

# El Camino Real Charter High School

## Charter Conversion Petition



Submitted to the Los Angeles Unified School  
District  
November 1, 2010



## TABLE OF CONTENTS<sup>1</sup>

Affirmations and Assurances .....	4
Introduction and Founding Group/Consultants .....	8
Element 1: Educational Program .....	13
Element 2: Measurable Student Outcomes .....	31
Element 3: Methods by Which Student Outcomes will be Measured .....	34
Element 4: Governance.....	39
Element 5: Employee Qualifications .....	49
Element 6: Health and Safety .....	58
Element 7: Racial and Ethnic Balance.....	65
Element 8: Admissions Requirements .....	69
Element 9: Financial Audits.....	72
Element 10: Student Expulsions .....	76
Element 11: Retirement System.....	90
Element 12: Attendance Alternatives .....	93
Element 13: Employee Return Rights.....	94
Element 14: Dispute Resolution .....	95
Element 15: Public School Employer .....	97
Element 16: School Closure.....	98
Miscellaneous Provisions.....	103
Conclusion .....	110

---

<sup>1</sup> The appendices attached herein are provided to illustrate and provide examples of the provisions of the charter.

## Appendices

Appendix A:	Typical Day for ECRCHS Students
Appendix B:	School Calendar
Appendix C:	Bell Schedule
Appendix D:	Sample Course Descriptions from Each Subject Area
Appendix E:	ECRCHS Section 504 Policy and Students Rights
Appendix F:	Charter School Articles of Incorporation, Corporate Bylaws, and Conflicts Code
Appendix G:	List of Noncore, Non-College Preparatory Classes
Appendix H:	Draft Health and Safety Procedures and Risk Management Policies
Appendix I:	Comprehensive Complaint Policy
Appendix J:	Projected First Year Budget Including Startup Costs and Cash-Flow, Budget Assumptions, and Financial Projections for the First Three Years of Operation

## AFFIRMATIONS AND ASSURANCES

As the authorized lead petitioner, I, David Fehte, hereby certify that the information submitted in this petition for the conversion of a California public school, El Camino Real High School (“ECRHS”) into a California public charter school to be named El Camino Real Charter High School (“ECRCHS” or the “Charter School”), and to be located within the boundaries of the Los Angeles Unified School District (“LAUSD” or the “District”) is true to the best of my knowledge and belief; I also certify that this petition does not constitute the conversion of a private school to the status of a public charter school; and further, I understand that if awarded a charter, the Charter School will follow any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to:

- The Charter School shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Sections 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]
- The Charter School shall be deemed the exclusive public school employer of the employees of El Camino Real Charter High School for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(b)(5)(O)]
- The Charter School shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- The Charter School shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]
- The Charter School shall admit all students who wish to attend the Charter School, and who submit a timely application; unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing process. Except as required by Education Code Section 47605(d)(2) (“an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school”), admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(2)(B) (“[p]reference shall be extended to pupils currently attending the charter school and pupils who reside in the district except as provided for in Section 47614.5”). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(d)(2)(C). [Ref. Education Code Section 47605(d)(2)(A)-(B)]
- The Charter School shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the

definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]

- El Camino Real Charter High School shall comply with all requirements of the Crawford v. Board of Education, City of Los Angeles court order and the LAUSD Integration Policy adopted and maintained pursuant to the Crawford court order, by Student Integration Services (collectively the “Court-ordered Integration Program”). The Court-ordered Integration Program applies to all schools within or chartered through LAUSD. The School will provide a written plan to achieve and maintain the LAUSD’s ethnic goal which is with a 70:30 or 30:70 ratio.
- The Charter School shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities in Education Improvement Act of 2004.
- The Charter School shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
- The Charter School shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to noncore, non-college preparatory teachers. [Ref. California Education Code Section 47605(1)]
- The Charter School shall at all times maintain all necessary and appropriate insurance coverage.
- The Charter School shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D).
- If a 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)]
- The Charter School 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)]

- The Charter School shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs. [Ref. California Education Code Section 47605(c)]
- The Charter School shall comply with any jurisdictional limitations to locations of its facilities. [Ref. California Education Code Section 47605-47605.1]
- The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. California Education Code Section 47612(b), 47610]
- The Charter School shall comply with all applicable portions of the No Child Left Behind Act.
- The Charter School shall comply with the Public Records Act.
- The Charter School shall comply with the Family Educational Rights and Privacy Act.
- The Charter School shall comply with the Ralph M. Brown Act.
- The Charter School shall meet or exceed the legally required minimum of school days.[Ref. Title 5 California Code of Regulations Section 11960]
- The Charter School shall not enroll pupils over nineteen (19) years of age unless continuously enrolled in public school and making satisfactory progress toward high school diploma requirements.
- The Charter School shall not require any child to attend the charter school nor any employee to work at the charter school.

---

David Fehte, Lead Petitioner

---

Date





## I. INTRODUCTION AND FOUNDING GROUP/CONSULTANTS

### A. Introduction

We at ECR would like to convert to charter to further develop academic standards and opportunities on campus for all learners at varied levels. We would like to have more control over governance and curriculum so that students may find more opportunities to excel in academics, athletics, and extracurricular activities. We desire that they gain skills that will prepare them for post-secondary college and career options. We want to operate efficiently and be responsible to our unique student body and parents. We want to introduce more technology into the curriculum and school site so that communication is efficient and seamless. In order to achieve such enhancement and give our students more individual support we shall lower classes sizes and increase our support staff. We would like to promote the six pillars of character in our students encouraging civic responsibility and personal growth.

### B. Founding Group

**David Fehte:** Mr. Fehte has 24 years of experience in education. He has a California Clear Professional Administrative Services K-12, a California Professional Clear Multi-Subject K-12, A California Professional Clear Special Education Learning Handicapped K-12, a California Professional Clear Severely Handicapped K-12 credentials. As Principal of El Camino Real High School for the past five years, Mr. Fehte has overseen instructional programs, supervised certificated and classified staff members, budget related issues, developing strategies and criteria for a high performing school, improving school morale, and improving relationships with parents. Mr. Fehte has also raised our API scores from 736 to 798 and under his leadership El Camino has become a California Distinguished School. El Camino Real has also won the National Academia Decathlon Championship three times. The school has also won many athletic championships during Mr. Fehte's tenure. As director of Operations, he is highly knowledgeable about the following: Title IX, the Discipline Program Policy, drop-out and graduation rates, crime prevention and youth services activities, environmental health and safety issues, relations, maintenance and operations, and Board Rule 133. Mr. Fehte is also experienced in student discipline, suspensions, expulsions and student rights. As a Special Day Class teacher, he has knowledge of teaching strategies, learning modalities, curriculum design, classroom management, and effective monitoring of student progress.

**David Hussey:** Mr. Hussey has a B.A. and an M.A. Degree with a Clear Single Subject Credential in History with a supplemental in ESL, a Clear Pupil Counseling Credential, Clear Administrative Services Credential and Clear Bilingual, Cross-cultural, Language and Academic Development Certificate. He has spent 8 years as a social studies teacher, 4 years as counselor and the last 10 years as Assistant Principal ("APSCS"). He has extensive experience in developing the Master Calendar and knowledge of requirements students must meet in order to graduate from high school and attend a community college or 4 year university. Mr. Hussey has developed curriculum for all levels of students, gaining knowledge of teaching strategies and learning modalities. As Assistant Principal he has taken charge of the Registrar's office, counseling staff, pre-registration for regular school and summer session and developed appropriate opening and closing procedures for the school.

**Dean Bennett:** Mr. Bennett has a B.S. in Biology, a M.S. in Secondary Education with an emphasis in Computers in Instruction, and a Master's Degree in Educational Leadership and Policy Studies. he has a Clear Single subject Teaching Credential in Life Science, a Clear Administrative Credential, and a Supplemental Authorization for Chemistry and Computer Concepts and Applications. He has experience in maintaining the plant and school facility, school construction projects, and directing the plant manager and custodial staff. Mr. Bennett works directly with the Activities Director and Senior Cabinet and helps to facilitate student activities. He is involved in coordinating the school athletic program and supervises the School's many athletic events.

**Bette Marcoux:** Ms. Marcoux has 28 years of experience in education. This includes a B.S. Degree; M.A. Degree in Special Education; Clear Education Specialist Credential and Administrative Credential; a supplemental in social studies. As a Special Education Assistant for 13 years, she has learned the value of classified staff, their job duties and job description. Ms. Marcoux spent numerous years actively involved in the PTA and School Advisory Council holding such positions as PTA President, Valley West Council President and Advisory Council Vice Chairman. These positions required the ability to do community outreach and helping to develop relationships between the parents, school administration and staff. During this time she worked with then Council woman Joy Picus to put in a neighborhood park in a low socio-economic area. As a teacher of students with Learning Disabilities, Ms. Marcoux gained much experience in the development of curriculum, writing compliant IEPs, classroom management, teaching strategies, learning modalities, and the monitoring of student progress. During the 4 1/2 years as Special Education Coordinator she gained new and more in depth knowledge of the District, State, and Federal policies and as they relate to special education and servicing students. She coordinates and over sees the Modified Consent Decree Team and the School Wide Positive Behavior Support Team. She is well versed in the IEP process and Due Process procedures, State, Federal and District laws and policies regarding special education the rights of students and parents, and innovative strategies accommodations to assist students with disabilities. Ms. Marcoux has worked to set up procedures to effectively administer the STAR testing to over 2800 students and the administration of the CAHSEE, Fitness Gram and other state and District required assessments.

**Yvonne Halski:** Mrs. Halski has a Life Teaching Credential in Biology, Chemistry and Mathematics, a Master's in Curriculum Development, Master's in Administration, Administration Credential and Pupil Counseling Credential. She has been at El Camino Real High School since 1985. From 1985 -2004 she was a counselor and an Assistant Principal from 2004 through the present. As Assistant Principal she has been in charge of the school budget and curriculum. Prior to her teaching career she spent 3 years in the private sector as a Billing Director for Executive Health Services and 2 years as a Marketing Representative for International Travel Insurance.

**Shukla Sarkar:** Mrs. Sarkar has a New York and California Teaching Credential, a Continuing Education in Graduate Studies in English, a Masters and Bachelor of Arts in English, and a Master of Science in Administration. She is a National Board Certified Teacher, has a Preliminary Administrative Services Credential, California Teaching Credential in English, and

SB 1969 SDAIE Certificate. She has spent the last 6 years at El Camino as Instructional Coach and Literacy Coach and assisted with writing the charter application and WASC editor and writer. Mrs. Sarkar has sponsored various clubs and organizations and was a coach for our ACA DECA teams from 1994-2009. She has facilitated and coordinated the administration of assessments and Staff Developments, acted as a Mentor teacher and a Lead Teacher, helped to facilitate 9th Grade Orientation, and as a representative to the School Based Management Committee, Instructional Team.

**Howard Spike:** Mr. Spike has 42 years of experience in education with a B. A. and M. A. in Secondary Education; Credentials include a Life Secondary Teaching Credential; Clear Single Subject Teaching Credential; Clear Cross-Cultural, Language and Academic Development Certificate; Private School Administrators Permit. He was an owner and director of his own school for 27 years. His responsibilities included budget, personnel (salaries and benefits), accounting (with a CPA firm), public relations, and fundraising. Mr. Spike helped to develop curriculum; interviewed, hired and dismissed personnel; conducted staff meetings; ordered materials; set the calendar for the year; supervised building and safety of the school, held meetings with parents; interviewed and tested student applicants, and was administrator of all related functions. Mr. Spike spent 8 years as a Reading Coordinator, supervising teachers in K-12 in the area of reading instruction, developed reading curriculum, wrote school and reading grants; involved with writing grants and involved in District budgeting. For the last 4 years he has acted as the Special Education Coordinator, administering at IEP meetings, fielding phone calls related to special education issues, assisting with the monitoring of assistants and student behavior.

**Fernando Delgado:** Mr. Delgado has a Bachelors degree in Business Administration with emphasize in Finance and Technology. He currently holds a Masters Degree in Education Administration and a California Teaching and Administrative Credential. Mr. Delgado currently owns a Software company developing Education specific applications. He has been with El Camino for the Past 6 years and has served in the following capacity: Computer Science Teacher, Technology Coordinator, and WASC Coordinator.

**Jackie Keene:** Ms. Keene is a Los Angeles Council member Paul Krekorian's senior field deputy and she works out of the Sunland Tujunga field office. She handles community outreach, constituent issues, and serves as a facilitator between city departments and the Sunland-Tujunga residents. Ms. Keene brings more than 20 years of experience to the team, serving for Mayor Tom Bradley, Council members Laura Chic and Wendy Gruel, as well as Assembly Speaker Robert Hertzberg. While serving for Laura Chic, she established L.A. City Council District Three's Education Council, researched and wrote legislation for the city-truancy ordinance, and set up a Neighborhood Good" community grant fund benefiting public schools throughout the West San Fernando Valley. Additionally Ms. Keene served in the United States Embassy in London, conducting research for the Embassy' Economic Section. She is a graduate of Pepperdine University. Ms. Keene is currently the president of Friends of ECR, a non-profit organization made up of El Camino Real High School families and community volunteers whose purpose is to raise fund finance vital academic programs, school activities and services in order to expand and enhance the opportunities for every student at El Camino.

**Jeff Falgien:** Mr. Falgien has been a resident of the El Camino Real High School area since 1989. He has 2 children, both of whom graduated from El Camino. He continues as an Assistant Football Coach, Offensive Line. Mr. Falgien was co-founder and President Emeritus of Friends of ECR for 6 years, a fundraising organization to assist students at ECR. He helped to raise over \$300,000 to help increase and enhance opportunities for the entire ECR student body. He has served on multiple youth sports' boards and fundraising committees, is Chairman of the Board of Trustees for the United Methodist Church of Westlake, on the Board of Economic Alliance of the San Fernando Valley, Co-Chair Workforce Investment, Chairman of Grants and Scholarships for the NAMM Foundation, Lecturer on Christian Business Ethics, and is Vice President/Partner of Keyboard Concepts Inc a Southern California retailer of pianos and print music.

### **C. Consultants**

**The Law Offices of Middleton, Young & Minney, LLP:** Middleton, Young & Minney, LLP ("MYM") has twelve attorneys who dedicate their practice exclusively to charter school law. The firm's attorneys provide legal counsel to over half of the charter schools in the state. El Camino Real Charter High School's legal counsel has been involved in the charter school development process for more than seventeen years. MYM offers expertise in every facet of charter school creation, expansion and operation including, charter petition development, employment and labor law, nonprofit incorporation law, board governance, facilities, student issues, and policy development.

**ExED:** ExED is the premier non-profit provider of charter school business management services in Southern California. ExED aims to create efficiencies for charter schools that result in more money reaching the classroom and, ultimately, the students. Services include: Consult with charter school developers, community-based organizations and educators on starting a charter school or converting an existing school to charter status; Assist in crafting selected pieces of the charter petition to the sponsoring school district; Create financial plans for charter schools based on potential revenue and expenses; Identify experienced development team members (architects, engineers, etc.); Package financing for site purchasing or leasing; Negotiate a variety of issues with the school district; Establish infrastructure, including MIS, accounting and attendance record keeping; Prepare grant proposals for state facility financing.

**California Charter Schools Association ("CCSA"):** CCSA provides state and local advocacy, leadership on accountability, and a variety of operational and support services to its members. Member benefits include local support, discounts, helpful tools and essential information.



## **ELEMENT 1: EDUCATIONAL PROGRAM**

*Governing Law: A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an “educated person” in the 21<sup>st</sup> century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners. Education Code Section 47605(b)(5)(A)(i).*

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

### **A. Basic Information**

- The address of the Charter School is 5440 Valley Circle Boulevard, Woodland Hills, CA 91367.
- The phone number of the Charter School is (818) 595-7500.
- The contact person for the Charter School is David Fehte, Principal.
- The number of rooms at the Charter School is 119 classrooms, plus 1 room (Parent Center), 8 small rooms, 1 room (NJROTC), 1 computer lab, and 1 Robotics lab.
- The grade configuration is 9-12.
- The number of students in the first year will be 3543- Historically our enrollment has been just below 3,600. The number 3,543 was arrived at by estimating students from feeder middle schools, private school, residents moving into the area and open enrollment. This difference between present enrollment and projection is not significant.
- The grade level(s) of the students the first year will be 9-12.
- The opening date of the Charter School is August 15, 2011.
- The admission requirements include: No test or assessment shall be administered to students prior to acceptance and enrollment into the school. The ECRCHS application process is comprised of the following: Completion of a student enrollment form.
- The operational capacity will be 3600 students.
- The instructional calendar will be: August 15, 2011 through June 1, 2012.
- The bell schedule for the Charter School will be: 7:00 a.m. to 3:15 p.m.
- If space is available, traveling students will have the option to attend.<sup>2</sup>

---

<sup>2</sup> LAUSD required boilerplate language is included as posted to the LAUSD website on December 21, 2010. It is the petitioners’ understanding that the required language is currently being revised. If approved by the District, the charter will be updated with new required language after approval.

**B. Mission Statement**

The mission of El Camino Real Charter High School is to educate our diverse student body by developing students' talents and skills so they will succeed in a changing world, value and respect themselves and others, and make a positive contribution to our global society.

**C. Vision Statement**

Our vision is that El Camino Real Charter High School students will be:

- Self-directed/Self-reliant
- Collaborative
- Complex/Critical Thinkers
- Ethical
- Lifelong learners
- Technologically literate
- Personally accountable and responsible

**D. Beliefs and Goals**

At El Camino Real Charter High School we believe:

- All students can learn
- Students must be prepared to successfully transition from school to post-secondary education, career preparation, and employment
- Student success is a team effort shared by students, parents, teachers, administrators, and classified staff
- Students are valued members of the school community
- The school community has the responsibility for establishing and maintaining a safe, clean environment conducive to learning

El Camino Real Charter High School Expected School-wide Learning Results (“ESLRs”): In order to succeed in a changing global community, all ECRCHS students will demonstrate:

- Literacy, Numeracy, and Appropriate/Effective Communication Skills
- Critical Thinking and Problem Solving Skills
- Perseverance to Explore and Achieve Career, Education, and Individual Goals
- Academic, Personal, and Social Responsibility
- Respect for Themselves, Others, and the Environment
- Effective, Appropriate, and Ethical Use of Technology to Support the ESLRs

It is the goal of the Charter School to enable students to become self-motivated, competent, and lifelong learners.

## **E. Target Student Population**

El Camino Real Charter High School, serving grades 9-12, will conscientiously strive for academic excellence, articulation between grade levels, and stability and continuity in our neighborhood and traveling student body, (local school empowerment). Most of these diversity programs have been cut by LAUSD. At present we have 33 PWD students, 4 CAP students and 31 PSC students. Our student body in 2009-2010 is ethnically, racially, linguistically, culturally, and economically diverse and represents local communities of Woodland Hills, West Hills, Canoga Park, and other surrounding areas (via open enrollment).

The target student population for ECRCHS includes the students currently attending El Camino Real High School (“ECRHS”) in grades 9-12, students in our attendance area, as well as all others who wish to attend the school, subject to capacity. Enrollment typically comes from the traditional attendance area neighborhoods and feeder middle school. Woodland Hills applicants from the Open Enrollment Program. One of our strengths is the school’s diversity, and it is our intention to maintain the ethnic diversity.

We also seek to attract the families within the Charter School’s surrounding neighborhoods who have elected to send their children elsewhere (other charter, magnet, private school, and home school) for high school instruction. As a neighborhood school offering a solid college-preparatory education balanced with career and postsecondary job training, ECRCHS would like to continue fostering a community atmosphere within the Charter School and create a welcoming environment for local families. These families, in most cases, live at a socioeconomic level of middle class to upper middle class. Their children may attend neighborhood public elementary and middle schools in Local District 1, and they may apply to special programs, such as charter schools, where they can benefit from smaller class sizes and an innovative and specialized educational program. Some families do make economic sacrifices to send their children to costly private schools.

ECRCHS will continue developing educational programs based on various student groupings that best meet the academic needs of our students. Currently, one third of our student body studies specific curriculum within Academies and special programs in the following areas: math and science academy, AVID, Humanitas, media arts (Careers in Entertainment Academy, “CEA”), and fashion/design. Students apply to their first and second choice of academies they consider to be the best fit for their academic, social, personal and professional goals. Research indicates that small, specialized programs can narrow the achievement gap between traditionally high achieving, affluent students and traditionally underrepresented, lower achieving students of lower socioeconomic status. Therefore, ECRCHS will continue to explore and create additional smaller special programs.

## **F. Educated Person in the 21<sup>st</sup> Century**

El Camino Real Charter High School is committed to the belief that all students can learn. All students participate in a rigorous, relevant, and coherent standards-based curriculum that supports the achievement of the academic standards and the Expected School-wide Learning



Results. Through standards-based learning (i.e., what is taught and how it is taught), the ESLRs are accomplished. Committees meet weekly and monthly, as well as faculty and administrative meetings that monitor this process.

Therefore, the mission of El Camino Real Charter High School is to educate our diverse student body by developing students' talents and skills so they will succeed in a changing world, value and respect themselves and others, and make a positive contribution to our global society.

A positive, achievement-oriented atmosphere pervades ECRCHS's campus. The continued success of many of our athletic teams, our drama and music programs, the school newspaper, and especially academic competition teams such as our Academic Decathlon team, sets the tone and raises the bar for all students at El Camino Real Charter High School.

### **G. How Learning Best Occurs**

An appropriate and challenging educational program will be accessible to all students, including mid-range students, students achieving at a level significantly below their peers, gifted and talented students, students receiving special education or related services, limited English proficient students, and students who are members of ethnic groups that are under-represented in colleges and universities.

ECRCHS will continue to use California State Standards (and Federal Standards, which will be adhered to by the 2012-2013 school year), in order to provide effective, appropriate instruction for all students. In addition, ECRCHS will effectively use data from standardized (as is the practice now) and other formal/informal assessments to support teachers in aligning instruction and offer appropriate intervention to match students' needs. ECRCHS teachers continue to use innovative teaching methods, proven best practices, on-going professional development, reflection and discussion of student achievement data and corresponding adjustment to teaching methods, flexibility, and transparency to ensure student growth and achievement. Some of these methods are: SDAIE techniques (scaffolding), graphic organizers, and other proven tools that assist students in the learning process

In addition to classroom teachers and administrators using data to fine-tune/individualize instruction, additional personnel and programs will continue to evaluate and assist struggling students. In all the Academies and other special programs, teachers/coordinators collaborate, in order to determine the most appropriate and effective curriculum and assistance for their students. Examples of current intervention, which ECRCHS will continue to provide, include free tutoring during nutrition, lunch, and after school, homework assistance from peer and college student volunteers, and collaboration with parents/guardians. Furthermore, ECRCHS will continue to employ a full-time college counselor and a sufficient counseling staff, in order to guide and mentor all students, so that academic and elective courses and standardized test scores (including CAHSEE, CST, ACT, and SAT), are grade/ability-level appropriate, meet college A-G and high school graduation requirements, and ensure success in both the post-secondary and career arenas.

As we believe that all students can learn and perform at high levels, we also embrace student learners of all ability levels and types. We provide opportunities for students of all ability levels to demonstrate growth and mastery of a variety of skills to prepare them for success in post-secondary life.

ECRCHS will ensure:

- Each student is held to high standards and has access to rigorous curricula and quality instruction that is intellectually challenging.
- All students have access to the core curriculum.
- All students have access to qualified certificated personnel.
- Instructional resources support state/federal content standards and are culturally, linguistically and developmentally appropriate for every student.
- Teachers maintain high expectations for the learning of rigorous content, differentiate instruction for varied learning styles and varied ability levels, and provide students multiple opportunities to learn and demonstrate their learning.
- Students have opportunities to select and be placed into academically appropriate courses reflective of their abilities, needs, interests, and educational/career goals.
- Students are encouraged to challenge themselves with a variety of learning
- Students have access to targeted interventions that are standards-aligned. Students are placed in these programs based on specific, recent data of their progress for which they are frequently assessed.

## **H. Curriculum**

Below, please find a sample curriculum for English grades 9-12.

From the 9th grade we attempt to prepare students for the highest level of English course offered at the high school level; we call it vertical teaming. Our English classes emphasize analytical writing in all classes, irrespective of the level (sheltered level through Advanced Placement). All students write at least two full length essays which are reviewed by the Instructional Coach. Typically, students write many more essays, speeches, extensions on literature they read, creative pieces etc. Our students' success on all levels of standardized tests in English Language Arts (Pass rate on the following tests: CAHSEE test: 90%, CST: Basic to Advanced 80%, Advanced Placement: 90% to 100% over the last five years) speaks to the effectiveness of our program.

### **9<sup>th</sup> grade**

9<sup>th</sup> graders generally are exposed to a sampling of World Literature, with emphasis on British Literature. Students read a variety of genre, including short stories, plays, poetry, novels, and nonfiction. Students write a variety of essays, including literary analysis, persuasive essays, rhetorical analysis, and autobiographical writing. Students also will write an introductory research paper, utilizing outside critical sources. Selected core works: *The Odyssey*, *Great Expectations*, *Romeo and Juliet*, selected short stories, poems, and nonfiction.

## **10<sup>th</sup> grade**

10th graders generally read Arthurian legends, Julius Caesar or Macbeth, a dystopian novel (Brave New World, Lord of the Flies, 1984), Things Fall Apart, and a Dickens work (Tale of Two Cities for honors). The research paper is supposed to be literature-based (usually, on an allusion in a work of the teacher's choosing). Plus an anthology of poems, novel, plays, fiction and non-fiction that focuses on British Literature

## **11<sup>th</sup> grade**

11<sup>th</sup> graders generally read a survey of American Literature from Puritan times through the 1950s. Students read a variety of genre, including short stories, plays, poetry, novels, and nonfiction. Students write a variety of essays, including literary analysis, persuasive speeches, rhetorical analysis, and autobiographical writing. Students also will write a literature-based research paper, utilizing outside critical sources. Selected core works: *The Crucible*, Revolutionary speeches, *Black Boy*, *The Great Gatsby*, *The Scarlet Letter*, Civil War-related pieces, etc.

## **12<sup>th</sup> grade**

In 12<sup>th</sup> grade, students read a survey of British Literature from the Anglo-Saxons through the 1950s. Students read a variety of genre, including plays, poetry, novels, and nonfiction. Students write a variety of essays, including literary analysis, expository writing, style analysis, and autobiographical writing. Students also will write a literature-based research paper, utilizing outside critical sources. Selected core works: *Beowulf*, *The Canterbury Tales*, *Hamlet*, *Wuthering Heights*, *Jane Eyre*, *Mrs. Dalloway*, *Rosencrantz and Guildenstern are Dead*, as well as selected poetry and critical essays.

## **I. Instructional Materials**

Primary and secondary texts will be selected for each course by departments. Textbook selection committees within each department will give recommendations to the Curriculum and Instruction Committee when the need for new core or supplemental texts arises. Committees are comprised of teachers selected through an internal process. As differentiation will be needed section to section depending on a number of factors including student ability level, pace of the course, student prior knowledge, etc, instructors may utilize varying texts to teach the same curriculum. Advanced Placement (“AP”) courses will utilize texts from lists approved or recommended by the College Board. AP teachers will submit syllabi for approval to both the College Board prior to receiving authorization to teach AP courses.

Requests for additional, supplemental or new texts for individual courses may be submitted by teachers, who, using their expertise as professional educators, will follow protocols for text selection by submitting a rationale through their department for selecting a text. As the curricular focus within each discipline is on skills and information, texts will be relevant to and will evolve with ECRCHS' instructional program. They will be selected based on their pertinence to the course and the needs of the instructor to utilize the text to best meet the instructional needs of his or her students

#### **J. Standards-Based Curriculum and Instruction**

ECRCHS will embrace State content standards with innovative instructional methods and appropriate teacher-created assessments common to each department and aligned to standards to correctly gauge student achievement as we focus on curriculum and instruction.

A standards-based system must address systemic inequities and meet the needs of all students, especially those students who are under-performing. We will maintain and update as needed curricula that meet diverse student needs and expose all students to concepts, issues, events and themes from multiple perspectives.

Attached as Appendix A, please find A Typical Day for ECRCHS Students, which provides a narrative description of how students will progress through their day at the Charter School.

#### **K. School Calendar and Bell Schedule**

ECRCHS will have an Early Start Calendar; August 15, 2011 through May 27, 2012. The school calendar is attached as Appendix B, and the bell schedule is attached as Appendix C.

#### **L. High School Programs**

Upon completion of ECRCHS's graduation requirements, students will have exceeded the University of California's a-g subject requirements. Students and parents will be informed of how each course taken meets graduation and college entrance requirements and transfers to other public high school programs via the Student and Parent Handbook that will be provided each school year and upon new student enrollment and posted on the school website.

##### Core Academic Coursework

Students will be required to demonstrate mastery of standards in six core academic subject areas: English Language Arts, history/social sciences, mathematics, the natural sciences, language other than English, and visual and performing arts. ECRCHS's core course requirements will exceed those of the University of California subject requirements.

##### Advanced Placement Exams

Students will be expected to prepare for and pass at least one AP exam. Preparation will include course work as well as some teacher directed independent study. As a charter school, ECRCHS will continue offer AP courses in 24 subjects and will study the feasibility in other subject areas.

### Technology

Students will develop technological proficiency in the areas of word processing, AP Computer Science, Web Design, Computer Programming, graphic design, spread sheets, slide presentation, and internet research within their core academic subjects and through their elective courses. Students will be expected to utilize technology in ways that will prepare them for post-secondary work and college life.

### Approved Courses

All courses offered at ECRCHS in the six core subject areas will be approved to meet the Charter School's graduation requirements. A-G courses will be site based. Additionally, students may seek administrative approval for online distance learning courses, community college courses or high school courses from other institutions to be accepted as meeting the school's graduation requirements. Online courses will be utilized for credit recovery. Outside courses will only be considered if they are college preparatory, comparable to the courses taught at ECRCHS and taught by an accredited institution. Approval for such courses must be obtained from the Principal prior to the commencement of the course.

Revisions to the list of courses offered by the institution will be made based on a continual improvement process that involves analyzing student performance data and educational trends to determine how the curriculum can best meet the needs of the student population and align with the mission of the Charter School. ECRCHS intends to teach the following courses at this time. Each course listed is a one year course or the equivalent of one (1) UC credit or a traditional high school's ten (10) credit course. The course descriptions and curriculum will be modeled on the courses currently taught at ECRHS and approved by the UC system. Sample course descriptions from each subject area are contained in Appendix D.

#### a - Social Science

- World History
- AP European History
- US History—Regular, Honors, AP
- Government and Economics—Regular and AP
- Psychology—AP and Regular
- Anthropology

#### b – English

- World Literature—9<sup>th</sup> and 12<sup>th</sup> grades

- British Literature—10<sup>th</sup> and 12<sup>th</sup> grades
- American Literature/Contemporary Composition —11<sup>th</sup> grade
- Expository Composition—12<sup>th</sup> grade
- Creative Writing—all grade levels
- Journalism—all grade levels
- English Language and Composition AP
- English Literature and Composition AP

c – Mathematics

- Algebra I
- Algebra I--tutorial
- Geometry
- Advanced Applied Math
- Algebra II
- Trigonometry / Pre-Calculus
- Calculus AP—AB/BC

d – Laboratory Science

- Physics—Regular and AP
- Chemistry-- Regular and AP
- Biology-- Regular and AP
- Physiology
- Earth Science
- Environmental Science AP

e – Language other than English I

- Spanish and French I
- Spanish and French II
- Spanish and French III
- Spanish and French IV
- Spanish and French—AP

f – Visual and Performing Arts

- Drama I, II
- Play Production
- Art—various classes/ various levels
- Choral Music--Camarata
- Instrumental Music
- Band
- Drill team
- Film-making

g- Computer Science/Technology

- Word Processing
- Graphic Design
- Web Design
- AP Computer Science
- Computer Programming

### Graduation Requirements

To be eligible for graduation from ECRCHS, students must meet the following requirements:

- Complete the following number of approved year-long courses with a D grade or better:
  - 3 History / Social Science
  - 4 English
  - 2 Mathematics (3 for UC acceptance)
  - 2 Science (to include 1 Lab Science)
  - 2 Language other than English for UC acceptance
  - 1 Visual and Performing Art
  - Health (1 semester)
  - 2 years of PE
  - 1 Technical Art
- Received credit for the following number of year-long courses or equivalent experiences:
  - Community Service Credit
  - Service Learning Project

### **M. Plan for Students Who Are Academically Low-Achieving**

El Camino Real Charter High School has developed a framework for students achieving below grade level expectations that is demonstratively pre-emptive in our approach to intervention. In order to facilitate student achievement, ECRCHS will offer interventions to address each student's specific learning needs so he or she can attack the curriculum once the school-year begins. Prior to ninth grade, each student's cumulative record, with great attention paid to California-mandated test scores will be reviewed. Students will take diagnostic tests in math and reading. This will aid in correct placement for students who demonstrate lower aptitude in some areas and will enable them to achieve at a level that is appropriate and consistent with their skills and ability level. Continuing students who have demonstrated a consistent pattern of low achievement will be assessed as to the reason for their low achievement.

During the summer before ninth grade, every incoming admitted ECRCHS student will have the opportunity to participate in a four-six week Summer Bridge program. Students will be assessed for their high school readiness, math, reading and writing abilities. For students in the category of well below grade level expectations, emphasis will be placed on developing and strengthening

math and reading skills in addition to instruction in successful student practices and study skills such as time management and organization. Diploma requirements will also be previewed so that students understand the credit-building goal to graduation.

Once ninth grade begins, these students will continue to receive proactive intervention through additional learning supports including before and after-School and Saturday tutoring and classes. Additional instructional strategies will be employed in order to maintain a high level of support for this student group.

We will continue to offer optional CAHSEE workshops for students who have not passed one or both sections of the exam (This is in addition to the required math class for students who have not passed the math portion of the CAHSEE).

As a charter school, ECRCHS will expand and enhance the many intervention opportunities for students.

In English Language Arts, some students may have trouble writing coherently, which is required for the California High School Exit Exam (“CAHSEE”), for periodic assessments, and for all college-admissions tests. The literacy coordinator will be available to tutor students who continue to struggle with coherent writing in a writing lab which is going to be operational when school opens in August. As a department, teachers will make themselves available to students during lunchtime, nutrition and after-school for tutoring. Some classes will have either a collaborative assistant or additional special education teacher as well. Teachers will deliver content while accessing different modalities or learning intelligences with a variety of assessments and assignments with an emphasis on breaking assignments into smaller, simpler assignments.

In Math, all students are required to complete two years of high school math; Algebra 1 and Geometry being the minimum requirements. (The combination could be Geometry and Algebra 2.) For the students who are having trouble with these subjects, alternate courses are offered. Advanced Applied math is a course offered to those students who are unable to pass Geometry. This will satisfy their Geometry requirement for high school graduation. The Math Department has established a lunch time tutoring program for all students who are having difficulties in their subject areas.

### Algebra 1 Math Modules

Currently, a large number of students taking Algebra 1, fail the entire course. Since math is a discipline in which skills build upon other skills, students failing to master initial steps fall behind and spend the remainder of the year attempting to relearn concepts that later units require for mastery. What results is that many students fail one or both semesters of Algebra 1 and are then forced to retake the entire year in summer school, where sometimes, they fail it again, only to repeat the year of Algebra the following year. ECRCHS has begun to offer these students struggling to master Algebra 1 a solution to perpetual failure.

Algebra 1 is known to be a gateway course for students at risk for dropping out. In other words, there is a direct correlation between students who fail Algebra 1 and those who drop out of high



school. Demoralized by having to sit through an entire year of math concepts they don't understand, these students drop out. ECRCHS has designed a program to help students better understand algebraic concepts by requiring formal assessments of material at regular intervals.

Every student who receives a "D" or a Fail at the end of the 1st semester of algebra I does not go on to the 2nd semester. Instead he is programmed into an Algebra Readiness class to review the material. The instructor breaks down the content and focuses on remedial strategies thus the students comprehend the concepts better and are better prepared to re-take the algebra I class the next year.

Teachers stay in for lunch to help those students who are having difficulties in their subject area.

In the event that the student continues to be unsuccessful in his academics, the student will be referred to a Student Success Team ("SST") in which the student's respective teachers will meet with parents/guardians in an effort to provide the student with strategies, assistance and counseling in order to accommodate the student and guide him/her towards academic success.

In some cases, it may be necessary to consider a 504 Plan or to assess a student for a learning disability wherein Special Education protocols will be followed and maintained.

#### **N. Plan for Students Who Are Academically High Achieving**

Students' scores on periodic benchmark assessments, overall grades, individual work ethic, level of production and other factors will be used in determining if a student is placed in a more academically challenging and stimulating environment.

ECRCHS maintains rigorous, relevant, and coherent standards-based curriculum that is founded on department-designed units of instruction and periodic benchmark assessments. Students identified as high achieving in all forms of assessment (formal, informal, observation, etc) will be placed and encourage to enroll in Advanced/Enriched ("AE") courses, Humanitas, Math Science Academy, Academic Decathlon, Honors and Advanced Placement courses.

#### **O. Plan for Serving English Learners**

##### Overview

ECRCHS will meet all applicable legal requirements for English Learners ("EL") as they pertain to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. The Charter School will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents.

## Home Language Survey

The Charter School will administer the home language survey upon a student's initial enrollment into the Charter School (on enrollment forms).

## CELDT Testing

All students who indicate that their home language is other than English will be CELDT tested within thirty days of initial enrollment<sup>3</sup> and at least annually thereafter between July 1 and October 31<sup>st</sup> until 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 California English Language Development Test or CELDT.
- Participation of the pupil's classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil's curriculum mastery.
- Parental opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement including a description of the reclassification process and the parents opportunity to participate, and encouragement of the participation of parents or guardians in the reclassification procedure including seeking their opinion and consultation during the reclassification process.
- Comparison of the pupil's performance in basic skills against an empirically established range of performance and basic skills based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.

---

<sup>3</sup> The thirty-day requirement applies to students who are entering a California public school for the first time or for students who have not yet been 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.

- The Student Oral Language Observation Matrix will be used by teachers to measure progress regarding comprehension, fluency, vocabulary, pronunciation, and grammar usage.
- ECRCHS will continue to follow LAUSD’s reclassification procedures.

Of the 156 Limited English Proficient (“LEP”) students enrolled at ECRHS in the 2009-2010 school year, 29 have been redesignated as English Proficient. The linguistic distribution of LEP students is: Spanish 53.5%, Farsi 19.5%, Hebrew 11%, Mandarin 4%, Korean 3%, Arabic and Russian 1.5% each. The remaining 6% is comprised of 7 other home languages, which represent less than 1% of the EL population of ECRHS. As of September 2010, 19 students are enrolled in ELD classes while 157 others are designated EL and are in sheltered clusters with teachers who are knowledgeable in SDAIE teaching methods as they prepare to be redesignated fluent in English. CELDT data shows that in the last few years an average of 50% of EL students score in the early advanced to advanced range. An additional 38% were in the intermediate range in 2009-2010.

Strategies for English Learner Instruction and Intervention

In order to teach EL students, teachers utilize a variety of SDAIE methods which include: scaffolding; collaborative learning groups; a strong emphasis on learning vocabulary; an emphasis on the different learning modalities; a use of visual aids; graphic organizers; and a focus on morphemes and root words.

All teachers are and will continue to be CLAD certified (or will hold an equivalent California Commission on Teacher Credentialing EL certification).

The English Learner Department uses the State-adopted High Point Program. Professional development ensures that the High Point curriculum is implemented correctly in every classroom and that it provides uniform assessments for all students.

**P. Plan for Students with Disabilities**

**Overview**

The Charter School shall comply with all applicable state and federal laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act (“Section 504”), the Americans with Disabilities Act (“ADA”) and the Individuals with Disabilities in Education Improvement Act (“IDEA”).

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

The Charter School shall comply with all state and federal laws related to the provision of special education instruction and related services and all SELPA policies and procedures; and shall utilize appropriate SELPA forms.

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

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

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

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

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

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

of the student for special education per the IDEIA, a referral for assessment under the IDEIA will be made by the 504 team.

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

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

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

A copy of the ECRCHS Section 504 Policy and Students Rights is attached as Appendix E.

### ***Special Education Program***

*Prior to Los Angeles Unified School District Governing Board approval, ECRCHS will either execute a Memorandum of Understanding (“MOU”) by and between the Los Angeles Unified School District and ECRCHS regarding the provision and funding of special education services consistent with the requirements of the LAUSD Special Education Local Plan Area (“SELPA”) Local Plan for Special Education or provide approved legal verification of membership in another state-approved SELPA with agreement to adhere to the LAUSD’s MCD requirements.*

*District-authorized charter schools permitted to participate in an out-of-District SELPA will be required to execute a Memorandum of Understanding (“MOU”) by and between the LAUSD and the charter school (if considered a Local Educational Agency (“LEA”) regarding the provision of special education services. The receiving out-of-District SELPA Local Plan must be provided to the District for review and must contain a commitment to ensure that the District-authorized charter schools assume all responsibility for the students with disabilities that enroll in the charter schools and that the receiving SELPA is accountable for oversight, monitoring, and implementing the MCD requirements. A material amendment to the petition and Board approval will be required unless the issue is addressed at the time of charter petition renewal.*

### ***Modified Consent Decree Requirements***

*All Charter Schools chartered by the Los Angeles Unified School District Governing Board are bound by and must adhere to the terms, conditions and requirements of the Chanda Smith Modified Consent Decree (“MCD”) and other court orders imposed upon District pertaining to special education. The MCD is a consent decree entered in a federal court class action lawsuit initially brought on behalf of students with disabilities in LAUSD. It is an agreement of the parties approved by the federal court and monitored by a court-appointed independent monitor. The MCD includes eighteen statically measurable outcomes and facilities obligations that the District has to achieve to disengage from the MCD and federal court oversight. All Charter Schools are required to use the District’s Special Education Policies and Procedures Manual and Welligent, the District-wide web-based software system used for online IEPs and tracking of related services provided to students during the course of their education.*

*As part of fulfilling the District’s obligations under the Modified Consent Decree, data requests from Charter Schools that are not connected to the District’s current Student Information Systems (“SIS”) are made on a regular basis. The requested data must be submitted in the Office of the Independent Monitor’s required format and are as follows:*

- The Independent Charter School Suspension/Expulsion Report, due monthly throughout the school year.*
- Paper SESAC Report and Welligent Student Listing Verification, due monthly throughout the school year.*
- CBEDS, which is due at the end of October of Each School Year.*
- All Students Enrolled December 1 of Each School Year, due at the end of December every school year.*
- Graduation Status of 12<sup>th</sup> Grade Students Enrolled on December 1, due at the end of June every school year.*

*The District is currently in the process of developing an Integrated Student Information System (“ISIS”) as required by the MCD. Although most Charter Schools are not currently utilizing the District’s current SIS, the MCD requires all Charter Schools to implement the use of ISIS once it is developed.*



**ELEMENT 2: MEASURABLE STUDENT OUTCOMES**

*Governing Law: The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program. Education Code Section 47605(b)(5)(B).*

Measurable School Outcomes

- **The school’s CST goal is by the end of the charter term: All African American and Hispanic subgroups will achieve proficiency**
  
- **CAHSEE goal- For the charter term, the school will continue to achieve its current CAHSEE passage rate at approximately 90% for first time passage of 10<sup>th</sup> graders**
  
- **For the charter term, the graduation rate goal is at least 92 %**

<b>Measurable School Outcomes/Goals</b>	<b>Local Benchmark Instruments</b>	<b>State-level Year-End Assessments</b>	<b>Frequency of Measurement</b>
Will meet or exceed 94 student attendance	Daily attendance reporting via Student Management System	Calculated ADA rate, comparison of attendance rate to other district schools	Twice annually at Period 1 and Period 2
Make at least one level of advancement in language proficiency (Beginning, Early Intermediate, etc.) annually for ELs	Reading Inventory, Student Portfolios, Benchmark Assessments	CELDT Individual Student Score Reports	Once annually
Meet or exceed State-wide Academic Performance Index growth targets	Benchmark Assessments	Academic Performance Reporting	Once annually
Meet Adequate Yearly Progress (“AYP”)	Benchmark Assessments	AYP Reporting	Once annually



Measurable Pupil Outcomes

Pupil Outcome Goals	Proposed Assessment Tools/ Methods	Frequency of Measurement
All students will develop and show growth towards grade-level proficiency, or higher, in reading and language arts as readers, writers, listeners, speakers, collaborators, and fact-finders.	<ul style="list-style-type: none"> <li>• Pre-Post Reading/Language Arts diagnostics (e.g. ELS, LRPAK, AR, DRA, Lucy Calkins Running Record Kits, Fluency, Words Their Way Spelling)</li> <li>• Curriculum embedded benchmark assessments</li> <li>• Writing Samples</li> <li>• STAR test data</li> <li>• Informal classroom-based assessments</li> <li>• Student Projects</li> <li>• Student Report Card</li> </ul>	Periodic, except for STAR data which is collected annually and the report cards provided each semester.
All students will demonstrate growth towards grade-level proficiency, or higher, in mathematical application, problem solving, and computation skills.	<ul style="list-style-type: none"> <li>• Pre-post diagnostic assessments</li> <li>• Curriculum embedded benchmark assessments</li> <li>• STAR test data</li> <li>• Informal classroom-based assessments</li> <li>• Student Report Card</li> </ul>	Periodic, except for STAR data which is collected annually and the report cards provided each semester.
Students will demonstrate their innate creative abilities, acquire knowledge, and gain appreciation of the fine, performing and applied arts.	<ul style="list-style-type: none"> <li>• Student Performances</li> <li>• Student Projects</li> <li>• Participation in arts programs</li> </ul>	Periodic
Students will develop and show growth in history/social science, promoted through global/environmental awareness, cultural appreciation, service to community, and democratic values/social justice.	<ul style="list-style-type: none"> <li>• Curriculum embedded benchmark assessments</li> <li>• Student Projects</li> <li>• Student Report Card</li> <li>• Informal classroom-based assessments</li> <li>• Self-Assessment</li> </ul>	Periodic, except for the report cards, which are provided each semester.

<b>Pupil Outcome Goals</b>	<b>Proposed Assessment Tools/ Methods</b>	<b>Frequency of Measurement</b>
Students will gain knowledge of scientific concepts, especially in the areas of marine and environmental science, using the scientific method and through experimentation, inquiry, exploration, research, and application.	<ul style="list-style-type: none"> <li>• Curriculum embedded assessments</li> <li>• Student Report Cards</li> <li>• STAR, as applicable by grade level</li> <li>• Teacher Observation</li> <li>• Student Projects</li> </ul>	Periodic, except for STAR data which is collected annually and the report cards provided each semester.
Students will develop an understanding of physical fitness and its relationship to a healthy mind and body and the related concepts of nutrition, healthy habits, and making healthy choices.	<ul style="list-style-type: none"> <li>• State mandated physical performance tests</li> <li>• Student Report Card</li> <li>• Student self-evaluation</li> <li>• Staff observations</li> <li>• Informal assessments/checklists</li> </ul>	Periodic, except for state mandated physical performance test data which is collected annually and the report cards provided each semester.
All students will utilize technology, as appropriate, and develop awareness of its application to learning	<ul style="list-style-type: none"> <li>• Student Projects/Presentations</li> <li>• Teacher Observations</li> <li>• Participation in technology-based enrichment programs</li> <li>• Teacher-selected rubrics</li> </ul>	Periodic
School will participate in events to better the community.	<ul style="list-style-type: none"> <li>• School Events Calendar/SARC</li> </ul>	Annual
Parents will be encouraged to attend outside-of-school- hours events and to commit to volunteer service annually.	<ul style="list-style-type: none"> <li>• Volunteer Log (per capita hours)</li> <li>• Attendance at School Events</li> <li>• SARC/School Survey</li> </ul>	Annual

### **ELEMENT 3: METHODS BY WHICH STUDENT OUTCOMES WILL BE MEASURED**

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

#### **A. Testing**

*The Charter School agrees to comply with and adhere to the State requirements for participation and administration of all state mandated tests. If the Charter School does not test (i.e., STAR, CELDT, CAHSEE) with the District, the Charter School hereby grants authority to the state of California to provide a copy of all test results directly to the District as well as the Charter School.*

#### **B. Measurable Student Outcomes**

The Charter School's outcomes are designed to align with the Charter School's mission, curriculum and assessments and the California State Standards for courses offered at ECRCHS. Upon graduation from the Charter School, students will have demonstrated the following which indicate their ability to be self-motivated, competent life-long learners.

In order to succeed in a changing global community, all ECRCHS students will demonstrate the ability to meet the ESLRs:

- Literacy, Numeracy and Appropriate/Effective Communication Skills
- Critical Thinking and Problem Solving Skills
- Perseverance to Explore and Achieve Career, Education, and Individual Goals
- Academic, Personal, and Social Responsibility
- Respect for Themselves, Others, and the Environment
- Effective, Appropriate, and Ethical Use of Technology to Support the ESLRs

Graduates will demonstrate mastery (a basic or higher proficiency as assessed by an objective rubric) of the following skills that will indicate their ability to meet the ESLRs listed above by earning a passing grade in each of the course required for graduation:

- Analysis
- Application
- Connection
- Synthesis
- Evaluation
- Hypothesis
- Use of Evidence

Graduates will demonstrate mastery (a basic or higher proficiency as assessed by an objective rubric) of the California State Content Standards in the following subjects as an indication of their ability to meet the ESLRs:

- English Language Arts 9-10
- English Language Arts 11-12
- Algebra I
- Geometry
- Algebra II
- Trigonometry
- Probability and Statistics
- World History, Culture, and Geography: The Modern World
- United States History and Geography: Continuity and Change in the Twentieth Century
- European History
- Principles of American Democracy and Economics
- Physics
- Chemistry
- Biology / Life Science
- Computer Science/Technology

Additionally, Graduates will pursue the following outcomes:

- Complete with a C- or better the UC/CSU entrance requirements (A-G) for college admission
- Apply to and be accepted for admission to at least one four year college or university

### **Academic Performance Index/Adequate Yearly Progress**

ECRCHS shall pursue continuous growth on the API and if applicable, its API growth target. ECRCHS shall also continuously pursue AYP.

### **C. Methods of Measurement**

The following assessment tools will be used at the indicated frequency to assess student progress in meeting the desired student outcomes.

*Annually*, performance on

- California State Standards Exams
- California High School Exit Exam
- California English Language Development Test
- 9<sup>th</sup> Grade Test of Physical Fitness
- Cumulative Final Exams
- Advanced Placement Exams
- PSAT
- SAT I

- SAT II

***Each Semester***

- Progress in coursework
- Progress toward achieving Personalized Learning Plan goals
- Progress toward achieving Individual Education Plan (IEP) goals

***Ongoing***, student performance against school rubrics for the following tasks:

- Experiment design
- Problems of the Week
- Research Projects
- Revision Process
- Complex Instruction Activity
- Socratic Seminar
- Classroom Discussion
- Structured Academic Controversy
- Peer Assessment
- Persuasive Speech
- Essay
- Lab Report
- Periodic Assessment in Core Subjects
- Self Assessment

***Upon Graduation***

- Completion of all graduation requirements
- Applications to four year colleges
- Acceptance letters to four year colleges

**D. Use and Reporting of Data**

The primary tool to be used for capturing student data is ISIS, but the Charter School will research other Student Information Systems to consider what best meets the needs of the School, including but not limited to ARIES, SASSY, Data Director, etc.

**Collection**

- Standardized assessment results are all available electronically and are uploaded by the Principal or his/her designee.
- All results from assessments given at school are input by faculty members.
- All information pertaining to student goals is input by mentors or RSP teachers.
- Seniors, mentors and parents enter all college data into the student information system.

### Analysis

- Individual students, their parents and mentor will analyze each student's individual performance on all of these measures listed below in the context of their semi-annual Personalized Learning Plan discussions.
- The Charter School faculty will analyze data from all of the tools listed for individual students, as well as school-wide, at least two times per year.
- The Board will review the data and the faculty's analysis of it at least two times per year.

### Reporting

- Results from all of the tools listed above are available for each individual student and his parents to view at all times via a secure web-based AIRE platform that can be accessed from any internet connection or on specifically designated computers at the school during regular operating hours.
- Annually, the school will publish a School Accountability Report Card ("SARC") that will be posted on the school's website and made available in the school lobby.
- On an as-needed basis, the Charter School will publish bulletins reporting general student or school performance data.

### Continuous Improvement

ECRCHS is committed to using student performance data to refine and improve the educational program. Specifically, the faculty will devote substantial amounts of time during the two intersession periods to analyze the data, and to propose research-based changes to the educational program based upon it. Changes will be adopted based on full faculty consensus and planning for implementation will occur during the intersession periods. Additionally, the Charter School will complete an extensive self-study in an effort to become an accredited school through the Western Association of Schools and Colleges ("WASC").

### District Visitation/Inspection

ECRCHS will comply with the District's oversight process, pursuant to Education Code Section 47604.32(b) to enable the District to gather information needed to validate the Charter School's performance and compliance with the terms of this charter. However, ECRCHS agrees to and submits to the right of the District to make random visits and inspections or observations in order to carry out its statutorily required oversight pursuant to District's oversight obligations.

### **E. Response to Inquiries**

Pursuant to Education Code Section 47604.3 the School shall promptly respond to all reasonable inquiries including, but not limited to inquiries regarding its financial records from the District, the County Office of Education, County Board of Education, and the State Superintendent of Public Instruction.



## ELEMENT 4: GOVERNANCE

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

### **A. Non Profit Public Benefit Corporation**

The Charter School will be a directly funded independent charter school and will be operated as a California Nonprofit Public Benefit Corporation, pursuant to California law upon approval of this charter.

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

Attached, as Appendix F, please find the Charter School Articles of Incorporation, Corporate Bylaws, and Conflicts Code<sup>4</sup>.

### **B. Board of Directors**

The Charter School will be governed by a corporate Board of Directors (“Board” or “Board of Directors”) in accordance with its adopted corporate bylaws, which shall be consistent with the terms of this charter.

The Board shall have at least five and no more than nine (9) directors. All directors shall be elected as described below and as outlined in the bylaws.

Except for the initial Board of Directors, each director shall hold office unless otherwise removed from office in accordance with the bylaws for three (3) years and until a successor director has been appointed or elected as required by the position as described below.

Terms for the initial Board of Directors shall be either two (2) or three (3) years. The terms of the initial Board of Directors shall be staggered, with members serving for two or three (3) years. The staggering of the initial directors’ terms of service will be drawn by lot.

As further outlined in the bylaws and policies of the board, the Board shall have at least two community representatives appointed by the Board; at least one parent representative elected amongst the parent body (one vote per family); two to three representatives elected by all teachers; and one representative elected by all classified employees.<sup>5</sup>

---

4

<sup>5</sup> “Community Members” will be sought who have strong ties and recognition in the local community through volunteer activities, philanthropy, public employment, or local business. A current Charter School parent may serve



The Board shall strive to elect Board members who have experience in one or more of the following areas: education, government, law, business, finance/accounting, fundraising, facilities, or public relations.

Board members may serve two consecutive terms. With a one-term absence, a board member may run for election again.

The District reserves the right to appoint a single representative to the Charter School Board pursuant to Education Code section 47604(b). The District representative will not be deemed a member of the Board and will not vote.

### **C. Board Meetings and Duties**

The Board of Directors of the Charter School will meet regularly, at least once a month (except during the summer) and in accordance with the Brown Act. The Board of Directors is fully responsible for the operation and fiscal affairs of the Charter School including but not limited to the following:

- Hire, supervise, evaluate, discipline, and dismissal of the Principal of the Charter School;
- Approve all contractual agreements;
- Approve and monitor the implementation of general policies of the Charter School. This includes effective human resource policies for career growth and compensation of the staff;
- Approve and monitor the Charter School's annual budget and budget revisions;
- Act as a fiscal agent. This includes but is not limited to the receipt of funds for the operation of the Charter School in accordance with applicable laws and the receipt of grants and donations consistent with the mission of the Charter School;
- Contract with an external independent auditor to produce an annual financial audit according to generally accepted accounting practices;
- Establish operational committees as needed;
- Regularly measure progress of both student performance
- Involve parents and the community in school related programs;
- Execute all applicable responsibilities provided for in the California Corporations Code;
- Engage in ongoing strategic planning;
- Approve the school calendar and schedule of Board meetings;
- Review requests for out-of-state or overnight field trips;
- Participate in the dispute resolution procedure and complaint procedures when necessary;
- Approve charter amendments as necessary and submit requests for material revisions as necessary to the District for consideration;
- Approve annual independent fiscal audit and performance report; and
- Appoint an administrative panel or act as a hearing body and take action on recommended student expulsions.

---

in the Community Member capacity in the event that no suitable non-parent community member can be found to serve in this capacity.

The Board may initiate and carry on any program or activity or may otherwise act in a manner which is not in conflict with or inconsistent with or preempted by any law and which are not in conflict with this charter or the purposes for which schools are established.

The Charter School shall comply with the Brown Act.

The Charter School has adopted a conflicts code which complies with the Political Reform Act, Corporations Code Conflicts of Interest rules, and which shall be updated with any charter school specific conflicts of interest laws or regulations<sup>6, 7</sup>. Members of the Charter School's executive board, any administrators, managers or employees, and any other committees of the School shall comply with federal and state laws, nonprofit integrity standards and LAUSD's Charter School policies and regulations regarding ethics and conflicts of interest.

The Board may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an employee of the Charter School any of those duties with the exception of budget approval or revision, approval of the fiscal audit and performance report, and the adoption of Board policies. The Board however, retains ultimate responsibility over the performance of those powers or duties so delegated. Such delegation will:

- Be in writing;
- Specify the entity designated;
- Describe in specific terms the authority of the Board of Directors being delegated, any conditions on the delegated authority or its exercise and the beginning and ending dates of the delegation; and
- Require an affirmative vote of a majority of Board members.

The Charter School Board of Directors will attend an annual in-service for the purposes of training individual board members on their responsibilities with topics to include at minimum Conflicts of Interest, and the Brown Act.

#### **D. The Principal**

The Principal will be the leader of the Charter School. The Principal must report directly to the Charter School Board of Directors, and s/he is responsible for the orderly operation of the school and the supervision of all employees in the school.

The Principal is assigned to perform assigned tasks directed from the Charter School Board of Directors and is required to undertake some or all of the tasks detailed below. These tasks may include but are not limited to the following:

- Ensure the charter school enacts its mission;

---

<sup>6</sup> It is the understanding of Petitioners that recent legislation and regulatory action has been considered regarding the charter school specific conflicts of interest.

<sup>7</sup> Currently, the Los Angeles County Board of Supervisors requires District Charter Schools to be included under the Districts' conflict of interest code. In the event the County's position changes, the Charter School's independently adopted conflict of interest code shall be submitted for County Board of Supervisor approval and shall apply.

- Ensure that the curriculum is implemented in order to maximize student-learning experiences;
- Supervise and evaluate teachers and staff;
- Communicate and report to the Charter School Board of Directors;
- Oversee school finances to ensure financial stability;
- Participate in and develop professional development workshops as needed;
- Serve or appoint a designee to serve on any committee of the School;
- Interview and approve employee hiring, promotion, discipline, and/or dismissal;
- Ensure compliance with all applicable state and federal laws and help secure local grants;
- Communicate with parents, recruit new families and students, and assure families of academic growth;
- Take responsible steps to secure full and regular attendance at school of the students enrolled in accordance with policies established by the Board of Directors;
- Complete and submit required documents as requested or required by the charter and/or Charter School Board of Directors and/or the District;
- Identify the staffing needs of the school and offer staff development as needed;
- Maintain up-to-date financial records;
- Ensure that appropriate evaluation techniques are used for both students and staff;
- Establish and maintain a system to handle organizational tasks such as student records, teacher records, teacher credentialing information, contemporaneous attendance logs, purchasing, budgets, and timetables;
- Hire qualified substitute teachers as needed;
- Ensure the security of the school building;
- Promote and publish the Charter Program in the community and promote positive public relations and interact effectively with media;
- Encourage and support teacher professional development;
- Attend District Administrative meetings as requested by the District and stay in direct contact with the District regarding changes, progress, etc.;
- Attend meetings with the Chief Financial Officer of the District on fiscal oversight issues as requested by the District;
- Provide all necessary financial reports as required for proper attendance reporting;
- Develop the School annual performance report and the SARC;
- Present independent fiscal audit to the Charter School Board of Directors and after review by the Board of Directors present the audit to the District Board of Education and the County Superintendent of Schools, the State Controller and the California Department of Education;
- Manage student discipline, as necessary participate in the suspension and expulsion process; and
- Participate in IEP meetings as necessary.

The above duties, with the exception of personnel matters, may be delegated or contracted as approved by the Board of Directors to a business administrator of the School or other appropriate employee or third party provider.

**E. Committees**

ECRCHS will have an Oversight Committee that will be elected from a pool of interested stakeholders, and will be elected for a term to be determined by the Board of Directors at the initial meeting, and to remain the same thereafter.

The Oversight Committee will have the duties of reviewing all policies and decisions made by or voted upon by the Governing Board to ensure the decisions conform with the guidelines and policies outlined within the charter and to ensure that subsequent policies established are legally and lawfully established for this charter. This committee will report to the Principal and is solely advisory in nature.

Any additional Committees will be established as needed, and will be approved by the Board. These may include, but may not be limited to; Curriculum Committee, Testing and Performance, Finance/ Budget, Employment, Staff Discipline, Review, and Grievance, Technology, Student Affairs, Athletics, Operations, Community Relations and Media, and any committees that may be deemed necessary to the operation of ECRCHS as approved and authorized.

**F. Parent Advisory Council**

Parents will be encouraged to form a Parent Advisory Council to be responsible for parent involvement in school activities, fundraising, and advising the Charter School Board of Directors on any and all matters related to the strengthening of the Charter School community. Parent participation will play a vital role in the effectiveness of our program as is the case with ECRHS. We would encourage the parents to continue the efforts of the PTA Relevant to the preceding we have an active PTSA group and a parent group, “Friends of ECR”, which focuses mainly on fundraising at the same level of support to the Charter School in terms of program enhancement and fundraising.

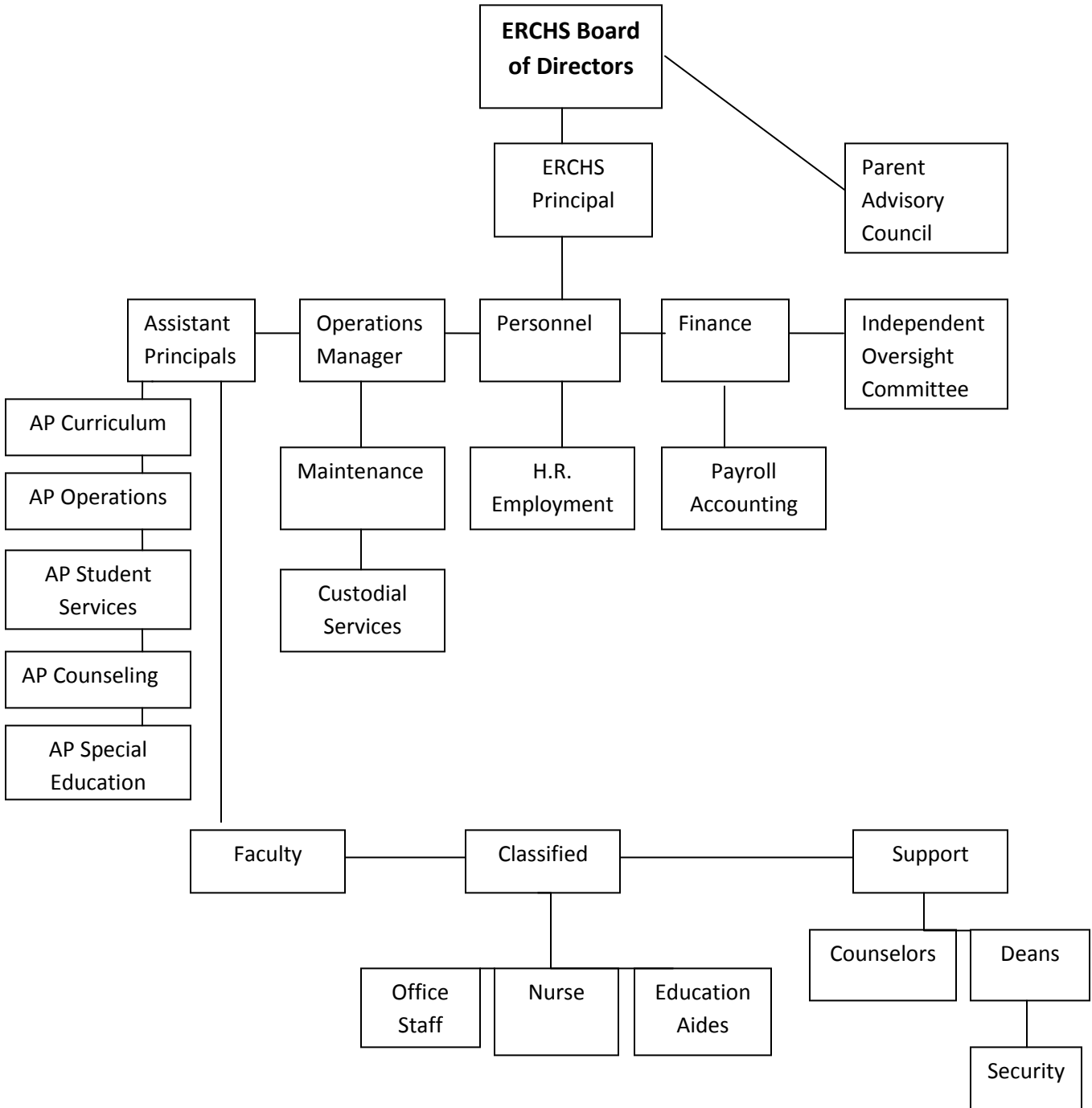
**G. Parent Involvement in Governance**

In addition to maintaining a parent representative on the Board and the parent participation on the Parent Advisory Council, Parents will be strongly encouraged to contribute volunteer time to the Charter School. The Principal shall maintain a comprehensive list of volunteer opportunities including but not limited to the following: volunteering in the classroom/school (including at-home assistance); tutoring, attending parent-teacher conferences; attendance at charter school Board meetings; participation in the planning of, or attendance at, fundraising or Academic/Arts Events; or, other activities. No child will be excluded from the Charter School or school activities due to the failure of his or her parent or legal guardian to fulfill the encouraged 40 hours of participation.

In addition, Parent organizations such as the PTSA and Friends of ECRCHS will have access to school facilities through the on campus Parent Center, Coffee with the Principal Program, and various community meetings that may come up from time to time.

**H. Organizational Chart**

The organizational chart below describes the manner in which the ERCHS currently envisions the structure of the School upon conversion:



*ECRCHS will comply with the Brown Act.*

*Members of ECRCHS's executive board, any administrators, managers or employees, and any other committees of the School shall comply with federal and state laws, nonprofit integrity standards and LAUSD's Charter School policies and regulations regarding ethics and conflicts of interest.*

*ECRCHS and/or its non-profit corporation is a separate legal entity and will be solely responsible for the debts and obligations of the Charter School.*

*\*The District reserves the right to appoint a single representative to the charter school board pursuant to Education Code section 47604(b).*

**I. Grievance Procedure for Parents and Students**

*The Charter School will designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX of the Education Amendments of 1972 (Title IX) and Section 504 of the Rehabilitation Act of 1973 (Section 504) including any investigation of any complaint filed with Charter School alleging its noncompliance with these laws or alleging any actions which would be prohibited by these laws. The Charter School will notify all its students and employees of the name, office address, and telephone number of the designated employee or employees.*

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

*The Charter School will implement specific and continuing steps to notify applicants for admission and employment, students and parents of elementary and secondary school students, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with the recipient, that it does not discriminate on the basis of sex or mental or physical disability in the educational program or activity which it operates, and that it is required by Title IX and Section 504 not to discriminate in such a manner.*

**J. LAUSD Charter Policy**

*ECRCHS will comply with the District policy related to Charter Schools, as it may be changed from time to time after notice and reasonable opportunity for input from the Charter School Collaborative.*

**K. Responding to Inquiries**

*ECRCHS shall promptly respond to all inquiries, including but not limited to, inquiries regarding financial records, from the District and shall consult with the District regarding any inquiries. ECRCHS acknowledges that it is subject to audit by LAUSD including, without limitation, audit by the District Office of the Inspector General.*

*If an allegation of waste, fraud or abuse related to the Charter School operations is received by the District, the Charter School shall be expected to cooperate with any investigation undertaken by the District and/or the Office of the Inspector General, Investigations Unit.*

**L. Notifications**

*Notification is to be made to the Innovation and Charter Schools Division of any notices of workplace hazards, investigations by outside regulatory agencies, lawsuits, or other formal complaints, within one week of receipt of such notices by ECRCHS.*





## ELEMENT 5: EMPLOYEE QUALIFICATIONS

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

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

### Staff Evaluation Process

Evaluation of all staff including the principal will be modeled after LAUSD evaluation format. Each employee will be evaluated by their supervisor. At present we have no plans of changing the evaluation process. The principal will be evaluated by the board of directors.

El Camino Real Charter High School will comply with grievance procedures as outlined in existing collective bargaining unit (UTLA). The grievance process will be as follows according to UTLA timeline: 15 working days to file a grievance; 3 working days to appeal a suspension; 5 days for summer school assignment rules when back pay is requested.

- A) Complaint or problem submitted to Chapter Chair.
- B) Chapter Chair receives complaint and gets involved
- C) Initial Investigation initiated by Chapter Chair
- D) UTLA area representative or other labor representative as appropriate
- E) Intervention
- F) If informal resolution is not achieved, employee Files a formal grievance
- G) Additional Investigation
- H) Meeting with UTLA, or other labor representative, school administration, grievant
- I) written response
- J) settlement
- K) Step two meeting without school administration but with administration's supervisor.
- L) Written response
- M) If there is need for further investigation / arbitration UTLA or other labor representative will provide this service.
- N) Further investigation
- O) Grievance Review Committee
- P) The employee has the right to Appeal to an arbitrator
- Q) Decision to arbitrate

- R) Choosing an arbitrator
- S) Scheduling a Hearing Date
- T) Selection of Panel Member
- U) Preparation of the Case
- V)The Hearing
- W) Post-hearing Briefs
- X) Executive Session
- Y) The Decision
- Z) Post-Decision Implications

In addition to meeting the health and safety clearances described below, all employees shall meet the following qualifications:

**A. Teachers**

Teachers for core classes must hold a California teaching certificate, permit, CLAD/BCLAD certification or other documents equivalent to that which a teacher in other public schools would be required to hold pursuant to Education Code Section 47605(l).

In accordance with Education Code Section 47605(l), the Charter School may also employ non-certificated instructional staff in any case where a prospective staff member has an appropriate mix of subject matter expertise, professional experience, and the demonstrated capacity to work successfully in an instructional capacity in noncore, non-college preparatory courses and activities. A list of noncore, non-college preparatory classes is attached as Appendix G.

ECRCHS teachers at all levels shall meet or exceed all “highly qualified requirements” under the No Child Left Behind Act (“NCLB”).

Accordingly, a teacher of core academic subjects must have:

- a bachelor’s degree;
- a State credential or have an Intern Certificate/Credential for no more than three years while actively working toward completion of their State credential
- demonstrated core academic subject matter competence.

In addition, teachers who desire a position with ECRCHS must:

- Be willing to work collaboratively with parents in the classroom and community;
- Show enthusiasm for collaboration with other teachers at the school;
- Be willing to participate in professional development opportunities and to engage in continuous reflection on the goals and methods of education at ECRCHS;
- Strive toward implementing ECRCHS mission and vision;
- Be skilled at or be willing to be trained in the current and future teaching practices used at ECRCHS.

- Be knowledgeable about educational psychology and developmentally appropriate practices.

**B. Principal**

The Charter School Principal serves as the educational leader and chief executive of the Charter School. The Principal shall be responsible for direction of the instructional program, evaluation of staff, operation of the school facility, participation in school activities, community leadership, collaborates with staff as well as other relevant duties assigned.

The Principal of ECRCHS shall hold an appropriate Administrative Services Credential authorizing service as a Principal at the secondary school level. An advanced degree in education is desirable and training in the broad aspects of school administration, instructional strategies and curriculum development would be necessary. A minimum of five (5) years of teaching experience and some administrative experience is required. An applicant without a current Administrative Services Credential may be considered only if the applicant provides evidence of five or more years of public school administrative experience.

**C. Office Manager**

Under the supervision of the Principal, the Office Manager performs a wide variety of secretarial and clerical duties including:

- Screens office visitors and telephone calls for routing to the proper areas;
- Answers questions regarding classes, activities or programs;
- Refers people to other sources for information;
- Schedules appointments for school administrator;
- Types materials of a confidential nature such as letters, reports, bulletins, announcements, memorandums, and other documents;
- Composes letters dealing with routine school activities independently or from oral instruction;
- Receives, opens and routes mail;
- Helps make arrangements for and coordinates school and community activities;
- Maintains active teacher correspondence, student cumulative files and other records;
- Prepare, compile and maintain accurate and complete records and reports;
- Operates office machines and computer software such as is being currently used at ECRCHS;
- Coordinates arrangements for substitute teachers who are assigned to the schools;
- Assigns and plans the work of student helpers, and may assign work to other clerical assistants including office volunteers;
- Requisitions and issues supplies, keeps records for budget controls and types purchase orders when necessary;

The position would require at least two years of office experience as an administrative assistant or office manager.

All other non-instructional personnel will be considered based upon their expertise and ability specific to the position.

#### **D. Day-to-Day Substitutes**

ECRCHS will utilize qualified substitutes from our own substitute pool or the services of an outside provider. ECRCHS will ensure that substitutes have submitted fingerprints for background investigation and cleared for employment.

#### **Staff Job Descriptions**

Representative job descriptions are included in Appendix L. These may be altered by the Board as necessary to most effectively staff the school and evaluate staff.

#### **Staff Credentials, Requirements And Qualifications**

As an independent charter school, ECRCHS reserves the right to make personnel decisions which shall adhere to any applicable collective bargaining agreements in place and applicable state laws.

Collective bargaining agreement will be negotiated through an MOU after approval of the charter. Teachers and other bargaining units will vote for their representation after being hired by the charter.

ECRCHS will ensure that all new employees comply with the following:

- Provide evidence of required credentials or certifications or qualifications to ensure suitability for a given position
- Provide proof of citizenship or proper documentation for employment in the U.S.
- Undergo fingerprinting and background checks. All employees will be required to complete a criminal background check before beginning employment in accordance with Education Code Section 44237
- Receive, when necessary, Fidelity Bond Coverage maintained by ECRCHS to cover all employees who handle, process, or otherwise have responsibility for ECRCHS funds, supplies, equipment, or other assets.
- Undergo clearance procedures for employment, including TB testing and clearance.

An employee will not be permitted to begin work until all of the above requirements have been met.

**Administration**

Administrators at ECRCHS should possess experience/qualifications in the following: leadership abilities, skill in hiring and supervising proficient certificated personnel, technological and data –analysis experience. The administrative team should also possess a comprehensive education vision that is consistent with the school’s mission and educational program.

**Chief Business Officer**

The Chief Business Officer will possess experience with public school accounting systems and knowledge of generally accepted accounting standards.

- Graduation from a recognized college or university, preferably with a major in business or public administration, or related field.
- Minimum of three years executive or administrative experience in a public or private organization that included multiple business functions.
- Experience in a variety of the following areas: accounting, budgeting, contract administration, data processing, food services, personnel administration, procurement

The Board reserves the right to alter these job descriptions and qualifications without amending the charter.

**Counselors, Coordinators, Deans and other non-teaching certificated staff**

All professional non-teaching personnel shall possess the appropriate credentials for specific positions such as Pupil Personnel Services credential for Counselors, a Professional Clear credential for Deans and Coordinators, or an appropriate California state license for a school psychologist and a School Nurse.

Candidates for these positions are required to have evidence of professional training and/or experience. A Bachelors degree is required. Desirable qualifications would include a Masters or higher degree with full clear credentials/licenses for the appropriate field.

The Governing Board may need to place exceptions to the above qualifications for hiring non-teaching certificated staff in special circumstances such as counselors from other states who possess adequate professional training and are qualified to receive a California credential within a reasonable amount of time after being employed. The Governing Board will hire certificated personnel and administrators whom they deem qualified for the sought after position; ECRCHS reserves the right not to accept any District must-place faculty, administrators or staff.

### **Classified Employees (Non-Certificated)**

Classified employees, including office staff, plant maintenance staff, instructional aides and paraprofessionals serve in support roles to keep the Charter School operating efficiently. The Management Team, in consultation with the staff, will maintain job descriptions and qualifications for all non-teaching, classified positions.

Office staff will demonstrate competency in communication, use of the computer and office equipment, and the ability to interact appropriately and decisively with the school community. Job-specific competencies such as record-keeping, filing, inventory and typing will be determined based on specific clerical needs, as developed by the school administrative assistant.

Plant staff will demonstrate competency in communication and the ability to follow a schedule developed by the plant manager to maintain assigned areas of buildings and grounds in a clean, sanitary, and safe condition.

Paraprofessionals who provide instructional assistance are required to possess a high school diploma or General Education Development (GED) and one of the following: completion of 60 semester units or 90 quarter units from a recognized college or university, possession of an associate or higher degree, from a recognized college or university, or receipt of a passing score on the LAUSD Instructional Assistance Test. Paraprofessionals will comply with NCLB.

These job descriptions and qualifications will be reviewed and approved by the Governing Board.

## **Job Description for AP/Director position**

### **Primary Duties:**

Support the Executive Director/Principal Communicate early and often Be a collegial and supportive school team member Support the school educational vision, goals and plans Provide educational classroom resources for teachers and students Provide a safe and secure environment for student learning Improve teacher morale Unite all stakeholders Improve school-community relations

### **Professional Development**

Plan and provide comprehensive professional development for certificated and classified staff to improve student achievement. Observe teaching and provide feedback for teachers. Provide assistance and guidance for teachers; evaluate staff.

### **Discipline**

Oversight of campus student discipline and supervision of students. Assist campus deans. Responsible for campus-wide safety and security of students and staff. Design and support an efficient campus supervision schedule. Oversee campus security aides. Support, monitor and evaluate the effectiveness of the school discipline policy and security personnel and look for ways to improve campus safety. Work with school police. Expulsions.

### **Athletics**

Oversight of school athletics. Work with the athletic director to maintain a high standard of school excellence and assist with monitoring of coach and athlete eligibility, integrity and compliance with all City, CIF and Birmingham High sports rules, policies and procedures. Design and administer school athletic supervision duties. Assist the head coaches with team needs. Monitor team finances.

### **Physical Plant**

Responsible for the school physical plant. Coordinate all campus work with the plant managers including but not limited to all campus maintenance, new construction, improvements and repairs. Work with outside contractors to ensure quality work and fair prices for all campus construction projects.

Perform other duties as assigned.

### **Staff Selection**

Staff racial-ethnic balance will continue to comply with Federal laws requiring that no teaching staff be identified as intended for students of a particular race, color, national origin, affiliations, political or religious acts or opinion, ancestry, gender, actual or perceived sexual orientation, physical disability, medical condition or age. ECRCHS shall not discriminate against qualified applicants or employees on the basis of race, color, religion, sex, gender identity, sexual



orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, or any other characteristic protected by California or federal law.

### **Selection Procedures**

When teacher, administrator or classified vacancies occur, the Governing Board of ECRCHS will establish an ad hoc Hiring Committee, which shall:

- Announce openings
- Recruit applicants
- Request resumes
- Interview and select candidates

The ad hoc Hiring Committee shall consist of stakeholder representatives including the administrators, teachers, classified staff and parents.

Process:

Candidates will submit the following for consideration by the ad hoc Hiring Committee:

- Resume detailing educational and professional experience, membership in professional organizations, and other relevant information.
- Letter(s) of recommendation from previous Principals, Department Chairs, immediate supervisors, and/or colleges attended (for newly certificated teacher) or other documentation relevant to assessing professional ability/aptitude.

All staff applicants will be required to:

- Provide medical clearance (including TB test results)
- Submit fingerprints for background investigation (DOJ)
- Furnish a criminal record summary as required in Education Code Section 44237
- Provide proof of legal employment status
- Sign child abuse reporting requirement
- Sign drug-free environment requirement



## **ELEMENT 6: HEALTH AND SAFETY**

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

In order to provide safety for all students and staff, the Charter School will adopt and implement full health and safety procedures and risk management policies at its school site in consultation with its insurance carriers and risk management experts. The Charter School will have a Health, Safety and Emergency Plan in place prior to beginning the operation of the school. The Charter School will ensure that staff has been trained in health, safety, and emergency procedures and will maintain a calendar and conduct emergency response drills for students and staff. The Charter School, its employees and officers will comply with the Family Educational Rights and Privacy Act (FERPA) at all times. The Charter School will comply with the California Healthy Schools Act. An early draft of these procedures is attached as Appendix H.

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

### **A. Health and Safety Policies**

#### **Procedures for Background Checks**

Employees and contractors of the Charter School 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. The Principal of the Charter School shall monitor compliance with this policy and report to the Charter School Board of Directors on a quarterly basis. The Board President shall monitor the fingerprinting and background clearance of the Principal. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

The Charter School shall require all employees of the Charter School, and all volunteers who will be performing services that are not under the direct supervision of a Charter School employee, and any onsite vendors having unsupervised contact with students to submit to criminal background checks and fingerprinting. The Charter School will maintain on file and available for inspection evidence that the Charter School has performed criminal background checks for all employees and documentation that vendors have conducted required criminal background checks for their employees prior to any unsupervised contact with students.

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

All non-certificated and certificated staff will be mandated child abuse reporters and will follow all applicable reporting laws, the same policies and procedures used by the District, which are delineated in the LAUSD Child Abuse and Neglect Reporting Requirements Policy, No. BUL – 1347.1.

Charter School staff must report to the proper authorities if they suspect the following is occurring to a student:

- Sexual assault
- Neglect
- Willful cruelty or unjustifiable punishment
- Cruel or inhuman corporal punishment or injury
- Abuse in out-of-home care

The reporting person need only “reasonably suspect” that abuse or neglect has occurred. The reporting person does not have to prove abuse.

The Principal will work with all faculty and staff members to make sure all appropriate steps are taken if a child abuse situation occurs. All faculty and staff will understand that it is their duty and responsibility to report any suspicions of child abuse. Staff will understand that under California law, failure to report an incident of known or reasonably suspected child abuse or neglect is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by a fine of one thousand dollars (\$1,000) or by both. Staff will not be made to investigate any incident, only report to the Principal and/or proper authorities.

All suspected cases of child abuse will be brought to the attention of the Principal and child protective agency. A written report of the situation will be completed and the Department of Children Services will be immediately notified. If necessary, the Los Angeles Police Department will be informed of the situation as well. The reporting person will be responsible for providing all the necessary information and child abuse reports to the Department of Children Services and/or Los Angeles Police Department since he/she will be most knowledgeable of the situation.

Should it be necessary to remove the child from school, Charter School staff will obtain the contact information of the agency person removing the child. This information will be placed in the student’s record and be available to the parent /guardian.

## **TB 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.

## **Medication in School**

The Charter 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. The Charter School will adhere to Education Code Section 49450, *et seq.*, as applicable to the grade levels served by the Charter School.

## **Emergency Preparedness**

The Charter 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 Charter School.

## **Blood borne Pathogens**

The Charter School shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the work place. The Board shall establish a written infectious control plan designed to protect employees and students from possible infection due to contact with blood borne viruses, including human immunodeficiency virus (“HIV”) and hepatitis B virus (“HBV”).

Whenever exposed to blood or other bodily fluids through injury or accident, staff and students shall follow the latest medical protocol for disinfecting procedures.

## **Drug Free/Alcohol Free/Smoke Free Environment**

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

## **Facility Safety**

The Charter 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. The Charter School agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. The Charter School shall conduct fire drills as required under Education Code Section 32001 and in conjunction with the District.

## **Comprehensive Sexual Harassment Policies and Procedures**

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

### ***B. Insurance Requirements***

*No coverage shall be provided to the Charter School by the District under any of the District's self-insured programs or commercial insurance policies. The Charter School shall secure and maintain, at a minimum, insurance as set forth below with insurance companies acceptable to the District [A.M. Best A-, VII or better] to protect the Charter School from claims which may arise from its operations. Each Charter School location shall meet the below insurance requirements individually.*

*It shall be the Charter School's responsibility, not the District's, to monitor its vendors, contractors, partners or sponsors for compliance with the insurance requirements.*

*The following insurance policies are required:*

- 1. Commercial General Liability, including Fire Legal Liability, coverage of \$5,000,000 per Occurrence and in the Aggregate. The policy shall be endorsed to name the Los Angeles Unified School District and the Board of Education of the City of Los Angeles as named additional insured and shall provide specifically that any insurance carried by the District which may be applicable to any claims or loss shall be deemed excess and the Charter School's insurance shall be primary despite any conflicting provisions in the Charter School's policy. Coverage shall be maintained with no Self-Insured Retention above \$15,000 without the prior written approval of the Office of Risk Management for the LAUSD.*

2. *Workers' Compensation Insurance in accordance with provisions of the California Labor Code adequate to protect the Charter School from claims that may arise from its operations pursuant to the Workers' Compensation Act (Statutory Coverage). The Workers' Compensation Insurance coverage must also include Employers Liability coverage with limits of \$1,000,000/\$1,000,000/\$1,000,000.*
3. *Commercial Auto Liability, including Owned, Leased, Hired, and Non-owned, coverage with limits of \$1,000,000 Combined Single Limit per Occurrence if the Charter School does not operate a student bus service. If the Charter School provides student bus services, the required coverage limit is \$5,000,000 Combined Single Limit per Occurrence.*
4. *Fidelity Bond coverage shall be maintained by the Charter School to cover all Charter School employees who handle, process or otherwise have responsibility for Charter School funds, supplies, equipment or other assets. Minimum amount of coverage shall be \$50,000 per occurrence, with no self-insured retention.*
5. *Professional Educators Errors and Omissions liability coverage with minimum limits of \$3,000,000 per occurrence and \$3,000,000 general aggregate.*
6. *Sexual Molestation and Abuse coverage with minimum limits of \$3,000,000 per occurrence and \$3,000,000 general aggregate. Coverage may be held as a separate policy or included by endorsement in the Commercial General Liability or the Errors and Omissions Policy.*
7. *Employment Practices Legal Liability coverage with limits of \$3,000,000 per occurrence and \$3,000,000 general aggregate.*
8. *Excess/umbrella insurance with limits of not less than \$10,000,000 is required of all high schools and any other school that participates in competitive interscholastic or intramural sports programs.*

*\*Coverages and limits of insurance may be accomplished through individual primary policies or through a combination of primary and excess policies. The policy shall be endorsed to name the Los Angeles Unified School District and the Board of Education of the City of Los Angeles as named additional insureds and shall provide specifically that any insurance carried by the District which may be applicable to any claims or loss shall be deemed excess and the Charter School's insurance shall be primary despite any conflicting provisions in the Charter School's policy.*

**C. Evidence of Insurance**

*The Charter School shall furnish to the District's Office of Risk Management and Insurance Services located at 333 S. Beaudry Ave, 28<sup>th</sup> Floor, Los Angeles CA 90017 within 30 days of all new policies inceptions, renewals or changes, certificates or such insurance signed by authorized representatives of the insurance carrier. Certificates shall be endorsed as follows:*

*“The insurance afforded by this policy shall not be suspended, cancelled, reduced in coverage or limits or non-renewed except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the District*

*Facsimile or reproduced signatures may be acceptable upon review by the Office of Risk Management and Insurance Services. However, the District reserves the right to require certified copies of any required insurance policies.*

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

**D. Hold Harmless/Indemnification Provision**

*To the fullest extent permitted by law, the Charter School does hereby agree, at its own expense, to indemnify, defend and hold harmless the LAUSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers from and against any and all claims, damages, losses and expenses including but not limited to attorney’s fees, brought by any person or entity whatsoever, arising out of, or relating to this Charter agreement. The Charter School further agrees to the fullest extent permitted by law, at its own expense, to indemnify, defend, and hold harmless the LAUSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers from and against any and all claims, damages, losses and expenses including but not limited to attorney’s fees, brought by any person or entity whatsoever for claims, damages, losses and expenses arising from or relating to acts or omission of acts committed by the Charter School, and their officers, directors, employees or volunteers. Moreover, the Charter School agrees to indemnify and hold harmless the District for any contractual liability resulting from third party contracts with its vendors, contractors, partners or sponsors.*





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

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

The Charter School 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).

The Petitioners have already begun efforts to inform our parents, neighbors and community members about the charter establishment process. These efforts will continue throughout the approval process and following approval until the first year enrollment goal has been met. It is our desire to attract a diverse student body reflective of the general population residing within the territorial jurisdiction of the District, and we are reaching out to the community accordingly.

The staff at ECRCHS will recruit new students through our school website and informational visits to local Middle Schools. We will encourage parents and prospective students to attend a Spring Open House, public events such as Melody of Words, Community Orientation (ECRCHS Festival), Partnership with local newspapers/TV stations to cover ECRCHS achievements, neighborhood clean-up/beautification, local beach clean-up, (all these community services would be publicized as ECRCHS's efforts) student performances, and athletic events. New student orientation will be open to all prospective students and their families. On a monthly basis we will conduct school tours. Informational flyers will be available year round in the main office and other administrative offices. LAUSD has cut the PWT program causing a change in the ethnic balance that the school had 4-5 years ago. At present the student body reflects the demographics mainly of the neighborhood which is diverse and ethnically balanced. Outreach efforts toward the District's ethnic balance goal will include establishing community townhall meetings, visiting middle schools, and advertising about the school during community celebrations, and multicultural celebrations.

The District receives neither average daily attendance allocations nor Court-ordered Integration Program cost reimbursements for charter school students. Instead, the District now receives the Targeted Instruction Improvement Grant (TIIG) for its Court-ordered Integration Program. The District retains sole discretion over the allocation of TIIG funding, where available, and cannot guarantee the availability of this Funding.

**A. No Child Left Behind-Public School Choice (NCLB-PSC) Traveling Students**

*The District and ECRCHS are committed to providing all students with quality educational alternatives in compliance with all federal and state laws, including students who are enrolled in schools of the District identified by the California Department of Education as in need of Program Improvement. Public School Choice (“NCLB-PSC”) placement with charter schools is an alternative strongly encouraged by the No Child Left Behind Act of 2001 (“NCLB”). The ECRCHS agrees to discuss with the District the possibility of accepting for enrollment District students participating in the District’s NCLB-PSC program. The parties agree to memorialize separately any agreed-to number of NCLB-PSC placements of District students at the school.*

*As required under NCLB, all NCLB-PSC students attending ECRCHS shall have the right to continue attending ECRCHS until the highest grade level of the charter. However, the obligation of the District to provide transportation for a NCLB-PSC student to ECRCHS shall end in the event the NCLB-PSC student’s resident District school exits Program Improvement status.*

*ECRCHS will ensure that all of its NCLB-PSC students are treated in the same manner as other students attending the school. NCLB-PSC students are and will be eligible for all applicable instructional and extra-curricular activities at the school. ECRCHS will make reasonable efforts to invite and encourage the participation of the parents of NCLB-PSC students in the activities and meetings at the school.*

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

**B. Federal Compliance**

*As a recipient of federal funds, including federal Title I, Part A funds, the Charter School has agreed to meet all of the programmatic, fiscal and other regulatory requirements of the No Child Left Behind Act of 2001 (NCLB) and other applicable federal grant programs. The Charter School understands that it is a local educational agency (“LEA”) for purposes of federal compliance and reporting purposes. The Charter School agrees that it will keep and make available to the District any documentation necessary to demonstrate compliance with the requirements of NCLB and other applicable federal programs, including, but not limited to, documentation related to funding, required parental notifications, appropriate credentialing of teaching and paraprofessional staff, the implementation of Public School Choice and Supplemental Educational Services, where applicable, or any other mandated federal program requirement. The mandated requirements of NCLB, Title I, Part A include, but are not limited to, the following:*

- *Notify parents at the beginning of each school year of their “right to know” the professional qualifications of their child’s classroom teacher including a timely notice to each individual parent that the parent’s child has been assigned, or taught for four or more consecutive weeks by, a teacher who is not highly qualified*
- *Develop jointly with, and distribute to, parents of participating children, a school-parent compact*
- *Hold an annual Title I meeting for parents of participating Title I students*
- *Develop jointly with, agree on with, and distribute to, parents of participating children a written parent involvement policy*
- *Submit biannual Consolidated Application to California Department of Education (CDE) requesting federal funds*
- *Complete and submit Local Education Agency (LEA) Plan to CDE*
- *Complete reform planning process with stakeholders and submit to CDE all appropriate documents for Title I schoolwide status, if applicable; otherwise, identify and maintain roster of eligible students for the Title I Targeted Assistance School Program*
- *Maintain inventory of equipment purchased with categorical funds, where applicable*
- *Maintain appropriate time-reporting documentation, including semi-annual certification and personnel activity report, for staff funded with categorical resources, where applicable*

*ECRCHS also understands that as part of its oversight of the school, the Innovation and Charter Schools Division may conduct program review of federal and state compliance issues.*

**C. Court-ordered Integration**

*The Charter School shall comply with all requirements of the Crawford v. Board of Education, City of Los Angeles court order and the LAUSD Integration Policy adopted and maintained pursuant to the Crawford court order, by the Office of Student Integration Services (collectively the “Court-ordered Integration Program”). The Court-ordered Integration Program applies to all schools within or chartered through LAUSD. The School will provide a written plan in the charter petition and upon further request by the District outlining how it would achieve and maintain the LAUSD’s ethnic goal of 70:30 or 30:70 ratio.*

## ELEMENT 8: ADMISSIONS REQUIREMENTS

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

The Charter School will not discriminate against any student on the basis of disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code. The Charter School will non-sectarian in its educational programs and operations.

The Charter School 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. Pursuant to Education Code Section 47605(d), the Charter School will maintain a policy giving admission preference to pupils who reside within the former attendance area of El Camino Real High School. The Charter School will comply with all laws establishing minimum and maximum age for public school attendance in charter schools.

Enrollment shall not be more than the current school attendance of 3600 students.

The ECRCHS application process is comprised of the following:

- Parent attendance at a school orientation meeting is encouraged
- Completion of a student enrollment form

Registration packets for students who are admitted will also gather the following:

- Proof of Immunization
- Home Language Survey
- Completion of Emergency Medical Information Form
- Proof of minimum age requirements, e.g. birth certificate
- Release of records

Applications will be accepted during a publicly advertised open application period each year for enrollment in the following school year. Following the open applications 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<sup>8</sup> who are guaranteed enrollment in the following school year.<sup>9</sup> Enrollment preferences in the case of a public random drawing shall be as follows<sup>10</sup>:

---

<sup>9</sup> During any period of Public Charter School Grant Program (“PCSGP”) funding, the public random drawing will be held as a single public lottery.

<sup>10</sup> The Charter School recognizes that these admissions preferences may need to be limited or revised during any period of PCSGP grant funding in accordance with the State-approved PCSGP Request for Applications (“RFA”). An amendment will be initiated if the school needs to revise admission preferences.

- All students currently enrolled in ECRHS
- Pupils who reside within the former attendance area of ECRHS
- Residents of the District
- Children of employees
- Siblings of existing pupils
- All other applicants

## **Lottery Procedure: Submitting your Application**

For a student to be eligible for selection or assignment the application must be complete, accurate and postmarked or received at El Camino Real Charter High School between May 2-22, 4:00 p.m. Submit an original application only, no copies will be accepted. Postage is required to mail the application.

El Camino Real Charter High School  
Attn: Admissions Office  
5440 Valley Circle Blvd.  
Woodland Hills, CA 91367

When the number of applications exceeds the number of available seats, the public lottery will be held during the last week of May. The lottery will be conducted and supervised by the Principal at a location from which all interested parties may observe such as a school multipurpose room or common area. Parents will be informed of the date/time/location of the lottery. The school will make every effort to schedule the lottery at a time convenient to interested parties. Student names will be randomly drawn to fill the number of available spaces per grade level.

### **Notification Letter**

Within the first two weeks of June, parents and/or legal guardians will be notified, in writing, as to whether the student has been accepted or placed on a waiting list along with their number on the waiting list. This wait list will allow students the option of enrollment in the case of an opening during the current school year.

When receiving notification of acceptance parents/guardians are instructed to come to the school to complete enrollment packet with a deadline to turn them in to the school office.

When space becomes available, office personnel will contact parent/guardians of students from the wait list via telephone.

The school will maintain records of lottery results and an up to date waiting list.

In no circumstance will a wait-list carry over to the following school year.

The Charter School will adhere to the provisions of the McKinney-Vento Homeless Assistance Act and ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths.





## **ELEMENT 9: FINANCIAL AUDITS**

*Governing Law: The manner in which annual, independent, financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority. Education Code Section 47605(b)(5)(I).*

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

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

The annual audit will be completed and forwarded to the District, the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. The Principal, along with the audit committee, will review any audit exceptions or deficiencies and report to the Charter School Board of Directors with recommendations on how to resolve them. The Board will submit a report to the District describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the District.

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

### **A. District Oversight Costs**

*The District may charge for the actual costs of supervisory oversight of the Charter School not to exceed 1% of the Charter School's revenue, or the District may charge for the actual costs of supervisory oversight of the Charter School not to exceed 3% if the Charter School is able to obtain substantially rent free facilities from the District. Notwithstanding the foregoing, the District may charge the maximum supervisory oversight fee allowed under the law as it may change from time to time. The supervisory oversight fee provided herein is separate and distinct from the charges arising under the charter school/facilities use agreements.*

### **B. Balance Reserves**

*Additionally, the Charter School will at all times maintain a funds balance (reserve) of its expenditures as required by section 15450, Title 5 of the California Code of Regulations.*

**C. *Special Education Revenue Adjustment/Payment for Services***

*In the event that the Charter School owes funds to the District for the provision of agreed upon or fee for service or special education services or as a result of the State's adjustment to allocation of special education revenues from the Charter School, the Charter School authorizes the District to deduct any and all of the in lieu property taxes that the Charter School otherwise would be eligible to receive under section 47635 of the Education Code to cover such owed amounts. The Charter School further understands and agrees that the District shall make appropriate deductions from the in lieu property tax amounts otherwise owed to the Charter School. Should this revenue stream be insufficient in any fiscal year to cover any such costs, the Charter School agrees that it will reimburse the District for the additional costs within forty-five (45) business days of being notified of the amounts owed.*

**D. *Audit and Inspection of Records***

*The Charter School agrees to observe and abide by the following terms and conditions as a requirement for receiving and maintaining its charter authorization:*

- *The Charter School is subject to District oversight.*
- *The District's statutory oversight responsibility continues throughout the life of the charter and requires that it, among other things, monitors the fiscal condition of the Charter School.*
- *The District is authorized to revoke this charter for, among other reasons, the failure of the Charter School to meet generally accepted accounting principles or if it engages in fiscal mismanagement.*

*Accordingly, the District hereby reserves the right, pursuant to its oversight responsibility, to audit Charter School books, records, data, processes and procedures through the District Office of the Inspector General or other means. The audit may include, but is not limited to, the following areas:*

- *Compliance with terms and conditions prescribed in the Charter agreement,*
- *Internal controls, both financial and operational in nature,*
- *The accuracy, recording and/or reporting of school financial information,*
- *The school's debt structure,*
- *Governance policies, procedures and history,*
- *The recording and reporting of attendance data,*
- *The school's enrollment process,*
- *Compliance with safety plans and procedures, and*
- *Compliance with applicable grant requirements.*

*The Charter School shall cooperate fully with such audits and shall make available any and all records necessary for the performance of the audit upon 30 days notice to Charter School.*

*When 30 days notice may defeat the purpose of the audit, the District may conduct the audit upon 24 hours notice.*

*In addition, if an allegation of waste, fraud or abuse related to the Charter School operations is received by the District, the Charter School shall be expected to cooperate with any investigation undertaken by the Office of the Inspector General, Investigations Unit*

*The ECRCHS will develop and maintain internal fiscal control policies governing all financial activities.*

*The following reports will be submitted to LAUSD, in the required format and within timelines to be specified by LAUSD each year”:*

- a. Provisional Budget – Spring prior to operating fiscal year*
- b. Final Budget – July of the budget fiscal year*
- c. First Interim Projections – November of operating fiscal year*
- d. Second Interim Projections – February of operating fiscal year*
- e. Unaudited Actuals – July following the end of the fiscal year*
- f. Audited Actuals – December 15 following the end of the fiscal year*
- g. Classification Report – monthly according to school’s Calendar*
- h. Statistical Report – monthly according to school’s Calendar of Reports*

*In addition:*

- P1, first week of January*
- P2, first week of April*
- i. Instructional Calendar – annually five weeks prior to first day of instruction*
- j. Other reports as requested by the District*



## ELEMENT 10: STUDENT EXPULSIONS

*Governing Law: The procedures by which pupils can be suspended or expelled. 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 ECRCHS. When the policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction.

Staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will clearly describe discipline expectations, and it will be printed and distributed as part of the Student Handbook which is sent to each student at the beginning of the school year. The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures.

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

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

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

*The Charter School shall provide due process for all students, including adequate notice to parents/guardians and students regarding the grounds for suspension and expulsion and their due process rights regarding suspension and expulsion, including rights to appeal.*

*The Charter School shall ensure that its policies and procedures regarding suspension and expulsion will be periodically reviewed, and modified as necessary, including, for example, any modification of the lists of offenses for which students are subject to suspension or expulsion.*

*Charter School shall ensure the appropriate interim placement of students during and pending the completion of the Charter School's student expulsion process. If the student receives or is eligible for special education, the Charter School shall identify and provide special education programs and services at the appropriate interim educational placement, pending the completion of the expulsion process, to be coordinated with the LAUSD Support Unit, Division of Special Education.*

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

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

**B. Enumerated Offenses**

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Willfully used force of violence upon the person of another, except self-defense.
3. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.
4. Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
5. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 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.
6. Committed or attempted to commit robbery or extortion.
7. Caused or attempted to cause damage to school property or private property.
8. Stole or attempted to steal school property or private property.
9. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
10. Committed an obscene act or engaged in habitual profanity or vulgarity.

11. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
12. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
13. Knowingly received stolen school property or private property.
14. Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
15. Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
16. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
17. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
18. Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
19. Made terrorist threats against school officials and/or school property. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.

20. Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
21. Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
22. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
23. Engaged in an act of bullying, including, but not limited to, bullying 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.

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

Students will receive a mandatory recommendation for expulsion for any of the following reasons,

- Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of the charter school.
- 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.
- Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
- Possession of an explosive

### **Gun Free Schools Act**

*The Charter School shall comply with the federal Gun Free Schools Act.*



## C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

### 1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Dean or the Principal's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or school employee who referred the student to the Dean. The conference may be omitted if the Dean or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense.

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

No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with school officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

### 2. Notice to Parents/Guardians

At the time of suspension, the Dean or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

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

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

Suspension Appeal- If the parent wants to appeal the suspension, the parent submits an appeal to the Assistant Principal. The decision of the Assistant Principal will be final.

---

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

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

A student may be expelled following a hearing before an Administrative Panel to be assigned by the Governing Board. The Administrative Panel will consist of at least three members who are certificated and neither a teacher of the pupil or a Board member of the Governing Board. The Administrative Panel issues a decision about the expulsion of any student found to have committed an expellable offense. The El Camino Real Board of Directors presides over expulsion appeals.

The expulsion 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.

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

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

An administrative panel hears the case, and makes a final decision whether to expel. The hearing shall be held in closed session unless the pupil makes a written request for a public hearing three (3) days prior to the hearing.

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

1. The date and place of the expulsion hearing;
2. A statement of specific facts, charges and offenses upon which the proposed expulsion is based;
3. A copy of the Charter School's disciplinary rules which relate to the alleged violation;
4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the school to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.

2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the person or panel conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The person conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The person conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The person conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are not alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing by means of closed-circuit television.

10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstances can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

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

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

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

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense.

Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay and sworn declarations may be admitted as testimony from witnesses of whom the Administrative Panel or Governing Board on appeal determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the accused pupil, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code 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 regarding the expulsion. The final decision by the Administrative Panel shall be made within ten (10) school days following the conclusion of the hearing.

If the Administrative Panel decides not to recommend expulsion, the pupil shall immediately be returned to his/her educational program at the charter school.

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

The Principal or designee following a decision of the Governing Board to expel shall send written notice of the decision to expel, including the Governing Board's adopted

findings of fact, to the student or parent/guardian. This notice shall also include the following:

1. Notice of the specific offense committed by the student
2. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the Charter School.
3. Notice of any appeal options
4. Information about alternative placement options

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

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

If a student is expelled from the Charter School, the Charter School shall forward student records upon request of the receiving school district in a timely fashion. Charter School shall also submit an expulsion packet to the Innovation and Charter Schools Division immediately or as soon as practically possible, containing:

- pupil's last known address
- a copy of the cumulative record
- transcript of grades or report card
- health information
- documentation of the expulsion proceeding, including specific facts supporting
- the expulsion
- student's current educational placement
- copy of parental notice expulsion
- copy of documentation of expulsion provided to parent stating reason for
- expulsion, term of expulsion, rehabilitation plan, reinstatement notice with eligibility date and instructions for providing proof of student's compliance for reinstatement, appeal process and options for enrollment.
- if the Student is eligible for Special Education, the Charter School must provide documentation related to expulsion pursuant to IDEA including conducting a manifestation determination IEP prior to expulsion. If the student is eligible for Section 504 Accommodations, the Charter School must provide evidence that it convened a Link Determination meeting to address two questions: A) Was the misconduct caused by, or directly and substantially related to the students disability: B) Was the misconduct a direct result of the Charter's failure to implement 504 Plan?

### **Outcome Data**

*The Charter School shall maintain all data involving placement, tracking, and monitoring of student suspensions, expulsions, and reinstatements, and make such outcome data readily available to the District upon request.*

### **J. Disciplinary Records**

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

### **K. Right to Appeal**

If a pupil is expelled, the pupil or the pupil's parent or guardian may, within 15 calendar days following the decision of the Administrative panel to expel, file a written appeal, requesting the Board reconsider the expulsion determination.

If appealed, the Board conducts and presides over the expulsion appeal.

The Governing Board shall hold a hearing within twenty (20) schooldays following the filing of a formal request under this section. The Governing Board shall render a decision within three (3) schooldays of the appeals hearing. The decision of the Board shall be final.

The period within which an appeal is to be filed shall be determined from the date the Board votes to expel even if enforcement of the expulsion action is suspended and the pupil is placed on probation. A pupil who fails to appeal the original action of the Board within the prescribed time may not subsequently appeal a decision of the Board to revoke probation and impose the original order of expulsion.

The Board may adopt further rules and regulations establishing procedures for expulsion appeals conducted so long as they are consistent with this section and do not violate due process. The adopted rules and regulations shall include, but need not be limited to, the requirements for filing a notice of appeal, the setting of a hearing date, the furnishing of notice to the pupil regarding the appeal, the furnishing of a copy of the expulsion hearing, procedures for the conduct of the hearing, and the preservation of the record of the appeal.

The parent/guardian or the pupil shall submit a written request for a copy of the written transcripts and supporting documents from the School simultaneously with the filing of the notice of appeal. The School shall provide the pupil with the transcriptions, supporting documents, and records within 10 schooldays following the pupil's written request, unless impracticable.

### **Closed session**

The Governing Board shall hear an appeal of an expulsion order in closed session. During closed session, if the Governing Board admits any representative of the pupil or the School, the Panel shall, at the same time, admit representatives from the opposing party.

### **Evidence admissible at hearing**

The Governing Board shall determine the appeal from a pupil expulsion upon the record of the hearing before the Administrative Panel, together with such applicable documentation or regulations as may be ordered.

### **Scope of review**

The review by the Governing Board shall be limited to the following questions:

- (1) Whether the Board acted without or in excess of its jurisdiction.
- (2) Whether there was a fair hearing before the Board.
- (3) Whether there was a prejudicial abuse of discretion in the hearing.
- (4) Whether there is relevant and material evidence which, in the exercise of reasonable diligence, could not have been produced or which was improperly excluded at the hearing before the Board.

A Governing Board may not recommend reversing the decision of the Administrative Panel to expel a pupil based upon a finding of an abuse of discretion unless the Governing Board also determines that the abuse of discretion was prejudicial.

### **Decision of the Governing Board**

The decision of the Governing Board shall be limited as follows:

- (a) If the Governing Board finds that relevant and material evidence exists which, in the exercise of reasonable diligence, could not have been produced or which was improperly excluded at the hearing before the Administrative Panel, the Governing Board may reconsider the matter and may in addition recommend the pupil reinstated pending the reconsideration.



- (b) In all other cases, the Governing Board shall either affirm or reverse the decision of the Administrative Panel. The decision of the Governing Board will be final.

**L. Expelled Pupils/Alternative Education**

The school will help provide the parent necessary information and a list of placement options. Pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence.

**M. Rehabilitation Plans**

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

**N. Readmission**

The Charter School's governing board shall adopt rules establishing a procedure for the filing and processing of requests for readmission and the process for the required review of all expelled pupils for readmission. Upon completion of the readmission process, the Charter School's governing board shall readmit the pupil, unless the Charter School's governing board makes a finding that the pupil has not met the conditions of the rehabilitation plan or continues to pose a danger to campus safety. A description of the procedure shall be made available to the pupil and the pupil's parent or guardian at the time the expulsion order is entered. The charter school is responsible for reinstating the student upon the conclusion of the expulsion period.

**O. Special Education Students**

In the case of a student who has an IEP, or a student who has a 504 Plan, the charter will ensure that it follows the correct disciplinary procedures to comply with the mandates of state and federal laws, including the IDEA and Section 504 of the Rehabilitation Plan of 1973. As set forth in the MOU regarding special education between the District and the Charter School an IEP team, including a district representative, will meet to conduct a manifestation determination and to discuss alternative placement utilizing the District's Policies and Procedures Manual. Prior to recommending expulsion for a student with a 504 Plan, the charter administrator will convene a Link Determination meeting to ask the following two questions: A) Was the misconduct caused by, or directly and substantially related to the student's disability? B) Was the misconduct a direct result of the Charter's failure to implement the 504 Plan?



## ELEMENT 11: RETIREMENT SYSTEM

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

### **A. Mandatory Benefits for all Full-time Staff Members**

ECRCHS will provide mandatory benefits in accordance to the law. These include:

- Workers' Compensation Insurance (to be provided by an A-rated Company)
- Unemployment Insurance
- Medicare
- Social Security if applicable

### **Healthcare Benefits**

ECRCHS is strongly committed to providing its Pre-charter employees with a health package comparable to or greater than those provided by the LAUSD to its employees, including the establishment of a ECRCHS retiree health benefit program to qualified employees.

Benefits for new Non-certificated employees shall be reviewed by the governing board and may be modified from the current policies in place.

The Governing board will review benefits package as it pertains to development of the annual budget and in accordance with the MOU established with collective bargaining units and prior to the open enrollment period.

### **STRS**

All full-time, certificated employees of ECRCHS will continue to participate in STRS. Full time is defined for certificated as number of hours per working day, which is 6 hours. Employees will contribute the required employee percentage and ECRCHS will contribute the employer's portion. All withholdings from employees and from ECRCHS will be forwarded to the STRS fund as required. Employees will accumulate service credit years in the same manner as all other members of STRS. STRS contributions will be reported through LACOE.

### **PERS**

All current classified employees of ECRCHS will continue to participate in PERS. Employees and ECRCHS will contribute the required rate as designated by PERS. All withholdings will be forwarded to the PERS fund as required. Employees will accumulate service credit years in the same manner as all other members of PERS. Social Security payments will be contributed for all qualifying PERS members. ECRCHS is requiring full time status for PERS contributions.

## **PARS**

If eligible and economically feasible, ECRCHS will continue to participate in the Public Agency Retirement System for non-PERS/STRS eligible part-time employees.

### **Pre-Charter Employees**

All contributions, STRS, PERS (employees and employers) accrued by pre-charter staff who are on Charter leave will remain in the same account of retirement benefit calculation.

### **Health and Welfare Benefits for Active Employees**

Eligibility is as specified in any applicable collective bargaining agreements or ECRCHS policies. Whatever health package is negotiated between ECRCHS and its representative units will apply to ECRCHS. This may include plan changes. ECRCHS will purchase its own health and welfare benefit plans.

#### **B. Illness/ Personal Necessity Days**

Initially and until bargained otherwise with the applicable exclusive representative, employees shall enjoy those rights as to leaves, vacation, holidays, etc., as are enumerated in the applicable collective bargaining agreements for the comparable units of LAUSD.

#### **C. Employees Not Remaining At ECRCHS**

Return rights, if any, are at the sole discretion of LAUSD and the applicable collective bargaining representative.

#### **D. Employee Representation/ Compensation**

All employees at ECRCHS who qualify for membership in any of the non-certificated or certificated employee associations will have the right to membership in the applicable associations.

These employee associations will have the right to collect membership dues from their members. The ECRCHS employees have the option to choose the representation offered by UTLA or any other bargaining unit that the faculty and staff select. As an independent public school employer, ECRCHS will have the authority to negotiate all bargainable terms and conditions of employment with any exclusive representative and for any unrepresented groups or employees to establish policies related to compensation, benefits and working conditions. The benefits offered by ECRCHS will be equal to or better than the benefits presently held through LAUSD. The goal of ECRCHS is to provide at least the same overall benefits and build a better compensation schedule (salary table) and benefits package. With student learning in mind, ECRCHS will strive to improve the working conditions presently set in the District by:

- Reducing class size
- Do away with furlough days
- Providing more professional development and collaborative opportunities
- Providing facilities for intervention, intersession and enrichment
- Creating flexible scheduling
- Providing for a full time nurse



## ELEMENT 12: ATTENDANCE ALTERNATIVES

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

No student may be required to attend the Charter School. Students who reside within the District who choose not to attend the Charter School may attend school within the District according to District policy or at another school district or school within the District through the District's intra and inter-district policies.

Pupils who choose not to attend ECRCHS may choose to attend other public schools in their district of residence or pursue an interdistrict-transfer in accordance with existing enrollment and transfer policies of the district.



### ELEMENT 13: EMPLOYEE RETURN RIGHTS

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

Current staff members will be considered employees of ECRCHS. Current permanent staff members will be considered permanent employees of ECRCHS, though all employees may opt-out of employment at El Camino Real Charter High School.

A permanent employee who was represented by UTLA prior to employment at ECRCHS may request to transfer to another position within the District as outlined in the LAUSD-UTLA Collective Bargaining Agreement. Such a transfer may be granted at the sole discretion of the LAUSD.

New employees from outside LAUSD can establish permanent employment and seniority rights with ECRCHS but not with LAUSD.

If a reduction in staff during operation as a charter school is needed due to a change in enrollment or a change in the educational program design, the Principal/ subject to approval of the ECRCHS Governing Board, will determine which positions are no longer needed. If two staff members have the same seniority and neither volunteers to leave, the ECRCHS Governing Board will consider the needs of the school program and the combined LAUSD and charter seniority of each staff member and decide which employee will be retained (UTLA and/or any other bargaining unit elected by the staff will be part of the process).

Leave and return rights for union-represented employees who accept employment with the Charter School will be administered in accordance with applicable collective bargaining agreements between the employee's union and the District and also in accordance with any applicable judicial rulings.



## ELEMENT 14: DISPUTE RESOLUTION

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

*The staff and governing board members of the Charter School agree to resolve any claim, controversy or dispute arising out of or relating to the Charter agreement between the District and ECRCHS, except any controversy or claim that is in any way related to revocation of this Charter, (“Dispute”) pursuant to the terms of this Element 14.*

*Any Dispute between the District and the Charter School shall be resolved in accordance with the procedures set forth below:*

*1) Any Dispute shall be made in writing (“Written Notification”). The Written Notification must identify the nature of the Dispute and any supporting facts. The Written Notification shall be tendered to the other party by personal delivery, by facsimile, or by certified mail. The Written Notification shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00 PM or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail.*

*All Written Notifications shall be addressed as follows:*

*To Charter School: El Camino Real Charter High School  
c/o School Director  
5440 Valley Circle Boulevard  
Woodland Hills, CA 91367*

*To Director of Charter Schools: Director of Charter Schools  
Los Angeles Unified School District  
333 South Beaudry Avenue, 25th Floor  
Los Angeles, California 90017*

*2) A written response (“Written Response”) shall be tendered to the other party within twenty(20) business days from the date of receipt of the Written Notification. The parties agree to schedule a conference to discuss the Dispute identified in the Written Notice (“Issue Conference”). The Issue Conference shall take place within fifteen (15) business days from the date the Written Response is received by the other party. The Written Response may be tendered by personal delivery, by facsimile, or by certified mail. The Written Response shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00p.m., or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail.*

*3) If the Dispute cannot be resolved by mutual agreement at the Issue Conference, either party may then request that the Dispute be resolved by mediation. Each party shall bear its own attorney’s fees, costs and expenses associated with the mediation. The mediator’s fees and the*



*administrative fees of the mediation shall be shared equally among the parties. Mediation proceedings shall commence within 120 days from the date of either party's request for mediation following the Issue Conference. The parties shall mutually agree upon the selection of a mediator to resolve the Dispute. The mediator may be selected from the approved list of mediators prepared by the American Arbitration Association. Unless the parties mutually agree otherwise, mediation proceedings shall be administered in accordance with the commercial mediation procedures of the American Arbitration Association.*

*4) If the mediation is not successful, then the parties agree to resolve the Dispute by binding arbitration conducted by a single arbitrator. Unless the parties mutually agree otherwise, arbitration proceedings shall be administered in accordance with the commercial arbitration rules of the American Arbitration Association. The arbitrator must be an active member of the State Bar of California or a retired judge of the state or federal judiciary of California. Each party shall bear its own attorney's fees, costs and expenses associated with the arbitration. The arbitrator's fees and the administrative fees of the arbitration shall be shared equally among the parties. However, any party who fails or refuses to submit to arbitration as set forth herein shall bear all attorney's fees, costs and expenses incurred by such other party in compelling arbitration of any controversy or claim.*



## ELEMENT 15: PUBLIC SCHOOL EMPLOYER

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

El Camino Real Charter High School will be the exclusive employer of all employees of the charter school for purposes of EERA and collective bargaining purposes. As such, ECRCHS will comply with all provisions of the Educational Employment Relations Act, Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 (“EERA”), and will act independently from LAUSD for bargaining purposes. In accordance with the EERA, employees may join and be represented by UTLA or an organization of their choice for collective bargaining purposes. However, unless the employees elect to be represented by an organization for bargaining purposes, all employees will be individually contracted.

Upon notification by a majority of employees from a particular unit, ECRCHS will continue to abide by the provisions of the respective collective bargaining agreements (contracts). ECRCHS is not a party to any of LAUSD’s Collective Bargaining Agreements (“CBA”). No existing CBA automatically applies to ECRCHS employees; only if a majority of employees vote to be represented by UTLA or any other unit, the parties would meet and negotiate a CBA.



## ELEMENT 16: SCHOOL CLOSURE

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

### A. Revocation

The District may revoke the charter of ECRCHS if ECRCHS commits a breach of any terms of its charter. Further, the District may revoke the charter if ECRCHS commits a breach of any provision set forth in a policy related to Charter Schools adopted by the District Board of Education and/or any provisions set forth in the Charter School Act of 1992. Furthermore, the District may revoke the charter of the ECRCHS on any of the following grounds:

- ECRCHS committed a material violation of any of the conditions, standards, or procedures set forth in the charter.
- ECRCHS failed to meet or pursue any of the pupil outcomes identified in the charter.
- ECRCHS failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
- ECRCHS violated any provision of law.

Prior to revocation, and in accordance with Cal. Educ. Code section 47607(d) and State regulations, the LAUSD Board of Education will notify the Charter School in writing of the specific violation, and give the Charter School a reasonable opportunity to cure the violation, unless the LAUSD Board of Education determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils. Revocation proceedings are not subject to the dispute resolution clause set forth in this charter.

### B. Charter Renewal

The Charter School must submit its renewal petition to the District's Innovation and Charter Schools Division no earlier than September of the year before the charter expires.

### C. Closure Procedures

The following are closing procedures that abide by Cal. Educ. Code §47605(b) (5) (P), should the Charter School close for any reason. The decision to close the Charter School either by the Charter School governing Board or by the LAUSD Board, will be documented in a Closure Action. The action will identify the reason for closure. The official action will also identify an entity and person or persons responsible for closure-related activities. The Closure Action shall be deemed to have been automatically made when any of the following occur: the charter is revoked or non-renewed by the LAUSD Board of Education; the Charter School board votes to close the school; or the Charter lapses. In the event of such a Closure Action or as soon as Charter School informs the District of its intent to voluntarily close, the following steps are to be implemented by the entity or person or persons responsible for closure-related activities:

1. Identification of a responsible person(s) – e.g., Director, Financial Officer, President of the Charter School’s governing board, to oversee and conduct the closure process.
2. Written notification to students and parents/guardians/caregivers of the enrolled students of the Charter School will be issued by Charter School within 72 hours after the determination of a Closure Action and the effective date of closure. A sample copy of the language used in the written notification is also to be made to LAUSD within the same time frame.
  - a. The written notification will also include information on assistance in transferring each student to another appropriate school, and a process for the transfer of all student records. The charter school will provide the District with original cumulative files pursuant to District policy for all students both active and inactive at the charter school. Parents will be provided with a copy of their child’s cumulative records from the charter school. 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.
  - b. The process for transferring student records to the receiving schools shall be in accordance with LAUSD procedures for students moving from one school to another as indicated above.
  - c. Parents will also be provided with student information that includes closure notice, a copy of their child’s cumulative record which will include grade reports, discipline records, immunization records, completed coursework, credits that meet graduation requirements and a transcript, and State testing results.
  - d. The charter school will prepare an electronic master list of all students to the Innovation and Charter Schools Division. This list will include the student’s identification number, Statewide Student Identifier (SSID), birthdate, grade, full name, address, home school, enrollment date, exit code, exit date . If the Charter School closure occurs before the end of the school year, the list should also indicate the name of the school that each student is transferring to, if known.
  - e. The original cumulative files should be organized for District pick up in two categories: active students and inactive students. The ICSD will coordinate with the Charter School for the pickup of the student records.
  - f. The charter school must update all student records in the California Longitudinal Pupil Achievement Data System (CALPADS) prior to closing.
  - g. The Charter school will provide to the ICSD a copy of student attendance records, teacher grade books, school payroll records, and Title I records (if applicable)
3. Written notification to LAUSD and any other school districts of residence of the list of returning students and their home schools, to be made within 72 hours of the determination of the Closure Action.

4. Transfer of the original student records to the District, within seven calendar days from the determination of an Action to Close. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act (“FERPA”) 20 U.S.C. § 1232g. The Charter School will ask the District to store original records of Charter School students. All records of the Charter School shall be transferred to the District upon Charter School closure. If the District will not or cannot store the records, the Charter School shall work with the County Office of Education to determine a suitable alternative location for storage.

5. Written notification to the California Department of Education, the Los Angeles County Office of Education, the Special Education Local Planning Area (SELPA) in which the Charter School participates, and the retirement systems in which the Charter School’s employees participate (e.g., Public Employees’ Retirement System, State Teachers’ Retirement System, and federal social security), of the Closure Action shall be made by the Charter School by registered mail within 72 hours of the decision to Closure Action. Charter School shall provide a copy of these correspondences to the ICSD.

6. The Charter School shall allow LAUSD access, inspection and copying of all school records, including financial and attendance records, upon written request by LAUSD.

7. A financial closeout audit of the Charter School will be paid for by the Charter School to determine the disposition of all assets and liabilities of the Charter School, including plans for disposing of any net assets. The final independent audit shall be completed within six months after the closure of the school. This audit will be conducted by a neutral, independent licensed CPA who will employ generally accepted accounting principles. Any liability or debt incurred by Charter School will be the responsibility of the Charter School and not LAUSD. Charter School understands and acknowledges that Charter School will cover the outstanding debts or liabilities of Charter School. Any unused monies at the time of the audit will be returned to the appropriate funding source. Charter School understands and acknowledges that only unrestricted funds will be used to pay creditors. Any unused AB 602 funds will be returned to the District SELPA or the SELPA in which the Charter School participates, and other categorical funds will be returned to the source of funds.

8. For six calendar months from the Closure Action or until budget allows, whichever comes first, sufficient staff as deemed appropriate by the Charter School Board, will maintain employment to take care of all necessary tasks and procedures required for a smooth closing of the school and student transfers.

9. The Charter School Board shall adopt a plan for wind-up of the school and, if necessary, the corporation, in accordance with the requirements of the Corporations Code.

10. In addition to a final audit, the Charter School will also submit any required year-end financial reports to the California Department of Education and LAUSD, in the form and time frame required.

11. If the Charter School is operated by a nonprofit corporation, and if the corporation does not have any other functions than operation of the Charter School, the corporation will be dissolved according to its bylaws.

a. The corporation's bylaws will address how assets are to be distributed at the closure of the corporation.

b. A copy of the corporation's bylaws containing the information on how assets are to be distributed at the closure of the corporation, are to be provided to LAUSD prior to approval of this Charter.

12. The Charter School shall provide LAUSD within fourteen (14) calendar days of closure action prior written notice of any outstanding payments to staff and the method by which the Charter School will make the payments.

13. The Charter School will within fourteen (14) calendar days of closure action contact the State Teachers Retirement System (STRS), Public Employees Retirement System (PERS), and the Los Angeles County office of Education and follow their procedures for dissolving contracts and reporting. Copy the LAUSD on all correspondence.

14. Prior to final closure, the Charter School shall do all of the following on behalf of the Charter School's employees, and anything else required by applicable law:

a. File all final federal, state, and local employer payroll tax returns and issue final W-2s and Form 1099s by the statutory deadlines.

b. File the Federal Notice of Discontinuance with the Department of Treasury (Treasury Form 63).

c. Make final federal tax payments (employee taxes, etc.)

d. File the final withholding tax return (Treasury Form 165).

e. File the final return with the IRS (Form 990 and Schedule).

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

16. 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 Principal for closure-related activities.

17. All state assessment results, special education records, and personnel records will be transferred to and maintained by the Principal for closure-related activities in accordance with applicable law.
18. The Charter School will revert back to an LAUSD school.
19. A timely transfer of student records to the receiving schools will be made by the Charter School, for those students not eligible to remain at the location of the Charter School, due to LAUSD boundaries and attendance policies. Any decision to transfer students from the Charter School will be conducted in conjunction with consultation with LAUSD, who may decide to allow student to complete the school year at the Charter School location which has reverted to an LAUSD school, unless the transfers are at the request of the students' parents/guardians/caregivers.

This Element 16 shall survive the revocation, expiration, termination, cancellation of this charter or any other act or event that would end ECRCHS's right to operate as a Charter School or cause ECRCHS to cease operation. ECRCHS and District agree that, due to the nature of the property and activities that are the subject of this petition, the District and public shall suffer irreparable harm should Charter School breach any obligation under this Element 16. The District, therefore, shall have the right to seek equitable relief to enforce any right arising under this Element 16 or any provision of this Element 16 or to prevent or cure any breach of any obligation undertaken, without in any way prejudicing any other legal remedy available to the District. Such legal relief shall include, without limitation, the seeking of a temporary or permanent injunction, restraining order, or order for specific performance, and may be sought in any appropriate court.





## MISCELLANEOUS PROVISIONS

### A. Budgets and Financial Reporting

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

Attached, as Appendix J, please find the following documents:

- A projected first year budget including startup costs and cash-flow
- Budget assumptions
- Financial projections for the first three years of operation

These documents are based upon the best data available to the Petitioners at this time.

### B. Administrative Services

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

It is anticipated that the Charter School will provide or procure most of its own administrative services including, but not limited to, financial management, personnel, and instructional program development either through its own staff or through an appropriately qualified third-party contractor. The Charter School is interested in discussing the possibility of purchasing administrative services from the District. If the District is interested, the specific terms and cost for these services will be the subject of an annual memorandum of understanding between the Charter School and the District and subject to District availability and willingness to provide such services.

### C. 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.” Education Code Section 47605(g).*

As a conversion charter, ECRCHS will be located at 5440 Valley Circle Boulevard, Woodland Hills, CA 91367, within District boundaries. A Proposition 39 request will be made requesting the existing public school site.



Names of District school sites near proposed location:

<b>Name of Institution</b>	<b>Location</b>	<b>Demographics</b>	<b>Educational Focus</b>	<b>Student Achievement Data</b>
Hi-Tech HS Grades 9-12	Lake Balboa on BSHS Campus	319 Students 34% Hispanic 49%White 4% Filipino 8% Asian 5%Black EL-3%	Charter, high Student achievement, Focus on technology	API - 819 Met AYP - Yes State Rank -9 PI-No
Sherman Oaks Center For Enriched Studies Grades 4-12	Sherman Oaks	1720 Students 35% Hispanic 40%White 4%Flipino 14%Asian 7%Black EL- 5%	Magnet, High School student achievement scores	API-847 Met AYP -- Yes State Rank - 10 PI-No
Granada Hills Charter HS Grades 9-12	Granada Hills	3471 Students 29%Hispanic 38% White 5% Filipino 20% Asian 6% Black EL-6%	Charter, high student achievement	API - 816 Met AYP -Yes State Rank -9 PI -No
Cleveland HS and Humanities Magnet School Grades 9-12	Reseda	2966 Students 70% Hispanic 11% White 3% Filipino 8% Asian 6%Black EL-7%	Humanities, General Secondary Education	API-727 Met AYP -- No State Rank - 7 PI-No
Notre Dame HS Grades 9-12	Sherman Oaks	1163 Students 20%Hispanic 55% White  15% Filipino 5% Asian 5%Black	Catholic, College- preparatory; Tuition \$10,200	API - N/A Met AYP - N/A
Grant HS and Communications Technology Magnet Grades 9-12	Van Nuys	2343 Students 64% Hispanic 27% White 2% Flipino 2% Asian 4%Black	Communications, Business, Performing Arts, Humanities, Social Justice	API- 642 Met AYP - No State Rank - 2 PI – Yes

<b>Name of Institution</b>	<b>Location</b>	<b>Demographics</b>	<b>Educational Focus</b>	<b>Student Achievement Data</b>
		EL-25%		
Reseda HS and Science and Police Academy Magnet Grades 9-12	Reseda	1909 Students 79%Hispanic 9%White 2%Filipino 1% Asian 8% Black EL -25%	Math./Science, Law and Justice General Secondary Education	API _ 703 Met AYP -- No State Rank - 3 PI – Yes
Monroe HS and Law and Government and Police Academy Magnets Grades 9-12	North Hills	2377 Students 87% Hispanic 3% White 4% Filipino 2%Asian 3%Black	Law and Justice, Engineering, Hospitality, Arts Media and Entertainment	API - 610 Met AYP -- No State Rank * 2 PI - Yes
Taft HS Grades 9-12	Woodland Hills	2995 Students 32%Hispanic 41% White 3% Filipino 6%Asian 16%Black EL-10%	General Secondary Education	API _ 738 Met AYP -- No State Rank - 5 PI –No
El Camino Real HS Grades 9-12	El Camino Real HS Grades 9-12	3568 Students 25%Hispanic 53% White 4%Filipino 10% Asian 7%Black EL-5%	High Student Achievement, General Secondary Education	API _ 768 Met AYP -- Yes State Rank - 8 PI*No
Northridge Academy HS Grades 9-12	Northridge	969 Students 59% Hispanic 22% White 8% Filipino 5% Asian 7%Black EL-9%	High Student Achievement, college-prep focus, located on CSUN campus	API*711 Met AYP -- No State Rank - 4 PI –No
Panorama HS Grades 9-12	Van Nuys	2083 Students 87% Hispanic 2% White 5% Filipino 2% Asian 4% Black EL - 37%	Finance, Fine Arts, Medical, Education and Human Services, General Secondary Education	API - 556 Met AYP - No State Rank - 1 PI – Yes
Kennedy HS and Architecture and Digital Arts	Granada Hills	2820 Students 75%Hispanic 10% White	Architecture, General Secondary	API - 665 Met AYP - No State Rank - 4

Name of Institution	Location	Demographics	Educational Focus	Student Achievement Data
Magnet Grades 9-12		5% Filipino 4%Asian 6%Black EL - 15%	Education	PI – Yes
Canoga Park HS and Environmental and Veterinary Science Magnet Grades 9-12	Canoga Park	1688 Students 82% Hispanic 7%White 2%Fillipino 4%Asian 4%Black EL - 30%	Performing Arts, Agriculture, Health Sciences, General Secondary Education	API - 654 Met AYP -No State Rank - Data Unavailable PI - Yes
Chatsworth HS Grades 9-12	Chatsworth	3297 Students 48% Hispanic 22% White 5% Filipino 15% Asian 10% Black EL-12%	Humanitas, Engineering, Arts, Medical Academy, Gen.Secondary Ed.	API - 704 Met AYP – No State Rank-5 PI- No

Proposed Charter School to be located within the boundaries of LAUSD.

**District-Owned Facilities:** The Charter School shall execute an agreement prior to the 2011-12 school year provided by LAUSD for the use of LAUSD facilities. Charter School agrees that occupancy and use of LAUSD facilities shall be in compliance with applicable laws and LAUSD policies for the operation and maintenance of LAUSD facilities and furnishings and equipment.

The use agreements provided by LAUSD for LAUSD facilities shall contain terms and conditions addressing issues such as, but not limited to, the following:

Use. Charter School will be restricted to using the LAUSD facilities for the operation of a public school providing educational instruction to public school students consistent with the terms of the charter petition and incidental related uses. LAUSD shall have the right to inspect LAUSD facilities upon reasonable notice to Charter School.

Furnishings and Equipment. LAUSD shall retain ownership of any furnishings and equipment, including technology, (“F&E”) that it provides to Charter School for use. Charter School, at its sole cost and expense, shall provide maintenance and other services for the good and safe operation of the F&E.

Leasing; Licensing. Use of the LAUSD facilities by any person or entity other than Charter

School shall be administered by LAUSD. The parties may agree to an alternative arrangement in the use agreement.

Minimum Payments or Charges to be Paid to LAUSD Arising From the Facilities.

(i) Pro Rata Share. LAUSD shall collect and Charter School shall pay a Pro Rata Share for facilities costs as provided in the Charter School Act of 1992 and its regulations. The parties may agree to an alternative arrangement regarding facilities costs in the use agreement; and

(ii) Taxes; Assessments. Generally, Charter School shall pay any assessment or fee imposed upon or levied on the LAUSD facilities that it is occupying or Charter School's legal or equitable interest created by the use agreement.

Maintenance & Operations Services. In the event LAUSD agrees to allow Charter School to perform any of the operation and maintenance services, LAUSD shall have the right to inspect the LAUSD facilities and the costs incurred in such inspection shall be paid by Charter School.

(i) Co-Location. If Charter School is co-locating or sharing the LAUSD facilities with another user, LAUSD shall provide the operations and maintenance services for the LAUSD facilities and Charter School shall pay the Pro Rata Share. The parties may agree to an alternative arrangement regarding performance of the operations and maintenance services and payment for such in the use agreement.

(ii) Sole Occupant. If Charter School is a sole occupant of LAUSD facilities, LAUSD shall allow the Charter School, at its sole cost and expense, to provide some operations and maintenance services for the LAUSD facilities in accordance with applicable laws and LAUSD's policies on operations and maintenance services for facilities and F&E. NOTWITHSTANDING THE FOREGOING, LAUSD shall provide all services for regulatory inspections, which as the owner of the real property is required to submit, and deferred maintenance and Charter School shall pay LAUSD for the cost and expense of providing those services. The parties may agree to an alternative arrangement regarding performance of the operations and maintenance services and payment for such services in the use agreement.

Real Property Insurance. Prior to occupancy, Charter School shall satisfy those requirements to participate in LAUSD's property insurance or, if Charter School is the sole occupant of LAUSD facilities, obtain and maintain separate property insurance for the LAUSD facilities. Charter School shall **not** have the option of obtaining and maintaining separate property insurance for the LAUSD facility IF Charter School is co-locating or sharing the LAUSD facility with another user.

**Facility status:** The charter petitioner must demonstrate control of a facility such as a commitment from the landlord, to ensure that the property is actually available to the charter developer, and that the facility is usable with or without conditions (such as a conditional code permit.) The charter school facility shall comply with all applicable building codes, standards and regulations adopted by the city and/or county agencies responsible for building and safety standards for the city in which the charter school is to be located, and the Americans with Disabilities Act (ADA). Applicable codes and ADA requirements shall also apply to the construction, reconstruction, alteration of or addition to the proposed charter school facility. The Charter School cannot exempt itself from applicable building and zoning codes, ordinances, and ADA requirements.

**Occupancy of the Site:** The charter petitioner or developer shall provide the District with a final Certificate of issued by the applicable permitting agency, allowing the petitioner to use and occupy the site. The Charter School may not open without providing a copy of the Certificate of Occupancy for the designated use of the facility. If the Charter School moves or expands to another facility during the term of this charter, the Charter School shall provide a Certificate of Occupancy to the District for each facility before the school is scheduled to open or operate in the facility or facilities. Notwithstanding any language to the contrary in this charter, the interpretation, application, and enforcement of this provision are not subject to the Dispute Resolution Process outlined in Element 14.

**Health & Safety:** The school will comply with the Healthy Schools Act, California Education Code Section 17608, which details pest management requirements for schools. Developers may find additional information at: [www.laschools.org/employee/mo/ipm](http://www.laschools.org/employee/mo/ipm)

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

#### **D. Transportation**

The Charter School will not provide transportation to and from school, except as required by law for students with disabilities in accordance with a student's IEP.

#### **E. Impact on the Charter Authorizer**

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

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

Pursuant to Education Code Section 47604(c), an entity that grants a charter to a charter school operated by or as a non-profit public benefit corporation shall not be liable for the debts or obligations of the charter school or for claims arising from the performance of acts, errors or omissions by the Charter School if the authority has complied with all oversight responsibilities required by law. ECRCHS shall work diligently to assist the District in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other District-requested protocol to ensure the District shall not be liable for the operation of the Charter School.

Further, Charter School and District shall enter into a MOU, wherein Charter School shall indemnify District for the actions of the Charter School under this charter.

The corporate bylaws of Charter School shall provide for indemnification of the School's Board, officers, agents, and employees, and the School 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 District and Charter School's insurance company for schools of similar size, location, and student population. District shall be named an additional insured on the general liability insurance of Charter School.

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



## CONCLUSION

By approving this charter, the District will be fulfilling the intent of the Charter Schools Act of 1992 to improve pupil learning; create new professional opportunities for teachers; and provide parents and pupils with expanded choices in education and following the directive of law to encourage the creation of charter schools. The Petitioners are eager to work independently, yet cooperatively with the District to establish the highest bar for what a charter school can and should be. To this end, the Petitioners pledge to work cooperatively with the District to answer any concerns over this document and to present the District with the strongest possible proposal requesting a five year term to begin operation in August 2011.

