials review. The CDE has budgeted \$250,000 from those funds to complete the project. The CDE has contracted with the SJCOE and the OCDE to host the training of reviewers and their subsequent deliberations.

ATTACHMENT(S)

Attachment 1: Criteria for the Evaluation of Supplemental Instructional Materials
(3 Pages)

Attachment 2: Schedule of Significant Events (1 Page)

Criteria for the Evaluation of Supplemental Instructional Materials

In 2010, the Council of Chief State School Officers and the National Governors Association Center for Best Practices released Common Core State Standards (CCSS) in mathematics and language arts. The California State Board of Education (SBE) adopted the CCSS on August 2, 2010. California has committed to implementing the CCSS, and is currently part of a multistate assessment consortium that plans on having CCSS-based assessments in place by the 2014–15 school year.

It will take a number of years to develop new curriculum frameworks and instructional materials aligned to the CCSS. In the interim, the State Superintendent of Public Instruction (SSPI) has invited publishers and producers of mathematics and English-language arts materials to submit supplemental instructional materials that bridge the gap between existing programs currently being used by districts and the CCSS. These evaluation criteria outline the requirements for such materials. Supplemental materials will be reviewed according to the criteria by teachers and content experts recruited by the SSPI and SBE. The results of the review will be listed on the California Department of Education Web site to help districts in their transition to the CCSS. The SSPI recommendation as approved by the SBE will be advisory only. The review is in no way mandatory for publishers and school districts will not be required to purchase these materials.

The intention of this process is that supplemental materials include the minimum amount of content needed to fully address the CCSS and that costs for districts to purchase and implement the supplements be kept low. Publishers are encouraged to submit their instructional materials in digital format.

This review is open to all publishers and producers of supplemental instructional materials who wish to participate. There will be two types of supplemental materials programs that may be submitted. To be eligible for recommendation by the SSPI for approval by the SBE, submitted materials must meet all of the criteria listed by category type outlined below.

Category 1: Supplements to Specific State-Adopted Programs

Supplemental materials may be submitted for specific kindergarten through grade seven mathematics programs that were adopted by the SBE on November 8, 2007, or for kindergarten through grade eight Reading/Language Arts/English Language Development programs that were adopted by the State Board on November 5, 2008. Because the 1997 California standards and the CCSS for mathematics do not match at grade eight, supplements for grade eight adopted mathematics programs will not be a part of this review. These submissions, in conjunction with the adopted program they are designed to supplement, will be evaluated according to whether they address all of the CCSS for a given grade level.

1. The materials must align to the California CCSS, as adopted by the SBE on August 2, 2010. The California CCSS are available at

<http://www.scoe.net/castandards/>. The supplemental materials submitted, in conjunction with the existing adopted grade-level materials, must cover all of the California CCSS for a given grade level. In mathematics, “all of the California CCSS” includes the Mathematical Practices standards. The Mathematical Practices standards must be taught in the context of the other content standards at each grade level. In English-language arts, the standards for Literacy in History–Social Studies, Science, and Technical Subjects will **not** be part of the review in grades six through eight.

Publishers can only cite content from the same grade level as evidence that a certain grade-level Common Core standard is covered in their program. For example, if a publisher has a kindergarten through grade six program, it could not cite its grade six textbook as evidence that a grade five Common Core standard was covered. The reason for this is that not every district may have purchased all grade levels of a particular program; a district may have only purchased kindergarten through grade five of that program, and may not have access to the grade six materials. Even if they did have the grade six materials, it would be unreasonable to expect districts to provide students with copies of multiple grade level textbooks to ensure full coverage of the CCSS. However, the publisher could include that grade six content in their grade five supplement.

Category 2: General Supplements to Any Program

In addition to specific state-adopted programs, any publisher or producer may submit a general supplement that can be used with any existing instructional materials program. These materials will be evaluated for alignment to a specific subset of the CCSS.

2. The general supplemental materials are intended to align instructional materials currently being used in school to the California CCSS, as adopted by the SBE on August 2, 2010. The California CCSS are available at <http://www.scoe.net/castandards/>. The general supplements submitted must cover the subset of the California CCSS for a given subject area and grade level as detailed at <http://www.cde.ca.gov/ci/cr/cf/suptsupmatreview.asp>. Supplemental materials for mathematics include both a subset of California CCSS for the grade level and all of the Mathematical Practices standards. The Mathematical Practices standards must be taught in the context of instruction in the other content standards at each grade level. General supplements may be submitted for any grade levels from kindergarten through grade seven for mathematics, and kindergarten through grade eight for English language arts.

General Criteria for All Programs

3. The materials must conform to the *Standards for Evaluating Instructional Materials for Social Content, 2000 Edition*, as adopted by the SBE.
4. The materials must be accurate, use proper grammar and spelling, and be free of all errors before they are sold to school districts.

5. Where assessments are present in the supplemental materials, they must provide sufficient evidence for teachers to evaluate student progress toward proficiency in the content outlined in the CCSS.
6. Where appropriate, the supplemental instructional materials must present comprehensive guidance for teachers in providing effective, efficient instruction for all students. Instructional materials should provide access to the standards-based curriculum for all students, including English-learners, advanced-learners, students below grade level in reading and writing skills, and students with disabilities.
7. Clear instructions must be provided for teachers on how to use and integrate the supplemental instructional materials.

Schedule of Significant Events

Supplemental Instructional Materials Review

Event	Date(s)
State Superintendent of Public Instruction (SSPI) invites publishers to participate in the supplemental curriculum review	June 2011
CDE Internal Review of Publisher Standards Maps	October – November 2011
SSPI and State Board of Education (SBE) Recruit Reviewers	November 2011 – January 2012
SBE Approves Reviewers	March 2012
Supplemental Instructional Materials Due from Participating Publishers	May 2012
Training of Reviewers Language Arts: San Joaquin Office of Education Mathematics: Orange County Department of Education	June 21–22, 2012 June 28–29, 2012
Independent Review of Submitted Materials	June – September 2012
Reviewer Deliberations and Development of Advisory Report Language Arts: San Joaquin Office of Education Mathematics: Orange County Department of Education	September 20–22, 2012 September 27–29, 2012
Appeal Panels (If necessary)	Fall 2012
SBE Action on the Supplemental Instructional Materials	November 2012/January 2013
Posting of Report on CDE Web Site	February 2013
Optional District Selection of Supplemental Materials	Spring 2013
Optional District Implementation of CCSS-aligned Instructional Materials	2013-14



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM 11



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

SUBJECT	
<p><i>Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve, 2013 Revision: Approval of the Timeline and Curriculum Framework and Evaluation Criteria Committee Application Form. The future activities of Instructional Quality Commission will also be discussed.</i></p>	<p><input checked="" type="checkbox"/> Action</p> <p><input checked="" type="checkbox"/> Information</p> <p><input type="checkbox"/> Public Hearing</p>

SUMMARY OF THE ISSUE(S)

California *Education Code (EC)* Section 60207 requires the State Board of Education (SBE) to adopt a revised mathematics curriculum framework and evaluation criteria for the adoption of mathematics instructional materials aligned to the Common Core State Standards (CCSS). *California Code of Regulations, Title 5 (5 CCR)*, Section 9511, allows the SBE to establish a Curriculum Framework and Evaluation Criteria Committee (CFCC) to assist in the development of curriculum frameworks and evaluation criteria and lists the requirements regarding the recruitment process and qualifications for members of the CFCC. This item is the first in what will be a series of items regarding the 2013 revision of the *Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve (Mathematics Framework)*.

At the upcoming March meeting, the SBE will appoint 12 members to the Instructional Quality Commission (IQC), formerly known as the Curriculum Development and Supplemental Materials Commission or "Curriculum Commission." This 18 member commission advises the SBE on curriculum frameworks and instructional materials. In addition, recent legislation, Assembly Bill 250, expanded the Commission's duties to recommend policies and activities that "are needed to implement the state's academic content standards, and bring the state's curriculum frameworks, instructional materials, professional development programs, pupil assessments, and academic accountability systems into alignment with those standards." The SBE's application for the Commission is available at <http://www.cde.ca.gov/be/cc/ab/>.

RECOMMENDATION

The California Department of Education (CDE) recommends that the SBE approve the timeline and CFCC application form for the 2013 revision of the *Mathematics Framework*.

BRIEF HISTORY OF KEY ISSUES

When the SBE adopted the CCSS with California additions in August 2010, these standards became the current subject-matter standards in mathematics. The full implementation of these standards will occur over several years as new CCSS-aligned curriculum frameworks and instructional materials are adopted. Revising the *Mathematics Framework* to align with the CCSS with California additions is an important component in the implementation of the standards.

The revision of the *Mathematics Framework* is a multi-step process. It involves educators, content experts, and other stakeholders who serve as members of the four focus groups, which are convened by the CDE, IQC, and the CFCC, appointed by the SBE. Throughout the revision process, there are opportunities for public input at focus group, CFCC, IQC, and SBE meetings and during two 60-day public review periods. Attachment 1 outlines the major steps in the framework revision process. The IQC's role is to make recommendations to the SBE on CFCC appointments, approve a draft document for field review, revise the document based upon field review comments, and recommend the draft framework to the SBE. Attachment 2 provides additional details on the framework revision process.

The framework revision process requires action by the SBE at key points, including the approval of a timeline (Attachment 3) and CFCC application form (Attachment 4) as first steps in the process. The timeline assumes the IQC is fully appointed in March 2012, and has its first working meeting in May 2012. Additional SBE actions in 2012 include the appointment of CFCC members and approval of guidance to direct the CFCC's work. In 2013, the SBE will take action on the IQC's recommendation regarding adoption of the revised framework for mathematics.

In addition to making recommendations on the appointment of CFCC members and the adoption of the revised framework, the IQC and its Mathematics Subject Matter Committee (MSMC) assist the SBE by ensuring that the CFCC follows the guidance approved by the SBE.

The Curriculum Frameworks and Instructional Resources Division, the California Comprehensive Center at WestEd, and Christopher Yakes, Mathematics Professor at California State University, Chico, will be supporting the framework revision.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

August 2010: Pursuant to Senate Bill X5 1, the SBE adopted the academic content standards in mathematics as proposed by the California Academic Content Standards Commission (ACSC); the standards include the CCSS and specific additional standards that the ACSC had deemed necessary to maintain the integrity and rigor of California's already high standards.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION (Cont.)

January 2008: The SBE adopted new *California Code of Regulations*, Title 5 (5 CCR), governing the curriculum framework and instructional materials adoption process.

November 2007: The SBE adopted instructional materials in mathematics for kindergarten through grade eight.

March 2005: The SBE adopted the *Mathematics Framework* that includes the *Mathematics Content Standards for California Public Schools: Kindergarten Through Grade Twelve (Mathematics Content Standards)* and the criteria for evaluating instructional materials submitted for the 2007 Mathematics Primary Adoption.

FISCAL ANALYSIS

The cost to revise the *Mathematics Framework* is anticipated to be a total of \$135,000 over three budget years, 2011–2012, 2012–2013, and 2013–2014. This cost includes the expenses of the focus groups the CFCC, and the meetings of the IQC and MSMC.

The expenses are also comprised of the costs of a contracted mathematics writer and other costs associated with the procedures mandated in 5 CCR regulations for the adoption of curriculum frameworks. In addition, the CDE budget will cover the anticipated \$1.54 million in CDE staff costs. Costs to revise the *Mathematics Framework* will be paid by State General Fund dollars.

ATTACHMENT(S)

Attachment 1: California Department of Education Curriculum Framework Development Process (1 page)

Attachment 2: Plan for the 2013 Revision of the *Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve* (3 pages)

Attachment 3: Draft Timeline for the 2013 Revision of the *Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve* (2 pages)

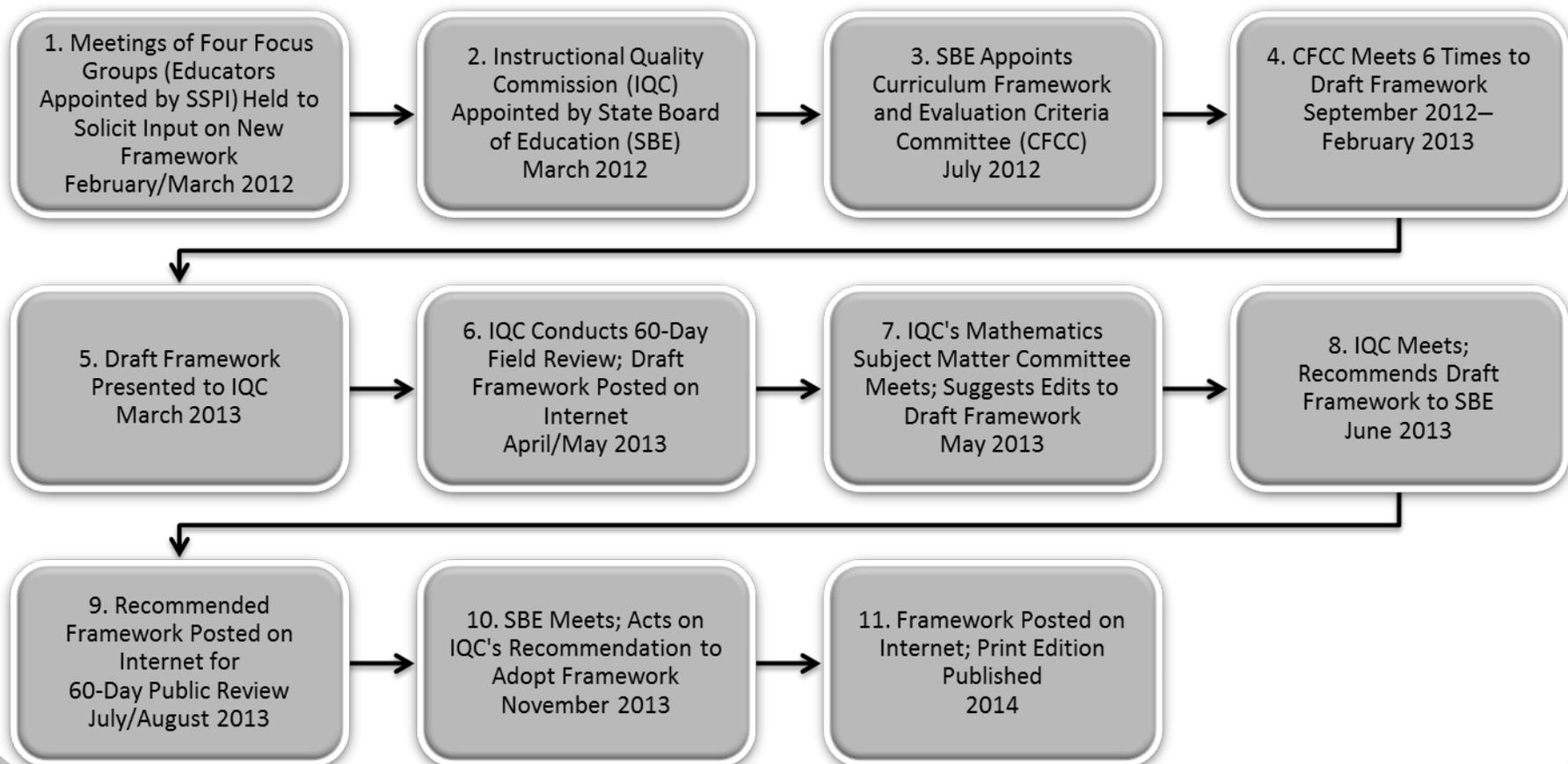
Attachment 4: Draft Application for Appointment to the Mathematics Curriculum Framework and Evaluation Criteria Committee (7 pages)

CALIFORNIA DEPARTMENT OF EDUCATION

Mathematics Curriculum Framework Development Process

This chart shows the major steps of the curriculum framework development process.

All meetings are open to the public.



Plan for the 2013 Revision of the *Mathematics Framework for California Public Schools* *Kindergarten Through Grade Twelve*

The 2013 revision of the *Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve (Mathematics Framework)* will involve the following major components:

1. Focus Groups

The *California Code of Regulations*, Title 5, Education, (5 CCR), Section 9511(c) states that the California Department of Education (CDE) shall convene four public focus groups of educators to provide comment to the Instructional Quality Commission (IQC)¹, the Curriculum Framework and Evaluation Criteria Committee (CFCC), and the State Board of Education (SBE).

These meetings will be held in February and March 2012 in four different regions of California. The focus groups will allow educators, including current classroom teachers, and members of the public to submit comments before the actual work of the CFCC begins. Input from the focus group meetings will be considered by the IQC and SBE as they develop guidelines for the CFCC's work. A report on the focus groups' discussions will be provided at the May 2012 meeting of the IQC.

2. Guidance for Alignment to the Common Core State Standards for Mathematics

The primary focus of the 2013 revision of the *Mathematics Framework* will be to incorporate the Common Core State Standards (CCSS) for Mathematics adopted by the SBE in August 2010 and to provide support for standards-based mathematics instruction aligned with the CCSS. Also, discussion at focus groups and IQC meetings will help identify specific content to include in each of the chapters of the current framework and how to organize the revised framework to support effective instruction.

Issues that the focus groups will be asked to address include:

- The Common Core State Standards for Mathematics
- Instructional Strategies, including strategies that promote critical thinking, collaboration, communication, and exploration
- Assessment that provides pupils with multiple modes for demonstrating learning
- Universal Access, including strategies to address the needs of English learners and students with disabilities

¹ This commission was formerly the Curriculum Development and Supplemental Materials Commission.

- Responsibilities of Teachers, Students, Parents, and Administrators, including creating and supporting high quality instruction and learning
- Professional Development, including strategies for integration of content from one subject to another and fostering students' problem solving skills
- Technology, with a focus on the use of technology to support 21st century skills and prepare students for college and careers
- Criteria for Evaluating Mathematics Instructional Materials: Kindergarten through Grade Eight
- Appendices

In addition, sections of the current framework may be expanded, eliminated, or revised based on input from the focus groups, the CFCC, the IQC, public comments, and the SBE. The SBE will be acting on guidance for the CFCC in July 2012.

3. Statutory Requirements

The framework revision must also reflect changes in statute affecting mathematics curriculum that have been enacted since the last update of the *Mathematics Framework*. Of particular significance will be the statutory requirements set forth in Assembly Bill 250, including specific requirements for the criteria for evaluating instructional materials.

4. Curriculum Framework and Evaluation Criteria Committee

The CFCC application and timeline will be brought to the SBE at its January 2012 meeting. Recruitment for members of the CFCC will take place over several months, January through April 2012. Per 5 CCR, Section 9513(a), the CFCC application must be distributed at least 90 days before the date the SBE appoints the CFCC members. The CFCC applications will be brought to the IQC in May 2012 for action on appointment recommendations. The SBE will appoint the CFCC members at its July 2012 meeting.

Pursuant to the 5 CCR, Section 9511, a majority of CFCC members must be kindergarten through grade twelve teachers at the time of appointment. At least one teacher shall have experience in providing instruction to English learners, and at least one teacher shall have experience in providing instruction to students with disabilities. Also under 5 CCR Section 9511(f), teachers must meet the definition of "highly qualified" as defined by federal law (20 *United States Code* 7801[23]). The SBE will provide direction to the CFCC on the scope of the framework revision and may also provide instructions on topics to be included. Members of the IQC, in particular the Mathematics Subject Matter Committee, will attend some or all of the CFCC's meetings.

It is anticipated that the CFCC will meet for five or six two-day meetings from September 2012 through February 2013. The CDE-contracted mathematical expert and Curriculum Frameworks Unit staff will ensure that the CFCC's comments and suggestions are integrated into the draft document that is submitted to the IQC.

5. Field Review, IQC Action, 60-day Public Review, and State Board Approval

Following receipt of the CFCC's initial draft framework (March 2013), the IQC will review the document and approve it for a 60-day field review. The field review, including an online survey, will take place during April and May 2013. In June 2013, the IQC will take action on an updated draft framework that incorporates comments submitted during the field review. The version of the draft framework approved by the IQC at the June 2013 meeting must be posted for at least 60 days before action by the SBE, pursuant to 5 *CCR* Section 9515(c). The SBE is scheduled to adopt the new framework and the criteria for evaluating instructional materials in November 2013. Finally, the adoption for new mathematics instructional materials, aligned to the revised framework and the CCSS, will have to be determined.

DRAFT
Timeline for the 2013 Revision of the
Mathematics Framework for California Public Schools:
Kindergarten Through Grade Twelve

Event	Schedule
Focus Group recruitment letter and application distributed to LEAs, mathematics and stakeholder organizations, and institutes of higher education	Mid November 2011
Recruitment of Focus Group members , pursuant 5 CCR, §9511(c) and <i>Ed Code</i> Section 44013(a)	Mid November 2011 to Early January 2012
State Board of Education (SBE) action on a timeline and Curriculum Framework and Criteria Committee (CFCC) application form	January 11-12, 2012
Superintendent appoints Focus Group members	Mid January 2012
CFCC recruitment letter and application distributed to LEAs, mathematics and stakeholder organizations, and institutes of higher education	Mid January 2012
Recruitment of CFCC members (at least 90 days pursuant to 5 CCR, §9513).	January to April 2012
Focus Group meetings in four locations, pursuant to 5 CCR, §9511(c), <ul style="list-style-type: none"> • San Bernardino County Office of Education, February 23 • California Department of Education, Sacramento, February 28 • San Diego County Office of Education, March 1 • San Mateo County Office of Education, March 6 	Late February and early March 2012
Instructional Quality Commission² (IQC) meets , establishes Mathematics Subject Matter Committee (Math SMC), reviews Focus Group Report, and recommends CFCC members and guidance for revision of the framework to the SBE	May 2012
SBE appoints CFCC members, receives Focus Group Report, and approves guidance for revision of the framework	July 18-19, 2012
CFCC meets , five or six 2-day meetings in Sacramento, to develop draft <i>Mathematics Framework</i> The CFCC meetings are tentatively scheduled for the following dates: September 6–7, 2012 October 4–5, 2012 November 1–2, 2012 December 6–7, 2012 January 16–17, 2013 February 13–14, 2013	September 2012 to February 2013

² This timeline assumes that the SBE appoints members of the IQC in March 2012 and the IQC holds its first meeting in May 2012.

Event	Schedule
Math SMC reviews draft <i>Mathematics Framework</i> in preparation for full IQC review	March 2013
IQC approves draft <i>Mathematics Framework</i> for initial 60-day public review period	March 2013
60-day public review period prior to IQC recommendation to SBE, pursuant to 5 CCR, §9515(a)(3)	April to May 2013
Math SMC reviews public review results and staff recommendations for edits to draft <i>Mathematics Framework</i>	Late May 2013
IQC analyzes public review results and revises draft <i>Mathematics Framework</i> , approves draft <i>Mathematics Framework</i> for second 60-day public review period	June 2013
Staff incorporates IQC changes to draft <i>Mathematics Framework</i> per IQC action	June 2013
Required 60-day public review and comment on IQC's recommended <i>Mathematics Framework</i> Section §95159(c)	July to August 2013
SBE action on IQC's recommended <i>Mathematics Framework</i> includes public hearing.	November 2013
LEA implementation of <i>Mathematics Framework</i>	2013–14
Smarter Balanced Assessments	2014–15
Instructional Materials Adoption	November 2016

DRAFT

Application for Appointment to the Mathematics Curriculum Framework and Evaluation Criteria Committee

Applications must be received by 3 p.m. Wednesday, April 18, 2012.

The State Board of Education (SBE) is recruiting members of the Mathematics Curriculum Framework and Evaluation Criteria Committee (CFCC). The CFCC will play a significant role in the revision of the *Mathematics Framework for California Public Schools, Kindergarten Through Grade Twelve (Mathematics Framework)*. The *Mathematics Framework* will be revised to incorporate and support the Common Core State Standards for Mathematics, adopted by the California State Board of Education in August 2010, and to reflect current research in mathematics instruction. The CFCC provides input into the initial draft of the revised framework in accordance with guidelines approved by the SBE.

CFCC members include single-subject and multi-subject credentialed teachers; college and university personnel representing academic departments and schools of education; and representatives of citizen groups, educational organizations, industry, or other agencies. The Instructional Quality Commission (IQC), which serves as an advisory body to the SBE, recommends applicants for the CFCC to the SBE.

Serving on the CFCC represents a significant commitment of time and personal energy. Between September 2012 and March 2013, CFCC members will participate in up to six meetings (two days each) in Sacramento and spend a considerable amount of time between meetings reviewing or researching portions of framework drafts. Travel and per diem costs are reimbursed at standard state rates; however, no stipend or substitute pay is provided.

Instructions:

- Answer all the questions. An asterisk (*) denotes a required field.
- After answering all the questions on a page, select the “Next” button
- You must submit a résumé with your application.
- On the last page of the Application, select the “Preview” button.
- **On the next screen, review all the responses, and then select the “Submit” button on the bottom of the screen.**
- After you have submitted the Application, save your Confirmation ID given on the next page. Select the “Print” button to obtain a hard copy. Select the “Download Application in pdf” button to download a pdf version of your application.

Personal Information

First Name:

Last Name:

MI:

Home Street Address:

Home City:

Home State:

Home Zip Code:

Home Phone:

Business Phone:

E-mail:

Employer's Business Name:

Position Title:

Business Street Address:

Business City:

Business State:

Business Zip Code:

Areas of Expertise:

Check all that apply.

- Administrator
- Teacher providing instruction to students in kindergarten or grades one to twelve. Note that teachers must meet the requirements for a highly qualified teacher under the No Child Left Behind Act of 2001.
- Teacher not providing instruction to students in kindergarten or grades one to twelve (e.g., mentor teacher or certificated teacher employed by school districts or county offices of education who is not in a position that requires a service credential with a specialization in administrative services)
- Parent
- Community Member
- School Board Member
- Other Areas of Expertise

Grade Levels of Expertise:

Check all that apply.

- K-2
- 3-5
- 6-8
- 9-12
- Other Grade Levels (e.g. university, college):

Years Teaching:

Experience Teaching English Learner:

Have you provided instruction to English learners? No Yes

If yes, at what grade levels and for how many years? List any specialized credential, certificate, or training in this area.

Experience Teaching Students with Disabilities:

Have you provided instruction to students with disabilities? No Yes

If yes, at what grade levels and for how many years? List any specialized credential, certificate, or training in this area.

Highest Degrees/Certifications:

List your four highest academic degrees and/or certifications earned and the awarding institution. List your highest achievement first.

Degree/Certification #1:

Institution #1:

Degree/Certification #2:

Institution #2:

Degree/Certification #3:

Institution #3:

Degree/Certification #4:

Institution #4:

Knowledge of Common Core State Standards:

Describe how the Common Core State Standards for Mathematics (CCSS), adopted in August 2010, might affect instruction and student learning. Use 2,000 characters or less.

Standards-Based Instruction Experience:

Describe a standards-based activity, lesson, or instructional unit that you have used or could be used with a diverse student population, including students with special needs, students who read below grade level, students who are English Learners, and students who are advanced learners. Explain how you would assess the effectiveness of the instruction. Use 2,000 characters or less.

Areas of Expertise and Leadership:

Describe how your education and experience prepare you to participate in the CFCC to revise the *Mathematics Framework*. As part of your response, please describe your knowledge and use of the CCSS and your experience providing effective instruction to a diverse student population (including students with special needs, those who read below grade level, those who are English learners, and advanced learners), developing curriculum or assessments, and serving as an instructional leader. Use 2,000 characters or less.

Previous Committee Experience: Have you ever served on a committee that was engaged in standards or curriculum development, or the review of instructional materials? If yes, briefly detail your experience. Use 1,000 characters or less.

Relationship with Publishers: Conflict of Interest Disclosure Statement

Your answers below will serve as the disclosure of certain information as required by the “Statement of Activities that are Inconsistent, Incompatible, or in Conflict with Duties of a Member of an Educational Policy Advisory Commission or a Committee or Panel Thereof,” as amended January 1978, and *California Code of Regulations*, Title 5, Education, Section 18600. Your answers will be the basis for an eligibility ruling in the event some activity appears to be inconsistent, incompatible, or in conflict with the duties assigned to the advisory framework committee.

For the questions below, “immediate family” is defined as your spouse and dependent children (*California Government Code* Section 82029).

Question 1:

Do you or a member of your immediate family have, or have you had, a business relationship at any time over the last twelve months with a publisher that produces instructional materials for California? If YES, list the company(-ies) that you have dealt with, and the amount (if any) of remuneration received. Use 1,000 characters or less.

Question 2:

Are you currently employed by or under contract to any person, firm, or organization which will do business with or submit instructional material to the California Department of Education (CDE)? If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. Use 1,000 characters or less.

Question 3:

Have you ever been employed by or had any other kind of contractual relationship with any person, firm, or organization doing business with, or submitting instructional materials to, the CDE? If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. Use 1,000 characters or less.

Question 4:

Do you expect to receive any royalty payments during your period of service on the Mathematics CFCC? If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. Use 1,000 characters or less.

Question 5:

Were you or any member of your immediate family an author, contributor, or editor of (or consultant on) any textbook, other curriculum material, or project proposal that is likely to be submitted to the CDE? If YES or UNCERTAIN, please explain and provide

as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. Use 1,000 characters or less.

Question 6:

Have you received compensation, do you expect to receive compensation, or do you have any other kind of contractual relationship with any organization that is either a subsidiary, parent organization, or “sister organization” of any entity which will do business with your advisory body or will submit materials to your advisory body? If YES or UNCERTAIN, please explain and provide as much detail as possible, including name of firm, nature of contract, dates of contract, and compensation. Use 1,000 characters or less.

Language 1:

Skill for Language 1:

- Speak
- Read
- Write

Language 2:

Skill for Language 2:

- Speak
- Read
- Write

Gender:

- Male
- Female

Ethnicity (optional):

Please select all that apply from below:

- Hispanic/Latino
- American Indian or Alaska Native
- Asian
- Black or African American
- Native Hawaiian or Other Pacific Islander
- White
- Decline to state
- Other _____

Applicant Acknowledgement/Certification

- I understand that this application becomes public information when submitted. The answers to the questions under Relationship to Publisher: Conflict of Interest Disclosure Statement are true and correct to the best of my knowledge and belief. I also understand that serving as a member of the CFCC will be demanding in terms of time and personal energy. I recognize that if appointed to this committee, I will be expected to attend up to six meetings (two days each) between September 2012 and March 2013 in Sacramento and spend a considerable amount of time between meetings reviewing or researching portions

of framework drafts. I and my supervisor are aware that while travel and per diem costs are reimbursed at standard state rates, no stipend or substitute pay is provided. I have discussed this application with my supervisor and have received approval for release time to participate in all related activities.

Supervisor/Employer Information

First Name:
Last Name:
Position Title:
Phone:
E-mail:

Professional References

Please provide the names and contact information for at least one and up to three professional references.

First Name:
Last Name:
Position Title:
Institution:
Street Address:
City:
State:
Zip Code:
Phone:
E-mail:

First Name:
Last Name:
Position Title:
Institution:
Street Address:
City:
State:
Zip Code:
Phone:
E-mail:

First Name:
Last Name:
Position Title:
Institution:
Street Address:
City:
State:
Zip Code:
Phone:
E-mail:

Upload a Résumé

Note: Please attach a current résumé as it relates to your educational background and experience in mathematics in K–12 and/or higher education. If you are a classroom teacher, list the classes you are currently teaching, the grade level(s), and the language of instruction if other than English. Also, please indicate any specialized training you have had in mathematics in the past five years. Please limit your résumé to two or three pages and include your name on each page.

Please limit the size of the file to under 5 MB. This will replace any previously uploaded résumé.



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM 12



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

SUBJECT	
Reauthorization of the Statewide Pupil Assessment System: Development of the State Superintendent of Public Instruction Recommendations.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

SUMMARY OF THE ISSUE(S)

Assembly Bill (AB) 250 (Brownley, 2011) requires the State Superintendent of Public Instruction (SSPI) to develop recommendations for the reauthorization of the statewide pupil assessment system. The legislation requires that the SSPI consult with the State Board of Education (SBE) as well as specific stakeholders, in developing the SSPI recommendations consider sixteen specific areas outlined in statute. This agenda item is the first in a series of regular updates to the SBE to gather feedback from SBE members as well as the public.

RECOMMENDATION

The California Department of Education (CDE) recommends that the SBE engage in discussion and activities regarding the reauthorization of the statewide pupil assessment system.

BRIEF HISTORY OF KEY ISSUES

AB 250 (Chapter 608, Statutes of 2011) modified California *Education Code (EC)* Section 60604.5 to clarify the legislative intent that the reauthorization of the statewide pupil assessment system conform to assessment requirements of any reauthorization of the Elementary and Secondary Education Act (ESEA) or any other federal law that effectively replaces ESEA and be aligned with the common core state standards (CCSS), with at least 85 percent of items to address the CCSS.

The law requires the SSPI to develop recommendations for the reauthorization of the statewide pupil assessment program, which includes a plan for transitioning to a system of high-quality assessments as defined in *EC* Section 60603. While the law specifically addresses the current Standardized Testing and Reporting (STAR) Program; the CDE believes it is appropriate to consider other current California statewide assessments, including, but not limited to, the Early Assessment Program

BRIEF HISTORY OF KEY ISSUES (CONT.)

that utilizes specific STAR assessments, the California English Language Development Test (CELDT) and the California High School Exit Examination (CAHSEE). AB 250 also requires that the SSPI's recommendations be presented to the fiscal and appropriate policy committees of the Legislature by November 1, 2012. Attachment 1 provides information regarding the required AB 250 activities.

To facilitate the development of a conceptual model that addresses each of the sixteen areas outlined in statute and help coordinate the transition to the new pupil assessment system, the CDE, with ongoing engagement with the SBE, will select an advisory committee comprised of, but not limited to, those stakeholders identified in statute (See Attachment 1, page 2). The advisory committee will take into consideration the goals set forth in the Superintendent's *A Blueprint for Great Schools*; information and data regarding the current state assessments; input from stakeholder groups identified in statute, activities related to the development of curriculum frameworks, instructional materials, and professional development modules necessary to address adopted CCSS; as well as the activities related to the development of CCSS-aligned formative and summative assessments through the SMARTER Balanced Assessment Consortium (SBAC). A "Proposed Timeline and Activities for the Development of the Superintendent's Recommendations" is provided in Attachment 2.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

June 2011: Governor Edmund G. Brown, Jr., SSPI Tom Torlakson, and SBE President Michael Kirst signed the memorandum of understanding for California's participation as a governing state in the SBAC. California was previously a participating state in the Partnership for the Assessment of Readiness for College and Careers.

August 2010: Pursuant to Senate Bill X5 1, the SBE adopted the academic content standards in English language arts and mathematics as proposed by the California Academic Content Standards Commission (ACSC); the standards include the CCSS and specific additional standards that the ACSC had deemed necessary to maintain the integrity and rigor of California's already high standards.

FISCAL ANALYSIS (AS APPROPRIATE)

AB 250 requires the CDE to use federal carryover funds received pursuant to Title I of the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), and any other available state and federal funds, to implement the act.

ATTACHMENT(S)

Attachment 1: Reauthorization of Statewide Pupil Assessment System, Requirements included in AB 250 (Brownley) (4 Pages)

Attachment 2: Proposed Timeline and Activities for the Development of the Superintendent's Recommendations (2 Pages)

Attachment 3: Statewide Assessments by Grade and Content Area (4 Pages)

Reauthorization of Statewide Pupil Assessment System Requirements Included in AB 250 (Brownley)

In 2010, California *Education Code (EC)* Section 60604.5 was added to state law addressing the intent of the Legislature regarding the reauthorization of the statewide pupil assessment system. In 2011, Assembly Bill (AB) 250 (Brownley) amended *EC* Section 60604.5 to:

- Require that future assessments conform to assessment requirements of any reauthorization of the federal Elementary and Secondary Education Act (ESEA) or any other federal law that effectively replaces ESEA and be aligned with common core state standards (CCSS), with at least 85 percent of items to address the CCSS
- Require the State Superintendent of Public Instruction (SSPI) to develop recommendations, in consultation with specific stakeholder groups, for the reauthorization of the statewide pupil assessment program to be reported to the fiscal and appropriate policy committees of both houses of the Legislature on or before November 1, 2012
- Require the SSPI recommendations to consider 16 specific areas and include a plan for transitioning to a system of high-quality assessments as defined in *EC* Section 60603

AB 250 amended *EC* Section 60603 to define "high-quality assessment" as follows:

(j) "High-quality assessment" means an assessment designed to measure a pupil's knowledge of, understanding of, and ability to apply critical concepts through the use of a variety of item types and formats, including, but not limited to, items that allow for open-ended responses and items that require the completion of performance-based tasks.

A high-quality assessment should have the following characteristics:

- (1) Enable measurement of pupil achievement and pupil growth.
- (2) Be of high technical quality by being valid, reliable, fair, and aligned to standards.
- (3) Incorporate technology where appropriate.
- (4) Include the assessment of pupils with disabilities and English learners.

- (5) Use, to the extent feasible, universal design principles, as defined in Section 3 of the federal Assistive Technology Act of 1998 (29 U.S.C. Sec. 3002) in its development and administration.

EC Section 60603(n) defines “statewide pupil assessment system” as follows:

(n) “Statewide pupil assessment program” means the systematic achievement testing of pupils in grades 2 to 11, inclusive, pursuant to the standardized testing and reporting program under Article 4 (commencing with Section 60640) and the assessment of basic academic skills and applied academic skills, administered to pupils in grade levels specified in subdivision (c) of Section 60605, required by this chapter in all schools within each school district by means of tests designated by the state board.

AB 250 amended *EC* Section 60604.5 to require that, in developing the recommendations, the SSPI shall consult with all of the following:

- (1) The State Board of Education
- (2) The committee advising the Superintendent on the Academic Performance Index pursuant to subdivision (a) of Section 52052.5 (Public Schools Accountability Act Advisory Committee)
- (3) Measurement experts from California’s public and private universities
- (4) Individuals with expertise in assessing pupils with disabilities and English learners
- (5) Teachers, administrators, and governing board members, from California’s local educational agencies
- (6) Parents

The recommendations shall include, but not be limited to, a plan for transitioning to a system of high-quality assessments. The recommendations shall consider including all of the following in the reauthorized assessment system:

- (1) Aligning the assessments to the standards adopted or revised pursuant to *EC* Section 60605.8.
- (2) Implementing and incorporating any common assessments aligned with the common set of standards developed by the CCSS Initiative consortium or other interstate collaboration in which the state participates.

- (3) Conforming to the assessment requirements of any reauthorization of the federal ESEA (20 U.S.C. Sec. 6301 et seq.) or any other federal law that effectively replaces that act.
- (4) Enabling the valid, reliable, and fair measurement of achievement at a point in time and over time for groups and subgroups of pupils, and for individual pupils.
- (5) Allowing the comparison from one year to the next of an individual pupil's scale scores in each content area tested, so as to reflect the growth in that pupil's actual scores over time.
- (6) Enabling and including the valid, reliable, and fair measurement of achievement of all pupils, including pupils with disabilities and English learners.
- (7) Providing for the assessment of English learners using primary language assessments.
- (8) Ensuring that no aspect of the system creates any bias with respect to race, ethnicity, culture, religion, gender, or sexual orientation.
- (9) Incorporating a variety of item types and formats, including, but not limited to, open-ended responses and performance-based tasks.
- (10) Generating multiple measures of pupil achievement, which, when combined with other measures, can be used to determine the effectiveness of instruction and the extent of learning.
- (11) Including the assessment of science and history-social science in all grade levels at or above grade four.
- (12) Assessing a pupil's understanding of and ability to use the technology necessary for success in the 21st century classroom and workplace.
- (13) Providing for both formative and interim assessments, as those terms are defined in this chapter, in order to provide timely feedback for purposes of continually adjusting instruction to improve learning.
- (14) Making use of test administration and scoring technologies that will allow the return of test results to parents and teachers as soon as is possible in order to support instructional improvement.
- (15) Minimizing testing time while not jeopardizing the validity, reliability, fairness, or instructional usefulness of the assessment results.
- (16) Including options for diagnostic assessments for pupils in grade two.

AB 250 amended *EC* Section 60601 to extend the Standardized Testing and Reporting Program by one year to become inoperative on July 1, 2014, and would repeal the act as of January 1, 2015.

Proposed Timeline and Activities for the Development of the Superintendent's Recommendations

The goal is to develop a conceptual model that will guide the transition to a new statewide pupil assessment system that is right for California. The table below includes a timeline and responsibilities, which are subject to change depending on the advisory committee's work.

Timeline	Advisory Committee	CDE
January 2012	—	<ul style="list-style-type: none"> • Draft plan to communicate activities to local educational agencies and the public • Draft plan for collecting input from specific stakeholders • Present an overview of the CDE's plan to the SBE • Select the advisory committee and establish committee meeting dates
February-April 2012	2-3 advisory committee meetings: <ul style="list-style-type: none"> • Establish governing principles for advisory committee's work • Develop a conceptual model that addresses each of the sixteen areas outlined in statute • Examine ESEA requirements • Consult with SBAC staff and activities • Identify technical and/or policy issues and needs • Determine what work the Technical Advisory Group (TAG) may do to assist the advisory committee • Determine and address the needs of students with disabilities and English learners • Examine various types of assessment formats 	<ul style="list-style-type: none"> • Identify existing resources and research appropriate state and federal documents and other state's transition plans • Provide resources, staff that will help coordinate advisory activities with SBAC activities • Draft survey questions for stakeholder focus groups • Schedule and conduct focus group meetings for specific stakeholder groups • Schedule and plan meetings, e.g., technical and accountability advisory groups • Plan and staff advisory committee meetings • Present update to SBE at the March 7-8 meeting
May-June 2012	1-2 advisory committee meetings: <ul style="list-style-type: none"> • Continue activities from previous meetings • Consider focus group input 	<ul style="list-style-type: none"> • Present update to SBE at May 9-10 meeting • Plan and staff advisory committee meeting

Timeline	Advisory Committee	CDE
	<ul style="list-style-type: none"> • Consult with various experts • Continue discussions • Begin finalizing findings and drafting recommendations for report to the SSPI 	
July-August 2012	1 advisory committee meeting: <ul style="list-style-type: none"> • Continue with findings and draft recommendations for report to the SSPI • Consult with the SSPI, SBE liaison or staff, CDE staff as needed 	<ul style="list-style-type: none"> • Present update to SBE at July 18-19 meeting • Plan and staff advisory committee meeting • Collect recommendations from advisory committee and draft report for the SSPI
September 2012	<ul style="list-style-type: none"> • May assist in the presentation of the recommendations to the SBE 	<ul style="list-style-type: none"> • Present SSPI's recommendations to the SBE at September 12-13 meeting
October 2012	—	—
November 2012		<ul style="list-style-type: none"> • SSPI provides recommendations to the Legislature

Statewide Assessments by Grade and Content Area

California public school students, grades K-12, may participate in the following assessments.

- Standardized Testing and Reporting (STAR) Program:
 - California Standards Test (CST)
 - California Modified Assessment (CMA)
 - California Alternate Performance Assessment (CAPA)
 - Standards-based Tests in Spanish (STS)
 - Early Assessment Program (EAP) (in collaboration with California State University and accepted by California Community Colleges)
- California High School Exit Examination (CAHSEE)
- California English Language Development Test (CELDT)
- Physical Fitness Test (PFT)

The table below shows the tests taken by grade, the estimated average minutes needed to test, and whether or not the assessment is required by the Elementary and Secondary Education Act (ESEA).

Grade	Test	Estimated Average Minutes Tested	Required by ESEA (Title I)
2	CST ELA	150	No
	CST Mathematics	150	No
		Maximum: 300	
3	CST ELA	150	Yes
	CST Mathematics	150	Yes
		Maximum: 300	
4	CST ELA	170	Yes
	CST Writing Component of ELA	75	No
	CST Mathematics	150	Yes
		Maximum: 395	
5	CST ELA	170	Yes
	CST Mathematics	150	Yes
	CST Science	140	Yes
	PFT ⁶	—	No
		Maximum: 460	
6	CST ELA	170	Yes
	CST Mathematics	150	Yes
		Maximum: 320	
7	CST ELA	170	Yes
	CST Writing Component of ELA	75	No
	CST Grade Level Mathematics (or Algebra I) ¹	150	Yes
	PFT ⁶	—	No
		Maximum: 395	

Grade	Test	Estimated Average Minutes Tested	Required by ESEA (Title I)
8	CST ELA	170	Yes
	CST end-of-course Mathematics ¹	180	Yes
	CST History–Social Science	130	No
	CST Science	120	Yes
		Maximum: 600	
9	CST ELA	170	No
	CST end-of-course Mathematics ¹	180	No
	CST end-of-course Science ²	120	No
	CST end-of-course World History ³	110	No
	PFT ⁶	—	No
	Maximum: 580		
10	CST ELA	170	No
	CST end-of-course Mathematics ¹	180	No
	CST end-of-course Science ²	120	No
	CST Grade 10 Life Science	120	Yes
	CST end-of-course World History ³	110	No
	CAHSEE ELA ⁴	210	Yes
	CAHSEE Mathematics ⁴	150	Yes
	Maximum: 1060		
11	CST ELA ⁵	185 ⁵	No
	CST end-of-course Mathematics ^{1 5}	195 ⁵	No
	CST end-of-course Science ²	120	No
	CST U.S. History	110	No
	CST end-of-course World History ³	110	No
		Maximum: 720	
	CAHSEE ⁴		
EAP CST ELA Augmented items and a writing assessment (Voluntary)	Additional 45 minutes for writing assessment	No	
EAP CST Algebra II and High School Summative Augmented items (Voluntary)		No	

¹ Students in grades 7–11 take mathematics tests based on course enrollment.

CST end-of-course mathematics tests: Algebra I, General Mathematics, Geometry, Algebra II, Summative High School Mathematics, Integrated Mathematics 1, 2, and 3.

² Students in grades 9–11 take science tests based on course enrollment.

CST end-of-course sciences tests: Biology, Chemistry, Earth Science, Physics, Integrated/Coordinated Science 1, 2, 3, and 4.

³ Students in grades 9–11 take the CST end-of-course World History test during the grade in which they are enrolled in a World History course.

⁴ Students who do not meet the CAHSEE requirement in grade ten may take the portions not passed up to two times in grade eleven and up to five times in grade twelve.

⁵ The EAP multiple choice questions are included in the estimated time.

⁶ The PFT is a battery of tests assessing six fitness areas. Some fitness areas have multiple tests; the testing time will vary depending upon the tests administered to each student. For example, for fitness area aerobic capacity, a student could take the walk test, the one-mile run, or the Progressive Aerobic Cardiovascular Endurance Run (PACER).

Students whose primary language is not English and students previously identified as English learners (ELs) who have not been reclassified as fluent English proficient (RFEP) take the CELDT in addition to other tests.

Grade	Test	Estimated Average Minutes Tested (per grade)	Required by ESEA (Title III)
K-1	CELDT	180	Yes
2-12	CELDT	145	Yes

Spanish-speaking English language learners receiving instruction in their primary language or enrolled less than 12 months in a U.S. school take the STS in addition to the CST or CMA.

Grade	Tests	Estimated Average Minutes Tested	Required by ESEA
2-3	STS ELA STS Mathematics	150	No
		150	No
		Maximum: 300	
4-7	STS ELA STS Mathematics	170	No
		150	No
		Maximum: 330	
8-11	STS ELA STS end-of-course Mathematics (Algebra I or Geometry)	170	No
		180	No
		Maximum: 350	

Eligible students with disabilities may take the CMA instead of the CST. The CMA is required per flexibility granted to California by the U.S. Department of Education (ED).

Grade	Tests	Estimated Average Minutes Tested	Required Per Flexibility Granted by ED for ESEA
3	CMA ELA CMA Mathematics	180	Yes
		140	Yes
		Maximum: 320	
4	CMA ELA CMA Writing Component of ELA CMA Mathematics	135	Yes
		75	No
		105	Yes
	Maximum: 315		
5	CMA ELA CMA Mathematics CMA Science	135	Yes
		150	Yes
		105	Yes
	Maximum: 390		
6	CMA ELA CMA Mathematics	165	Yes
		120	Yes
		Maximum: 285	

Grade	Tests	Estimated Average Minutes Tested	Required Per Flexibility Granted by ED for ESEA
7	CMA ELA CMA Writing Component of ELA CMA Grade Level Mathematics (or Algebra I)	165 75 120 Maximum: 360	Yes No Yes
8	CMA ELA CMA end-of-course Mathematics (Algebra 1 or Geometry) CMA Science	165 150 105 Maximum:420	Yes Yes Yes
9	CMA ELA CMA end-of-course Mathematics (Algebra 1 or Geometry)	150 150 Maximum: 300	Yes Yes
10	CMA ELA CMA end-of course Mathematics (Algebra 1 or Geometry) CMA Grade Ten Life science	150 150 105 Maximum: 405	Yes Yes Yes
11	CMA ELA CMA end-of-course Mathematics (Algebra 1 or Geometry)	150 150 Maximum: 300	Yes Yes

Eligible students with significant cognitive disabilities take the CAPA and do not take the CST, CMA, STS or CAHSEE.

Grade	Test	Estimated Average Minutes Tested	Required by ESEA
2-11	CAPA ELA CAPA Mathematics CAPA Science	45 45 45 Maximum: 135	Yes (3-8, 10) Yes (3-8) Yes (5, 8, 10)



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM 13



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

SUBJECT	
Elementary and Secondary Education Act: Proposed Amendments to the Accountability Workbook for 2012.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

SUMMARY OF THE ISSUE(S)

Since 2004, the State Board of Education (SBE) has annually approved proposed amendments to California's Consolidated State Application Accountability Workbook (hereafter referred to as the Accountability Workbook) and submitted them to the U.S. Department of Education (ED). A copy of the 2011 Accountability Workbook is on the California Department of Education (CDE) Accountability Workbook Web page at <http://www.cde.ca.gov/ta/ac/ay/documents/workbook030711.doc>.

RECOMMENDATION

The CDE recommends that the SBE approve three amendments to California's Accountability Workbook. These amendments would impact the 2012 Adequate Yearly Progress (AYP) determinations.

BRIEF HISTORY OF KEY ISSUES

The CDE is proposing three amendments to the Accountability Workbook that would impact the 2012 AYP determinations. The first two amendments are technical and will align the Accountability Workbook with current CDE policy. The third amendment adds a five-year graduation rate to the AYP determination for local educational agencies (LEAs), schools, and numerically significant student groups, an option that is provided by the ED. Approval of the five-year graduation rate would establish a baseline rate in the 2012 AYP reports, which would be used to establish graduation rate targets for the 2013 AYP determinations.

Proposed Amendments to the Accountability Workbook

The proposed amendments to the current Accountability Workbook are listed in order of the critical element. The page reference is also included.

BRIEF HISTORY OF KEY ISSUES (Cont.)

1. LEA Accountability Report Cards (Critical Element 1.5, page 17)

The CDE will produce and post all LEA accountability report cards on the CDE Web site. In November 2010, the SBE approved a template for a stand-alone LEA accountability report card in response to previous Title I Monitoring Visit findings by the ED. Each LEA accountability report card contains all federally required data elements. The current Accountability Workbook indicates that the LEA accountability report card requirements are included in the School Accountability Report Cards (SARCs).

2. Definition of the socioeconomically disadvantaged (SED) student group (Critical Element 5.1, page 36)

A student will be included in the SED student group if the student is *eligible* for free and reduced-price meals. This represents a change from the current Accountability Workbook which indicates that a student is included in the SED student group if the student participates in free and reduced-price meals.

3. Extended-year cohort graduation rate (Critical Element 7.1, page 50)

An extended-year cohort graduation rate (i.e., five-year cohort rate) will be used as an alternative method to meeting the graduation rate criteria for LEAs, schools, and student groups. This alternative method will only be applied for LEAs, schools, or student groups that did not make the state goal or the annual growth target for the four-year graduation rate. Meeting the state goal or the annual growth target for either the four-year or the five-year graduation rate would qualify the LEA, school, or student group to meet the graduation rate criteria for AYP. Background information about the graduation rate criteria and information about the five-year graduation rate calculation methodology and growth targets can be found in Attachment 1.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE has submitted amendments to California's Accountability Workbook each year since the initial submission in January 2003. Most amendments have been in response to changes in California's assessment system or to changes in federal requirements. The most recent changes to the Accountability Workbook are below:

- For the 2011 AYP determination, the SBE and CDE submitted a technical amendment regarding under what conditions students count in the English learner group for accountability purposes.
- For the 2010 AYP determination, the SBE and the CDE submitted the new graduation rate goal of 90 percent with the requirement that all LEAs, schools and student groups meet the new goal by the 2019 AYP determination.

FISCAL ANALYSIS (AS APPROPRIATE)

Fiscal impact will be minimal, as the AYP reports are generated by CDE staff and posted on the CDE AYP Web page. All expenses are included in the Analysis, Measurement, and Accountability Reporting Division budget.

ATTACHMENT(S)

Attachment 1: Five-Year Cohort Graduation Rate Background and Methodology
(2 pages)

Five-Year Cohort Graduation Rate Background and Methodology

Background

On October 28, 2008, the U.S. Department of Education (ED) published its final guidance to states regarding the requirement for states to use a four-year cohort graduation rate beginning with the 2012 Adequate Yearly Progress (AYP) determinations. In addition to the requirement that local educational agencies (LEAs) and schools meet the graduation rate criteria, all numerically significant student groups must also meet the graduation rate criteria beginning with the 2012 AYP determinations. The regulations also provide states with the option of using an extended-year adjusted cohort rate as long as the goal is the same for both the four-year and extended-year cohort rates. This allows states to give LEAs and schools credit for successfully graduating students who take longer than four years to graduate from high school with a regular diploma.

Methodology

Five-Year Cohort Graduation Rate

The CDE will use the ED's required formula to calculate the five-year cohort rate:

Numerator in the four-year adjusted cohort graduation rate plus the number of students from the cohort who earned a regular high school diploma by the end of the fifth school year

divided by

Denominator in the four-year adjusted cohort graduation rate plus students who transfer in, minus students who transfer out, emigrate, or die during the year five school year

The required formula will be used in conjunction with the following qualifying eligibility criteria:

Five-year graduation rates will only be used to meet the AYP graduation rate criteria if the cohort numerator (number of graduates) is equal to or greater than, the reduction in the cohort denominator (the removal of students from the cohort due to transfers, etc.).

The qualifying eligibility criteria eliminate the possibility of having artificially inflated five-year graduation rates. For example, if a school has 100 students in its 2009–10 four-year graduation cohort, and 79 students graduate, the school's graduation rate would be 79 percent. In the following year, five students transfer from the school to an adult education school and the remaining students (16) drop out. The school's five-year cohort graduation increases by 9.7 percent to 88.7 percent (79 graduates divided by the 95 students remaining in the cohort), based solely on five students

transferring to another school. However, the five-year graduation rate would not be used for the AYP determination because the qualifying eligibility criteria require that the school graduated at least the same number of students that are removed from the cohort.

Graduation Rate Growth Targets Background

In January 2010, the SBE set a graduation rate goal of 90 percent for all LEAs, schools, and student groups to meet by the 2019 AYP determinations. The SBE members instructed CDE staff to develop a growth target structure. CDE staff developed a system that provides each LEA, school, and student group with two different growth target graduation rates: (1) a fixed target, and (2) a variable target. The lower of the two targets is used to determine if the growth graduation rate criteria are met; however, both target structures are based on the requirement that the 90 percent graduation goal be reached by 2019. A brief description of the fixed and variable growth graduation rate targets are provided below:

The **fixed growth** graduation rate schedule was initially established in 2010 using the difference between the school's or LEA's baseline National Center for Educational Statistics (NCES) graduation rate (i.e., 2009 AYP graduation rate) and the 90 percent goal divided by the number of years remaining before the 2019 AYP (i.e., ten years). This difference was used to establish a schedule of two equal graduation rate targets for the 2010 and 2011 AYP determinations.

Because a four-year cohort rate is required beginning with the 2012 AYP, a new fixed growth schedule has been developed based on the difference between the LEA's, school's, and student groups' 2009–10 four-year cohort graduation rate and the 90 percent goal divided by the number of years remaining before the 2019 AYP (i.e., eight years). The difference was used to establish eight equal graduation rate targets which will remain in place until 2019.

The **variable growth** graduation rate is established based on the difference between the LEA's, school's, and student groups' current graduation rate and the 90 percent goal divided by the number of years remaining before the 2019 AYP. The variable graduation rate target is calculated annually for each LEA, school, and student group much like a school or student group's API growth target. The variable growth target rate changes each year according to the school's current graduation rate.

Meeting the Five-Year Graduation Rate Criteria

The five-year graduation rate will be applied to LEAs, schools, and student groups in the same way as the four-year graduation rate is applied. LEAs, schools, and student groups will have three ways to meet the five-year graduation rate target: (1) meet or exceeded the goal of 90 percent, (2) meet the fixed graduation rate target, or (3) meet the variable graduation rate target.



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM 14



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

SUBJECT	
Inclusion of Alternative Education Program Accountability Results in the Academic Performance Index – Approve Commencement of a 15-day Public Comment Period for Proposed Amendments to the <i>California Code of Regulations</i> , Title 5, Sections 1039.2 and 1039.3.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

SUMMARY OF THE ISSUE(S)

California *Education Code (EC)* Section 52052.1 (Added by Senate Bill [SB] 219, Stats. of 2007, c. 731) requires that test scores and other accountability data of enrolled pupils who were referred by the school and/or school district of residence to an alternative education program (AEP) be included in the Academic Performance Index (API) of the school and school district of residence to ensure that placement decisions are in the best interests of the affected pupils. The intent of these proposed regulations is to define the terms and criteria for the procedures of assigning accountability results to the API of a school or school district of residence when the pupil was referred by the school and/or school district of residence to an AEP during the academic year. On October 25, 2011, the rulemaking file was withdrawn from the Office of Administrative Law (OAL) with the sole purpose of amending the revision date of the Alternative Schools Accountability Model (ASAM) Alternative School of Choice and Charter School Application that is incorporated by reference in these regulations.

RECOMMENDATION

The California Department of Education (CDE) recommends that the State Board of Education (SBE):

- Approve the proposed changes to the proposed regulations;
- Direct that the proposed changes be circulated for a 15-day public comment period in accordance with the Administrative Procedure Act;
- If no relevant comments to the proposed changes are received during the 15-day public comment period, the proposed regulations with changes are deemed adopted, and the CDE is directed to complete the rulemaking package and resubmit it to the OAL for approval;

RECOMMENDATION (Cont.)

- If any relevant comments to the proposed changes are received during the 15-day public comment period, the CDE is directed to place the proposed regulations on the SBE's March 2012 agenda for action; and
- Authorize the CDE to take any necessary ministerial action to respond to any direction or concern expressed by the OAL during its review of the rulemaking file.

BRIEF HISTORY OF KEY ISSUES

California *Education Code (EC)* Section 52052.1 (Added by Senate Bill [SB] 219, Stats. of 2007, c. 731) requires that test scores and other accountability data of enrolled pupils who were referred by the school and/or school district of residence to an AEP be included in the API of the school and school district of residence to ensure that placement decisions are in the best interests of the affected pupils. The intent of these proposed regulations is to define the terms and criteria for the procedures of assigning accountability results to the API of a school or school district of residence when the pupil was referred by the school and/or school district of residence to an AEP during the academic year. The Public Schools Accountability Act Advisory Committee and the Technical Design Group support the proposed regulations presented in this agenda item for the inclusion of accountability results in the API.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In May 2011, the SBE took action to begin the rulemaking process for the adoption of regulations pursuant to California *Education Code (EC)* Section 52052.1 that would allow test scores and other accountability data of enrolled pupils who were referred by the school and/or school district of residence to an AEP be included in the API of the school and school district of residence. The 45-day public comment period for the proposed regulations closed on July 11, 2011. In September 2011, the SBE approved the regulations and they were submitted to the OAL for approval. On October 25, 2011, the rulemaking file was withdrawn from the OAL with the sole purpose of amending the revision date of the Alternative Schools Accountability Model (ASAM) Alternative School of Choice and Charter School Application that is incorporated by reference in these regulations.

FISCAL ANALYSIS (AS APPROPRIATE)

The Economic and Fiscal Impact Statement was previously submitted in the May 2011 Agenda and no fiscal impact was indicated.

ATTACHMENT(S)

Attachment 1: Addendum to Final Statement of Reasons (1 Page)

Attachment 2: Proposed Regulations (4 Pages)

Attachment 3: Notice of Withdrawal – Office of Administrative Law (1 Page)

ADDENDUM TO FINAL STATEMENT OF REASONS
INCLUSION OF ALTERNATIVE EDUCATION PROGRAM ACCOUNTABILITY
RESULTS IN THE ACADEMIC PERFORMANCE INDEX

UPDATE OF THE INITIAL STATEMENT OF REASONS

The Alternative Schools Accountability Model (ASAM) application called the ASAM Alternative School of Choice and Charter School Application was incorporated by reference with a revision date of 11/2010. The revision date in the regulations is corrected to the most current version of the form of April 2011 that is posted on the California Department of Education ASAM Forms Web page at <http://www.cde.ca.gov/ta/ac/am/documents/altapplication.doc>. The application was revised to better identify the student populations served by various ASAM schools and to better determine whether the schools were eligible to be an ASAM school.

The ASAM application is being submitted for a 15-day comment period that will begin on January 14, 2012, and end on January 30, 2012, inclusive.

- 1 • The State Board of Education has illustrated changes to the original text in the
2 following manner: text originally proposed to be added is underlined; text proposed to
3 be deleted is displayed in ~~strikeout~~.
4 • The 15-day text proposed to be added is in "**bold underline**", deleted text is
5 displayed in "**~~bold strikeout~~**".
6
7

8 Title 5. EDUCATION

9 Division 1. California Department of Education

10 Chapter 2. Pupils

11 Subchapter 4. Statewide Testing of Pupils and Evaluation Procedures

12 Article 1.8. Inclusion of Alternative Education Program Accountability Results 13 and Middle School Dropouts in the Academic Performance Index (API) 14

15 **§ 1039.2. Definitions.**

16 For purposes of this Article, the following terms shall have the following meanings
17 unless the context indicates otherwise:

18 (a) "Alternative education program (AEP)" means a school that is eligible for the
19 Alternative Schools Accountability Model (ASAM) and/or an independent study program
20 within a local educational agency (LEA).

21 (1) Schools eligible for the ASAM include continuation, district and county community
22 day, opportunity, county community, juvenile court, and California Education Authority,
23 Division of Juvenile Justice schools, and others as identified in the ASAM Alternative
24 School of Choice and Charter School Application (**Revised April 2011**). This document,
25 located at <http://www.cde.ca.gov/ta/ac/am/documents/altapplication.doc>, is hereby
26 incorporated by reference.

27 (b) "Continuously enrolled" for the purposes of Education Code section
28 52052(a)(4)(C) and this Article means a pupil who was enrolled in the same school,
29 school district, or county office of education with no gap in enrollment of more than 30
30 consecutive calendar days.

31 (1) Test scores shall be assigned to the API of a school or LEA if the pupil is
32 continuously enrolled at that school or LEA between the first Wednesday in October
33 through the first day of testing of the academic year.

34 (2) For purposes of determining if a fall (August through December) test taker on the
35 California High School Exit Examination (CAHSEE) is continuously enrolled, enrollment

1 between the first Wednesday in October of the prior school year and date of the
2 CAHSEE examination shall be used.

3 (c) "Correctional or judicial officials" includes probation officers.

4 (d) "Local educational agency (LEA)" means a school district or county office of
5 education.

6 (e) "Other accountability data" means the dropout rate that is added to the API
7 pursuant to Education Code section 52052.1(a)(3).

8 (f) "Referred by the school or school district of residence" includes, but is not limited
9 to the voluntary transfer of a pupil to an independent study program or to an AEP
10 charter school.

11 (g) "School district of residence" means the LEA of the last non-AEP school in which
12 the pupil was enrolled.

13 (h) "School of residence" means the last non-AEP school the pupil attended.

14 (i) "Test scores" means results of standardized state-wide tests included in the API.

15 NOTE: Authority cited: Sections 33031 and 52052, Education Code. Reference:
16 Sections 51745, 52052, 52052.1 and 60851, Education Code.

17
18 **§ 1039.3. Criteria for Assigning Pupil Accountability Results to the School and**
19 **School District of Residence API.**

20 (a) Test scores and other accountability data shall be assigned to the school and/or
21 school district of residence for each fiscal year in accordance with annual API
22 calculations.

23 (b)(1) If a pupil was continuously enrolled pursuant to this Article in the AEP, the
24 pupil's test scores shall be assigned to the AEP's API for that year.

25 (2) If the pupil was continuously enrolled pursuant to this Article in the LEA of the
26 AEP in the current year, the pupil's test scores shall be assigned to the LEA API for that
27 year.

28 (c) If a pupil was referred by the school or school district of residence to an AEP
29 school and the pupil was not continuously enrolled pursuant to this Article in the AEP in
30 the current year, the pupil's test scores shall be assigned to the API of the pupil's school
31 of residence for that year under either of the following circumstances:

1 (1) The pupil was enrolled in the school of residence at the start of the current year;
2 subsequently enrolled in an AEP; and either stayed at the AEP, returned to the school
3 of residence, enrolled in another AEP school, or dropped out without being continuously
4 enrolled pursuant this Article in any school.

5 (2) The pupil was enrolled in an AEP school at the start of the current year;
6 subsequently enrolled in the school of residence for over 30 consecutive calendar days;
7 and either stayed at the school of residence, returned to the AEP, enrolled in another
8 AEP school, or dropped out without being continuously enrolled pursuant to this Article
9 in any school.

10 (d) If a pupil was referred by the school or school district of residence to an AEP
11 school and the pupil was not continuously enrolled pursuant to this Article in the LEA of
12 the AEP or in any LEA in the current year, the pupil's test scores shall be assigned to
13 the API of the pupil's school district of residence for that year under either of the
14 following circumstances:

15 (1) The pupil was enrolled in the school district of residence at the start of the current
16 year; subsequently enrolled in the LEA of the AEP; and either stayed at the LEA of the
17 AEP, returned to the school district of residence, enrolled in another LEA of an AEP
18 school, or dropped out without being continuously enrolled pursuant to this Article in any
19 LEA.

20 (2) The pupil was enrolled in the LEA of the AEP at the start of the current year;
21 subsequently enrolled in the school district of residence for over 30 consecutive
22 calendar days; and either stayed at the school district of residence, returned to the LEA
23 of the AEP, enrolled in another LEA of an AEP school, or dropped out without being
24 continuously enrolled pursuant to this Article in any LEA.

25 (e) Other accountability data shall be assigned to the API of the pupil's school or
26 school district of residence in accordance with subdivisions (b), (c), and (d) if the pupil
27 was referred to an AEP by the pupil's school or school district of residence and was
28 enrolled in the AEP for fewer than 125 consecutive calendar days.

29 (f) Other accountability data shall be assigned to the API of an AEP school and its
30 LEA if the pupil was referred to the AEP by the pupil's school or school district of
31 residence and was enrolled in the AEP for 125 consecutive calendar days or more.

1 (g) If a pupil was referred to an AEP school by a juvenile court judge or other
2 correctional or judicial official or expelled pursuant to section 52052.1(a)(1), was
3 enrolled in that AEP school and its LEA, and was not continuously enrolled pursuant to
4 this Article in any school or LEA, the pupil's test scores and other accountability data
5 shall be assigned as follows:

6 (1) Test scores shall not be assigned to the API of any school or LEA.

7 (2) Other accountability data shall be assigned to the API of the school or school
8 district of residence if the pupil was enrolled in the AEP school or LEA for fewer than
9 125 consecutive calendar days.

10 (3) Other accountability data shall be assigned to the API of the AEP school or its
11 LEA if the pupil was enrolled in the AEP school or LEA for 125 consecutive calendar
12 days or more.

13 NOTE: Authority cited: Sections 33031 and 52052, Education Code. Reference:
14 Sections 52051, 52052 and 52052.1, Education Code; 5 CCR 1031-1039, inclusive.

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30 10-25-11 [California Department of Education]
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**State of California
Office of Administrative Law**

In re:
Board of Education

NOTICE OF WITHDRAWAL

Regulatory Action:

Government Code Section 11349.3(c)

Title 5, California Code of Regulations

OAL File No. 2011-0916-01 S

Adopt sections: 1039.2, 1039.3

This notice confirms that your proposed regulatory action regarding Assignment of Student Accountability was withdrawn from OAL review pursuant to Government Code section 11349.3(c). We will retain the rulemaking record you submitted in the event that you resubmit this regulatory action prior to the expiration of the one-year notice period.

Please contact me at (916)323-4217 or gshaw@oal.ca.gov, or the OAL Reference Attorney at (916)323-6815, if you have any questions about the resubmittal process. You may request the return of your rulemaking record by contacting the OAL Front Desk at (916)323-6225.

Date: 10/25/2011


George C. Shaw
Senior Counsel

For: DEBRA M. CORNEZ
Assistant Chief Counsel/
Acting Director

Original: Patricia de Cos
Copy: Cynthia Olsen



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM 15



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

SUBJECT	
2012 United States Senate Youth Program Presentation.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

SUMMARY OF THE ISSUE(S)

The State Superintendent of Public Instruction (SSPI) has selected two delegates and two alternates for the 2012 United States Senate Youth Program (USSYP). The student delegates will take in a week of intensive study of the federal government as guests of the United States Senate and represent California at the 50th annual USSYP held in Washington, D.C., from March 3–10, 2012.

RECOMMENDATION

The California Department of Education (CDE) recommends that the State Board of Education (SBE) President and the SSPI present the 2012 USSYP awards to the 2012 delegates and alternates.

BRIEF HISTORY OF KEY ISSUES

Sponsored by the William Randolph Hearst Foundation, the USSYP was established in 1962 by Senate Resolution 324, and has continued each year by action of the United States Senate. Each state, the District of Columbia, and the Department of Defense Education Activity select two high school juniors or seniors to participate in the program every year. The Hearst Foundation pays all expenses for the delegates, including transportation, hotel, and meals. In addition, each of the delegates will receive a \$5,000 college scholarship from the Hearst Foundation. California's two delegates and two alternate delegates were selected from a pool of 130 applicants nominated by their high school principals.

A selection committee from the CDE reviewed eligible nominees who submitted the required paperwork. After a rigorous review process, the SSPI selected the awardees based on the following criteria: the quality of the application, high-academic achievement, excellent interpersonal and communication skills, knowledge of American government and U.S. history, involvement in school and community activities,

BRIEF HISTORY OF KEY ISSUES (Cont.)

demonstrated qualities of leadership, extra-curricular activities, and service to the community.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

This is an annual event at the January SBE Meeting.

FISCAL ANALYSIS (AS APPROPRIATE)

The William Randolph Hearst Foundation provides funding to the CDE to assist with the costs associated with administering the USSYP.

ATTACHMENT(S)

Attachment 1: Selected Finalists for the 2012 USSYP (4 pages)

Delegate
Nina Arati Kamath

Nina is a senior at Lynbrook High School in the Fremont Union High School District in San Jose, California where she serves as a representative on the Lynbrook High School Legislative Council and an Executive Board Member for the San Jose Youth Advisory Council of District 1. Nina also serves as the Chapter Project Chair for the Lynbrook Future Business Leaders of America; Parliamentarian for the National Association of Parliamentarians; and Editor-in-Chief of 1 Voice, the San Jose Youth Advisory Council of District 1's quarterly publication. Nina serves as the Publicity Chair for the 15th Congressional District Student Advisory Council for U.S. Congressman Mike Honda; Community Engagement Project Lead for Vision New America; Global Entrepreneurship Research Intern at West Valley College; and is an advanced dancer for the Lasya Dance Company.

Over the course of four years, Nina has volunteered for the Good Samaritan Hospital and the Rotary International and Interact. Nina has also served as a Silicon Valley Leadership Group, Education, and Health Policy Coordinator; an Asian Americans for Community Involvement Community Programs Intern; and a Givology Development Intern. Nina also volunteered for the Jerry Brown for Governor 2010 Campaign and currently serves as a volunteer for the Evan Low for California State Assembly 2012 Campaign and President Barak Obama's 2012 Reelection Campaign.

Nina maintains a high, weighted grade point average of 4.58. She has achieved a score of 5 on the following Advanced Placement (AP) examinations: Calculus BC, Computer Science, and English Language and Composition, which has qualified her as a College Board AP Scholar and National Merit Commended Scholar. Nina has published articles on environmental activism and meeting procedures in Tomorrow's Business Leader and also published an Op-ed on nuclear diplomacy in the Cupertino Courier. Nina's awards include the Future Business Leader Competition—First Place; Council Member Pete Constant award for First Place—Most Volunteer Hours; Rotary International Entrepreneurship Leadership Conference Business Model Competition—Second Place; and the Red, White, and Blue School Department Award for AP Computer Science. Nina also spearheaded a school environmental campaign, Operation Green, which Lynbrook High School received the Go Green Eco Chapter Project award for First Place in the Western Region as the most environmental school among 3,000 schools nationwide.

Nina's dream is to attend a university such as Harvard University, University of Pennsylvania, Stanford University, or Princeton University to pursue the interdisciplinary subjects of economics, political science, and government. Post-baccalaureate, Nina wishes to pursue a Master of Business Administration and Juris Doctorate degrees. Nina's career goals include starting an education consulting service as well as serving as a United States representative for the International Monetary Fund to influence foreign policy and tackle global economic issues.

Delegate
Morgen Diane Harvey

Morgen is a senior at Nevada Union High School in the Nevada Joint Union High School District in Grass Valley, California where she serves as the Senior Class President of Nevada Union High School's Associated Student Body and Executive Council. Morgen also serves as a member of the following school clubs: California Scholarship Federation; Health Careers Club; and the Key Club. Morgen also served as a Link Leader; an "A" Team Link Crew member; Free Tibet Club Secretary; and a Free the Children Club member.

Over the past four years, Morgen has served as a volunteer for the Sierra Nevada Memorial Hospital and a local Pediatrics Office. Morgen also participates as a Music for Medicine volunteer, which she plays piano for the terminally ill and homebound on a regular basis. Morgen also serves as an annual organizer for the Christmas Caroling to the Homebound each December.

Morgen maintains a high, weighted grade point average of 4.33. She has received recognition from the National Society of High School Scholars as an outstanding student for the last three years. In addition to her exemplary academic record, Morgen has participated in the Outstanding Academic Achievement People to People Leadership Program in Washington, D.C. Morgen was selected as a California State University, Fresno: President's Scholar Nominee to compete for a full university scholarship. She was also selected to participate in the Rotary Youth Leadership Award Camp and the National Youth Leadership Forum on Medicine. Morgen is also an accomplished piano player and has received numerous awards for her musical talent, including: Grass Valley Rotary Music Competition – First Place; Tri-Counties Music Competition Piano – First, Second, and Third Place; Area Rotary Music Competition – Third Place; and "Music in the Mountains" Piano Competition – Second Place. Morgen has also attended the University of California, Los Angeles World Summer Music Institute and is a graduate of the California State Summer School of the Arts.

Morgen hopes to attend Princeton University to pursue studies in subjects such as music, medicine, philosophy, psychology, or science. Morgen also has a passion for the environment. She believes it is important to advocate for environmental issues and aspires to make a contribution to her community by exploring ways to make improvements in the area of sustainable development.

First Alternate
Steven Uhlener Brownstone

Steven is a senior at University High School in the Irvine Unified School District in Irvine, California where he serves as the Associated Student Body representative to the Irvine Unified School District Board of Education. Steven also serves as the Vice President of Delegate Training for Model United Nations, Pre-Trial Attorney/Vice President of Bonding for Mock Trial, Founder of the Jewish Student Union, Political Columnist in the Journalism Club, Vice President of the Band Executive Council for University High School's marching band, and also plays in the school's jazz band.

Over the course of four years, Steven has participated in and volunteered for the Bureau of Jewish Education Young Philanthropists program, Turtle Rock Community Park Tennis, Shade Tree Associations, and fundraisers for University High School's student council, band, and the Jewish Student Union.

Steven maintains a high, weighted grade point average of 4.32. He has achieved a score of five on the following Advanced Placement (AP) examinations: Art History, English Language and Composition, and United States History, which has qualified him as a College Board AP Scholar and National Merit Commended Scholar. Steven spent the previous summer in China and has achieved Chinese language proficiency. Steven was selected to participate in the Pepperdine Youth Citizenship Seminar and Vernon Smith Experimental Economics Program at Chapman University. Steven's awards include the University of California (UC), Irvine Model United Nations (MUN) – Best Delegate and Research; UC Berkeley MUN – Outstanding Delegate, Rapporteur, and Research, and recognition as a state finalist for National History Day.

Steven hopes to attend a university such as UC Berkeley, Tufts University, Yale University, or the University of Chicago to study in a field that would give him a strong quantitative and qualitative background to launch his career. His ultimate career goal is to serve in the United States Foreign Service and eventually run for political office.

Second Alternate
Karina Clair Jougla

Karina is a senior at Carpinteria High School in the Carpinteria Unified School District in Carpinteria, California where she serves as the Southern California Speaker of the Assembly for the Junior State of America organization. She also serves as the Board Chair for the Youth Advisory Board for Congresswoman Lois Capps; National Teen Advisor Co-Chair for the United Nations Foundation Girl Up Campaign; Lifetime Seal bearer for the California Scholarship Federation; and is active in the school's marching and concert bands, as a flute player and drum major.

Over the course of four years, Karina has volunteered at Kinderkirk Preschool and the Carpinteria Public Library. Karina has also served as a Girls Inc. Drama Camp Director and Coach and Carpinteria Seal Watch Monitor. She has also participated in the JASON Project teacher training program and has also served as a National Geographic JASON Project International Student "Argonaut" Intern.

Karina maintains a high, weighted grade point average of 4.35. She has achieved a score of 5 on the following Advanced Placement (AP) examinations: English Language and Composition and U.S. History. Karina is a recipient of the Girls Inc. Lucille Miller Wright Merit Scholarship and was also a National Merit Scholarship Competition Semi-Finalist. Karina's awards also include the Carpinteria Women's Club 2008 Outstanding Young Woman Award; Kiwanis Club Youth of the Month Awards: October 2008 and December 2010; Band Member of Distinction Award; Masonic Lodge 444 Student of the Month in Science Award; Carpinteria High School Athletic Department Tennis Awards: Most Reliable Player and Most Consistent Player; and the President's Education Award for Outstanding Academic Excellence.

Karina's dream is to attend a university such as Columbia University, Stanford University, or University of California, Berkeley to pursue studies in the field of law, with a particular interest in politics, international relations, and government. Karina is also interested in pursuing studies in the field of science, with a specific interest in the study of biology, with an emphasis in genetics. As an American-French dual citizen, Karina would also like to continue her studies in French, perhaps as a minor. Karina's work with the United Nations Foundation has inspired her to pursue a career in a non-profit organization with an international focus.



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM 16



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

SUBJECT	
Elementary and Secondary Education Act: Approval of Local Educational Agency Plans, Title I, Section 1112.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

SUMMARY OF THE ISSUE(S)

The Elementary and Secondary Education Act (ESEA) provides federal funding that may be available to local educational agencies (LEAs) [defined as districts, county offices of education, and direct-funded charter schools] for a variety of programs. Currently, only new direct-funded charter schools submit an LEA Plan as part of the application for ESEA funding. California Department of Education (CDE) program staff review LEA Plans for compliance with the requirements of ESEA before recommending approval to the State Board of Education (SBE).

RECOMMENDATION

The CDE recommends that the SBE approve nine direct-funded charter school LEA Plans listed in Attachment 1.

BRIEF HISTORY OF KEY ISSUES

The federal ESEA Section 1112(e)(2) states that the state educational agency (SEA) shall approve an LEA's Plan if the SEA determines that the LEA's Plan is designed to enable its schools to substantially help children meet the academic standards expected for all children. The approval of an LEA Plan by the local school board and by the SBE is a requirement for receiving federal funding sub-grants for ESEA programs. The LEA Plan includes specific descriptions and assurances as outlined in the provisions included in ESEA.

The purpose of the LEA Plan is to develop an integrated, coordinated set of actions that LEAs will take to ensure that they meet certain programmatic requirements, including student academic services designed to increase student achievement and performance, coordination of services, needs assessments, consultations, school choice, supplemental services, services to homeless students, and others as required.

BRIEF HISTORY OF KEY ISSUES (Cont.)

CDE program staff review LEA Plans for compliance with the requirements of the ESEA including evaluation of goals and activities designed to improve student performance in reading and mathematics; improve programs for English learner students; improve professional development and ensure the provision of highly qualified teachers; ensure that school environments are safe, drug-free, and conducive to learning; and promote efforts regarding graduation rates, dropout prevention, and advanced placement. If an LEA Plan lacks the required information, CDE program staff works with the LEA to ensure the necessary information is included in the LEA Plan before recommending approval.

Following initial CDE review and SBE approval, all LEAs are expected to annually review their Plans and update them as necessary. Any changes to the LEA Plan must be approved by an LEA's local governing board.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Since the current LEA Plan process was developed in July 2003 as a requirement of the ESEA, the SBE has approved 1,594 LEA Plans.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no fiscal impact to state operations.

ATTACHMENT(S)

Attachment 1: Direct-Funded Charter School Recommended for State Board of Education Approval (1 Page)

Attachment 2: Academic Performance for Direct-Funded Charter Schools Recommended for State Board of Education Approval of Local Educational Agency Plans (1 Page)

**Direct-Funded Charter School Recommended
for State Board of Education Approval**

Local Educational Agency Name	County-District-School Code	Academic Performance Data
Aspire Juanita Tate Academy	19-64733-0124792	None available; opened August 2011
Aspire Innskeep Academy	19-64733-0124800	None available; opened August 2011
Aspire Slauson Academy	19-64733-0124786	None available; opened August 2011
Celerity Cardinal Charter School	19-64733-0123984	None available; opened September 2011
Celerity Palmati Charter School	19-64733-0123166	None available; opened August 2011
Celerity Sirius Charter School	19-10199-0124925	None available; opened August 2011
Edison Charter Academy	38-68478-6040935	See Attachment 2
El Camino Real Charter High School	19-64733-1932623	None available; opened August 2011
Synergy Quantum Academy	19-64733-0124560	None available; opened August 2011

**Academic Performance for Direct-Funded Charter Schools Recommended for State Board of Education Approval
of Local Educational Agency Plans**

LEA Name: Edison Charter Academy CDS CODE: 38-68478-6040935	Met All Adequate Yearly Progress (AYP) Criteria	English-Language Arts		Mathematics		Academic Performance Index (API)		
		Percent At or Above Proficient (67.6%)	Met 2011 AYP Criteria?	Percent At or Above Proficient (68.5%)	Met 2011 AYP Criteria?	2010 Base API	2011 Growth API	Met 2010–11 Growth API Targets***
Schoolwide	No, met 10 of 21	45.3	No	53.1	No	****	****	****
African American or Black (not of Hispanic origin)		28.8	No	49.2	No			
American Indian or Alaska Native		--	--	--	--			
Asian		**	**	**	**			
Filipino		75.0	**	75.0	**			
Hispanic or Latino		46.3	No	51.9	No			
Native Hawaiian or Pacific Islander		**	**	**	**			
White (not of Hispanic origin)		**	**	**	**			
Two or More Races		**	**	**	**			
Socioeconomically Disadvantaged		43.8	No	54.1	No			
English Learners		48.4	No	53.4	No			
Students with Disabilities		26.1	**	21.7	**			

-- Indicates no data are available.

** Indicates AYP criteria are not applied because there are too few students in this subgroup to be numerically significant.

***Growth targets are 5 percent difference between the Base API and statewide target of 800. The 2010 API criteria for meeting federal AYP: a minimum “2011 Growth API” score of 710 OR “2010–11 Growth” of at least one point.

****2011 Growth API is not reported for this school because there was a decrease of ore than 20 percent of students continuously enrolled from the 2010 Base API to the 2011 Growth API or the LEA reported a potential data error in this area. CDE will publish the API for this school in February 2012, to reflect demographic data corrections made in September and October 2011.



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM 17



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

SUBJECT Approval of 2011–12 Consolidated Applications.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing
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SUMMARY OF THE ISSUE(S)

Each local educational agency (LEA) must submit a complete and accurate Consolidated Application (ConApp) each fiscal year in order for the California Department of Education (CDE) to send funding to LEAs for any or all of the categorical funds contained in the ConApp for which they are eligible. The ConApp is the annual fiscal companion to the LEA Plan. The State Board of Education (SBE) is asked to annually approve the ConApps for more than 1,535 school districts, county offices of education, and direct-funded charter schools.

RECOMMENDATION

The CDE recommends that the SBE approve the 2011–12 ConApps submitted by LEAs in Attachment 1.

BRIEF HISTORY OF KEY ISSUES

Each year, the CDE, in compliance with *California Code of Regulations, Title 5, Section 3920*, recommends that the SBE approve applications for funding Consolidated Categorical Aid Programs submitted by LEAs. Prior to receiving funding, the LEA must also have a SBE-approved LEA Plan that satisfies the SBE's and CDE's criteria for utilizing federal and state categorical funds.

Approximately \$2.9 billion of state and federal funding is distributed annually through the ConApp process. The 2011–12 ConApp consists of six federal programs and only one state-funded program. The state funding source is Economic Impact Aid (which is used for State Compensatory Education and/or English learners). The federal funding sources include:

BRIEF HISTORY OF KEY ISSUES (Cont.)

- Title I, Part A Basic Grant (Low Income);
- Title I, Part D (Delinquent);
- Title II, Part A (Teacher Quality);
- Title III, Part A (Immigrant);
- Title III, Part A (Limited English Proficient Students); and
- Title VI, Part B (Rural, Low-Income).

The CDE provides the SBE with two levels of approval recommendations. Regular approval is recommended when an LEA has submitted a correct and complete ConApp, Part I, and has no compliance issues or is making satisfactory progress toward resolving one or two noncompliant issues that are less than 365 days. Conditional approval is recommended when an LEA has submitted a correct and complete ConApp, Part I, but has one or more noncompliant issues that is/are unresolved for over 365 days. Conditional approval by the SBE provides authority to the LEA to spend its categorical funds under the condition that it will resolve or make significant progress toward resolving noncompliant issues. In extreme cases, conditional approval may include the withholding of funds.

Attachment 1 identifies the LEAs that have no outstanding noncompliant issues or are making satisfactory progress toward resolving one or two noncompliant issues that is/are unresolved for less than 365 days. The CDE recommends regular approval of the 2011–12 ConApp for these 13 LEAs. Attachment 1 also includes ConApp entitlement figures from school year 2010–11 because the figures for 2011–12 have not yet been determined. Fiscal data are absent if an LEA is new or is applying for direct funding for the first time.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

To date, the SBE has approved 2011–2012 ConApps for 1,567 LEAs. Attachment 1 represents the third set of 2011–12 ConApps presented to the SBE for approval.

FISCAL ANALYSIS (AS APPROPRIATE)

The CDE provides resources to track the SBE approval status of the ConApps for more than 1,535 LEAs. The cost to track the noncompliant status of LEAs related to programs within the ConApp is covered through a cost pool of federal funds and Economic Impact Aid funds. CDE staff communicates with LEA staff on an ongoing basis to determine the evidence needed to resolve issues, reviews the evidence provided by LEA staff, and maintains a tracking system to document the resolution process.

ATTACHMENT(S)

Attachment 1: Consolidated Applications (ConApp) List (2011–12) - Regular Approvals (1 Page)

Consolidated Applications (ConApp) List (2011–12) – Regular Approvals

The following local educational agencies (LEAs) have submitted a correct and complete ConApp, Part I, and have no compliance issues or are making satisfactory progress toward resolving one or two noncompliant issues that are less than 365 days. The California Department of Education recommends regular approval of these applications.

CD Code	School Code	Local Educational Agency Name	Total 2010–11 ConApp Entitlement	Total Entitlement Per Student	Total 2010–11 Title I Entitlement	2010–11 Entitlement Per Free and Reduced Lunch Student	2010–11 Percent At or Above Proficiency - Language Arts	2010–11 Percent At or Above Proficiency - Math
1964733	0124800	Aspire Inskoop Academy Charter	0	0	0	0	0	0
1964733	0124792	Aspire Juanita Tate Academy Charter	0	0	0	0	0	0
1964733	0124784	Aspire Slauson Academy Charter	0	0	0	0	0	0
1965169	0119636	Da Vinci Design	4481	14.69	0	36.43	66.1	17.8
1965169	0119016	Da Vinci Science	5377	14.65	0	34.03	79.7	60.7
1964733	0124198	Extera Public	0	0	0	0	0	0
3467447	0114983	Golden Valley Charter School of Sacramento	0	0	0	0	56.5	42.9
1510157	0119669	Paramount Bard Academy	120191	324.84	111866	407.43	38.1	25.8
4369427	0123745	Summit Public School: Rainier	0	0	0	0	0	0
4310439	0123794	Summit Public School: Tahoma	0	0	0	0	0	0
3968676	0124958	TEAM Charter	0	0	0	0	0	0
3166944	0000000	Tahoe-Truckee Joint Unified	872246	233.16	344313	584.22	59.3	68.7
1964733	0122838	Valley Charter Middle	0	0	0	0	0	0

The 2010–11 targets for elementary and middle schools are 67.6 percent for Language Arts and 68.5 percent for Math.
The 2010–11 targets for high schools are 66.7 percent for Language Arts and 66.1 percent for Math

Total Number of LEAs in the report: 13

Total ConApp entitlement funds for districts receiving regular approval: \$1,002,295



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM 18



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

SUBJECT	
Assignment of Numbers for Charter School Petitions.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

SUMMARY OF THE ISSUE(S)

The State Board of Education (SBE) is responsible for assigning a number to each approved charter petition. The California Department of Education (CDE) staff presents this routine request for assignment of charter numbers as a standard action item.

RECOMMENDATION

The CDE recommends that the SBE assign charter numbers to the charter schools identified on the attached list.

BRIEF HISTORY OF KEY ISSUES

Since the charter school law was enacted in 1992, the SBE has assigned numbers to 1,372 charter schools, including some approved by the SBE after denial by local educational agencies. Separate from that numbering system, 8 all-charter districts which currently serve a total of 18 school sites, have been jointly approved by the State Superintendent of Public Instruction and the SBE.

California *Education Code (EC)* Section 47602 requires the SBE to assign a number to each charter school that has been approved by a local entity in the chronological order in which it was received. This numbering ensures that the state stays within a statutory cap on the total number of charter schools authorized to operate. The statutory cap for fiscal year 2011–12 is 1,550. The statutory cap is not subject to waiver.

The charter schools listed in Attachment 1 were recently approved by local boards of education as noted. Copies of the charter petitions are on file in the Charter Schools Division.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The SBE is responsible for assigning a number to each approved charter petition. CDE staff presents this routine request for assignment of charter numbers as a standard action item.

FISCAL ANALYSIS (AS APPROPRIATE)

There is no fiscal impact to the state resulting from the assignment of numbers to recently authorized charter schools.

ATTACHMENT(S)

Attachment 1: Assignment of Numbers for Charter School Petitions (2 Pages)

Attachment 2: California *Education Code* Section 47602 (1 Page)

Assignment of Numbers for Charter School Petitions

Number	Charter Name	County	Authorizing Entity	Charter School Contact
1373	Willits Elementary Charter	Mendocino	Willits Unified School District	Guy Vaccaro 1431 South Main Street Willits, CA 95490
1374	Clayton Valley Charter High School	Contra Costa	Mt. Diablo Unified School District	Steven Lawrence 1936 Carlotta Drive Concord, CA 94519
1375	Alpha Middle School	Santa Clara	Alum Rock Union Elementary School District	Holly Smith 2930 Gay Avenue San Jose, CA 95127
1376	iLEAD Lancaster Charter School	Los Angeles	Lancaster Elementary School District	Dawn Evenson 42938 Staffordshire Drive Lancaster, CA 93534
1377	KIPP Middle School #3	Los Angeles	Los Angeles Unified School District	Marcia Aaron 445 South Figueroa Street, Suite 2580 Los Angeles, CA 90071
1378	KIPP Middle School #4	Los Angeles	Los Angeles Unified School District	Marcia Aaron 445 South Figueroa Street, Suite 2580 Los Angeles, CA 90071
1379	KIPP Middle School #5	Los Angeles	Los Angeles Unified School District	Marcia Aaron 445 South Figueroa Street, Suite 2580 Los Angeles, CA 90071
1380	Excel Prep Charter – IE	Riverside	Nuview Union School District	Antonette Sims PO Box 459 Menifee, CA 92584
1381	Golden State Valley Academy	Riverside	Nuview Union School District	Patrick Leier 29780 Lakeview Avenue Nuevo, CA 92567
1382	Sycamore Valley Academy	Tulare	Visalia Unified School District	Ruth Dutton 5000 West Cypress Visalia, CA 93277

Number	Charter Name	County	Authorizing Entity	Charter School Contact
1383	Urban Montessori Charter School	Alameda	Alameda County Office of Education	Peter Laub 313 West Winton Avenue Hayward, CA 94544
1384	San Diego Global Vision Academy Middle School	San Diego	San Diego Unified School District	Dena Harris 3430 School Street San Diego, CA 92103
1385	Green Valley Charter School	Merced	Los Banos Unified School District	Tisha Blackwood-Freitas PO Box 1311 Los Banos, CA 93635
1386	Oak Park Preparatory Charter	Sacramento	Sacramento City Unified School District	Paul Schwinn PO Box 5038 Sacramento, CA 95817
1387	ACE Charter High School	Santa Clara	East Side Union High School District	Greg Lippman 1100 Shasta Avenue San Jose, CA 95126
1388	California Heritage YouthBuild Academy	Mono	Mono County Office of Education	Cathy Taylor 451 Sierra Park Road Mammoth Lakes, CA 93546

California *Education Code* Section 47602

47602. (a) (1) In the 1998-99 school year, the maximum total number of charter schools authorized to operate in this state shall be 250. In the 1999-2000 school year, and in each successive school year thereafter, an additional 100 charter schools are authorized to operate in this state each successive school year. For the purposes of implementing this section, the State Board of Education shall assign a number to each charter petition that it grants pursuant to subdivision (j) of Section 47605 or Section 47605.8 and to each charter notice it receives pursuant to this part, based on the chronological order in which the notice is received. Each number assigned by the state board on or after January 1, 2003, shall correspond to a single petition that identifies a charter school that will operate within the geographic and site limitations of this part. The State Board of Education shall develop a numbering system for charter schools that identifies each school associated with a charter and that operates within the existing limit on the number of charter schools that can be approved each year. For purposes of this section, sites that share educational programs and serve similar pupil populations may not be counted as separate schools. Sites that do not share a common educational program shall be considered separate schools for purposes of this section. The limits contained in this paragraph may not be waived by the State Board of Education pursuant to Section 33050 or any other provision of law.

(2) By July 1, 2003, the Legislative Analyst shall, pursuant to the criteria in Section 47616.5, report to the Legislature on the effectiveness of the charter school approach authorized under this part and recommend whether to expand or reduce the annual rate of growth of charter schools authorized pursuant to this section.

(b) No charter shall be granted under this part that authorizes the conversion of any private school to a charter school. No charter school shall receive any public funds for a pupil if the pupil also attends a private school that charges the pupil's family for tuition. The State Board of Education shall adopt regulations to implement this section.



California State Board of Education

Meeting Agenda Items for January 11-12, 2012

ITEM 19



CALIFORNIA STATE BOARD OF EDUCATION

JANUARY 2012 AGENDA

SUBJECT PUBLIC COMMENT. Public Comment is invited on any matter not included on the printed agenda. Depending on the number of individuals wishing to address the State Board, the presiding officer may establish specific time limits on presentations.	<input type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing
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SUMMARY OF THE ISSUE(S)

This is a standing item on the agenda, which allows the members of the public to address the board on any matter that is not included in this meeting's agenda.

RECOMMENDATION

Listen to public comment on matters not included on the agenda.

BRIEF HISTORY OF KEY ISSUES

Not applicable.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

Not applicable.

FISCAL ANALYSIS (AS APPROPRIATE)

Not applicable.

ATTACHMENT(S)

Not applicable.