



**STATEWIDE BENEFIT CHARTER SCHOOL
CHARTER**

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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.

MEASURABLE 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:

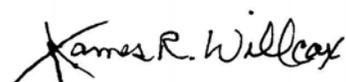
- Aspire has submitted all required notifications to the county superintendents of schools and the governing boards of each school district where Aspire proposes to locate a school site as specified in Appendix 3 pursuant to the requirements of Education Code Section 47605.8(a) and Section 11967.6.1 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](#)

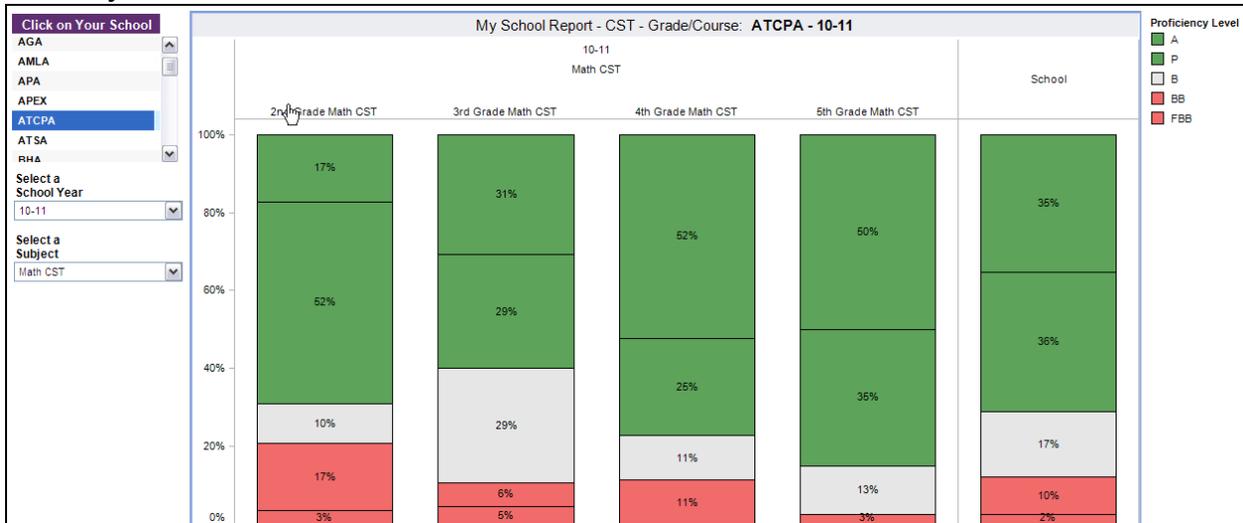
Aspire Assessments

- [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

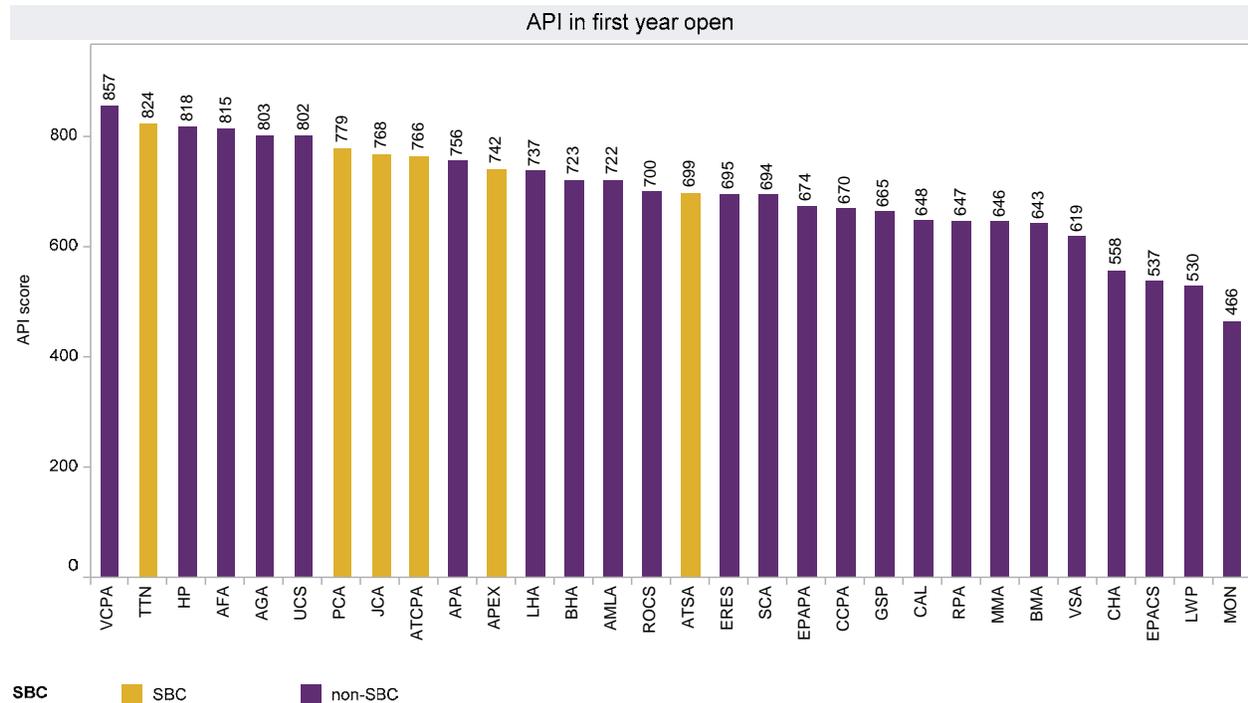
| Click on a School | CST - Scores by Strand | | | | | | | | | | | | | Proficiency Level |
|--------------------|------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|--|-------------------|
| | 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 | | | |
| | 5 | 5 | 5 | 5 | 4 | 4 | 5 | 5 | 5 | 5 | 4 | | | |
| | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 4 | | | |
| | 4 | 5 | 3 | 5 | 5 | 4 | 5 | 5 | 5 | 5 | 5 | | | |
| | 3 | 4 | 1 | 5 | 4 | 3 | 4 | 4 | 3 | 3 | 4 | | | |
| | 3 | 4 | 3 | 3 | 4 | 2 | 5 | 5 | 4 | 5 | 4 | | | |
| | 5 | 5 | 5 | 4 | 5 | 5 | 4 | 5 | 4 | 5 | 3 | | | |
| | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 4 | 5 | 5 | | | |

CST Subject Scores Across Grade Levels

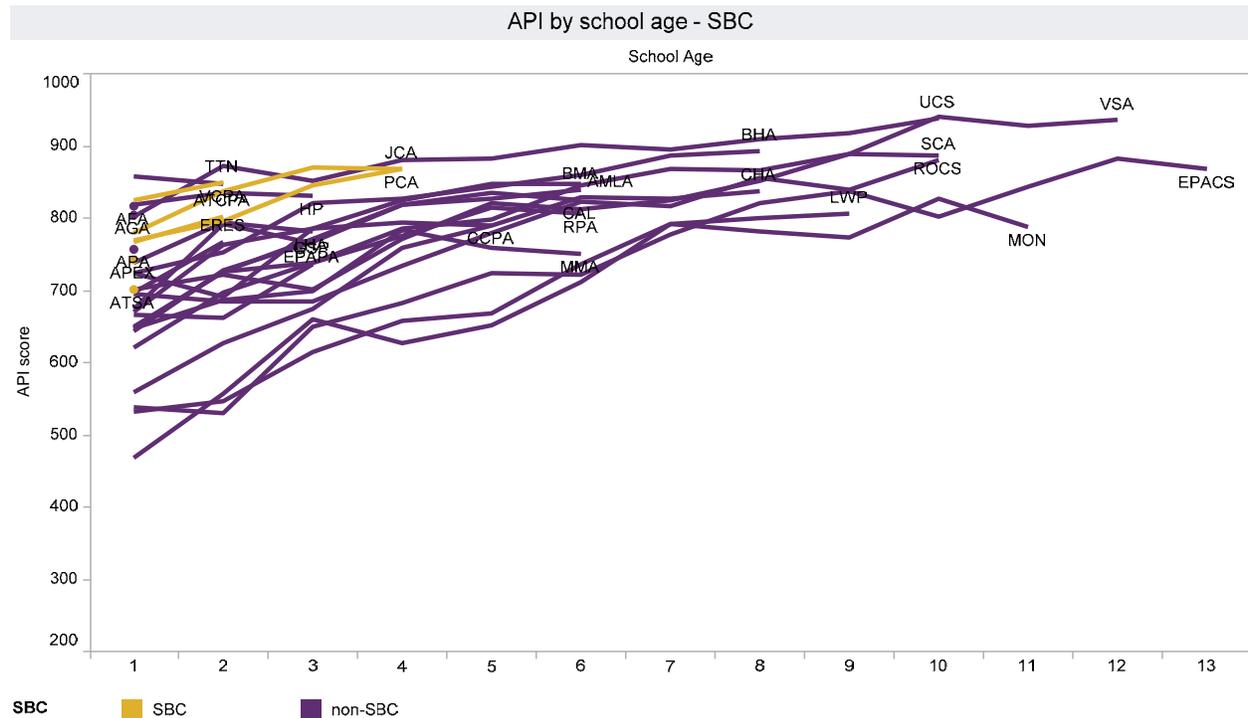


Appendix 5: Chart of Aspire's Performance Over Time

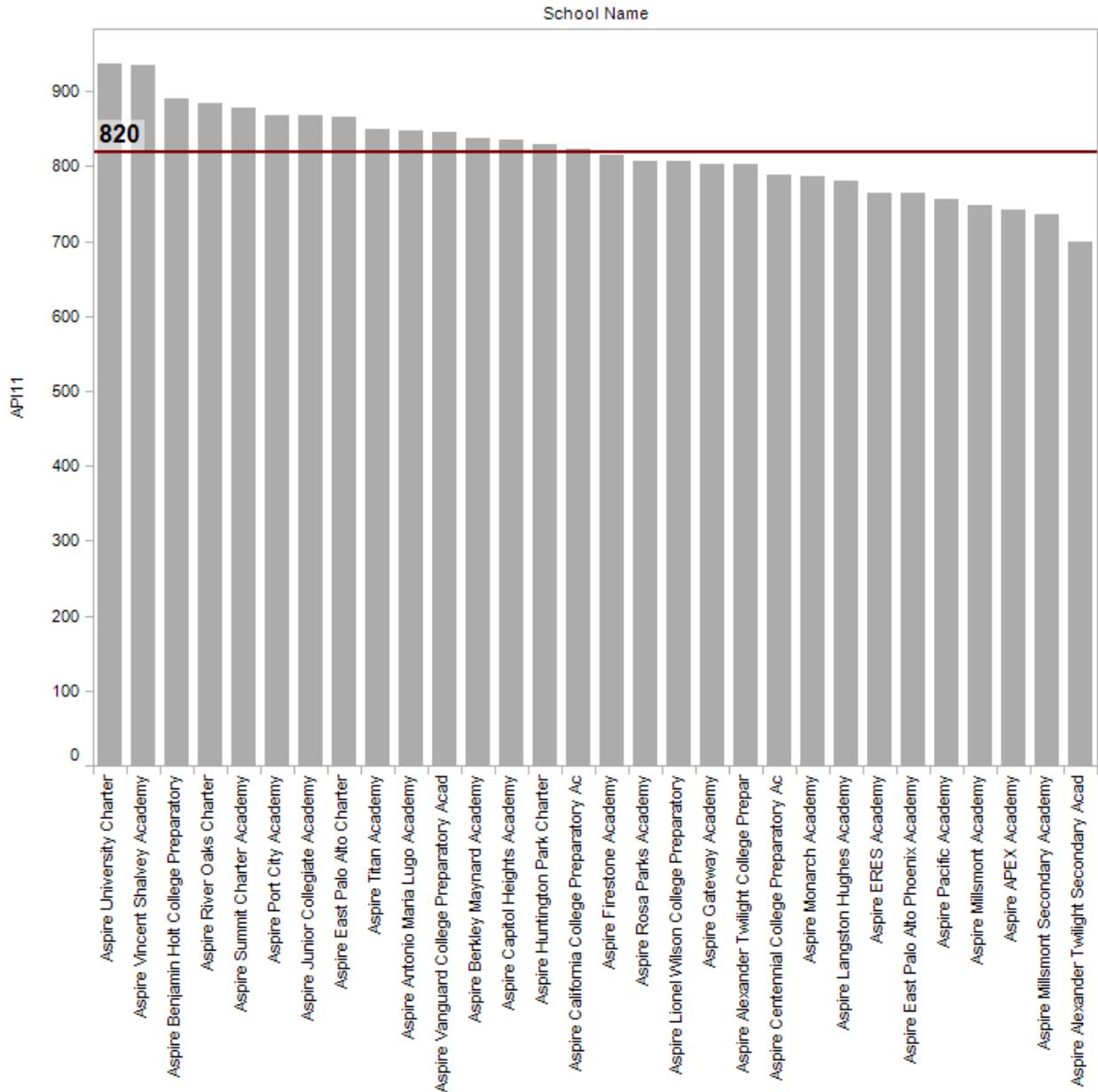
Most of Aspire's SBC schools opened with higher APIs than two-thirds of Aspire schools that have been open at least one year.



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

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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.

GROUND FORS 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 |
|----------------|--|--|--|-----------------------|

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 |

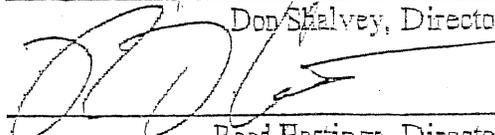
SIX: The property of this corporation is irrevocably dedicated to educational purposes meeting the requirements of Section 214 of the California Revenue and Taxation Code and no part of the net income or assets of the organization shall ever inure to the benefit of any director, officer or member thereof 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.

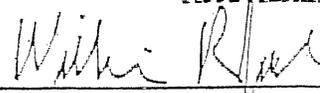
Date: 12/21/98



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

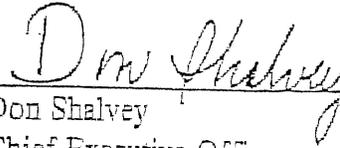
The undersigned certify that:

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:

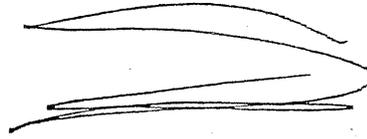
"The name of this Corporation is Aspire Public Schools."
3. The foregoing amendment to the Articles of Incorporation has been duly approved by the Board of Directors of this Corporation.
4. The Corporation has no members.

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.

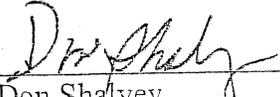
“If this corporation holds any assets in trust, or the corporation is formed for charitable purposes, such assets shall be disposed of in such manner as may be directed by decree of the superior court of the county in which the corporation has its principal office, upon petition therefor by the Attorney 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.

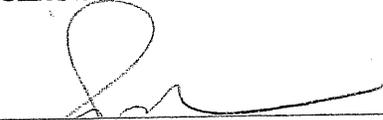
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We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our knowledge.

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.