



# Contra Costa School of Performing Arts

## Special Board Meeting

**Date and Time**

Thursday August 20, 2020 at 4:00 PM PDT

**Location**

Dial-in Info: 929-324-2920; PIN: 147 068 684#

*The public may address the Board regarding any item within the jurisdiction of the Board of Directors of ChartHouse Public Schools. To ensure an orderly meeting and an equal opportunity for each speaker, persons wishing to address the Board will be facilitated one at a time by the Board Chairperson at the designated time on the agenda. Speakers will be given three minutes for items on the agenda. Public comment for non-agenda items is not allowed during a Special meeting. Time may not be yielded to other speakers. In compliance with the Brown Act, the Board may listen to comments from speakers and provide direction to staff, but may not engage in discussion or take action on items that are not already on the agenda.*

*All Board agendas and minutes will be published at [www.charthousepublicschools.org](http://www.charthousepublicschools.org). Any disclosable public records related to an open session Board meeting agenda item and distributed by staff to a majority of the Board of Directors shall be available for public inspection.*

*The Board of Directors will provide reasonable accommodations for persons with disabilities planning to attend Board meetings so long as 48 hours notice is provided via email ([charthousepublicschools@gmail.com](mailto:charthousepublicschools@gmail.com)).*

**Agenda**

	Purpose	Presenter	Time
<b>I. Opening Items</b>			<b>4:00 PM</b>
Opening Items			
<b>A.</b> Record Attendance and Guests		Neil McChesney	1 m
<b>B.</b> Call the Meeting to Order		Deborah Padberg	1 m
<b>C.</b> Agenda Adoption	Vote	Neil McChesney	2 m
The Board will consider adopting the agenda as presented or amending as necessary.			
<b>II. Public Comment</b>			<b>4:04 PM</b>
<b>A.</b> Items on the Agenda	FYI	Deborah Padberg	10 m
<b>III. Information Items</b>			<b>4:14 PM</b>
<b>A.</b> Brown Act and Conflict of Interest Training	Discuss	Neil McChesney	90 m



# Cover Sheet

## Brown Act and Conflict of Interest Training

**Section:** III. Information Items  
**Item:** A. Brown Act and Conflict of Interest Training  
**Purpose:** Discuss  
**Submitted by:**  
**Related Material:** COCOSPA Brown Act and COI August 2020 (WKS).pdf



**YOUNG, MINNEY & CORR, LLP**



# **Contra Costa School of Performing Arts Brown Act & Conflicts of Interest Law Workshop**

**Presented by:  
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**THE CHARTER LAW FIRM**

# Education Code 47604.1



## New Law on Charter School Transparency

- Makes express law that charter schools must comply with Public Records Act, Brown Act, Political Reform Act, and Government Code 1090 being applicable to charter schools and entities managing/operating charter schools.

# Education Code 47604.1



- **Board that operates a single charter school:** shall meet within the physical boundaries of the county in which the charter school is located.
- Allows an employee of a charter school to be on the charter school board as long as they abstain from voting on or influencing or attempting to influence another member of the governing body regarding, all matters uniquely affecting that member's employment.
- Still concerned about having employees on the Board....

# Education Code 47604.1



- Allows an employee of a charter school to be on the charter school board as long as they *abstain from voting on or influencing or attempting to influence another member of the governing body regarding, all matters uniquely affecting that member's employment.*
- *Still concerned about having employees on the Board....*

# Understanding the Brown Act



# Meetings



## Brown Act Applies to **Meetings of the Board**

- Basic Definition
  - When any congregation of a majority of the members of the body meet to hear, discuss, deliberate, or take action on any item of Charter School business

# Meetings



## Board Committees

Nearly all committees must comply with the  
Brown Act

### Exception:

A Committee that is:

- Advisory (not decision making)
- Composed of only Board members
- Less than a quorum of the Board
- Must not be a standing committee

# Meetings



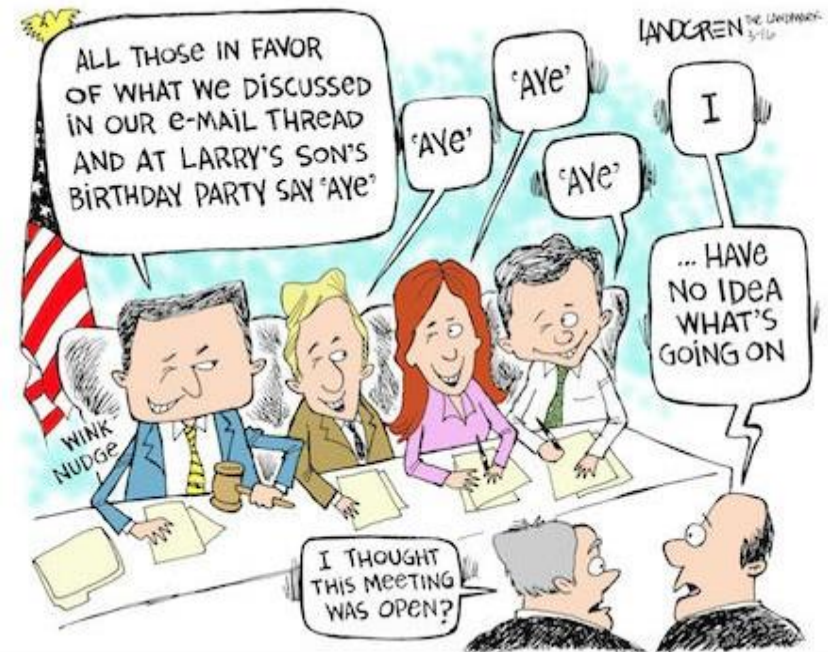
- A Majority of the Board Can Attend:
  - Other Body's Public Meeting
  - Public Conferences of General Interest
  - Purely Social or Ceremonial Gatherings
- So Long as Charter School Business is Not Discussed

# Meetings



## Serial Meetings

- Serial Meetings Are Prohibited
  - Majority of Board members
  - Engaging in a series of communications
  - Outside Board meeting
  - Through direct communications or intermediaries or technology
  - To discuss, deliberate, or take action on any item of business (including relaying comments or position of other Board members)



# Meetings



## Serial Meetings

- Examples: Hub or Chain
- Technology may result in meetings at times you might not expect
  - E-mails
  - Text messages
  - Social media
  - Website postings
  - Online forums
  - Telephone calls
  - Faxes

# Meetings



## Serial Meetings

- Limit on One-Way Communications

While an employee or official may engage in separate conversations or communications with other members of the Board in order to answer questions or provide information regarding a matter of Charter School business, that person may not communicate to members of the Board the comments or position of any other member or members of the Board.

# Meetings



## Teleconference Meetings

Six Additional Requirements:

1. Agenda must be posted at all teleconference locations.
2. Each teleconference location must be identified in the notice and agenda of the meeting.



# Meetings



## Teleconference Meetings

3. All votes taken must be by roll call.
4. Each teleconference location must be accessible to the public. (ADA-compliance required.)
5. Members of the public must be able to hear and must have the right to address the Board directly from each teleconference location.
6. A quorum of the Board must participate from within the county in which the Charter School is located.



# Governor's Executive Order



A charter school board may hold teleconference meetings without adhering to all of the requirements of the Brown Act. Executive Order N-29-20 allows the following flexibility in teleconference meetings:

- The agenda does not need to provide notice of each teleconference location nor do agendas need to be posted at each location;
- A quorum of board members need not be located in the Charter School jurisdiction; and
- Governing board members may participate in a teleconference meeting from places that are not publicly accessible.

# Governor's Executive Order



The charter school board may take advantage of this additional flexibility in teleconference meetings so long as the school complies with the following:

- The public has access via internet and/or telephone to the Board meeting and can provide public comment in some electronic form.
- The charter school uses its sound discretion and makes reasonable efforts to adhere, as closely as possible, to the other provisions of the Brown Act in order to maximize transparency and provide public access.

# Meetings



## Executive Compensation

- Approval of CEO/Executive Director's compensation must occur at a regular (not special) meeting
- Govt. Code 54953: Prior to final action, Board must orally report a summary of the recommendation for final action, including the salary, salary schedule, and fringe benefits, during the open meeting where final action will be taken.
- Final action in open session



# Notice Requirements



## Notice and Agendas

General Rule: The agenda shall be posted properly in advance of a meeting and must include a brief description of items to be transacted or discussed. With a few exceptions, if an item is not on the agenda, the Board cannot discuss it.

## Contents

- Brief description = usually not more than 20 words
- How to request disability-related accommodation
- Location for inspection of docs distributed to Board

# Notice Requirements



## Notice and Agendas

### When?

- Regular meetings – 72 hours notice
- Special meetings – 24 hours notice
- Emergency meetings – 1 hour notice (rare)

### Where to Post?

- Physically at a publicly accessible location within the jurisdiction during the entire posting period
- At all teleconference locations, if any
- On the website – homepage (new law – took effect for meetings on or after Jan. 1, 2019)

# Notice Requirements



Govt. Code 54954.2(a)(2): “It is in the public interest to ensure that members of the public can easily and quickly find and access meeting agendas of legislative bodies ... on the Internet homepage of those certain local agencies.”

- Applies to meetings on or after Jan. 1, 2019
- Prominent, direct link to agenda on homepage
- If agency uses an “integrated agenda management platform,” current agenda must be at the top.
- Agenda must be (1) retrievable, downloadable, indexable, and electronically searchable; (2) platform independent and machine readable; and (3) available to the public free of charge.

# Notice Requirements



## Exceptions

1. Upon a determination by a majority vote of the Board that an “emergency situation” exists (54956.5)
2. Upon a determination by a 2/3 vote of the Board or a unanimous vote of those present if less than 2/3 of the members are present that:
  - There is a need to take immediate action; and
  - The need for action came to the attention of the “agency” (i.e. entire Charter School) after the agenda was posted.

# Rights of the Public



## Rights to enable access and participation

- Give oral testimony at meeting
  - Addressing disruptive speakers
- Audio record and broadcast
- Limitations on conditions of public attendance
- Non-discriminatory facilities  
(reasonable accommodations under ADA)
- Copies of agendas and other public writings

Govt. Code 54954.3(b)(2): Must provide 2x the time for public testimony to persons utilizing a translator to ensure equal opportunity.



# Closed Sessions



## What Are the Permissible Closed Sessions?

1. Pending/anticipated litigation  
(conference with legal counsel)
2. Pupil discipline (Education Code)
3. Personnel (appointment, employment, evaluation, discipline, dismissal)
  - Caveat: 24-hour written notice to employee is required if Board will hear complaints and/or charges
4. Real estate negotiations
5. Labor negotiations
6. Public security

# Closed Session



## Requirements

- Use “Safe Harbor” agenda language (GC 54954.5)
- Prior to Closed Session:
  - Board Must Make a Public Announcement of Reasons for Closed Session Prior to Closed Session
  - Public Must Have an Opportunity to Comment
- After Closed Session:
  - Board Must Make a Public Report of Action Taken in Closed Session and Vote or Abstention of Every Board Member
- Semi-closed meetings are prohibited
- Confidentiality is required

# Enforcement



## Complaints and Challenges

- Notice of Concern
  - Often brought by Charter Authorizer
  - Short turnaround to respond
  - Seek advice from legal counsel on response
- Notice and Demand for Cure or Cease and Desist
  - Can be brought by DA or member of the public
  - Board must cure/respond within 30 days
  - Seek advice from legal counsel on response

# Understanding Conflict of Interest Laws

# Conflicts of Interest



## Broad Definition

- A *conflict of interest* arises when an individual who has a private financial interest in the outcome of a corporate contract or a public decision, participates in the decision-making process or influences or attempts to influence others making the contract or decision.
- In short, a conflict of interest is a clash between an individual's duty to his or her office and his or her personal interests.

# Financial Interests



## Common Types of Financial Interests Regulated by Conflict Laws

- Ownership or investment in business entity
- Investment in real property
- Source of income
- Source of gifts
- Effect on personal finances

\*Financial interests of immediate family members of Board members and employees typically are covered.

# Government Code Section 1090



# Government Code Section 1090



## Elements

1. Public official (officer, board member, or employee)
2. Making a public contract (for sale or purchase)
3. Public official has a financial interest in the contract



# Government Code Section 1090



## What you need to know about Section 1090

- If board member has financial interest, the entire board is prohibited from entering into the contract; *even if it is with the best vendor at the best price and the interested board member abstains.* (Unless an exception applies.)
- Making a public contract is defined very broadly! Applies to earliest discussions, planning, solicitation for bids, etc., not just vote.
- Thus, this statute is, in most respects, the toughest standard to meet.
- Violation of GC 1090 is a felony and the contract void!

# Political Reform Act

directorship, stewardship, her  
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principles; sour



# DECISIONS

# Political Reform Act



## Big Picture

1. Public official
2. Participating in or attempting to influence a governmental decision
3. Public official has qualifying financial interest  
(*Includes spouse and children*)
4. Financial interest is material

### The Official Must Recuse Him or Herself from All Parts of the Decision-Making Process

\* Lots of very detailed regulations have also been adopted by FPPC.

# COI Code & Form 700



## **Conflict of Interest Code**

- States who must file the Form 700
- Assigns disclosure categories

## **Form 700**

- Statement of Economic Interests
- When it must be filed:
  - Assuming or reappointment to office or position (within 30 days)
  - Once annually (by April 1<sup>st</sup>)
  - Leaving office or position (within 30 days)
- Penalties for failure to file:
  - Criminal charges by Atty General or District Atty for deliberate failure to file
  - Civil or administrative action by FPPC or private citizen



# Political Reform Act



## “Financial Interest”

- Investment in business entity of \$2,000 or more
- Real property investment of \$2,000 or more
- Income of \$500 or more
- Business position in entity
- Gift of \$50 or more

# Form 700



- Check the Conflict of Interest Code to Determine What You Must Report (Board members: broad disclosure).
- Typically All Financial Interests
  - Not Your Residence
  - Not Income from a Public Agency
  - Half of Your Spouse's Income
  - Financial Interest within Your Jurisdiction
    - Property – within 2 miles of jurisdiction
    - Investments/Business in jurisdiction
    - Gifts – all gifts inside or outside of jurisdiction

# Form 700



## GIFTS

- General rule is that you cannot accept more than \$500 from one source in a calendar year.
- General rule is that gifts worth more than \$50 must be reported (one gift or aggregate gifts from same source in a calendar year).
- Many exceptions to both general rules, the most common being:
  1. Special Occasions – Birthdays, Holidays:
    - Can be gifts from anyone (other than lobbyists) as long as the gift giving and taking is proportional.
  2. Inheritance

# Form 700



## GIFTS cont.

### 3. Family Members:

- Spouse (or former spouse), child, parent, grandparent, great grandparent, grandchild, brother, sister, current or former parent-in-law, brother-in-law, sister-in-law, aunt, great aunt, uncle, great uncle, niece, great niece, nephew, great nephew, first cousin, or first cousin once removed, or the spouse of any such person. (other than a lobbyist)

### 4. “BFF’s”- Long-term friendships:

- Friends for a “period of time” and gift giving and taking must be proportional. (other than a lobbyist)

### 5. Dating – “bona fide” relationship (other than a lobbyist)

- Returning or Donating Gifts vs. Reporting



# Common Law on Conflicts of Interest



## Prohibition Against Conflicts of Interest

- Public official engaging in transaction or influencing decision.
- Creating an appearance of impropriety (financial interest not necessarily required)

## Doctrine of Incompatible Offices

- Public official holding two public offices simultaneously
- Offices are incompatible with each other (creating divided loyalties); overlapping jurisdictions



**YOUNG, MINNEY & CORR, LLP**

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**QUESTIONS AND  
RESPONSES**

**THANKS FOR  
ATTENDING  
TODAY!**

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SUITE 370  
NORTH HOLLYWOOD, CA 91601

**SAN DIEGO OFFICE:**

591 CAMINO DE LA REINA  
SUITE 910  
SAN DIEGO, CA 92108

**WALNUT CREEK OFFICE:**

500 YGNACIO VALLEY ROAD  
SUITE 190  
WALNUT CREEK, CA 94596

# Cover Sheet

## Charter Renewal Petition Budget Review and Training

**Section:** III. Information Items  
**Item:** B. Charter Renewal Petition Budget Review and Training  
**Purpose:** Discuss  
**Submitted by:**  
**Related Material:** CCSPA Renewal Budget Cash Flow DRAFT 08.18.20.pdf  
CCSPA Renewal Budget DRAFT 08.14.20.pdf  
CCSPA Renewal Budget Narrative DRAFT 08.14.20.pdf

**Contra Costa School of the Perform**  
**Monthly Cash Forecast**  
**As of Jul FY2021**

	2021-22											
	Actuals & Forecast											
	Jul Forecast	Aug Forecast	Sep Forecast	Oct Forecast	Nov Forecast	Dec Forecast	Jan Forecast	Feb Forecast	Mar Forecast	Apr Forecast	May Forecast	Jun Forecast
<b>Beginning Cash</b>	<b>192,101</b>	<b>317,843</b>	<b>234,337</b>	<b>241,371</b>	<b>330,779</b>	<b>359,546</b>	<b>322,514</b>	<b>284,061</b>	<b>256,364</b>	<b>368,140</b>	<b>312,370</b>	<b>218,834</b>
<b>REVENUE</b>												
LCFF Entitlement	-	213,387	330,344	351,132	329,517	329,517	351,132	329,517	487,232	281,178	250,450	250,450
Federal Revenue	-	-	2,011	2,011	2,011	2,011	2,011	2,011	2,011	31,511	2,011	2,011
Other State Revenue	17,754	31,264	31,415	42,222	42,222	53,935	42,222	64,685	49,817	49,817	72,280	49,817
Other Local Revenue	-	-	19,377	19,377	19,377	19,377	19,377	19,377	19,377	19,377	19,377	19,377
Fundraising & Grants	13,378	13,378	13,378	13,378	13,378	13,378	13,378	13,378	13,378	13,378	13,378	13,378
<b>TOTAL REVENUE</b>	<b>31,133</b>	<b>258,029</b>	<b>396,526</b>	<b>428,121</b>	<b>406,506</b>	<b>418,219</b>	<b>428,121</b>	<b>428,969</b>	<b>571,816</b>	<b>395,262</b>	<b>357,496</b>	<b>335,034</b>
<b>EXPENSES</b>												
Certificated Salaries	44,627	195,198	195,198	195,198	195,198	195,198	195,198	195,198	195,198	195,198	195,198	195,198
Classified Salaries	16,143	35,687	35,687	35,687	35,687	35,687	35,687	35,687	35,687	35,687	35,687	35,687
Employee Benefits	61,881	62,107	70,598	62,107	60,692	60,692	72,014	62,107	62,107	57,035	57,035	36,111
Books & Supplies	22,621	55,828	67,238	27,199	27,199	27,199	27,199	27,199	27,199	27,199	27,199	27,199
Services & Other Operating Expenses	159,636	120,971	138,724	136,475	136,475	136,475	136,475	136,475	139,849	135,913	135,913	86,400
Capital Outlay & Depreciation	3,973	3,973	3,973	3,973	3,973	3,973	3,973	3,973	3,973	3,973	3,973	3,973
Other Outflows	-	-	-	-	-	-	-	-	-	-	-	-
<b>TOTAL EXPENSES</b>	<b>308,881</b>	<b>473,764</b>	<b>511,418</b>	<b>460,639</b>	<b>459,224</b>	<b>459,224</b>	<b>470,545</b>	<b>460,639</b>	<b>464,013</b>	<b>455,005</b>	<b>455,005</b>	<b>384,568</b>
<b>Operating Cash Inflow (Outflow)</b>	<b>(277,748)</b>	<b>(215,735)</b>	<b>(114,892)</b>	<b>(32,519)</b>	<b>(52,718)</b>	<b>(41,005)</b>	<b>(42,425)</b>	<b>(31,671)</b>	<b>107,803</b>	<b>(59,742)</b>	<b>(97,508)</b>	<b>(49,535)</b>
Revenues - Prior Year Accruals	400,202	130,977	117,954	117,954	77,512	-	-	-	-	-	-	-
Fixed Assets	3,973	3,973	3,973	3,973	3,973	3,973	3,973	3,973	3,973	3,973	3,973	3,973
Expenses - Prior Year Accruals	(686)	(2,720)	-	-	-	-	-	-	-	-	-	-
<b>Ending Cash</b>	<b>317,843</b>	<b>234,337</b>	<b>241,371</b>	<b>330,779</b>	<b>359,546</b>	<b>322,514</b>	<b>284,061</b>	<b>256,364</b>	<b>368,140</b>	<b>312,370</b>	<b>218,834</b>	<b>173,272</b>

**Contra Costa School of the Perform**  
**Monthly Cash Forecast**  
**As of Jul FY2021**

			2022-23									
	Forecast	Remaining Balance	Jul Forecast	Aug Forecast	Sep Forecast	Oct Forecast	Nov Forecast	Dec Forecast	Actuals & Forecast			
									Jan Forecast	Feb Forecast	Mar Forecast	Apr Forecast
<b>Beginning Cash</b>			<b>173,272</b>	<b>378,847</b>	<b>359,915</b>	<b>417,484</b>	<b>565,100</b>	<b>634,872</b>	<b>614,616</b>	<b>592,436</b>	<b>581,567</b>	<b>661,054</b>
<b>REVENUE</b>												
LCFF Entitlement	4,521,550	1,017,693	-	244,699	378,095	402,860	378,207	378,207	402,860	378,207	493,199	283,823
Federal Revenue	83,134	33,522	-	-	2,162	2,162	2,162	2,162	2,162	2,162	2,162	34,600
Other State Revenue	637,218	89,768	17,754	33,162	33,325	45,651	45,651	60,407	45,651	71,271	50,283	50,283
Other Local Revenue	193,773	-	-	-	20,892	20,892	20,892	20,892	20,892	20,892	20,892	20,892
Fundraising & Grants	160,542	-	13,914	13,914	13,914	13,914	13,914	13,914	13,914	13,914	13,914	13,914
<b>TOTAL REVENUE</b>	<b>5,596,216</b>	<b>1,140,984</b>	<b>31,669</b>	<b>291,776</b>	<b>448,389</b>	<b>485,480</b>	<b>460,827</b>	<b>475,583</b>	<b>485,480</b>	<b>486,447</b>	<b>580,450</b>	<b>403,512</b>
<b>EXPENSES</b>												
Certificated Salaries	2,191,810	-	45,073	203,969	203,969	203,969	203,969	203,969	203,969	203,969	203,969	203,969
Classified Salaries	408,699	-	16,305	40,680	40,680	40,680	40,680	40,680	40,680	40,680	40,680	40,680
Employee Benefits	724,488	-	68,557	70,901	79,767	70,901	69,423	69,423	81,245	70,901	70,901	65,553
Books & Supplies	390,479	-	22,907	58,828	71,095	29,438	29,438	29,438	29,438	29,438	29,438	29,438
Services & Other Operating Expenses	1,603,716	3,936	187,060	135,883	154,760	152,328	152,328	152,328	152,328	152,328	155,975	151,721
Capital Outlay & Depreciation	47,671	-	1,278	1,278	1,278	1,278	1,278	1,278	1,278	1,278	1,278	1,278
Other Outflows	-	-	-	-	-	-	-	-	-	-	-	-
<b>TOTAL EXPENSES</b>	<b>5,366,862</b>	<b>3,936</b>	<b>341,180</b>	<b>511,539</b>	<b>551,549</b>	<b>498,594</b>	<b>497,116</b>	<b>497,116</b>	<b>508,938</b>	<b>498,594</b>	<b>502,241</b>	<b>492,638</b>
<b>Operating Cash Inflow (Outflow)</b>	<b>229,354</b>	<b>1,137,047</b>	<b>(309,511)</b>	<b>(219,763)</b>	<b>(103,161)</b>	<b>(13,115)</b>	<b>(36,289)</b>	<b>(21,533)</b>	<b>(23,458)</b>	<b>(12,147)</b>	<b>78,209</b>	<b>(89,126)</b>
Revenues - Prior Year Accruals			514,579	202,718	159,452	159,452	104,783	-	-	-	-	-
Fixed Assets			1,278	1,278	1,278	1,278	1,278	1,278	1,278	1,278	1,278	1,278
Expenses - Prior Year Accruals			(771)	(3,165)	-	-	-	-	-	-	-	-
<b>Ending Cash</b>			<b>378,847</b>	<b>359,915</b>	<b>417,484</b>	<b>565,100</b>	<b>634,872</b>	<b>614,616</b>	<b>592,436</b>	<b>581,567</b>	<b>661,054</b>	<b>573,206</b>

**Contra Costa School of the Perform**  
**Monthly Cash Forecast**  
**As of Jul FY2021**

					2023-24							
	May Forecast	Jun Forecast	Forecast	Remaining Balance	Jul Forecast	Aug Forecast	Sep Forecast	Oct Forecast	Nov Forecast	Dec Forecast	Actuals & Forecast	
											Jan Forecast	Feb Forecast
<b>Beginning Cash</b>	<b>573,206</b>	<b>448,331</b>			<b>383,662</b>	<b>561,247</b>	<b>529,212</b>	<b>581,411</b>	<b>730,257</b>	<b>798,027</b>	<b>774,626</b>	<b>749,030</b>
<b>REVENUE</b>												
LCFF Entitlement	253,613	253,613	4,889,698	1,042,312	-	264,845	408,265	436,298	409,793	409,793	436,298	409,793
Federal Revenue	2,162	2,162	90,822	36,762	-	-	2,333	2,333	2,333	2,333	2,333	2,333
Other State Revenue	75,902	50,283	671,255	91,631	17,754	34,320	34,496	47,748	47,748	64,127	47,748	75,293
Other Local Revenue	20,892	20,892	208,920	-	-	-	22,537	22,537	22,537	22,537	22,537	22,537
Fundraising & Grants	13,914	13,914	166,970	-	14,518	14,518	14,518	14,518	14,518	14,518	14,518	14,518
<b>TOTAL REVENUE</b>	<b>366,484</b>	<b>340,864</b>	<b>6,027,664</b>	<b>1,170,705</b>	<b>32,273</b>	<b>313,684</b>	<b>482,149</b>	<b>523,434</b>	<b>496,929</b>	<b>513,307</b>	<b>523,434</b>	<b>524,474</b>
<b>EXPENSES</b>												
Certificated Salaries	203,969	203,969	2,288,728	-	45,524	212,758	212,758	212,758	212,758	212,758	212,758	212,758
Classified Salaries	40,680	40,680	463,786	-	16,468	45,677	45,677	45,677	45,677	45,677	45,677	45,677
Employee Benefits	65,553	42,106	825,233	-	74,796	76,019	85,261	76,019	74,479	74,479	86,801	76,019
Books & Supplies	29,438	29,438	417,768	-	23,230	62,154	75,389	31,905	31,905	31,905	31,905	31,905
Services & Other Operating Expenses	151,721	89,340	1,792,357	4,255	220,965	154,396	174,527	171,889	171,889	171,889	171,889	171,889
Capital Outlay & Depreciation	1,278	1,278	15,338	-	1,045	1,045	1,045	1,045	1,045	1,045	1,045	1,045
Other Outflows	-	-	-	-	-	-	-	-	-	-	-	-
<b>TOTAL EXPENSES</b>	<b>492,638</b>	<b>406,811</b>	<b>5,803,209</b>	<b>4,255</b>	<b>382,026</b>	<b>552,050</b>	<b>594,657</b>	<b>539,293</b>	<b>537,753</b>	<b>537,753</b>	<b>550,075</b>	<b>539,293</b>
<b>Operating Cash Inflow (Outflow)</b>	<b>(126,154)</b>	<b>(65,947)</b>	<b>224,455</b>	<b>1,166,450</b>	<b>(349,753)</b>	<b>(238,366)</b>	<b>(112,507)</b>	<b>(15,859)</b>	<b>(40,824)</b>	<b>(24,446)</b>	<b>(26,641)</b>	<b>(14,819)</b>
Revenues - Prior Year Accruals	-	-			527,125	208,709	163,661	163,661	107,549	-	-	-
Fixed Assets	1,278	1,278			1,045	1,045	1,045	1,045	1,045	1,045	1,045	1,045
Expenses - Prior Year Accruals	-	-			(832)	(3,423)	-	-	-	-	-	-
<b>Ending Cash</b>	<b>448,331</b>	<b>383,662</b>			<b>561,247</b>	<b>529,212</b>	<b>581,411</b>	<b>730,257</b>	<b>798,027</b>	<b>774,626</b>	<b>749,030</b>	<b>735,255</b>

**Contra Costa School of the Perform**  
**Monthly Cash Forecast**  
**As of Jul FY2021**

	Mar Forecast	Apr Forecast	May Forecast	Jun Forecast	Forecast	Remaining Balance	Jul Forecast	Aug Forecast	Sep Forecast	Oct Forecast	Nov Forecast	Dec Forecast
<b>Beginning Cash</b>	<b>735,255</b>	<b>821,593</b>	<b>725,438</b>	<b>589,177</b>			<b>530,191</b>	<b>720,611</b>	<b>709,064</b>	<b>789,768</b>	<b>971,626</b>	<b>1,064,783</b>
<b>REVENUE</b>												
LCFF Entitlement	536,182	308,572	275,797	275,797	5,313,203	1,141,772	-	286,357	441,086	471,831	443,236	443,236
Federal Revenue	2,333	37,208	2,333	2,333	97,743	39,541	-	-	2,395	2,395	2,395	2,395
Other State Revenue	52,973	52,973	80,518	52,973	707,844	99,172	17,754	35,626	35,807	50,104	50,104	68,442
Other Local Revenue	22,537	22,537	22,537	22,537	225,368	-	-	-	23,453	23,453	23,453	23,453
Fundraising & Grants	14,518	14,518	14,518	14,518	174,222	-	14,738	14,738	14,738	14,738	14,738	14,738
<b>TOTAL REVENUE</b>	<b>628,543</b>	<b>435,808</b>	<b>395,703</b>	<b>368,158</b>	<b>6,518,380</b>	<b>1,280,485</b>	<b>32,493</b>	<b>336,722</b>	<b>517,479</b>	<b>562,521</b>	<b>533,926</b>	<b>552,264</b>
<b>EXPENSES</b>												
Certificated Salaries	212,758	212,758	212,758	212,758	2,385,865	-	45,979	214,886	214,886	214,886	214,886	214,886
Classified Salaries	45,677	45,677	45,677	45,677	518,913	-	16,632	46,134	46,134	46,134	46,134	46,134
Employee Benefits	76,019	70,394	70,394	44,198	884,879	-	78,149	78,075	87,322	78,075	76,534	76,534
Books & Supplies	31,905	31,905	31,905	31,905	447,915	-	23,347	63,653	77,239	33,091	33,091	33,091
Services & Other Operating Expenses	175,846	171,229	171,229	92,607	2,024,861	4,616	251,284	170,302	191,000	188,283	188,283	188,283
Capital Outlay & Depreciation	1,045	1,045	1,045	1,045	12,539	-	87	87	87	87	87	87
Other Outflows	-	-	-	-	-	-	-	-	-	-	-	-
<b>TOTAL EXPENSES</b>	<b>543,250</b>	<b>533,009</b>	<b>533,009</b>	<b>428,189</b>	<b>6,274,972</b>	<b>4,616</b>	<b>415,478</b>	<b>573,137</b>	<b>616,668</b>	<b>560,555</b>	<b>559,014</b>	<b>559,014</b>
<b>Operating Cash Inflow (Outflow)</b>	<b>85,293</b>	<b>(97,200)</b>	<b>(137,305)</b>	<b>(60,031)</b>	<b>243,407</b>	<b>1,275,868</b>	<b>(382,985)</b>	<b>(236,415)</b>	<b>(99,189)</b>	<b>1,966</b>	<b>(25,088)</b>	<b>(6,750)</b>
Revenues - Prior Year Accruals	-	-	-	-	-	-	574,215	228,500	179,806	179,806	118,158	-
Fixed Assets	1,045	1,045	1,045	1,045	-	-	87	87	87	87	87	87
Expenses - Prior Year Accruals	-	-	-	-	-	-	(897)	(3,719)	-	-	-	-
<b>Ending Cash</b>	<b>821,593</b>	<b>725,438</b>	<b>589,177</b>	<b>530,191</b>			<b>720,611</b>	<b>709,064</b>	<b>789,768</b>	<b>971,626</b>	<b>1,064,783</b>	<b>1,058,120</b>

**Contra Costa School of the Perform**  
**Monthly Cash Forecast**  
**As of Jul FY2021**

	2024-25								Jul Forecast	Aug Forecast	Sep Forecast	Oct Forecast
	Actuals & Forecast											
	Jan Forecast	Feb Forecast	Mar Forecast	Apr Forecast	May Forecast	Jun Forecast	Forecast	Remaining Balance				
<b>Beginning Cash</b>	<b>1,058,120</b>	<b>1,049,385</b>	<b>1,052,561</b>	<b>1,099,987</b>	<b>974,173</b>	<b>809,576</b>			<b>736,275</b>	<b>906,223</b>	<b>876,147</b>	<b>942,194</b>
<b>REVENUE</b>												
LCFF Entitlement	471,831	443,236	519,380	298,093	267,218	267,218	5,467,311	1,114,587	-	294,987	453,829	486,208
Federal Revenue	2,395	2,395	2,395	40,020	2,395	2,395	103,987	42,415	-	-	2,499	2,499
Other State Revenue	50,104	79,821	52,004	52,004	81,721	52,004	722,519	97,023	17,754	36,101	36,289	50,967
Other Local Revenue	23,453	23,453	23,453	23,453	23,453	23,453	234,531	-	-	-	24,656	24,656
Fundraising & Grants	14,738	14,738	14,738	14,738	14,738	14,738	176,859	-	15,109	15,109	15,109	15,109
<b>TOTAL REVENUE</b>	<b>562,521</b>	<b>563,643</b>	<b>611,970</b>	<b>428,308</b>	<b>389,525</b>	<b>359,808</b>	<b>6,705,206</b>	<b>1,254,025</b>	<b>32,864</b>	<b>346,198</b>	<b>532,382</b>	<b>579,439</b>
<b>EXPENSES</b>												
Certificated Salaries	214,886	214,886	214,886	214,886	214,886	214,886	2,409,724	-	46,439	223,853	223,853	223,853
Classified Salaries	46,134	46,134	46,134	46,134	46,134	46,134	524,103	-	16,799	51,231	51,231	51,231
Employee Benefits	88,863	78,075	78,075	72,408	72,408	44,639	909,156	-	85,251	83,665	93,287	83,665
Books & Supplies	33,091	33,091	33,091	33,091	33,091	33,091	462,059	-	23,545	65,870	80,050	34,781
Services & Other Operating Expenses	188,283	188,283	192,359	187,603	187,603	94,359	2,220,681	4,756	253,061	172,024	193,561	190,718
Capital Outlay & Depreciation	87	87	87	87	87	87	1,045	-	-	-	-	-
Other Outflows	-	-	-	-	-	-	-	-	-	-	-	-
<b>TOTAL EXPENSES</b>	<b>571,343</b>	<b>560,555</b>	<b>564,632</b>	<b>554,209</b>	<b>554,209</b>	<b>433,196</b>	<b>6,526,767</b>	<b>4,756</b>	<b>425,095</b>	<b>596,644</b>	<b>641,982</b>	<b>584,248</b>
<b>Operating Cash Inflow (Outflow)</b>	<b>(8,822)</b>	<b>3,088</b>	<b>47,339</b>	<b>(125,901)</b>	<b>(164,684)</b>	<b>(73,388)</b>	<b>178,439</b>	<b>1,249,269</b>	<b>(392,231)</b>	<b>(250,446)</b>	<b>(109,600)</b>	<b>(4,809)</b>
Revenues - Prior Year Accruals	-	-	-	-	-	-	-	-	563,109	224,196	175,647	175,647
Fixed Assets	87	87	87	87	87	87	87	-	-	-	-	-
Expenses - Prior Year Accruals	-	-	-	-	-	-	-	-	(929)	(3,827)	-	-
<b>Ending Cash</b>	<b>1,049,385</b>	<b>1,052,561</b>	<b>1,099,987</b>	<b>974,173</b>	<b>809,576</b>	<b>736,275</b>			<b>906,223</b>	<b>876,147</b>	<b>942,194</b>	<b>1,113,032</b>



**Contra Costa School of the Perform**  
**Monthly Cash Forecast**  
**As of Jul FY2021**

	2025-26									
	Actuals & Forecast								Forecast	Remaining Balance
	Nov Forecast	Dec Forecast	Jan Forecast	Feb Forecast	Mar Forecast	Apr Forecast	May Forecast	Jun Forecast		
<b>Beginning Cash</b>	<b>1,113,032</b>	<b>1,195,897</b>	<b>1,182,386</b>	<b>1,166,351</b>	<b>1,162,694</b>	<b>1,224,984</b>	<b>1,100,909</b>	<b>935,512</b>		
<b>REVENUE</b>										
LCFF Entitlement	456,853	456,853	486,208	456,853	554,366	318,451	285,249	285,249	5,727,461	1,192,357
Federal Revenue	2,499	2,499	2,499	2,499	2,499	41,124	2,499	2,499	107,243	43,624
Other State Revenue	50,967	70,017	50,967	81,474	54,173	54,173	84,680	54,173	739,267	97,530
Other Local Revenue	24,656	24,656	24,656	24,656	24,656	24,656	24,656	24,656	246,555	-
Fundraising & Grants	15,109	15,109	15,109	15,109	15,109	15,109	15,109	15,109	181,309	-
<b>TOTAL REVENUE</b>	<b>550,084</b>	<b>569,134</b>	<b>579,439</b>	<b>580,590</b>	<b>650,803</b>	<b>453,513</b>	<b>412,193</b>	<b>381,686</b>	<b>7,001,835</b>	<b>1,333,512</b>
<b>EXPENSES</b>										
Certificated Salaries	223,853	223,853	223,853	223,853	223,853	223,853	223,853	223,853	2,508,821	-
Classified Salaries	51,231	51,231	51,231	51,231	51,231	51,231	51,231	51,231	580,344	-
Employee Benefits	82,061	82,061	94,891	83,665	83,665	77,717	77,717	46,773	974,419	-
Books & Supplies	34,781	34,781	34,781	34,781	34,781	34,781	34,781	34,781	482,490	-
Services & Other Operating Expenses	190,718	190,718	190,718	190,718	194,983	190,007	190,007	96,428	2,248,637	4,976
Capital Outlay & Depreciation	-	-	-	-	-	-	-	-	-	-
Other Outflows	-	-	-	-	-	-	-	-	-	-
<b>TOTAL EXPENSES</b>	<b>582,644</b>	<b>582,644</b>	<b>595,474</b>	<b>584,248</b>	<b>588,513</b>	<b>577,589</b>	<b>577,589</b>	<b>453,066</b>	<b>6,794,710</b>	<b>4,976</b>
<b>Operating Cash Inflow (Outflow)</b>	<b>(32,561)</b>	<b>(13,510)</b>	<b>(16,035)</b>	<b>(3,657)</b>	<b>62,291</b>	<b>(124,076)</b>	<b>(165,396)</b>	<b>(71,380)</b>	<b>207,124</b>	<b>1,328,536</b>
Revenues - Prior Year Accruals	115,425	-	-	-	-	-	-	-	-	-
Fixed Assets	-	-	-	-	-	-	-	-	-	-
Expenses - Prior Year Accruals	-	-	-	-	-	-	-	-	-	-
<b>Ending Cash</b>	<b>1,195,897</b>	<b>1,182,386</b>	<b>1,166,351</b>	<b>1,162,694</b>	<b>1,224,984</b>	<b>1,100,909</b>	<b>935,512</b>	<b>864,132</b>		

**Contra Costa School of the Performing Arts**  
**Multi-year Projection**  
**As of Jul FY2021**

	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	Assumptions
<b>SUMMARY</b>							
<b>Revenue</b>							
LCFF Entitlement	3,886,053	4,521,550	4,889,698	5,313,203	5,467,311	5,727,461	
Federal Revenue	78,323	83,134	90,822	97,743	103,987	107,243	
Other State Revenues	821,243	637,218	671,255	707,844	722,519	739,267	
Local Revenues	149,120	193,773	208,920	225,368	234,531	246,555	
Fundraising and Grants	150,000	160,542	166,970	174,222	176,859	181,309	
<b>Total Revenue</b>	<b>5,084,739</b>	<b>5,596,216</b>	<b>6,027,664</b>	<b>6,518,380</b>	<b>6,705,206</b>	<b>7,001,835</b>	
<b>Expenses</b>							
Compensation and Benefits	3,102,027	3,324,996	3,577,746	3,789,657	3,842,982	4,063,583	
Books and Supplies	333,926	390,479	417,768	447,915	462,059	482,490	
Services and Other Operating Expenditures	1,356,418	1,603,716	1,792,357	2,024,861	2,220,681	2,248,637	
Depreciation	55,754	47,671	15,338	12,539	1,045	-	
Other Outflows	-	-	-	-	-	-	
<b>Total Expenses</b>	<b>4,848,125</b>	<b>5,366,862</b>	<b>5,803,209</b>	<b>6,274,972</b>	<b>6,526,767</b>	<b>6,794,710</b>	
<b>Operating Income</b>	<b>236,614</b>	<b>229,354</b>	<b>224,455</b>	<b>243,407</b>	<b>178,439</b>	<b>207,124</b>	
<b>Fund Balance</b>							
Beginning Balance (Unaudited)	587,938	824,552	1,053,906	1,278,361	1,521,768	1,700,208	
Audit Adjustment							
Beginning Balance (Audited)	587,938	824,552	1,053,906	1,278,361	1,521,768	1,700,208	
Operating Income	236,614	229,354	224,455	243,407	178,439	207,124	
<b>Ending Fund Balance</b>	<b>824,552</b>	<b>1,053,906</b>	<b>1,278,361</b>	<b>1,521,768</b>	<b>1,700,208</b>	<b>1,907,332</b>	
<b>Total Revenue Per ADA</b>	11,762	11,350	11,371	11,398	11,421	11,427	
<b>Total Expenses Per ADA</b>	11,215	10,885	10,947	10,972	11,117	11,089	
<b>Operating Income Per ADA</b>	547	465	423	426	304	338	
<b>Fund Balance as a % of Expenses</b>	17%	20%	22%	24%	26%	28%	

**Contra Costa School of the Performing Arts**  
**Multi-year Projection**  
**As of Jul FY2021**

	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	Assumptions
<b>Key Assumptions</b>							
<b>Enrollment Breakdown</b>							
6	90	95	99	99	99	99	
7	96	99	99	99	99	99	
8	96	99	99	99	99	99	
9	85	86	90	99	99	99	
10	40	75	76	80	90	99	
11	35	35	65	66	72	80	
12	30	30	30	60	60	70	
<b>Total Enrolled</b>	<b>472</b>	<b>519</b>	<b>558</b>	<b>602</b>	<b>618</b>	<b>645</b>	
<b>ADA %</b>							
4-6	96.6%	95.0%	95.0%	95.0%	95.0%	95.0%	
7-8	103.1%	95.0%	95.0%	95.0%	95.0%	95.0%	
9-12	77.6%	95.0%	95.0%	95.0%	95.0%	95.0%	
<b>Average ADA %</b>	<b>91.6%</b>	<b>95.0%</b>	<b>95.0%</b>	<b>95.0%</b>	<b>95.0%</b>	<b>95.0%</b>	
<b>ADA</b>							
4-6	87	90	94	94	94	94	
7-8	198	188	188	188	188	188	
9-12	147	215	248	290	305	331	
<b>Total ADA</b>	<b>432</b>	<b>493</b>	<b>530</b>	<b>572</b>	<b>587</b>	<b>613</b>	
<b>Demographic Information</b>							
CALPADS Enrollment (for unduplicated % calc)	472	519	558	602	618	645	
# Unduplicated (CALPADS)	136	150	161	174	179	187	
# Free & Reduced Lunch (CALPADS)	-	-	-	-	-	-	
# ELL (CALPADS)	-	-	-	-	-	-	
New Students	21	47	39	44	16	27	
<b>School Information</b>							
FTE's	38.6	40.6	42.6	44.6	44.6	46.6	
Teachers	18	25	26	27	27	28	
Certificated Pay Increases		1%	1%	1%	1%	1%	
Classified Pay Increases		1%	1%	1%	1%	1%	
# of school days	-	-	-	-	-	-	
Default Expense Inflation Rate		0%	0%	0%	0%	0%	

**Contra Costa School of the Performing Arts**  
**Multi-year Projection**  
**As of Jul FY2021**

	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	Assumptions
<b>REVENUE</b>							
<b>LCFF Entitlement</b>							
8011 Charter Schools General Purpose Entitlement - State Aid	1,850,309	2,199,674	2,393,346	2,620,006	2,702,534	2,841,893	
8012 Education Protection Account Entitlement	86,458	98,610	106,020	114,380	117,420	122,550	
8096 Charter Schools in Lieu of Property Taxes	1,949,286	2,223,266	2,390,332	2,578,817	2,647,357	2,763,018	
<b>SUBTOTAL - LCFF Entitlement</b>	<b>3,886,053</b>	<b>4,521,550</b>	<b>4,889,698</b>	<b>5,313,203</b>	<b>5,467,311</b>	<b>5,727,461</b>	
<b>Federal Revenue</b>							
8181 Special Education - Entitlement	56,375	59,000	64,875	69,750	75,250	77,250	
8220 Child Nutrition Programs	21,948	24,134	25,947	27,993	28,737	29,993	
<b>SUBTOTAL - Federal Revenue</b>	<b>78,323</b>	<b>83,134</b>	<b>90,822</b>	<b>97,743</b>	<b>103,987</b>	<b>107,243</b>	
<b>Other State Revenue</b>							
8381 Special Education - Entitlement (State)	270,181	308,156	331,313	357,438	366,938	382,969	
8382 Special Education Reimbursement (State)	213,053	213,053	213,053	213,053	213,053	213,053	
8520 Child Nutrition - State	1,652	1,817	1,953	2,107	2,163	2,258	
8550 Mandated Cost Reimbursements	11,713	11,713	14,756	16,378	18,338	19,050	
8560 State Lottery Revenue	89,850	102,479	110,180	118,868	122,027	121,937	
8590 All Other State Revenue	234,793	-	-	-	-	-	
<b>SUBTOTAL - Other State Revenue</b>	<b>821,243</b>	<b>637,218</b>	<b>671,255</b>	<b>707,844</b>	<b>722,519</b>	<b>739,267</b>	
<b>Local Revenue</b>							
8634 Food Service Sales	55,340	60,850	65,423	70,581	72,457	75,623	
8660 Interest	4	4	4	4	4	4	
8693 Field Trips	65,042	74,184	79,759	86,048	88,335	92,194	
8699 All Other Local Revenue	28,734	28,734	28,734	28,734	28,734	28,734	
8701 8701 - Student Production/Event Revenue	-	30,000	35,000	40,000	45,000	50,000	
<b>SUBTOTAL - Local Revenue</b>	<b>149,120</b>	<b>193,773</b>	<b>208,920</b>	<b>225,368</b>	<b>234,531</b>	<b>246,555</b>	
<b>Fundraising and Grants</b>							
8802 8802 - Donations - Private (Foundation Grants)	75,000	75,000	75,000	75,000	75,000	75,000	
8803 8803 - Fundraising (school Site)	75,000	85,542	91,970	99,222	101,859	106,309	
<b>SUBTOTAL - Fundraising and Grants</b>	<b>150,000</b>	<b>160,542</b>	<b>166,970</b>	<b>174,222</b>	<b>176,859</b>	<b>181,309</b>	
<b>TOTAL REVENUE</b>	<b>5,084,739</b>	<b>5,596,216</b>	<b>6,027,664</b>	<b>6,518,380</b>	<b>6,705,206</b>	<b>7,001,835</b>	

**Contra Costa School of the Performing Arts**  
**Multi-year Projection**  
**As of Jul FY2021**

	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	Assumptions
<b>EXPENSES</b>							
<b>Compensation &amp; Benefits</b>							
<b>Certificated Salaries</b>							
1100 Teachers Salaries	937,970	1,284,328	1,372,171	1,460,143	1,474,744	1,489,492	
1103 Teacher - Substitute Pay	19,497	19,692	19,889	20,088	20,289	20,492	
1148 Teacher - Special Ed	196,000	197,960	199,940	201,939	203,958	280,998	
1200 Certificated Pupil Support Salaries	227,280	229,553	231,848	234,167	236,508	238,874	
1300 Certificated Supervisor & Administrator Salaries	455,720	460,277	464,880	469,529	474,224	478,966	
<b>SUBTOTAL - Certificated Salaries</b>	<b>1,836,467</b>	<b>2,191,810</b>	<b>2,288,728</b>	<b>2,385,865</b>	<b>2,409,724</b>	<b>2,508,821</b>	
<b>Classified Salaries</b>							
2100 Classified Instructional Aide Salaries	424,337	214,981	268,130	321,302	324,515	378,760	
2300 Classified Supervisor & Administrator Salaries	111,200	112,312	113,435	114,569	115,715	116,872	
2400 Classified Clerical & Office Salaries	80,600	81,406	82,220	83,042	83,873	84,711	
<b>SUBTOTAL - Classified Salaries</b>	<b>616,137</b>	<b>408,699</b>	<b>463,786</b>	<b>518,913</b>	<b>524,103</b>	<b>580,344</b>	
<b>Employee Benefits</b>							
3100 STRS	283,428	337,942	399,212	416,644	420,810	438,593	
3300 OASDI-Medicare-Alternative	78,816	68,150	73,821	79,498	80,293	86,085	
3400 Health & Welfare Benefits	223,337	251,085	281,358	314,361	333,222	371,329	
3500 Unemployment Insurance	27,054	28,304	29,554	30,805	30,823	32,074	
3600 Workers Comp Insurance	36,789	39,008	41,288	43,572	44,007	46,337	
<b>SUBTOTAL - Employee Benefits</b>	<b>649,423</b>	<b>724,488</b>	<b>825,233</b>	<b>884,879</b>	<b>909,156</b>	<b>974,419</b>	
<b>Books &amp; Supplies</b>							
4200 Books & Other Reference Materials	3,299	3,299	3,299	3,299	3,299	3,299	
4300 Materials & Supplies	70,000	99,839	110,838	122,607	130,068	139,222	
4315 Custodial Supplies	3,637	4,148	4,460	4,812	4,939	5,155	
4320 Educational Software	50,000	57,028	61,313	66,148	67,906	70,873	
4325 Instructional Materials & Supplies	36,389	41,504	44,622	48,141	49,420	51,580	
4420 Computers: individual items less than \$5k	56,728	56,728	56,728	56,728	56,728	56,728	
4430 Non Classroom Related Furniture, Equipment & Supplies	13,835	13,835	13,835	13,835	13,835	13,835	
4710 Student Food Services	100,038	114,099	122,673	132,346	135,863	141,799	
<b>SUBTOTAL - Books and Supplies</b>	<b>333,926</b>	<b>390,479</b>	<b>417,768</b>	<b>447,915</b>	<b>462,059</b>	<b>482,490</b>	
<b>Services &amp; Other Operating Expenses</b>							
5200 Travel & Conferences	10,000	10,000	10,300	10,609	10,927	11,255	
5300 Dues & Memberships	26,606	26,606	26,606	26,606	26,606	26,606	
5400 Insurance	35,000	41,117	45,533	50,597	53,500	57,513	
5500 Operations & Housekeeping	91,800	94,554	97,391	100,312	103,322	106,421	
5535 Utilities - All Utilities	180,000	185,400	190,962	196,691	202,592	208,669	
5605 Equipment Leases	30,000	30,900	31,827	32,782	33,765	34,778	
5610 Rent	353,033	553,033	703,033	892,872	1,065,433	1,065,433	
5615 Repairs and Maintenance - Building	30,000	30,900	31,827	32,782	33,765	34,778	
5631 Other Space Rental	20,000	20,600	21,218	21,855	22,510	23,185	
5803 Accounting Fees	8,316	8,565	8,822	9,087	9,360	9,641	
5809 Banking Fees	3,500	3,605	3,713	3,825	3,939	4,057	
5812 Business Services	111,987	130,585	133,998	133,853	134,198	134,560	
5815 Consultants - Instructional	49,578	51,065	52,597	54,175	55,800	57,474	
5820 Consultants - Non Instructional - Custom 1	10,000	10,300	10,609	10,927	11,255	11,593	
5824 District Oversight Fees	38,861	45,216	48,897	53,132	54,673	57,275	
5830 Field Trips Expenses	81,303	92,730	99,699	107,560	110,419	115,243	
5839 Fundraising Expenses	10,000	10,000	10,000	10,000	10,000	10,000	

**Contra Costa School of the Performing Arts**  
**Multi-year Projection**  
**As of Jul FY2021**

		<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>Assumptions</b>
5843	Interest - Loans Less than 1 Year	2,064	2,064	2,064	2,064	2,064	2,064	
5845	Legal Fees	100,000	100,000	100,000	100,000	100,000	100,000	
5851	Marketing and Student Recruiting	20,000	20,000	20,000	20,000	20,000	20,000	
5857	Payroll Fees	3,500	3,605	3,713	3,825	3,939	4,057	
5863	Professional Development	40,000	25,000	25,000	30,000	30,000	30,000	
5872	Special Education Encroachment	9,797	11,015	11,886	12,816	13,266	13,807	
5887	Technology Services	65,000	70,000	75,000	80,000	80,000	80,000	
5900	Communications	26,074	26,856	27,662	28,492	29,347	30,227	
	<b>SUBTOTAL - Services &amp; Other Operating Exp.</b>	<b>1,356,418</b>	<b>1,603,716</b>	<b>1,792,357</b>	<b>2,024,861</b>	<b>2,220,681</b>	<b>2,248,637</b>	
<b>Depreciation Expense</b>								
6900	Depreciation	55,754	47,671	15,338	12,539	1,045	-	
	<b>SUBTOTAL - Depreciation Expense</b>	<b>55,754</b>	<b>47,671</b>	<b>15,338</b>	<b>12,539</b>	<b>1,045</b>	<b>-</b>	
<b>Other Outflows</b>								
	<b>SUBTOTAL - Other Outflows</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>TOTAL EXPENSES</b>		<b>4,848,125</b>	<b>5,366,862</b>	<b>5,803,209</b>	<b>6,274,972</b>	<b>6,526,767</b>	<b>6,794,710</b>	

## Contra Costa School of Performing Arts Budget Assumptions for Charter Renewal

The attached budget projection is based on conservative estimates of the actual revenues and expenses associated with the Contra Costa School of Performing Art’s (CCSPA) program as described in the charter renewal for the period of FY22 – FY26. Information used to create the projections are based on the school’s historical financial data, rates published by the state of California and federal government, and future estimates.

### I. Revenues

#### Enrollment & Attendance Assumptions

Grade Level	2021-22 Year 1	2022-23 Year 2	2023-24 Year 3	2024-25 Year 4	2025-26 Year 5
4-6	95	99	99	99	99
7-8	198	198	198	198	198
9-12	226	261	305	321	348
<b>Total</b>	519	558	602	618	645

The average daily attendance is projected at 95.0% for all years. At full enrollment in FY26, the school is projected to have an ADA of 612.75

CCSPA’s unduplicated pupil percentage has been projected using FY20 CALPADS data. CCSPA submitted an unduplicated percentage of 28.8% via its CALPADS Fall 1.17 report and that percentage carries forward in the budget projection years.

#### Local Control Funding Formula

CCSPA is using the Local Control Funding Formula to drive the general-purpose entitlements. The table below shows the schedule of CCSPA’s LCFF target funding from FY22 through FY26 and the total general-purpose entitlement generated each year. The rates in this table are based on assumptions from FCMAT’s most recent LCFF calculator.

LCFF Assumptions	2021-22 Year 1	2022-23 Year 2	2023-24 Year 3	2024-25 Year 4	2025-26 Year 5
COLA (including one-time augmentation)	0.00%	0.00%	0.00%	0.00%	0.00%
Target LCFF for CCSPA per ADA	9,171	9,224	9,290	9,312	9,347
Total LCFF Entitlement	4,521,550	4,889,698	5,313,203	5,467,311	5,727,461

### Special Education Revenue

CCSPA operates as an independent Local Education Agency (LEA) member in the El Dorado County Charter SELPA. The school provides its students with special education services directly and receives both state and federal special education funding. Funding is budgeted at a rate of \$625 per P-2 ADA and \$125 per prior year CBEDS enrollment. CCSPA has \$213K budgeted for ERMHS reimbursement in all years (based on eligible reimbursements in FY20), but this funding will depend on the services being provided (and associated expenses), as these grants are made on a reimbursement basis in our SELPA. Future budgets and forecasts will be adjusted accordingly.

To account for costs associated with being an independent LEA for special education, CCSPA is also projecting a 3% administrative fee on these revenues (based on the fee structure of the El Dorado County Charter SELPA).

### Other Federal Revenue

CCSPA will serve a school lunch, in compliance with the National School Lunch Program. CCSPA will receive reimbursements for the cost of meals served to students that qualify for free or reduced pricing. All meals served at the school include the required nutritional components and are served in a county inspected kitchen. Expected reimbursements for FY22 are \$24K and increase in future years based on increased enrollment.

### Other State Revenue

CCSPA will serve a school lunch, in compliance with the National School Lunch Program. CCSPA will receive reimbursements for the cost of meals served to students that qualify for free or reduced pricing. All meals served at the school include the required nutritional components and are served in a county inspected kitchen. Expected reimbursements for FY22 are \$2K and increase in future years based on increased enrollment.

State Lottery revenues for FY21 are set at a rate of \$199 per ADA based on School Services of California projections. This rate remains consistent for the subsequent years of the budget projection with no COLA growth included.

Finally, Mandated Cost Reimbursements are projected at \$17 per prior year K-8 ADA and \$47 per prior year 9-12 ADA for FY20-21. The projections also come from the most recent School Services of California projections. There are no one-time funds projected in any of the five years of the renewal budget.

### Other Local Revenue

The school collects revenue for food service sales which accounts for \$55K in FY 22. Food Service Sales increases in the subsequent years based on current year enrollment.

The school collects field trip donations and projects 74K in revenue in FY22 with increases in subsequent years based on enrollment.

The school collects additional contributions in local revenue each year (mainly Chromebook repairs/replacements) which accounts for 29K.

The school collects revenue from student productions/events and projects 30K in revenue in FY22 with a 5K increase for each subsequent year.

Lastly, CCSPA has budgeted \$161K in total for FY22 for its school site fundraising and grants from foundations.



Historically, the school has received 50-100K each year from grants/foundations and projects 75K in revenue in all five years of the renewal budget. The school receives revenue from a parent annual fund/direct ask and projects 86K in revenue in FY22 with increases in subsequent years based on enrollment.

## II. Expenses

At a high level, expense assumptions are based on CCSPA’s programmatic structure and historical data, and they have been increased for inflation or on current year ADA to account for increases in student enrollment.

### Salaries and Benefits

Historically, CCSPA salary increases are about 3% but since we are not projecting any increases to LCFF COLA, we are conservative with the assumptions for salary increases and current projections include a 1% salary increase for all certificated and classified employees.

CCSPA offers health benefits for all full-time staff members. The maximum expected cost of health benefits per employee is conservatively estimated at \$7,174 per employee in 2021-22 and grows at 6% each year. The school participates in CalSTRS and as such has budgeted the following annual contribution percentages for certificated employees.

STRS	2021-22 Year 1	2022-23 Year 2	2023-24 Year 3	2024-25 Year 4	2025-26 Year 5
Employer Contribution	16.02%	18.10%	18.10%	18.10%	18.10%

A summary of the school’s staffing is included in the table below:

Category	2021-22 Year 1	2022-23 Year 2	2023-24 Year 3	2024-25 Year 4	2025-26 Year 5
1100 – Certificated Teachers	22.0	23.0	24.0	24.0	24.0
1148 – Special Education Teachers	3.0	3.0	3.0	3.0	4.0
1200 – Certification Pupil Support	3.2	3.2	3.2	3.2	3.2
1300 – Certificated Administrators	4.0	4.0	4.0	4.0	4.0
2100 – Classified Aides	4.65	5.65	6.65	6.65	7.65
2300 – Classified Supervisor & Administrators	2.0	2.0	2.0	2.0	2.0
2400 – Classified Clerical & Office	1.7	1.7	1.7	1.7	1.7

Books & Supplies

CCSPA is budgeting \$390K for Books and Supplies in 2021-22, or about \$752 per student. Books & Supplies largely increase based on current year ADA. A summary of the major expenses is as follows:

- \$162/CY ADA for Materials & Supplies
  - o There is also an additional line item detail in Materials & Supplies for Student Productions. This expense is 20K in FY22 with a 5K increase in each subsequent year which is in line with assumptions for Student Production Revenue
- \$116/CY ADA for Educational Software
- \$84/CY ADA for Instructional Materials & Supplies
- \$231/CY ADA for Student Food Services
- \$57K/year for computers

Services and Operating Expenses

CCSPA is budgeting \$1,603,716 in Services & Other Operating Expenses in 2021-22 with most line items increase 3% for COLA in future years.

CCSPA has budgeted its rent based upon assumptions provided through its lease with 2730 Mitchell Drive, LLC.

2730 Mitchell Drive, LLC, of which Charthouse Public Schools is the sole member, expects to issue a not to exceed amount of \$17mm of Series 2020 bonds with a closing date in early September. The Series 2020 bonds will be sold to a private investor and has the approval of the California State Finance Authority.

The proceeds of the Series 2020 bonds will be used to acquire the school’s existing facility, pay costs of issuance, and fund three years of capitalized interest. The approximately 42,000 sq. ft. facility features a dance studio, theater, production design room, vocal music room, instrumental music room, multi-use room, counseling office, staff lounge, conference room, IT department, and administration rooms. The Series 2020 tax-exempt bonds will carry an interest rate of 5.5% per annum and the taxable bonds will carry an interest rate of 7.5% per annum. The facility acquisition will provide annual savings to the school and eliminate lease escalators. For the first three years, the annual cost savings compared to the original lease will be approximately \$300k to \$340k per year. The rent schedule reflects the rent negotiated with 2730 Mitchell Drive, LLC.

Category	2021-22 Year 1	2022-23 Year 2	2023-24 Year 3	2024-25 Year 4	2025-26 Year 5
5610 – Rent	553,033	703,333	892,872	1,065,433	1,065,433

General Liability Insurance is projected at \$83 per student in FY22 based on current agreements with their insurance provider. Rates increase with enrollment growth and COLA. Workers' Compensation Insurance is budgeted at 1.5% of payroll.

CCSPA pays 1% of general-purpose revenues for oversight to the Contra Costa County of Education, its authorizer.

CCSPA plans to continue to use its back-office service provider, EdTec, to support financial and operational needs of the school. Services include accounts payable, accounts receivable, accounting, budgeting and finance, payroll, and student data management. The cost for these services is forecasted at a rate of 130K in FY22 with increases in future years based on enrollment.

Other significant service and operating expenses categories include:

- Operations & Housekeeping: 95K in FY22 with 3% COLA increase in future years
- Utilities: 185K with 3% COLA increase in future years
- Legal Fees: 100K/year
- Technology Services: 70K FY22, 75K in FY23, and 80K in FY24-26
- Student Transportation: \$188/CY ADA

#### Contingencies and Reserves

By having a positive operating income in all five out years, CCSPA will grow its fund balance to 28% of its yearly expenses by the end of the fifth year. CCSPA has taken a conservative approach to the budgeted expenses. If the state revenues increase above current projections, or if prospective grant money materializes, additional spending will be considered in future years.

#### Cash Flow

The cash flow forecast assumes all State revenue is received the month after it is distributed. The cash flow also assumes the FY21 deferral schedule continues in the budget projection years.

In Lieu of Property Tax revenue, disbursed via the District, is projected to be received according to Ed Code 47635. Timing of all other revenue and expenses have been projected according to past receipt or expenditure trends.

A small number of expenses are projected to accrue based on historic trends in invoicing. Public revenue will be accrued based on amounts owed according to CDE certified exhibits, and philanthropy and grants will be accrued based on written commitments. Accrued revenue will be reflected in the cash forecast in the year it is expected, according to reasonable and historic assumptions regarding disbursement/collection.

# Cover Sheet

## Charter Renewal Petition Review

**Section:** III. Information Items  
**Item:** C. Charter Renewal Petition Review  
**Purpose:** Discuss  
**Submitted by:**  
**Related Material:** SPA Charter Renewal Petition Working Draft.pdf



## Charter Renewal Petition

Submitted to the Contra Costa County  
Board of Education on September 1, 2020

For the term July 1, 2021 through June 30, 2026

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### Appendices

Appendix A: Articles of Incorporation, Bylaws, and Conflict of Interest Code

Appendix B: LCAP

Appendix C: WASC Action Plan

Appendix D: Budget

# AFFIRMATIONS AND DECLARATION

As the authorized lead petitioner, I, Neil McChesney, hereby certify that the information submitted in this renewal petition for a California public charter school named Contra Costa School of Performing Arts (“SPA” or the “Charter School”), and to be located within the boundaries of the Mt. Diablo Unified School District (“MDUSD” or the “District”), and authorized by the Contra Costa County Board of Education with oversight by the Contra Costa County Office of Education (collectively referred to as the “County”) 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 the Charter School’s charter is renewed, 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 will meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(d)(1)]
- ChartHouse Public Schools declares that it shall be deemed the exclusive public school employer of the employees of the Charter School for the purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(c)(6)]
- The Charter School will be nonsectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(e)(1)]
- The Charter School will not charge tuition. [Ref. Education Code Section 47605(e)(1)]
- The Charter School shall admit all students who wish to attend the Charter School, unless the Charter School receives a greater number of applications than there are spaces for students, in which it will hold a public random drawing to determine admission. Except as required by Education Code Section 47605(e)(2), admission to the Charter School shall not be determined according to the place of residence of the student or of that student’s parent or legal guardian within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(e)(2)(B)(i)-(iv). 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(e)(2)(C). [Ref. Education Code Section 47605(e)(2)(A)-(C)]
- The Charter School shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, gender identity, gender expression,



nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(e)(1)]

- The Charter School shall not encourage a pupil currently attending the charter school to disenroll from the charter school or transfer to another school for any reason, including, but not limited to, academic performance of the pupil or because the pupil is an English learner, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation. [Ref. Education Code Section 47605(e)(3)(C)]
- The Charter School will adhere to all applicable provisions of federal law relating to students with disabilities, including, but not limited to, the Individuals with Disabilities Education Improvement Act of 2004, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities Education Improvement Act of 2004..
- The Charter School will meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
- The Charter School will ensure that teachers in the Charter School hold the Commission on Teacher Credentialing certificate, permit, or other document required for the teacher’s certificated assignment. The Charter School may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in the same manner as a governing board of a school district. Teachers employed by charter schools during the 2019–20 school year shall have until July 1, 2025, to obtain the certificate required for the teacher’s certificated assignment. [Ref. Education Code Section 47605(l) and 47605.4(a)]
- The Charter School will at all times maintain all necessary and appropriate insurance coverage.
- The Charter School shall, for each fiscal year, unless exempted by applicable law, 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 report cards or a transcript of grades, and health information. If the pupil is subsequently

expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the Charter School within 30 days if the Charter School demonstrates that the pupil had been enrolled in the Charter School. [Ref. Education Code Section 47605(e)(3)]

- The Charter School may encourage parental involvement, but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the Charter School. [Ref. Education Code Section 47605(n)]
- 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. Education Code Section 47612.5(a)(2)]
- The Charter School shall on a regular basis consult with its parents and teachers regarding the Charter School’s education programs. [Ref. Education Code Section 47605(d)]
- The Charter School shall comply with any applicable jurisdictional limitations to the locations of its facilities. [Ref. Education Code Sections 47605 and 47605.1]
- The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. Education Code Sections 47612(b) and 47610]
- The Charter School shall comply with all applicable portions of the Elementary and Secondary Education Act (“ESEA”) as reauthorized and amended by the Every Student Succeeds Act (“ESSA”).
- 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 comply with Government Code Section 1090, *et seq.*, as set forth in Education Code Section 47604.1.
- The Charter School shall comply with the Political Reform Act.
- The Charter School shall meet or exceed the legally required minimum number of school days. [Ref. Title 5 California Code of Regulations Section 11960]
- Per 5 C.C.R. Section 11967.6.1, the signature requirement set forth in Education Code section 47605(a) is not applicable to this petition for renewal.

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*Lead Petitioner's Signature*

*Date*

# Introduction



# INTRODUCTION

Contra Costa School of Performing Arts is now in our fifth year of operation. Our school has become an integral part of the educational landscape in Contra Costa County and has enjoyed strong success and student achievement in our first charter term. Our grand accomplishments as much as our daily operations, reflect this community’s unwavering commitment to our core values, which will continue to guide our evolution in the second term of the charter.

In many ways, the SPA graduate profile reflects not only the skills and characteristics we aim to see in our students, but it also captures the spirit of our organizational culture and can be used to benchmark our short history. The SPA graduate profile is also a profile of SPA.

<b>SPA Graduate Profile</b>	
<b>Rigor</b>	<b>Relevance</b>
<ul style="list-style-type: none"> <li>Thinks critically and creatively to solve problems</li> <li>Listens actively and responds respectfully to constructive criticism, feedback and the perspectives of others</li> <li>Analyzes, evaluates, and integrates information and concepts across disciplines</li> </ul>	<ul style="list-style-type: none"> <li>Develops personal, academic, and technical skill sets to adapt to change</li> <li>Applies 21st century skills (learning, literacy, and life) throughout various disciplines to participate and prepare for a globalized world</li> </ul>
<b>Resilience</b>	<b>Relationships</b>
<ul style="list-style-type: none"> <li>Demonstrates a willingness to embrace failures and to persist in the face of adversity</li> <li>Uses resources to advocate for self and others in order to make choices based on integrity and self-reflection across disciplines</li> </ul>	<ul style="list-style-type: none"> <li>Embraces diversity to create cross-cultural understanding</li> <li>Engages effectively within diverse teams as contributors and leaders</li> </ul>

**RIGOR - Thinks critically and creatively to solve problems**

- SPA earned initial accreditation from WASC subsequent to our opening and then, after completing our first self-study in 2019, earned our first full 6 year term of accreditation. Among the accolades from the visiting team, it was noted that the SPA WASC action plan was so accurate, insightful, and informed by an inclusive process that it was approved as originally presented and lauded as an exemplar.
- SPA acknowledges that as a new school, it still has much to improve and is engaged in a constant cycle of reflection, planning, and implementation. As an example, the SPA math program has not yet yielded the formative schoolwide results that are demonstrative of our student's ability and our teachers instruction. While there are examples of strong work and outcomes, SPA has focused on this area of curriculum and instruction since our first year, partnering with CCCOE, providing additional layers of professional development for our team, and most recently, SPA is the recipient of a grant that will begin a four year relationship with The New Teacher Project (TNTP). This professional partnership brings support and training to our teachers with a specific focus on math.

**RIGOR - Listens actively and responds respectfully to constructive criticism, feedback and the perspectives of others**

- SPA has successfully cultivated a strong governance model. This includes a diverse Board with professional backgrounds and experience that inform a constructive and responsible decision making process. In addition, the Board has established multiple standing committees that focus on the organization priorities and that provide further opportunities for rich stakeholder engagement.
- SPA regularly solicits feedback from stakeholders and uses this critical information to inform its evolution. SPA's qualitative and quantitative record on stakeholder engagement and satisfaction remains strong, in large part because individuals feel heard and are invited to be part of the creative process.

**RIGOR - Analyzes, evaluates, and integrates information and concepts across disciplines**

- SPA continues to build its integrated and project based model and has shown strong success in achieving curriculum, instruction, and student outcomes that reflect this work. Moreover, SPA's conscious and intentional scope and sequence builds on interdisciplinary student programming and culminates in a defense of student achievement.
- SPA has created a conservatory arts training program that is unparalleled in the public education system within our greater community and that informs our goals as an academic and cultural institution. The artist-scholar nomenclature that has now become part of our lexicon is a testament to the integrated nature of our mission and its realization in the day to day programming.

**RELEVANCE** - Develops personal, academic, and technical skill sets to adapt to change

- SPA has had two graduating classes, both with graduation rates and college and career readiness indicator rates ("CCI") higher than the District and State average. SPA graduates truly represent the highest pinnacle of achievement - these students have been with us for all years of operation and exhibit an incredibly robust skill set that will enable them to persist and succeed in years to come. SPA will track this data as another means of sharing our success with the community at large.
- SPA program has become richer with the onset of a Career Technical Education (CTE) program development. Not only will this be a path to CTE credentialing for our Teaching Artists, but upon full implementation will guarantee 100% CCI readiness for all SPA graduates.
- SPA's robust production and performance component provides authentic and meaningful experiences for students to develop personal and technical skill sets. Through high quality productions, students collaborate as members of ensemble and build important, career worthy teamwork skills.

**RELEVANCE** - Applies 21st century skills (learning, literacy, and life) throughout various disciplines to participate and prepare for a globalized world

- SPA has attracted and retained incredibly talented and capable educational leaders. This team consistently demonstrates the strongest work ethic and commitment to student outcomes and schoolwide mission achievement.
- SPA has embraced cutting-edge "next practices," leveraging technology and progressive pedagogy to meet the needs of 21st century students. SPA continues to be a model of dynamism, which is paramount to achieving success in today's world.
- SPA students have opportunities to study under practicing artists, guiding a rich experience in the school's conservatory style training.

**RESILIENCE** - Demonstrates a willingness to embrace failures and to persist in the face of adversity

- SPA is now the owner of a "forever" campus; a 42,000sf building in the heart of a burgeoning business and recreation district located in the center of Contra Costa County. This achievement comes after two very challenging temporary locations and a three year construction/renovation project. SPA opened its doors in a basketball gymnasium; the journey to where we are now is a case study in persistence in the face of adversity.
- As a community supporting a diverse student body and faculty, SPA undertook a schoolwide initiative to build a Diversity, Equity and Inclusion committee that plays an integral function in school decisions. Through the committee's vision and guidance, SPA has begun a process of training culturally relevant educators, recruited a diverse set of new hires, and ensured the school's approach during school closure was equitable and robust. The DEI committee continues to guide SPA's development through regular evaluation of school systems and structures.
- SPA found success and achievement even in the midst of a pandemic. In March of 2020 the world of public education in our community (and the world) was turned upside down. SPA closed its campus doors on a Friday, held a previously scheduled Professional Development on the following Monday, and opening a full distance learning model with robust synchronous and asynchronous learning for all students the next day. SPA maintained 95% engagement from students over the remainder of the 2019-20 school year.

**RESILIENCE** - Uses resources to advocate for self and others in order to make choices based on integrity and self-reflection across disciplines

- SPA has successfully brought in more than \$2,000,000 in grants and philanthropy. This is a direct result of strong community belief in and support for the SPA mission and vision.
- SPA has shown strong fiscal responsibility and growth. As a startup, SPA was faced with incredible challenges that impacted the school financials. However, stalwart fiduciary oversight, strong partnerships, and creative allocation of resources ensured that the student and staff experience was optimized. SPA's most recent financials, and its multiyear projections, show long term stability and strength.



**RELATIONSHIPS** - Embraces diversity to create cross-cultural understanding

- SPA was designed to not only meet a clear and missing educational need within our community, but to attract a diverse and dynamic student body. Our demographics, geographic footprint, and school culture reflect success in this regard.
- SPA has most recently brought diversity, equity, and inclusion initiatives to the forefront of our work and focused on delivery a culturally responsive education as well as influencing the greater community efforts towards intersectional equity.
- SPA's performing arts curriculum and productions reflect a culturally diverse and relevant repertoire. SPA Arts Directors work hard to ensure all cultures and communities are represented in our classes and in our performances.

**RELATIONSHIPS** - Engages effectively within diverse teams as contributors and leaders

- SPA is a family. Our stakeholders use this word often and it captures the essence of the community we have built.
- SPA has cultivated numerous organizational relationships that have and will continue to enhance the programs we can offer our students and families. In addition, SPA takes seriously its role as a change agent for good within the broader community and leverages existing synergy to promote our values and the integration of our artist-scholars.
- SPA Arts classes provide ensemble experiences where students learn to effectively work together as a team. Relationship building and team building are essential components of our production process.

The famous educational reformer John Dewey once said, “If we teach today as we taught yesterday, we rob our children of tomorrow.”

The chartering cycle is one of the great strengths of the legislation that guides charter schools. It forces evolution, it heightens accountability, and it produces better outcomes. Within our first term, SPA has shown without doubt that it is important, impactful, and worthy. SPA commits to be even better, to never stop improving, and to always maintain focus on students.

SPA is deeply appreciative of the support and partnership of our authorizer and wishes to continue to make the Contra Costa County Board and Office of Education proud to share part of its name with the Contra Costa School of Performing Arts.

We request approval of our renewal petition for a second five-year term.

# Renewal Standard



Hila Barnir



Matthew Brooks



Penelope Brown



Jordan Carabelas



Andersen Davis



Alina DeLaRea



Xyla Dominguez



Megan Geyer



Jasper Grenier



Anthony Michel

Walnut Creek, California  
Class of 2019



Deseree Pardini



# RENEWAL STANDARD

**Renewal Standard and Evidence of Academic Achievement Warranting a Five-Year Renewal**

Pursuant to the amendments made to Education Code Section 47607, and the creation of Education Code Section 47607.2, by Assembly Bill 1505 (2019), a chartering authority shall evaluate a charter school’s eligibility according to the standard associated with its performance on the state and local indicators reported the California School Dashboard (“Dashboard”). In July 2020, the California Department of Education determined that based on SPA’s Dashboard performance during the last two years for which Dashboard data is available, that SPA is a “middle tier” school for renewal purposes<sup>1</sup>, and subject to the renewal standard articulated in Education Code Section 47607.2(b) (the “Renewal Standard”).

Section 47607.2(b) provides that:

(1) ... [T]he chartering authority shall consider the schoolwide performance and performance of all subgroups of pupils served by the charter school on the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 and the performance of the charter school on the local indicators included in the evaluation rubrics adopted pursuant to Section 52064.5.

(2) The chartering authority shall provide greater weight to performance on measurements of academic performance in determining whether to grant a charter renewal.

The following table displays SPA’s, the State’s, and the District’s performance on state and local indicators for the 2018 and 2019 Dashboard<sup>2</sup>. While the Renewal Standard does not specifically evaluate SPA’s performance relative to the State or the District, as discussed more fully below, these additional datapoints may help contextualize SPA’s data.

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<sup>1</sup> See <https://www.cde.ca.gov/sp/ch/documents/ab1505results2020.xlsx> at row 664.  
<sup>2</sup> As a result of the COVID-19 pandemic during the 2019-2020 school year and the suspension of statewide testing, Dashboard performance indicators for ELA and math will not be available for 2020.

Indicator	2018 State	2018 District	2018 SPA	2019 State	2019 District	2019 SPA
<b>Statewide Indicators</b>						
CAASPP ELA						
CAASPP Math						
Suspension Rate						
Chronic Absenteeism						
<b>Local Indicators</b>						
Basics: Teachers, Instructional Materials, Facilities		Standard Met	Standard Met		Standard Met	Standard Met
Parent and Family Engagement		Standard Met	Standard Met		Standard Met	Standard Met
Local Climate Survey		Standard Met	Standard Met		Standard Met	Standard Met
Access to a Broad Course of Study		Standard Met	Standard Met		Standard Met	Standard Met
Implementation of Academic Standards		Standard Met	Standard Met		Standard Met	Standard Met

The following table displays SPA’s Dashboard performance levels in CAASPP ELA and CAASPP Math for numerically significant subgroups in the 2017-18 and 2018-19 school years, compared to the performance levels assigned to the State and the District in those same indicators.

Indicator – CAASPP ELA 2019	State	District	SPA
Students with Disabilities			
Socioeconomically Disadvantaged			
Hispanic			
White			

Indicator - CAASPP Math 2019	State	District	SPA
Students with Disabilities			
Socioeconomically Disadvantaged			
Hispanic			
White			

The above table summarizing SPA's schoolwide Dashboard performance demonstrates that SPA met the standard for all local indicators in 2018 and 2019. Of the four statewide indicators reported in 2018 and 2019, on a schoolwide basis, SPA met or exceeded the State's performance level on two of those levels in 2018, and met or exceeded three of those levels in 2019. As compared to the District, on a schoolwide basis, SPA grew from exceeding the District's performance level on only one indicator in 2018 to meeting or exceeding the District's performance level on all four indicators in 2019.

On a subgroup basis, SPA's performance levels in 2019 on academic indicators show that of the eight performance levels assigned to SPA, SPA met or exceeded the District's performance levels in four of those same indicators.

### **Performance on Statewide Testing**

While SPA continues to work to grow its performance on the measures assessed by the Dashboard, the Dashboard color levels do not, on their own, provide a complete picture of SPA's academic performance on standardized testing.

Specifically, because the Dashboard color levels on academic indicators are driven by a formula that combines the extent of year-to-year *change* in testing performance (upwards, downwards, or flat) and students' average distance from the standard ("DFS") tested on CAASPP – that is, how far the average score was from the targeted numerical baseline standard of proficiency – the colors do not provide a clear picture of academic performance in a given year. Specifically, the colors do not capture the percentage of students who are achieving at or above the standards tested on CAASPP.

Furthermore, State and District-level performance indicators on the Dashboard incorporate all grades tested on different test content, i.e., grades 3 through 11 whereas SPA only serves students in the 6<sup>th</sup> grade and above. Accordingly, comparing Dashboard performance between the State and the District and SPA to interpret SPA's performance is somewhat limited in value.

### **CAASPP – ELA**

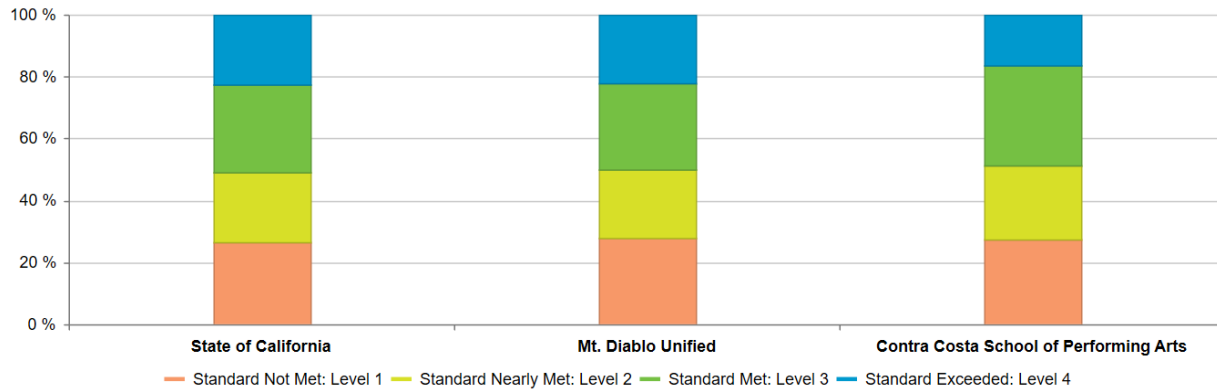
Given these factors, SPA invites the County to consider SPA's academic performance based on CAASPP data underlying the Dashboard. Specifically, analysis of ELA CAASPP data from 2019 demonstrates that SPA performed well in ELA.

English Language performance has been a strength of SPA for the duration of our first term. Most importantly, the data shows that our students who persist through middle school and into high school, achieve at levels that surpass most individual comparisons in our community and certainly the District and State averages.

This strength is a direct result of a school wide focus on literacy, one that appears in all subjects and the arts. In addition, SPA’s work on integrated, project-based curriculum and instruction is often grounded in ELA standards and objectives as the keystone for other subjects to build upon.

**2019 CAASPP ELA Results – All Students/All Grades**

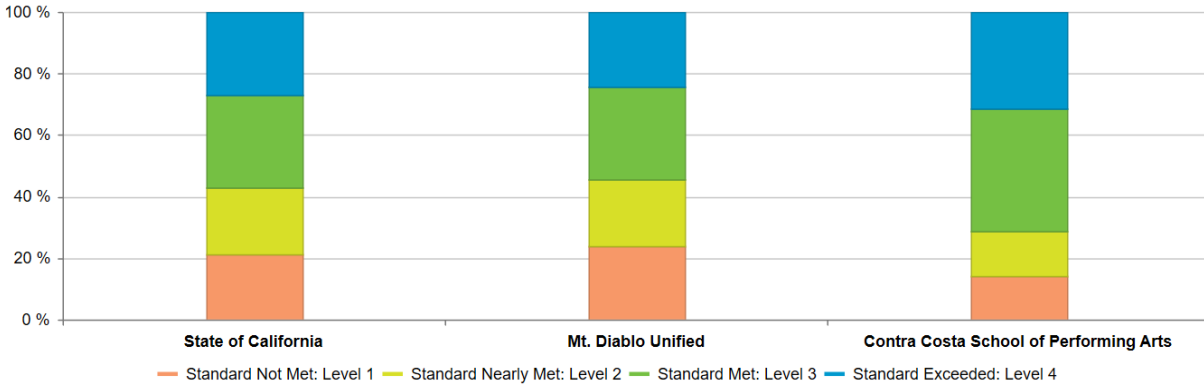
CAASPP ELA data for 2019 demonstrates that across all grades, SPA is performing on par with the State and the District as measured by the percentage of students meeting or exceeding the standard tested:



	State	District	SPA
<b>Standard Exceeded or Met</b>	<b>51.1%</b>	<b>49.92%</b>	<b>48.72%</b>
Standard Exceeded: Level 4	22.48%	21.99%	16.58%
Standard Met: Level 3	28.62%	27.93%	32.14%
Standard Nearly Met: Level 2	22.28%	22.0%	23.7%
Standard Not Met: Level 1	26.63%	28.08%	27.6%

**2019 CAASPP ELA Results – 11<sup>th</sup> Grade Students**

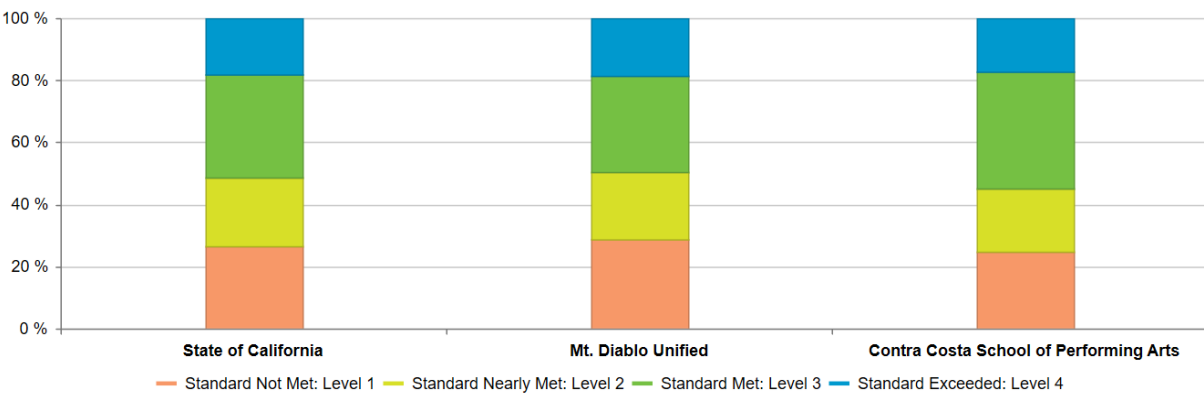
However, in disaggregating CAASPP ELA data from 2019 for 11<sup>th</sup> grade students only, testing data demonstrates that SPA far exceeds the State and the District in performance, as measured by the percentage of students meeting or exceeding the standard tested. This data supports that SPA is preparing its students to graduate from SPA with reading and writing competencies necessary for success in college and their careers.



	State	District	SPA
<b>Standard Exceeded or Met</b>	<b>57.27%</b>	<b>54.62%</b>	<b>71.43%</b>
Standard Exceeded: Level 4	27.10%	24.46%	31.43%
Standard Met: Level 3	30.17%	30.16%	40.0%
Standard Nearly Met: Level 2	21.38%	21.36%	14.29%
Standard Not Met: Level 1	21.35%	24.02%	14.29%

### 2019 CAASPP ELA Results – 7th Grade Students

CAASPP ELA data from 2019 measuring the performance of 7<sup>th</sup> grade students only, also demonstrates that SPA outperformed the State and the District, as measured by the percentage of students meeting or exceeding the standard tested:



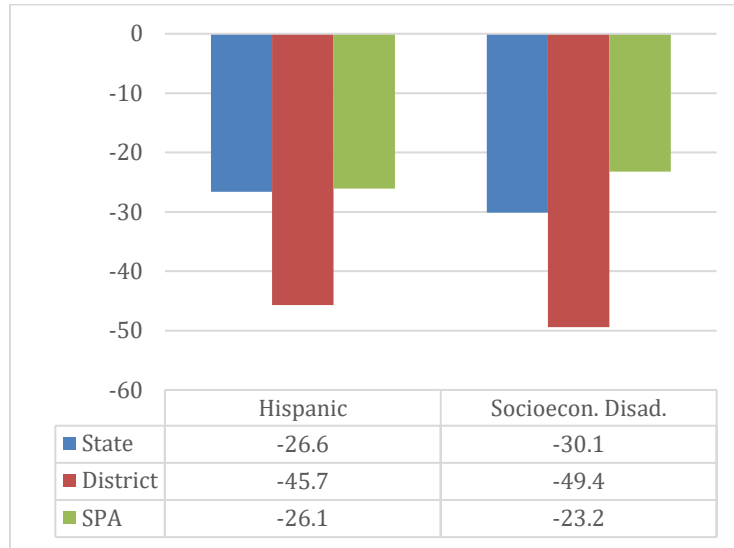
	State	District	SPA
<b>Standard Exceeded or Met</b>	<b>51.37%</b>	<b>49.42%</b>	<b>54.83%</b>
Standard Exceeded: Level 4	18.17%	18.72%	17.2%
Standard Met: Level 3	33.2%	30.7%	37.63%
Standard Nearly Met: Level 2	22.23%	21.86%	20.43%
Standard Not Met: Level 1	26.39%	28.72%	24.73%

Notwithstanding SPA’s performance on CAASPP ELA in 2019, the State received a “green” color level on the Dashboard and SPA received an “orange” color level.



### 2019 CAASPP ELA – Subgroup DFS Performance

SPA’s historically disadvantaged subgroups, Hispanic and socioeconomically disadvantaged students, also had strong performance on CAASPP ELA in 2019 relative to the State and the District. As measured by the DFS values reported on the Dashboard, as discussed above, SPA exceeded the State and the District in ELA:



### CAASPP – Math

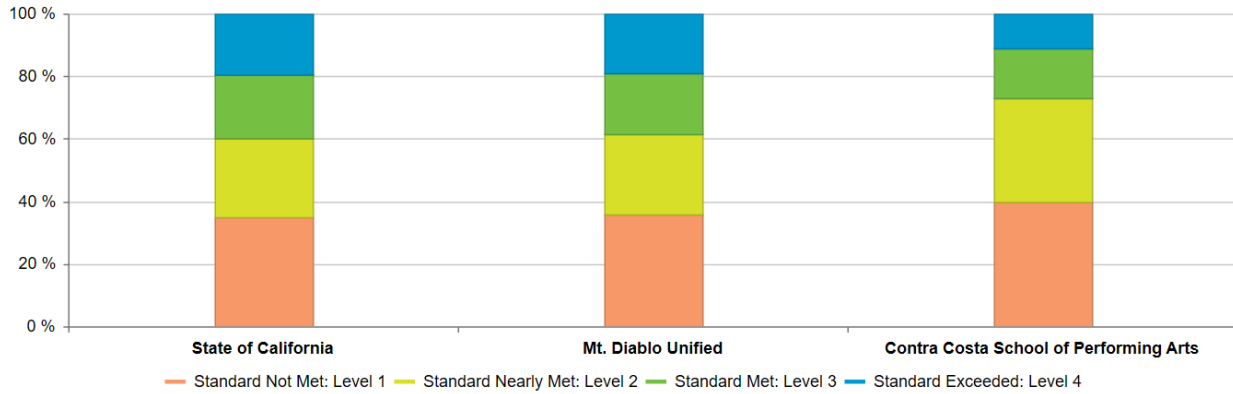
SPA recognizes that student performance on CAASPP Math is an area that requires additional focus and intervention and has committed to this work over the course of its first term. SPA’s focus on math student outcomes has manifested in professional development, instructional coaching, curriculum audits and updates, and influential external partnerships including the Contra Costa County Office of Education, Summit Learning, and others. Most recently, SPA was awarded a grant to partner with The New Teacher Project (TNTP) to provide support to our teachers and administration with a specific focus on math. The goals of this partnership include:

- Ensuring core math instruction reflects the instructional shifts and provides all students consistent access to grade level content
- Providing differentiation, scaffolding, and/or intervention to students based on their unique needs
- Adapting school leadership and teacher support practices to best support a strong math program
- Improving student math proficiency on CAASPP 10% by School Year 2022-23

This work over the first term has yielded important growth, despite the ostensible dashboard indicators, the details of which are provided in the following sections.

### 2019 CAASPP Math Results –All Students

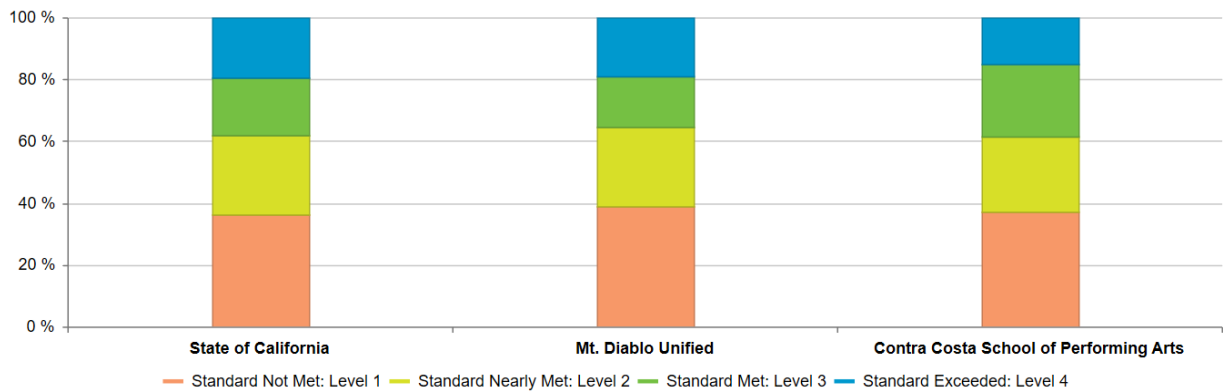
While on schoolwide basis, the percentage of students meeting or exceeding the standard on CAASPP Math in 2019 was 27.1%, or approximately 10% lower than the State and District, in 2017, only 22% of SPA students met or exceeded the standard, indicating SPA’s upward growth in this area.



	State	District	SPA
<b>Standard Exceeded or Met</b>	<b>39.73%</b>	<b>38.51%</b>	<b>27.1%</b>
Standard Exceeded: Level 4	19.69%	19.23%	10.97%
Standard Met: Level 3	20.04%	19.28%	16.13%
Standard Nearly Met: Level 2	25.41%	25.49%	33.23%
Standard Not Met: Level 1	34.86%	35.99%	39.68%

In addition, CAASPP Math results in 2019 for 7<sup>th</sup> grade students demonstrate that SPA’s efforts to improve achievement in math is working, as SPA’s 38.29% of students meeting or exceeding the standard tested was higher than that of the State and District.

**2019 CAASPP Math Results –7<sup>th</sup> Grade Students**

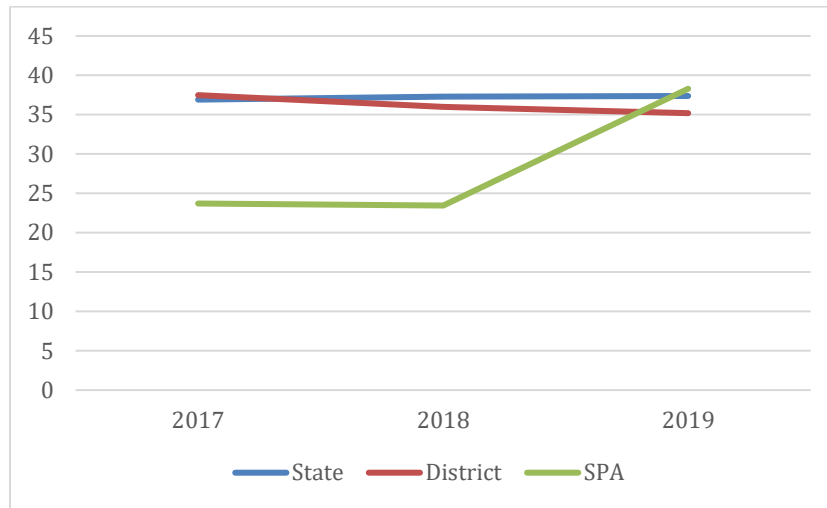


	State	District	SPA
<b>Standard Exceeded or Met</b>	<b>37.84%</b>	<b>35.19%</b>	<b>38.29%</b>
Standard Exceeded: Level 4	19.37%	18.87%	14.89%
Standard Met: Level 3	18.47%	16.32%	23.4%

<b>Standard Nearly Met: Level 2</b>	25.7%	25.55%	24.47%
<b>Standard Not Met: Level 1</b>	36.45%	38.95%	37.23%

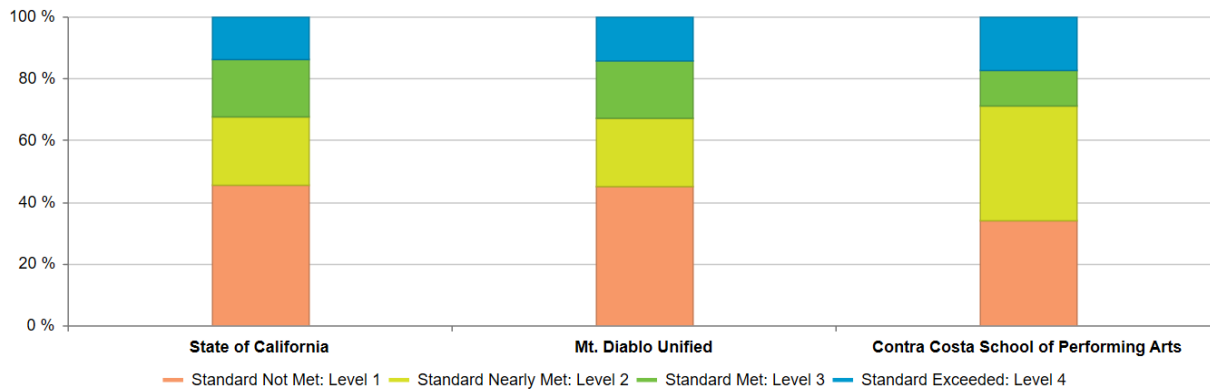
SPA’s upward growth trajectory is also demonstrated by the increase in the percentage of its 7<sup>th</sup> grade students meeting or exceeding the standard on CAASPP Math since 2017, relative to performance by the State and the District:

**Change in Percentage of 7<sup>th</sup> Grade Students Achieving at or Above the Standard Tested on CAASPP Math Between 2017 and 2019**



**2019 CAASPP Math Results –11<sup>th</sup> Grade Students**

Moreover, as of 11<sup>th</sup> grade, that deficit in relative performance with the State and the District on CAASPP Math in 2019 decreases to a spread of approximately 4.25% points:



	<b>State</b>	<b>District</b>	<b>SPA</b>
<b>Standard Exceeded or Met</b>	<b>32.24%</b>	<b>32.83%</b>	<b>28.57%</b>
<b>Standard Exceeded: Level 4</b>	13.85%	14.31%	17.14%
<b>Standard Met: Level 3</b>	18.39%	18.52%	11.43%
<b>Standard Nearly Met: Level 2</b>	22.28%	22.0%	37.14%

**Standard Not Met: Level 1**

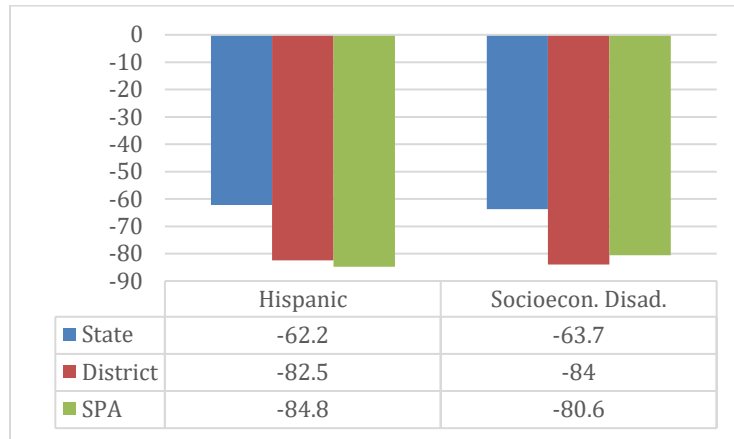
45.48%

45.17%

34.29%

**2019 CAASPP Math – Distance from the Standard**

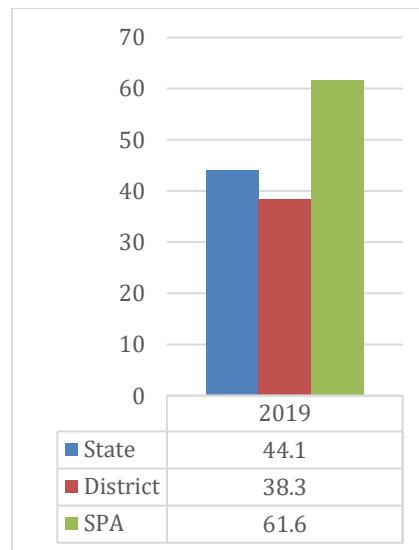
Finally, as measured by DFS as reported on the Dashboard, SPA’s historically disadvantaged subgroups, Hispanic and socioeconomically disadvantaged students, performed on par with the District in CAASPP Math in 2019:



**Other Dashboard-Related Measures of Performance**

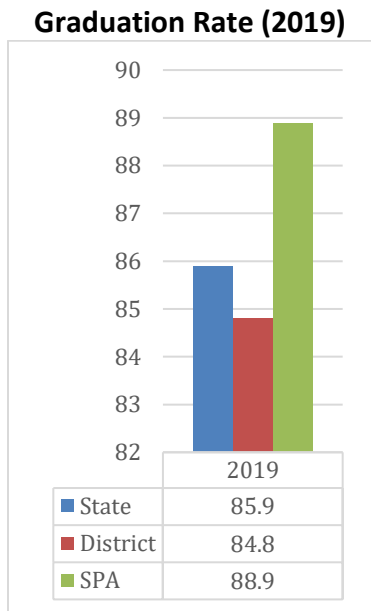
**College/Career Preparation**

SPA had insufficient student data to generate a performance color level for the College/Career Preparation indicator on the Dashboard in 2019, or in any prior year (2019 was the first graduating class for SPA). However, the Dashboard indicates that 61.1% of SPA students were at the “prepared” level, compared to 44.1% Statewide and 38.3% at the District.



### Graduation Rate

SPA also had insufficient student data to generate a performance color level for the Graduation Rate indicator on the Dashboard in 2019, or in any prior year. However, the Dashboard indicates that SPA’s graduation rate was 88.9% in 2019, as compared to the Statewide graduation rate of 85.9%, and the District’s graduation rate of 84.8%. SPA’s graduation rate improved in 2020 to 90%. In both 2019 and 2020, the students in each cohort not counted as graduates all passed the California High School Proficiency Examination (“CHSPE”) as an alternative to completing graduation requirements. These students remain in the cohort totals but are not included as graduates in the rate calculation. SPA has maintained a 0% dropout rate.



### Suspension Rate

The Dashboard indicates that between 2018 and 2019, SPA’s Suspension Rate color indicator level improved from “red” to “green,” reflecting a significant decrease in SPA’s suspension rate from 6.5% to 2.6%. This dashboard outcome is a direct result of a schoolwide shift around school culture and student engagement. Most specifically, SPA embraced a new paradigm grounded in restorative practices and dedicated significant resources and time to managing this shift. SPA estimates that if the 2020 dashboard had been produced, the school would show a “green” or possibly “blue” indicator for this category.

### Chronic Absenteeism

The Dashboard indicates that between 2018 and 2019, SPA’s Chronic Absenteeism Rate color indicator improved from “orange” to “yellow,” reflecting a significant decrease in SPA’s chronic absenteeism rate from 18.3% to 13.2%. This is another Dashboard outcome related to the

school's evolution in areas of culture and engagement. In addition to restorative systems and increased student body activities, clubs, and leadership, SPA brought on a Dean of Students and implemented more robust tracking and accountability systems. SPA also engaged with the CCCOE SARB process which has proven to be an impactful and important relationship.

While the 2020 Dashboard was suspended, SPA estimates that the school would have produced a "green" indicator for this category with a further reduction in chronic absenteeism of at least 3.2%.

### **Additional Data for Consideration at Renewal**

The applicable renewal standard also requires SPA's renewal petition to satisfy the following additional criteria:

*(3) In addition to the state and local indicators, the chartering authority shall consider clear and convincing evidence showing either of the following:*

*(A) The school achieved measurable increases in academic achievement, as defined by at least one year's progress for each year in school.*

*(B) Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers.*

*(4) Subparagraphs (A) and (B) of paragraph (3) shall be demonstrated by verified data, as defined in subdivision (c).*

*(5) Verified data, as defined in subdivision (c), shall be considered by the chartering authority for the next two subsequent renewals until January 1, 2026, for a charter school pursuant to this paragraph.*

### **Year-over-Year Progress**

A consistent data trend that emerges from both the primary student performance data in CAASPP as well as the secondary data provided in this section is that SPA student academic growth increases the longer a student stays enrolled at SPA. In other words, not only does the SPA program produce year over year progress for students, that progress accelerates over time, especially once students move into high school.

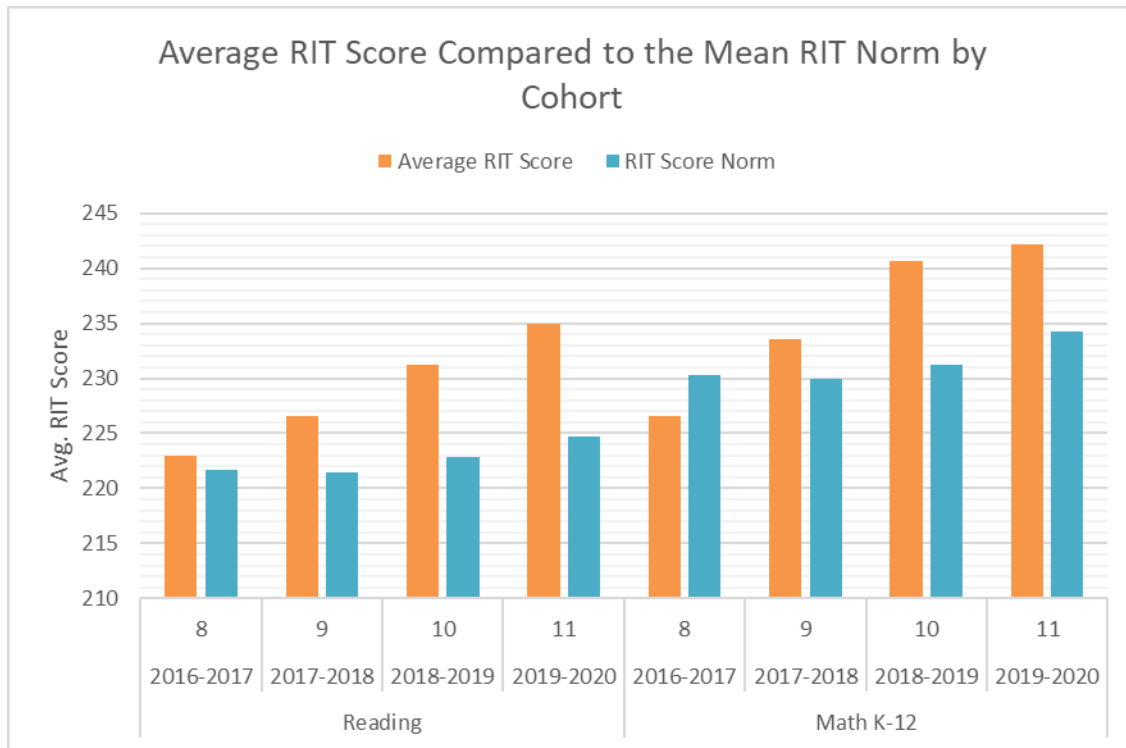
Pursuant to Education Code Section 47607.2(b)(3)(A), SPA submits the verified data below to show that students are making at least one year's progress over the duration of the charter term. This verified data is extrapolated from annual NWEA Measurement of Academic Progress ("MAP") assessments, which are administered twice annually (Fall and Spring) for all SPA students.

### **Average RIT Score Compared to Mean RIT Norm by Cohort**

When students finish their MAP Growth test, they receive a number called a RIT score for each area they are tested. This score represents a student's achievement level at any given

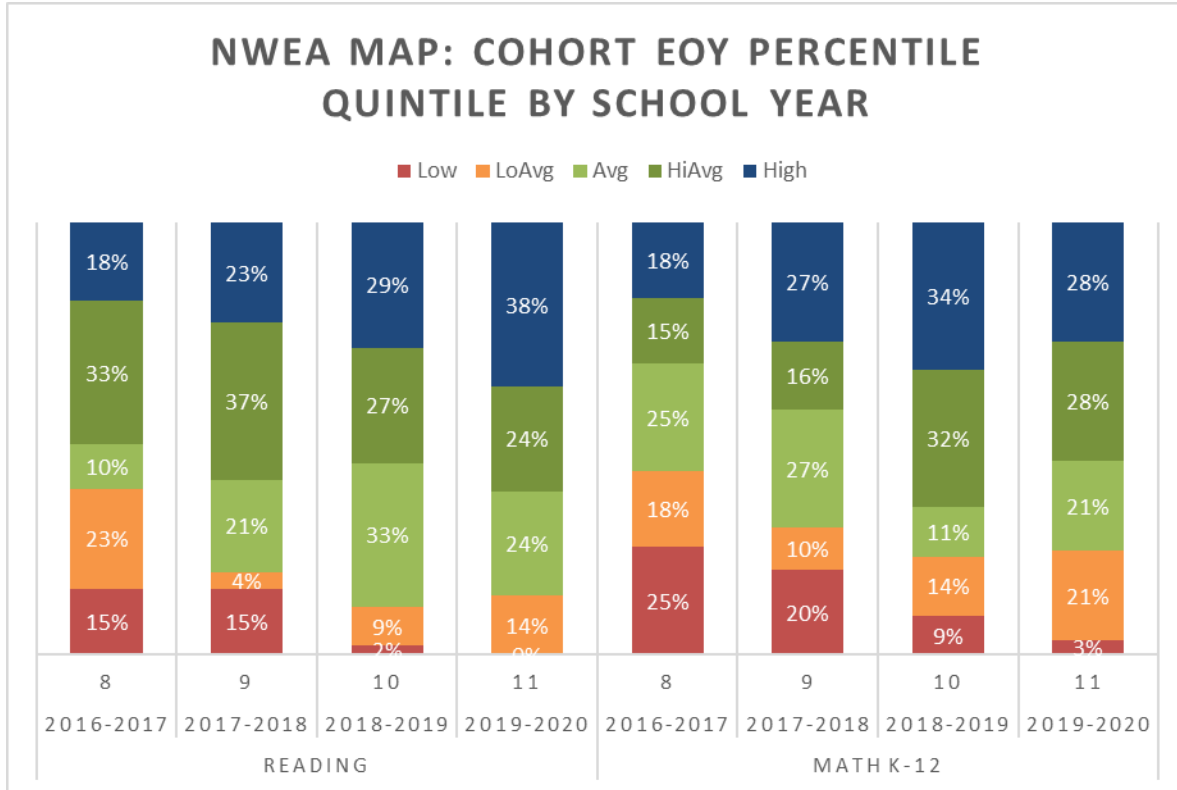
moment and helps measure their academic growth over time. The RIT scale is a stable scale, like feet and inches, that accurately measures student performance, regardless of age, grades, or grade level.

In the chart below, SPA cohort achievement/growth over time is represented by the orange bars and compared to the national RIT norm (this is the average score for students in the same grade across the country who took the MAP assessment for that content area). It is clearly shown that SPA performance exceeds the national norm and SPA student growth year over year is significantly accelerated in math and English.



**Cohort EOY Percentile Quintile by School Year**

Student performance is broken down by quintile and designated as low, low average, average, high average, and high. The goal for student growth is to have performance over time reflect upward movement in the quintile breakdown. The chart below tracks the same cohort of students and shows consistent and meaningful year over year improvements as more students move into the high average and high categories.

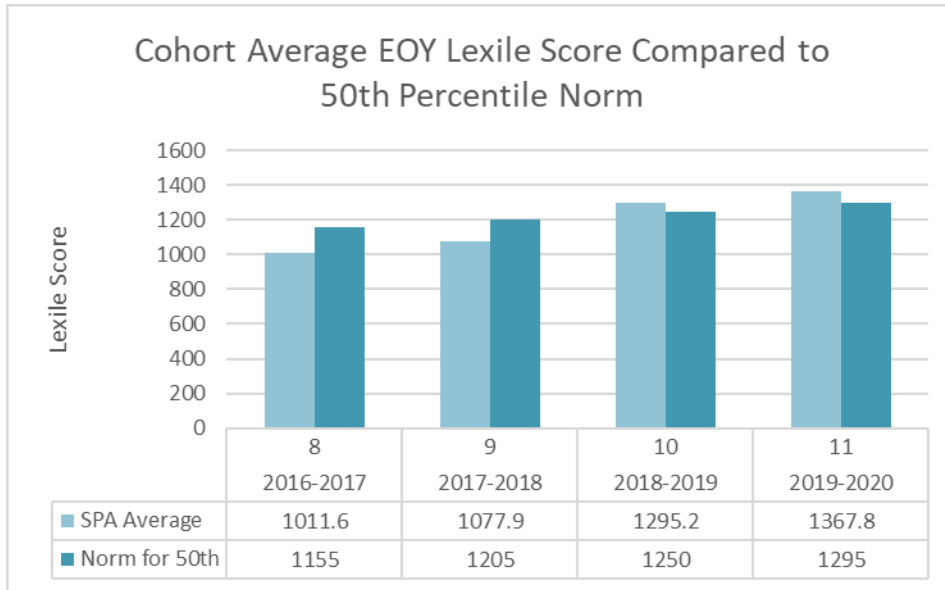


#### Cohort Average EOY Lexile Score Compared to 50<sup>th</sup> Percentile Norm

An important data point that is measured through MAP assessments is student Lexile Levels. Lexile measurement is a scientific approach to measuring both reading ability and the text complexity of reading materials on the same developmental scale. There is strong evidence that this metric can be one important corollary for college and career readiness.

The chart below once again follows the same cohort of students at SPA over the last four years and tracks the cohort average Lexile score based on the Spring Map assessment administration (administered in February or March annually and logged as “end of year” scores). It is clear that SPA students often come into the school with Lexile levels below the national average (based on the 50<sup>th</sup> percentile Norm) and then accelerate over time, eventually surpassing the norm.



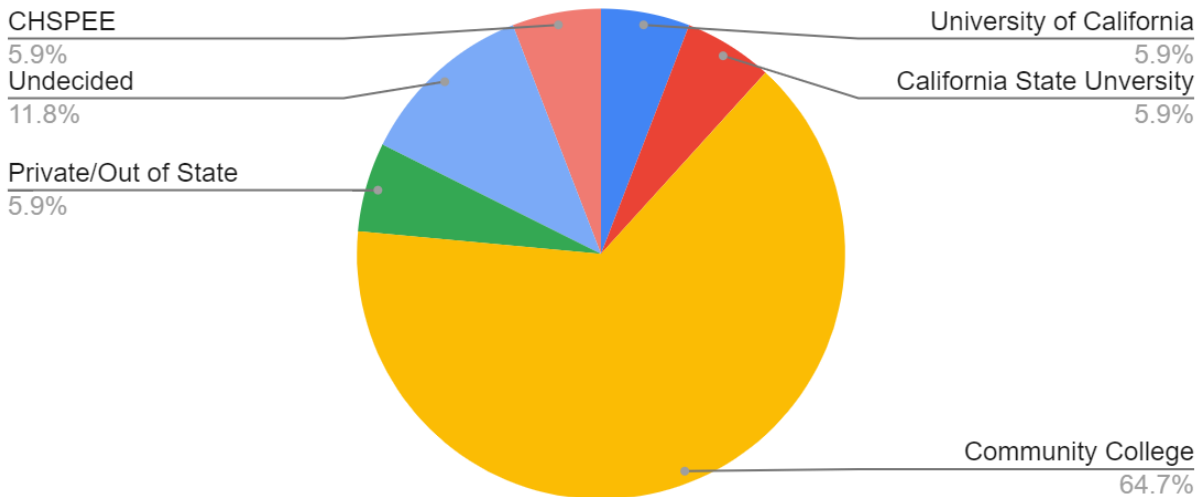


### Strong Postsecondary Outcomes

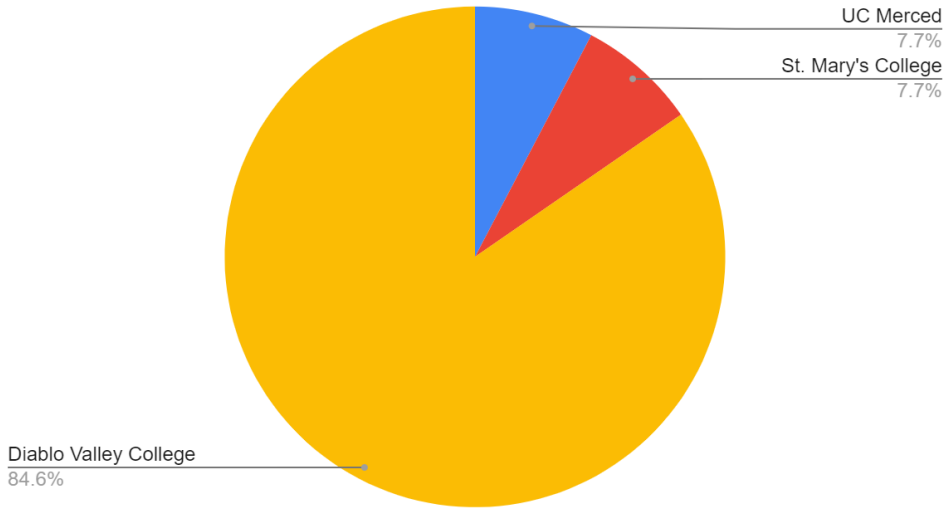
While SPA only has two small graduating classes thus far, the data shows our students are being accepted at all levels of post-secondary institutions and pursuing college educations both in and out of the arts. SPA will continue to track admission, enrollment, and persistence data for all graduates in order to provide a clearer picture of postsecondary success over time.

### Class of 2019 – 18 Students

#### Class of 2019

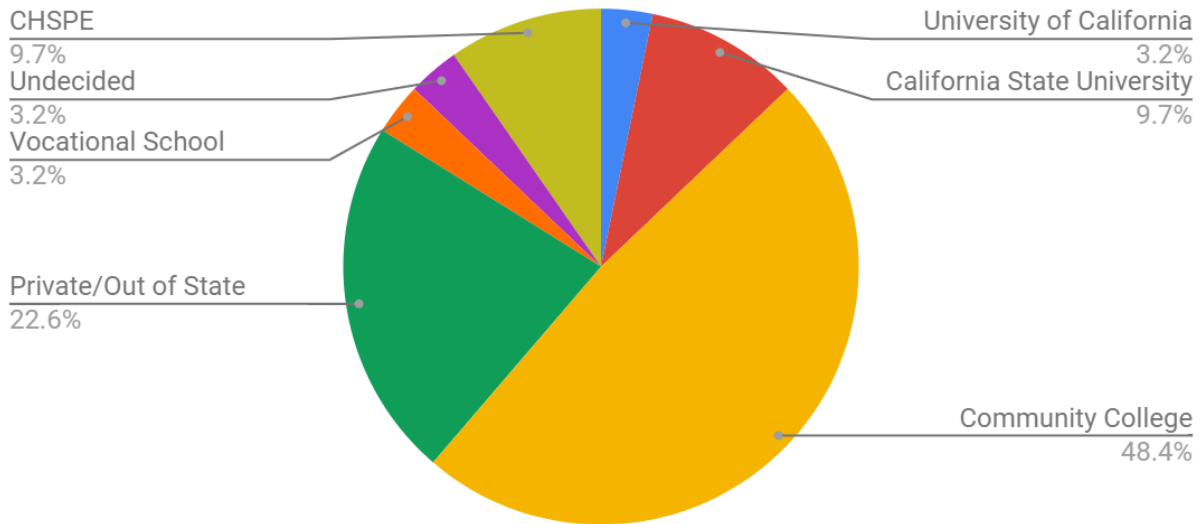


### Institutions

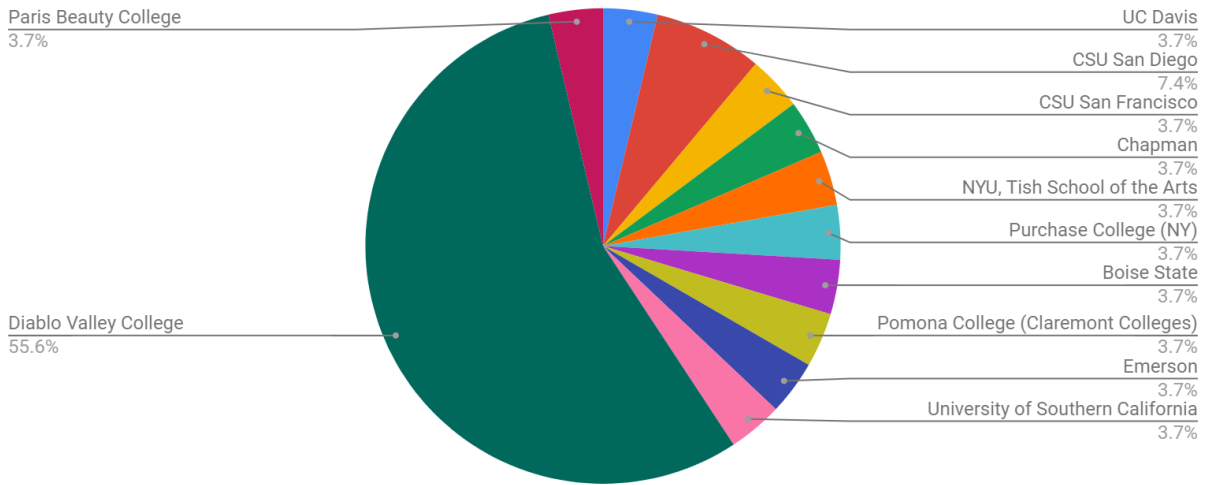


### Class of 2020 – 31 Students

#### Class of 2020



### Institutions

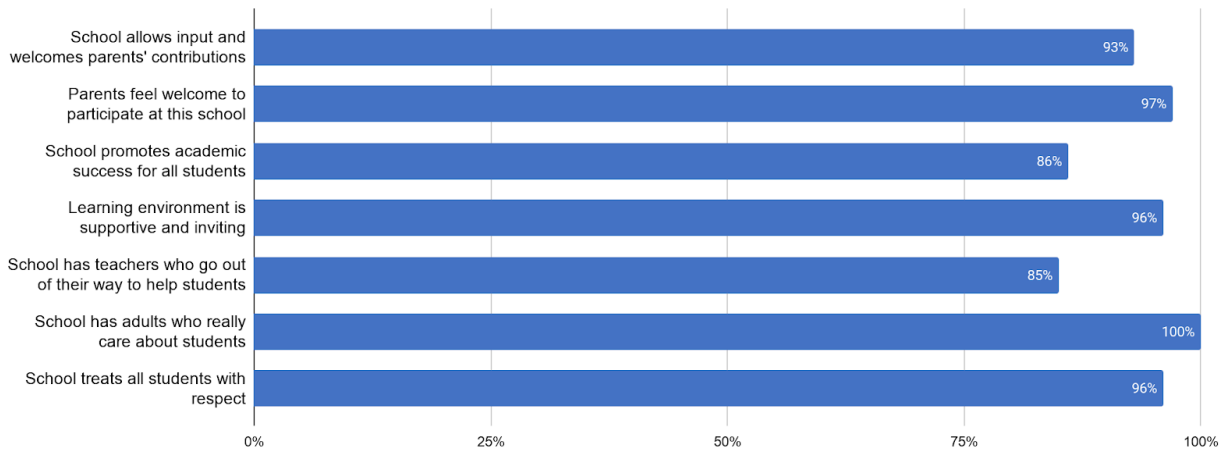


### Stakeholder Survey Data

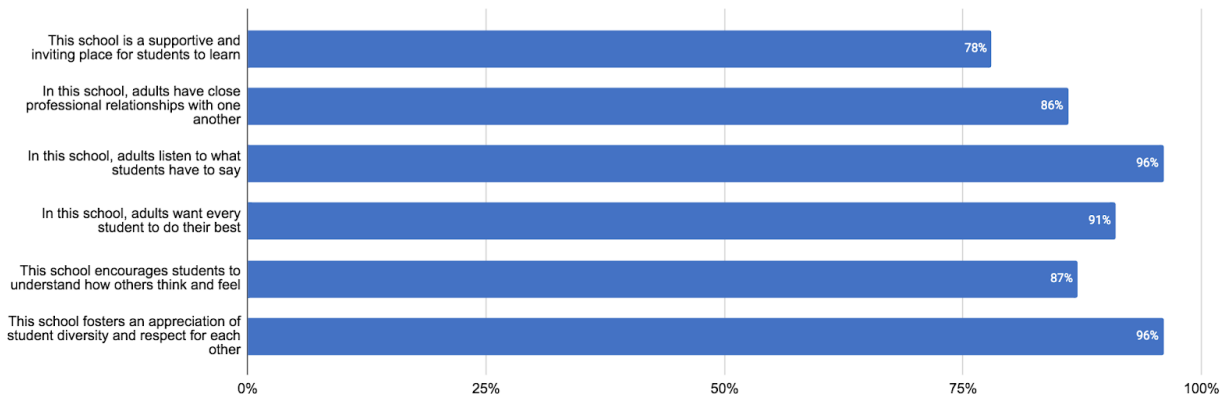
SPA has administered stakeholder feedback surveys annually to collect data on satisfaction, engagement, and focus areas for growth. For the 2019-20 school year, SPA moved to using the California Healthy Kids Survey due to its breadth of covered content and its ability to compare annual data over time.

As shown in the graphs below, SPA received high praise from students, staff, and parents when it came to issues of school environment and socio-emotional support. In addition, all agree that SPA has staff that care deeply about student success and wellbeing.

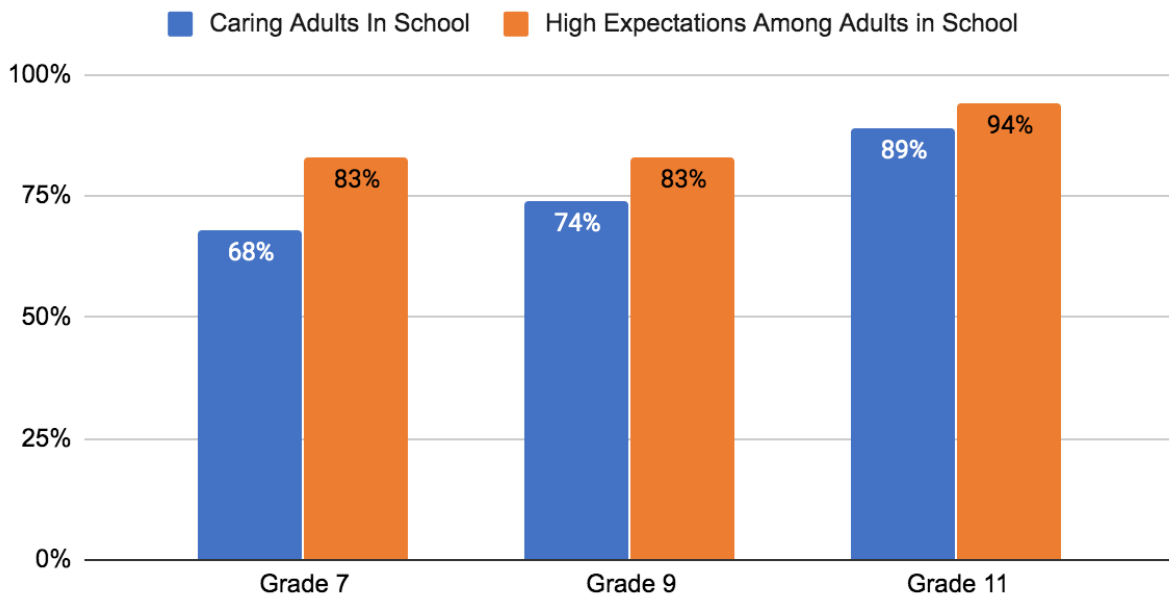
Percent of Parents who Strongly Agree or Agree with Each Statement



Percent of Staff who Strongly Agree or Agree with Each Statement



Percent of Students Who Say that It Is Very True or Pretty Much True that Each Subject Exists in their School



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In summary, SPA has demonstrated success as an educational organization since its founding. SPA's program has yielded positive academic outcomes for our students that show growth over time and that lead to strong post-secondary outcomes. SPA has proven its commitment to engaging and supporting a diverse and dynamic community and it has become an important part of the County's educational landscape.

Of course, this does not adequately take into account the sum total of our school's value. The Dashboard cannot capture the impact of our program on each family and the community at large. Most importantly, SPA's achievements in the arts are incredibly difficult to quantify with the same simple tables and objective data points. Our program is truly unparalleled in the area and the testimony of our students, staff, and families will serve as the best assessment of that claim.

**A charter petition eligible for renewal pursuant to Section 47607.2(b) must be granted a renewal term of five (5) years. As demonstrated by the evidence above, SPA meets the renewal criteria under Section 47607.2(b), and should be granted a renewal term of five years.**

# Element 1

## Educational Program



# ELEMENT 1

## **Educational Program:**

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

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

*If the proposed charter school will serve high school pupils, 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(c)(5)(A)(iii).*

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## **General Information**

The name of the charter school shall be the Contra Costa School of Performing Arts.

The contact person is Lead Petitioner, Neil McChesney.

The grade configuration is 6-12.

The approximate number of students at capacity will be 700.

The original opening date was in August 2016.

The charter renewal petition will be effective from July 1, 2021 through June 30, 2026.

## **Mission**

The mission of Contra Costa School of Performing Arts is to provide a distinguished, pre-professional experience in performing arts within a college and career preparatory setting. We believe in fostering a culture of excellence with the core values of ***RIGOR, RELEVANCE, RESILIENCE, & RELATIONSHIPS.***

## **Vision**

- ✓ SPA will offer quality instruction focusing on real world connections and an engaging, coherent, and rigorous arts-integrated curriculum in every classroom to facilitate student learning, achievement, and college and career readiness;
- ✓ SPA will embrace and practice a personalized approach to teaching and learning, using the most innovative and transformative tools in educational technology to individualize learning for all students;
- ✓ SPA will be a beacon of creative excellence, attracting dynamic and motivated student talent, and enriching the cultural and civic life of the region;
- ✓ SPA will foster a heightened sense of civic responsibility through a comprehensive character education program focusing on the guiding principles of first-class citizenship;
- ✓ SPA will employ a positive, professional, and productive educational team that will embrace a culture of collaboration, innovation, evolution, and “students first” decision-making.

## **Whom the Charter School Shall Educate**

SPA aims to nurture the artistic and academic aspirations of students from throughout Mt. Diablo Unified School District and Contra Costa County. Students will undoubtedly be attracted to SPA due to its specific educational focus: a unique and exceptional integration of performing arts and rigorous, college and career preparatory curriculum. As the sole option for an arts-integrated secondary program, SPA aims to become the school of choice for those students seeking this unique type of education.

SPA’s educational program will be accessible to all students, including mid-range students, students achieving at a level significantly below their peers, students achieving at a level significantly above their peers, students with disabilities, English Learners, socioeconomically disadvantaged students, homeless and foster youth, and students who are members of ethnic groups under-represented in colleges and universities.



The intended growth of the Charter School is as follows:

	2021-22	2022-23	2023-24	2024-25	2025-26
6 <sup>th</sup> Grade	95	99	99	99	99
7 <sup>th</sup> Grade	99	99	99	99	99
8 <sup>th</sup> Grade	99	99	99	99	99
9 <sup>th</sup> Grade	86	90	99	99	99
10 <sup>th</sup> Grade	75	76	80	90	99
11 <sup>th</sup> Grade	35	65	66	72	80
12 <sup>th</sup> Grade	30	30	60	60	70
<b>Total</b>	<b>519</b>	<b>558</b>	<b>602</b>	<b>618</b>	<b>645</b>

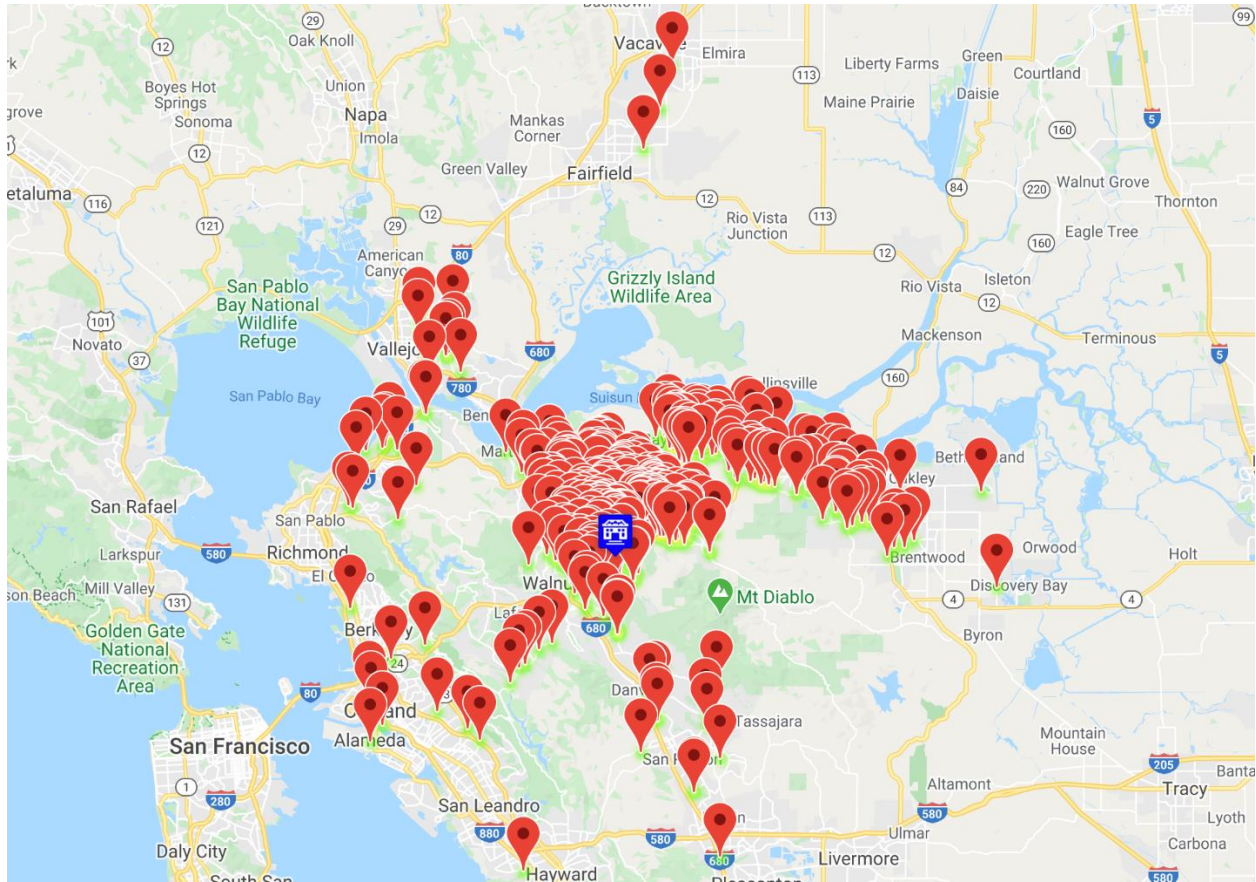
### Target Population Demographics

MDUSD is a large school district serving a diverse population including the cities of Concord, Pleasant Hill, Clayton; portions of Walnut Creek, Martinez, and Pittsburg, unincorporated areas including Lafayette, Pacheco, and Bay Point.

The following chart includes detailed information about the demographics of the students enrolled in MDUSD (source: MDUSD and CDE DataQuest) and SPA in 2019-20:

Group	MDUSD	SPA
Socioeconomically Disadvantaged	43.9%	27%
English Learners	19.9%	2%
Native American	0.1%	1.1%
Asian	7.8%	2%
Pacific Islander	0.6%	0.4%
Filipino	4.6%	3.3%
Hispanic	42.8%	29.3%
African American	3.3%	9.3%
White	29.5.0%	43%
Multi/No Response	11.3%	11.5%
Students with Disabilities	12.5%	14%

It should be noted that as the only arts school in Contra Costa County as well as one of very few public schools of choice within regions of the County and beyond, SPA draws students from a very large geographic footprint. See below for a recent map of where families are coming from.



**Community Interest**

Contra Costa School of Performing Arts a unique and powerful program for our community. Both our general pedagogical approach to learning and the specific focus on conservatory arts training offer something that families cannot find otherwise in our area. Moreover, even traditional arts programming vary radically within MDUSD and other surrounding school districts; depending upon which schools a family will be designated to by zip code, the access to arts instruction, art educators, arts supplies, and arts facilities may be robust or even non-existent in some cases. SPA represents equity of access in a community that clearly demonstrates interest in arts training but does not always provide a free and public option.

As demonstrated by our continual growth in enrollment since opening and the diverse and dynamic student population who attend our school, SPA is clearly in demand. Interest will continue to increase with the school’s evolution and success. As a result, SPA clearly provides for expanded choice and supports the creation of vigorous competition in public education.

**How Does Learning Best Occur?**

Founded in a project-based curriculum that leverages instructional technology and non-traditional pedagogy, students at SPA are challenged and supported through a rigorous college

and career readiness program. Learning plans are personalized and dynamic, allowing students to accelerate when appropriate or providing for structured intervention when needed. Students also have an unparalleled breadth and depth of performing arts exposure, receiving pre-professional training far superior to a typical middle or high school elective program. A rigorous four-year program uniquely prepares students for a wide spectrum of arts careers or any career of their choosing. All students who successfully complete the SPA program will exceed the UC/CSU “a-g” requirements.

The small school size, along with innovative mentoring and flexible personalized learning time, allows the staff to build strong relationships with students and provide intervention as soon as it is needed. The master schedule was purposefully designed to provide built in time for students to work on their own, with peers or with content area teachers to accelerate or decelerate their own education. The SPA community works to continually develop a rich culture; one that celebrates diversity, encourages relationships with all stakeholders, and commits to a heightened sense of civic duty and citizenship. This team approach helps ensure that all students are “seen” and personalized supports can be created for student success.

SPA is a one to one Chromebook school with the majority of our academic programming following Summit Schools Personalized Learning Platform (PLP). English, Social Science, Science, Math and Spanish are all courses with their content on the PLP. Students utilize online resources and materials curated by teachers, finalize projects to submit online, and complete content assessments online.

Our curriculum is founded in the following principles:

- **Personalized Learning:** Personalized learning is intended to facilitate the academic success of each student by first determining the learning needs, interests, and aspirations of individual students, and then providing learning experiences that are customized—to a greater or lesser extent—for each student. To accomplish this goal, SPA teachers, counselors, and other educational specialists will employ a wide variety of educational methods, from intentionally cultivating strong and trusting student-adult relationships to modifying assignments and instructional strategies in the classroom to entirely redesigning the ways in which students are grouped and taught in a school. SPA will leverage the bell schedule and educational technology (specifically the Summit Learning Platform - [summitlearning.org](http://summitlearning.org)) to further enhance the personalized learning opportunities during the school day.
- **Arts Integration:** Arts Integration is an approach to teaching in which students construct and demonstrate understanding through an art form. Students engage in a creative process which connects an art form and another subject area and meets evolving objectives in both. Arts integration provides multiple ways for students to make sense of what they learn (construct understanding) and make their learning visible (demonstrate understanding). It goes beyond the initial step of helping students learn and recall

information to challenging students to take the information and facts they have learned and do something with them to build deeper understanding.

- **Project Based Learning:** PBL is a teaching method in which students gain knowledge and skills by working for an extended period of time to investigate and respond to an engaging and complex question, problem, or challenge. The project is focused on student learning goals, including standards-based content and skills such as critical thinking/problem solving, collaboration, and self-management. The project features real-world context, tasks and tools, quality standards, or impact – or speaks to students’ personal concerns, interests, and issues in their lives. Students make some decisions about the project, including how they work and what they create. Students give, receive, and use feedback to improve their process and products. Students make their project work public by explaining, displaying and/or presenting it to people beyond the classroom.

In addition to the “a-g” requirements, the high school students engage in a pre-conservatory level arts preparation program. The entire seven-year program of study is detailed below.

Academics	6 <sup>th</sup> grade	7 <sup>th</sup> grade	8 <sup>th</sup> grade	9 <sup>th</sup> grade	10 <sup>th</sup> grade	11 <sup>th</sup> grade	12 <sup>th</sup> grade
English	English 6	English 7	English 8	English 9 CP	English 10 CP	English 11 CP or AP Language and Composition	English 12 CP or AP Literature and Composition
Social Science	Social Science 6	Social Science 7	Social Science 8		World History	US History or AP US History	AP Government and Politics
Science	Science 6	Science 7	Science 8	Biology	Chemistry	Environmental Science or AP Environmental Science	The Senior Process
Math	Math 6	Math 7	Math 8 or Algebra I	Algebra I or Geometry	Geometry or Algebra II	Algebra II	Econ: Artist as Entrepreneur
Physical Education	Mind and Body	Mind and Body	Health and Wellness	Health and Wellness			
World Languages				Spanish I or Spanish II	Spanish II or Spanish III	Spanish III	

A rigorous four-year program uniquely prepares students for a wide spectrum of arts careers, but also any college or career of their choosing. All students who successfully complete the program will exceed the UC/CSU “a-g” requirements. Arts electives are based on a student’s chosen major: Dance, Instrumental Music, Production & Design, Theatre or Vocal Music.

To meet the needs of all students and ensure that every student is given the opportunity to master the standards, the staff developed several intervention strategies. The Spotlight period that begins every day is designed to provide students with time during the school day to work on

assignments and projects, seek extra help and make up or re-do assessments to achieve mastery. Youth Educators provide peer coaching and assistance for those students that require it. In addition, an after-school Study Hall provides 450 extra minutes a week of academic support to all middle school students. Teachers have weekly office hours after school to catch up on work in a small setting with directed support. Based on data and reflection from last year, a new program this school year, Saturday Spotlight, catches students who are behind and invites them to a 3 hour Spotlight on Saturday to work with teachers, turn in work and get back on track. Finally, students are allowed extended time on all projects and assessments to truly show their mastery of all skills and content.

In maintaining our college readiness at SPA, the guidance department established in the 2017-2018 school year provides all students with academic, college, and career outreach as well as social and emotional support. Through classroom presentations and parent nights, SPA is able to provide students and families with the resources needed to help them through high school and into their post-secondary path. We assist students with their course selection, monitor their graduation status, and provide valuable college information so students can develop goals and plan for their future. In addition, there are yearly college tours to local universities (including CSU Sacramento, CSU East Bay, CSU San Francisco, UC Berkeley, UC Davis, St. Mary's College, University of the Pacific). The staff is dedicated in supporting students in all areas of guidance, including their social and emotional well-being. By being actively supportive to their social and emotional needs, we provide short-term counseling as needed to instill trust and motivation to our students through these crucial years.

### **Arts Programming**

SPA offers pre-professional, conservatory style training in five Arts Majors: Dance, Instrumental Music, Production and Design, Theatre, and Vocal Music. SPA arts classes are led by highly skilled and passionate Teaching Artists and are deeply rooted in the idea that all students can thrive and succeed with proper training and opportunity. At SPA, we strive to create highly skilled artists who are creative, passionate, and contributing members to their craft and the world in which they live.

- Theatre: Students majoring in Theatre will be exposed to the foundations of the Theatre, inclusive of its past and influences and relative to our world today. Theatre majors will take intensive core classes based on specific topics within their chosen track. Before students graduate with a Theatre major, they will be able to generate and conceptualize artistic ideas and work, develop and refine artistic work for presentation, interpret intent and meaning in artistic work and relate artistic ideas and works with societal, cultural and historical context to deepen understanding.

	6 <sup>th</sup> grade	7 <sup>th</sup> grade	8 <sup>th</sup> grade	9 <sup>th</sup> grade	10 <sup>th</sup> grade	11 <sup>th</sup> grade	12 <sup>th</sup> grade
Theatre	Introduction to Theatre	Introduction to Scene Study	Deepening the Ensemble	Introduction to Devised Theater	Intermediate Scene Study	Musical Theater	Senior Monologue
			Introduction to Meisner	Voice and Movement 1	Voice and Movement 2	Acting the Classics	The World of the Play
					Chance Theater	Adapting and Devising	Directing and Dramaturgy

- Dance: SPA’s Dance Department is a pre-professional training program that believes dance is a vital mode of inquiry, which provides young artists with the tools to think critically and creatively about the world around them. We are rooted in a core curriculum of classical ballet, modern, and contemporary techniques, complemented by courses in improvisation, composition, repertory, dance history, and somatic movement practices. During their time at SPA, dance majors will participate in a robust performance season and have the opportunity to work with renowned guest artists, dance educators, and choreographers. Emphasizing a strong technical foundation, but also imagination, intuition, and experimentation, our goal is to provide students with a rigorous and well-rounded arts education, preparing them for a professional dance career or post-secondary study in dance.

	6 <sup>th</sup> grade	7 <sup>th</sup> grade	8 <sup>th</sup> grade	9 <sup>th</sup> grade	10 <sup>th</sup> grade	11 <sup>th</sup> grade	12 <sup>th</sup> grade
Dance	Dance I or Dance II  Curriculum comprised of ballet, modern, and/or contemporary techniques	Dance I or Dance II  Curriculum comprised of ballet, modern, and/or contemporary techniques	Ballet III, IV, or V	Ballet III, IV, or V	Ballet III, IV, or V	Ballet III, IV, or V	Ballet III, IV, or V
			Modern and Contemporary technique III, IV, or V	Modern and Contemporary technique III, IV, or V	Modern and Contemporary technique III, IV, or V	Modern and Contemporary technique III, IV, or V	Modern and Contemporary technique III, IV, or V
					Composition and Repertory III, IV, or V  Includes improvisation, somatic practices, and production specific rehearsals	Composition and Repertory III, IV, or V  Includes improvisation, somatic practices, and production specific rehearsals	Composition and Repertory III, IV, or V  Includes improvisation, somatic practices, and production specific rehearsals

- Vocal Music: Student Vocal Music majors will develop skill as both solo performers and as members of the choral ensemble. Before students graduate, they will receive a rigorous and widely used curriculum that includes healthy vocal technique, introduction to vocal pedagogy, music theory, lyric diction, music and opera history, performance experience, and overall musicianship. Vocal Majors will be able to express themselves artistically over

a cross-section of repertoire they have learned throughout their conservatory experience and equipped with the necessary skills and training to excel in a college conservatory of music.

	6 <sup>th</sup> grade	7 <sup>th</sup> grade	8 <sup>th</sup> grade	9 <sup>th</sup> grade	10 <sup>th</sup> grade	11 <sup>th</sup> grade	12 <sup>th</sup> grade
Vocal Music	Introduction to Vocal	Introduction to Vocal	Introduction to Repertoire	Introduction to Repertoire	Opera Workshop I	Opera Workshop II	Opera Workshop III
			Conservatory Chorale I	Conservatory Chorale I	Conservatory Chorale II	Conservatory Chorale II	Conservatory Chorale III
					Bel Canto 1	Bel Canto 2	Senior Recitals

- Instrumental Music: Students in the Instrumental Music major will be able to work collaboratively and as leaders in musical interpretation, demonstrating an understanding of compositional processes, aesthetic properties of music, and the ways these shape, and are shaped, by artistic and cultural forces. Before students graduate from the Instrumental major, they will be able to demonstrate an ability to sight-read, hear, identify, and work conceptually with the elements of music such as rhythm, melody, harmony, structure, timbre, and texture and express themselves artistically over a cross-section of the repertory they have learned throughout their conservatory experience.

	6 <sup>th</sup> grade	7 <sup>th</sup> grade	8 <sup>th</sup> grade	9 <sup>th</sup> grade	10 <sup>th</sup> grade	11 <sup>th</sup> grade	12 <sup>th</sup> grade
Instr. Music	Jazz Band I or Chamber Orchestra I	Jazz Band I or Chamber Orchestra I	Jazz Band II or Chamber Orchestra II	Jazz Band II or Chamber Orchestra II	Jazz Ensemble I/II or Chamber Ensemble I/II	Jazz Ensemble I/II or Chamber Ensemble I/II	Jazz Ensemble I/II or Chamber Ensemble I/II
			Contemporary Combos I	Contemporary Combos I	Contemporary Combos II	Contemporary Combos II	Contemporary Combos III
					Secondary Instruments	Secondary Instruments	Secondary Instruments

- Production & Design: Student Production and Design majors will experience a program of study intended to prepare them for production and design or theatre business management majors in college in addition to pre-professional training for a career in design, technology, or management in the entertainment industry. SPA’s Production and Design majors will graduate critically engaged and technologically sophisticated students in the fields of scenery, costumes, stage and theatre business management, lighting, and sound.

	6 <sup>th</sup> grade	7 <sup>th</sup> grade	8 <sup>th</sup> grade	9 <sup>th</sup> grade	10 <sup>th</sup> grade	11 <sup>th</sup> grade	12 <sup>th</sup> grade
Production and Design	Into the Illustration	Into to Design	Into to Production & Film	Art History II	Artist Techniques (Prereq: Art History)	Film Technologies I	Film Technologies II
			Art History I	Stagecraft I	Stagecraft II (Prereq: Stagecraft I)	Performance Seminar I (Prereq: Stagecraft II)	Performance Seminar II (Prereq: Stagecraft II)
					Stagecraft II (Prereq: Stagecraft I)	Performance Seminar I (Prereq: Stagecraft II)	Performance Seminar II (Prereq: Stagecraft II)

All artist-scholars participate in performances for their major, some during school hours (such as the open classroom performances in theatre and dance), some evening performance for their major (such as the instrumental and vocal shows) and others audition to be a part of the SPA mainstage performances.

As the school expands, Arts offerings at lunch, after school and on weekends have also expanded.

2016-2017	2017-2018
<ul style="list-style-type: none"> <li>• Fall Play: <i>Metamorphosis</i></li> <li>• Winter Instrumental/Vocal Concert</li> <li>• Winter Arts Retreat</li> <li>• Winter Dance show</li> <li>• Spring Musical: <i>Big River</i></li> </ul>	<ul style="list-style-type: none"> <li>• Fall Visual Arts Show</li> <li>• Middle School Bootcamp</li> <li>• Fall Play: <i>The Crucible</i></li> <li>• Scene-Splosion</li> <li>• Winter Visual Arts Show</li> <li>• Winter Instrumental/Vocal Concert</li> <li>• Winter Arts Retreat</li> <li>• Winter Dance show</li> <li>• Overnight Write-in</li> <li>• Spring Instrumental/Vocal Concert</li> <li>• Spring Dance Show</li> <li>• Spring Visual Arts Show</li> <li>• Spring Musical: <i>Secret Garden</i></li> </ul>



2018-2019	2019-2020
<ul style="list-style-type: none"> <li>• Chillin' In Autumn</li> <li>• Fall Visual Arts Show</li> <li>• Middle School Bootcamp</li> <li>• Fall Play: <i>Marisol</i></li> <li>• Scene-Splasion</li> <li>• Winter Visual Arts Show</li> <li>• Winter Instrumental/Vocal Concert</li> <li>• Winter Arts Retreat</li> <li>• Winter Dance show</li> <li>• Overnight Write-in</li> <li>• MS Ensemble: <i>Rosencrantz &amp; Guildenstern Are Dead</i></li> <li>• HS Acting the Classics: <i>King Lear</i></li> <li>• Spring Instrumental/Vocal Concert</li> <li>• Spring Dance Show</li> <li>• Spring Visual Arts Show</li> <li>• Spring Musical: <i>Footloose</i></li> <li>• Taste of LA Theatre/PD Tour</li> <li>• Anaheim Music Tour</li> </ul>	<ul style="list-style-type: none"> <li>• Chillin' In Autumn</li> <li>• Middle School Fall Workshop</li> <li>• Fall Play: <i>Picasso at the Lapin Agile</i></li> <li>• Fall Visual Arts Show</li> <li>• Dance: Fall Works</li> <li>• Vocal: Supper Time Follies</li> <li>• MS Play: <i>She Kills Monsters</i></li> <li>• Winter Chamber Orchestra Concert</li> <li>• Winter Vocal Concert</li> <li>• Winter Jazz Concert</li> <li>• High School Winter Arts Retreat</li> <li>• Overnight Write-In</li> <li>• Classics Unleashed: <i>Antigonick</i></li> <li>• Vocal: So Cal Spring Trip</li> <li>• Exploring Chance Theatre: <i>The New Galileos</i></li> <li>• Spring Art Show</li> <li>• Instrumental: New Orleans Jazz Trip</li> <li>• Theatre &amp; PD: Taste of Denver</li> <li>• Vocal: DVC Choral Invitational</li> <li>• Spring Musical: <i>Into the Woods</i></li> <li>• Vocal: Senior Recitals</li> <li>• Dance: Spring Concert</li> <li>• Spring Chamber Orchestra Concert</li> <li>• Spring Vocal Concert</li> <li>• Spring Jazz Concert</li> <li>• Theatre &amp; PD: New Works</li> </ul>

**The 4 Rs: Rigor, Relevance, Resilience, Relationships**

The original mission statement of our founding charter petition ended with 3 words: rigor, relevance and relationships. In the development of the school in its founding year, specifically in the two weeks of professional development with the founding faculty, the mission was expanded to include one more word, one more core value: resilience.

In the first weeks of the school’s opening, there were workshops and activities with the entire school community around these 4 core values - what they meant to the individual, what they mean to the school community, how they could be interrupted and how they could be displayed.

These same core values, and the school’s mission and vision, were used by the staff to develop our first Graduate Profile. It was an ambitious document that drew heavily on the National Core Arts Standards, Common Core Standards, Content Standards and 21st Century Skills.

Since the founding of the school, the discussions around the mission, vision and core values led to a revision of the Graduate Profile and the development of Schoolwide Learning Outcomes.

## SPA Graduate Profile

Rigor	Relevance
<ul style="list-style-type: none"> <li>Thinks critically and creatively to solve problems</li> <li>Listens actively and responds respectfully to constructive criticism, feedback and the perspectives of others</li> <li>Analyzes, evaluates, and integrates information and concepts across disciplines</li> </ul>	<ul style="list-style-type: none"> <li>Develops personal, academic, and technical skill sets to adapt to change</li> <li>Applies 21st century skills (learning, literacy, and life) throughout various disciplines to participate and prepare for a globalized world</li> </ul>
Resilience	Relationships
<ul style="list-style-type: none"> <li>Demonstrates a willingness to embrace failures and to persist in the face of adversity</li> <li>Uses resources to advocate for self and others in order to make choices based on integrity and self-reflection across disciplines</li> </ul>	<ul style="list-style-type: none"> <li>Embraces diversity to create cross-cultural understanding</li> <li>Engages effectively within diverse teams as contributors and leaders</li> </ul>

In the 2017-2018 school year, the Arts Council, through weekly meetings and discussion of the school’s core values, developed a credo. This credo is at the core of what every artist-scholar in our school is expected to become by the time they graduate.

## The Artist-Scholar Credo

<b>As an artist-scholar at SPA:</b>
<ul style="list-style-type: none"> <li>• I humble myself by entering each space with the mind of the beginner.</li> </ul>
<ul style="list-style-type: none"> <li>• I believe that talent is not a substitute for training.</li> </ul>
<ul style="list-style-type: none"> <li>• I understand that disappointment and discomfort can lead towards mastery and self-discovery.</li> </ul>
<ul style="list-style-type: none"> <li>• I commit myself to the creation of meaningful, shared experiences.</li> </ul>
<ul style="list-style-type: none"> <li>• I am always auditioning.</li> </ul>

### Career Technical Education

Career Technical Education (CTE) makes education relevant and important. According to the Association for Career and Technical Education, CTE programs currently serve more than 14 million students in 26,000 public high schools, 10,000 private secondary schools, and 1,200 two-year community and technical colleges nationwide (U.S. Dept. of Ed). At its core, the Career Technical Education mission is to prepare students for high-skill, high-demand careers. The SPA mission and vision aligns well with CTE:

- Relevance - Industry experience, work study, internships
- Rigor - Integrated PBL
- Relationships - Teamwork crucial in all careers
- Resilience - Completing CTE pathway at SPA is one indicator of College/Career Readiness

The CTE Pathways provide academic, technical, and employment skills designed to help students bridge the skills and opportunity gap and lead to employment. CTE classes give students the ability to learn the skills in order to help us gain and maintain a job in the future. They are given real-world examples to help them understand their academic classes, and CTE courses give them a chance to work as part of a team, which is a crucial element of any career.

The CTE Pathways at Contra Costa School for Performing Arts are in the Arts, Media & Entertainment sector:

- Performing Arts Pathway
  - Dance
  - Instrumental Music
  - Theatre
  - Vocal Music
  
- Production and Managerial Arts Pathway
  - Production and Design

SPA is working with the Contra County Office of Education to review the course progression in each SPA art major that align with CTE course progression. SPA graduation requirements now include the minimum CTE course progression, in addition to 20 more units. Furthermore, SPA is working with the Alameda County Office of Education’s CTE Credential program. SPA will be supporting all arts teachers in earning their CTE credential.

**Stakeholder Involvement**

Contra Costa School of Performing Arts has a growing number of parent and community organizations that support the school.

The Ensemble is the parent, student, staff organization that represents all stakeholders in the school community. Parents and staff are invited to join Ensemble and to participate in its operations and activities. In SPA’s first four years, Ensemble projects have included:

<ul style="list-style-type: none"> <li>• Walk Through Registrations</li> <li>• Teacher appreciation events</li> <li>• Family Communications</li> <li>• Campus Beautification Day</li> <li>• Volunteering for Choice Lunch program</li> <li>• Back to School night</li> </ul>	<ul style="list-style-type: none"> <li>• Open House</li> <li>• Facilitated various fundraisers</li> <li>• Supporting all arts productions</li> <li>• Annual Gala</li> <li>• Promotion</li> <li>• Graduation/Grad Nite</li> </ul>
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There is a growing relationship at this time between the school, several business and educational outlets, and the arts community in Contra Costa County and the Bay Area as a whole. Students have taken field trips to various arts venues, enjoyed guest speakers in all arts areas and started 11<sup>th</sup>/12<sup>th</sup> grade Internships with various local venues.

Our current list of partners include:

<ul style="list-style-type: none"> <li>• California Charter Schools Association</li> </ul>	<ul style="list-style-type: none"> <li>• Center for Community Arts</li> </ul>
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<ul style="list-style-type: none"> <li>• Silicon Schools Fund</li> <li>• The New Teacher Project</li> <li>• Oakland School for the Arts</li> <li>• Arts Schools Network</li> <li>• Concord Pavilion</li> </ul>	<ul style="list-style-type: none"> <li>• California Shakespeare Festival</li> <li>• American Conservatory Theater</li> <li>• Walnut Creek Rotary</li> <li>• Ultimate Field House</li> <li>• Leshner Center for the Arts</li> </ul>
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**Student Clubs and Service Organizations**

Student generated clubs at SPA occur during SPARS or during Intermission and after school (SHINE club). Clubs vary from traditional school offerings to unique artistic student inspired organizations representing a diverse area of interests. Students interested in starting their own club fill out the application for with Student Leadership.

Current clubs include:

<p><b>High School</b></p> <ul style="list-style-type: none"> <li>• Black Student Union</li> <li>• Green Teens</li> <li>• Interact</li> <li>• QSA (Queer/Straight Alliance)</li> <li>• Leadership</li> <li>• Yearbook</li> <li>• Drawing Club</li> <li>• Spanish Club</li> </ul>	<p><b>Middle School</b></p> <ul style="list-style-type: none"> <li>• Black Student Union</li> <li>• Green Teens</li> <li>• Interact</li> <li>• QSA (Queer/Straight Alliance)</li> <li>• Leadership</li> <li>• Yearbook</li> <li>• Drawing Club</li> <li>• Yoga Club</li> <li>• Game Club</li> <li>• Fantasy/Role Playing Club</li> <li>• Fencing Club</li> <li>• Cooking Club</li> </ul>
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**Yearbook**

Yearbook Club is responsible for producing the Yearbook each year. Our Yearbook is a combined Middle School and High School Yearbook called "The Script" which we release in the spring. Yearbook is staffed with 20-30 (currently we have 26 students on staff) from grades 8-12 and is run by 5 student editors. Our editors are juniors and seniors who have been part of the club for at least 3 years and who show particular talent at the various skills needed for Yearbook along with showing great leadership potential. Our staff members apply in the spring to be part of the next year's Yearbook. All 7th-11th graders are welcome and encouraged to apply. While previous experience is appreciated, the only criteria for staff selection is having passing grades in all Art and Academic courses at the time of application, and a willingness and the ability to commit to Yearbook and the responsibilities that entails.

**Leadership**

Leadership is a student-run and organized club consisting of 35 members from grades 6-12. The student-decided mission is to cultivate spirit, community, and support for students and staff at our school. Some programs students have planned and executed to achieve these goals are numerous community-building spirit rallies, dress-up weeks, and dances. Students have also spread spirit by hosting our school's first ever Homecoming Week, fully decorating the halls by grade level, running events related to the theme, and incorporating students from many different backgrounds on campus. Finally, the Leadership team organizes appreciation weeks where students write and hang personal or anonymous notes of kindness to other students

### **SPAmbassadors**

SPAmbassadors function as the face of SPA in many community events. They welcome parents to Back to School Night and Open House, attend various community festivals and even march in parades. In addition, this group of high school students were trained throughout the first month of school in two main areas: School Tours and Tech Trainings for families. On School Tours, they lead anywhere from 2 to 10 interested community members on a comprehensive tour of the school. They discuss school history, tour the facility, view classes in session, review the online platform and answer questions regarding all aspects of the school. In one-on-one Tech Trainings, a SPAmbassador works with a family member of a student to conduct a deep dive into both the Summit Learning platform and PowerSchool.

### **Youth Educators**

Youth Educators is a new peer tutoring program where selected high school students, in good academic standing, push into middle school Spotlight classes to support and tutor groups of students. YEPs, as they are called, have strong academic performance, positive behavior records and display leadership abilities. They serve as role models for our younger students. It is also an important learning and leadership experience for high school students. In teams of 2, YEPs run workshop style program, coaching younger students and modeling executive functioning skills required in a personalized learning environment. Students who successfully complete the year as Youth Educators will receive a distinction on their High School transcript and recognition at the end-of-year Director Awards ceremony.

### **Youth Council**

In the 2019-2020 school year, SPA initiated its first ever Youth Council - a peer to peer restorative justice program. Youth will work together as an alternative to suspension, early intervention for escalating behaviors, and mediating peer conflict. The purpose of the Youth Council will be to repair harm and build competencies that help create safer schools. The goals of the Youth Council are: increasing accountability of youth, assisting all those involved to move forward successfully, determining a fair and restorative sanction, supervising the sanction and monitor the outcome. Youth Council is created to reduce incident escalation and/or serve as a last step effort to reduce suspension/ expulsion. At SPA, we know that part of growing up includes making mistakes and

sometimes failing to make good choices, but we want students to know that they are not their mistakes. We want students to evolve from their interactions, right their wrongs, and reflect on how our process demonstrated care and character building versus punitive outcomes. Part of this process includes productive and caring partnerships with the families of young people in our community. Students learn to perform the functions of the Youth Council by practicing the roles of judges, jurors, community advocates and youth advocates, conducting intake, and distributing sanctions.

### **Bell Schedule**

As a charter school, SPA has the opportunity to offer flexibility in scheduling so that our students can engage in a variety of activities to support their individualized instructional programs and extra-curricular activities. By addressing their individualized needs, SPA will be striving to curtail the drop-out rate and prevent the loss of students whose needs go unmet in traditional educational spheres.

While SPA believes that altering the time structure at SPA in and of itself will not improve classroom practices and student learning, SPA recognizes that it is an important factor and believes that alternative models of time should be continually examined in order to find the model most conducive to meeting the diverse and evolving needs of our community.

SPA also believes that in order for educators to learn from one another, time must be set aside during the school day for certificated personnel to meet and reflect both in smaller learning communities for interdisciplinary study and collaboration as well as within departments for vertical teaming, curriculum discussion, and professional development.

These priorities, in addition to the grade span instructional minute requirements established in education code, inform the annual adoption of the bell schedule.

### **Calendar**

SPA is committed to ensuring that the legally required minimum number of annual instructional minutes and annual school days are offered per Education Code Section 47612.5 (unless exempted by applicable law) and Title 5 California Code of Regulations Section 11960, respectively.

SPA will be very open to non-traditional calendar models based on the academic and performance programs as well as the needs and input of our families and community. SPA will also consider the calendars from surrounding school districts in order to optimize alignment for our families that have children in feeder schools.

### **Summer School**

SPA has and may continue to operate its own summer school in a format that runs between four to six weeks as determined by the Administration. SPA will consider options ranging from direct, in-class instruction to online learning to a blended model depending on the needs of our student population, the effectiveness of the adopted model, and any budgetary or programmatic constraints.

**Educational and Operational Software Platforms**

SPA leverages vetted educational software to ensure the program is dynamic, customizable, and highly effective. The following is a list of currently deployed tools:

- PowerSchool – Student Information System
- Summit Learning Platform – Learning Management System
- Overgrad – College and Career Readiness System
- Edgenuity – Online, self-contained curriculum (credit recovery or acceleration)
- Google Apps for Education – Educational software suite
- Overdrive – Digital Library
- School Messenger – Community Communication Program (email, phone, sms)

**Graduation Requirements**

**Contra Costa School of Performing Arts: Graduation Requirements**

	A-G: UC/CSU admission requirements	CTE: Career & Technical Education	SPA	SPA Honors	SPA High Honors
History / Social Science	"A" = 20 units <ul style="list-style-type: none"> <li>• World History</li> <li>• US History</li> </ul>		40 units <ul style="list-style-type: none"> <li>• World History</li> <li>• US History</li> <li>• Government/AP Gov</li> <li>• Economics</li> </ul>	40 units <ul style="list-style-type: none"> <li>• World History</li> <li>• US History</li> <li>• Government/AP Gov</li> <li>• Economics</li> </ul>	40 units <ul style="list-style-type: none"> <li>• World History</li> <li>• US History</li> <li>• Government/AP Gov</li> <li>• Economics</li> </ul>
English	"B" = 40 units		40 units	40 units	40 units
Mathematics	"C" = 30 units <ul style="list-style-type: none"> <li>• Algebra I</li> <li>• Geometry</li> <li>• Algebra II</li> </ul>		30 units <ul style="list-style-type: none"> <li>• Algebra I</li> <li>• Geometry</li> <li>• Algebra II</li> </ul>	30 units <ul style="list-style-type: none"> <li>• Algebra I</li> <li>• Geometry</li> <li>• Algebra II</li> </ul>	30 units <ul style="list-style-type: none"> <li>• Algebra I</li> <li>• Geometry</li> <li>• Algebra II</li> </ul>
Laboratory science	"D" = 20 units <ul style="list-style-type: none"> <li>• Biology</li> <li>• Chemistry OR Environmental Science</li> </ul>		30 units <ul style="list-style-type: none"> <li>• Biology</li> <li>• Chemistry</li> <li>• Environmental Science/AP</li> </ul>	30 units <ul style="list-style-type: none"> <li>• Biology</li> <li>• Chemistry</li> <li>• Environmental Science/AP</li> </ul>	30 units <ul style="list-style-type: none"> <li>• Biology</li> <li>• Chemistry</li> <li>• Environmental Science/AP</li> </ul>
Language other than English	"E" = 20 units <ul style="list-style-type: none"> <li>• 2 consecutive years of same language</li> </ul>		30 units <ul style="list-style-type: none"> <li>• 3 consecutive years of same language</li> </ul>	30 units <ul style="list-style-type: none"> <li>• 3 consecutive years of same language</li> </ul>	30 units <ul style="list-style-type: none"> <li>• 3 consecutive years of same language</li> </ul>
Visual & performing arts	"F" = 10 units	10 units <ul style="list-style-type: none"> <li>• Introductory</li> </ul> 20 units <ul style="list-style-type: none"> <li>• Concentrators</li> </ul> 10 units <ul style="list-style-type: none"> <li>• Capstone</li> </ul>	60 units <ul style="list-style-type: none"> <li>• CTE</li> <li>• Additional 20 units from any category</li> </ul>	80 units <ul style="list-style-type: none"> <li>• CTE</li> <li>• Additional 40 units from any category</li> </ul>	110 units <ul style="list-style-type: none"> <li>• CTE</li> <li>• Additional 50 units from any category</li> </ul>
SPA Electives or College-prep elective	"G" = 10 units		10 units <ul style="list-style-type: none"> <li>• Economics</li> <li>• The Senior Process</li> <li>• Other A-G approved arts</li> </ul>	10 units <ul style="list-style-type: none"> <li>• Economics</li> <li>• The Senior Process</li> <li>• Other A-G approved arts</li> </ul>	10 units <ul style="list-style-type: none"> <li>• Economics</li> <li>• The Senior Process</li> <li>• Other A-G approved arts</li> </ul>
Physical Education			10 units	10 units	10 units
<b>TOTAL</b>	<b>150 units</b>	<b>40 units</b>	<b>250 units</b>	<b>270 units</b>	<b>300 units</b>



Credit may be earned only in classes not previously passed. Repeat classes do not replace previously earned grades; therefore, all grades are averaged for determination of GPA. Students taking honors or Advanced Placement Baccalaureate courses will earn extra grade points as determined by administrative policy.

Graduation requirements may change as determined by the Board of Directors, without need for material revision of the charter.

### **Accreditation, Transferability of Courses, and Eligibility of Courses to meet College Entrance Requirements**

The Charter School earned initial accreditation from the Western Association of Schools and Colleges (“WASC”) which is a term of three years. SPA completed a full self-study and hosted a visiting team from WASC in March of 2020 and earned a full 6 year term of accreditation in July of 2020. The Charter School has also obtained “a-g” course approval from the University of California Regents for all eligible courses offered by the Charter School and continues to add new courses on an annual basis.

The Charter School will inform parents of course transferability of courses accredited by WASC through the publication and distribution of a parent/student handbook that includes specific information on course transferability to other public high schools and that outlines Charter School policies and expectations for all students and parents. Courses that meet University of California and California State University entrance requirements will be designated as such in the parent/student handbook. All incoming students and parents will be required to complete an orientation that will include a review of the handbook. In addition to the “a-g” approved course list that will be included in the handbook, a statement regarding the transferability of courses to other public high schools will be included. Both the “a-g” list and transferability of classes will be updated on an annual basis. A high school diploma will be issued to all students who meet the Charter School’s graduation requirements.

### **Professional Opportunities for Teachers**

The founding and growth of SPA has created new professional opportunities for teachers in our community. Given the unique nature of SPA’s academic and art programs, teachers attracted to this pedagogy can employ their existing skillset as well as increase capacity as part of our team.

Since our inception, teacher voice has heavily informed the creation and evolution of our learning program. Each teacher on the SPA team has had the opportunity to put their individual fingerprints on our school design (a rare level of impact as compared to more traditional school environments and systems ) and the success and growth of SPA has shown us how meaningful and beneficial that influence has been and will continue to be. Teachers are empowered and trusted leaders at SPA. Most importantly, as is true with students, teachers are at their best

when they are a part of the creative process and find the work relevant and informed by both their needs and expertise.

### **Professional Development**

Professional development helps staff as well as students to attain high levels of achievement. SPA believes that professional development is an integral part of the Charter School and takes place in many forms and settings. In-service meetings, off-site professional conferences, workshops, hands-on technology demonstrations, and guest speakers in all disciplines will be used to educate, stimulate, and inspire personnel. Collaboration among faculty will be facilitated through the adoption of the Professional Learning Communities model (“PLC”). PLC time will be built into the professional development calendar. There will be a systematic analysis of student achievement data in order to drive programs and practices. There will also be a comprehensive professional development plan on an annual basis in order to create a structured and strategic growth model.

As an example of professional development focus areas, the following list has been identified for the 20-21 school year:

- Re-centering on SPA's foundational Mission, Vision, and Values
- Developing Distributed Leadership and Structures for Collaboration
- Culturally Responsive Education Skills and Practices
- Building Restorative Teaching and Learning Environments
- Enhancing Online Instructional Best-Practices in all Subject Areas
- Supporting a Robust and Positive Online School Community
- Socio-Emotional Learning and Wellbeing
- Special Education in the time of COVID-19
- Data Informed Instruction
- Career Technical Education
- Reframing a Deficit Mindset & Confronting the Opportunity Myth
- Mitigating Learning Loss and Holistic Strategies for Accelerating

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

Pursuant to Education Code Section 47605(c)(5)(A)(ii), please refer to SPA’s Local Control and Accountability Plan (“LCAP”), attached as Appendix B, for a reasonably comprehensive description of the Charter School’s annual goals and specific annual actions to achieve those goals, for all pupils (i.e., schoolwide) and for each subgroup of pupils as identified in Education Code Section 52052, for each of the eight (8) state priorities identified in Education Code Section 52060(d).

In addition, attached as Appendix C, please find the WASC Action Plan from the 2019-20 Self Study. SPA had intended to use the goals enumerated in the Action Plan as the new goals for

the new 20-21 LCAP and update actions, services, and expenditures to achieve the State priorities accordingly. SPA was in the midst of the annual stakeholder engagement process in the winter of 2020 when in March of 2020 the LCAP process was interrupted by the COVID-19 pandemic and subsequently suspended by the Governor’s Executive Order. When the LCAP process resumes (presumably for the 2021-22 school year), SPA intends to complete this transition, aligning all three guiding school documents: the LCAP, the WASC Action Plan, and this renewal petition.

### **Consulting with Parents and Teachers**

SPA believes that regular consultation and feedback solicitation from all stakeholders is critical to our growth and future success. Moreover, engagement and buy-in increases when individuals feel they are seen and heard and that the organization values their input.

SPA provides for ongoing and regular informal opportunities for stakeholder input. In addition, the following is a non-exhaustive list of formal and intentional consultation initiatives:

- Surveys – SPA administers surveys on a regular basis to collect quantitative and qualitative data from stakeholders. As one specific example, SPA administers the California Healthy Kids Survey which has versions for parents/guardians and staff in addition to the student version.
- State of the School Presentation – On an annual cycle, the Executive Director prepares and presents a “State of the School” address primarily targeted for parents/guardians and staff. This presentation covers all aspects of the school’s current state, the changes that have developed over the last year, and the vision for the future. Feedback is welcomed and requested as part of this address.
- Annual LCAP Update – As part of the Annual Update process, each stakeholder group is provided with multiple forums to weigh in on the LCAP and provide opinion and perspective on the school’s goals, actions, and expenditures.
- Accreditation Cycle – As part of the ongoing WASC accreditation process, SPA engages stakeholder representatives in a regular cycle of reflection, planning, and implementation.

### **Ensuring Equal Access to Curricula and Instruction**

Research indicates that racial and ethnic minority, economically disadvantaged, English learners, and special education students have been underserved in educational tracking systems, formal and informal, in which expectations for their academic success are low. A diverse environment, comprised of a spectrum of students from the lower-performing to the high-achieving, has been shown to enhance learning for all students when a challenging and enriched curriculum is presented. All students at SPA will be guided through individual learning plan creation and will be supported with equal opportunity to dictate their educational path. While not every student in heterogeneous classes will perform at the honors level, all students will benefit from exposure to a rigorous curriculum.

SPA's goal will be to:

- Enroll all students in rigorous academic programs that prepare them for success in higher education, career and adult life without the need for remediation
- Strongly encourage parent/guardian participation in intervention for students who drop below a C average
- Provide for flexible scheduling
- Allocate resources to provide the necessary support for academically low-achieving students
- Self-assess intervention plans regularly in order to develop additional programs to meet currently identified and future student needs
- Maintain high expectations that all students can and will learn to read, think critically, and synthesize material from a variety of sources to make informed decisions
- Target instructional resources to raise achievement among historically underrepresented students to achieve proficient or higher in mathematics, to successfully complete upper level mathematics courses
- Provide ongoing professional development and coaching to help certificated personnel understand and use specific instructional strategies to meet the needs of diverse learners, and support certificated personnel as they become reflective practitioners
- Monitor progress through state mandated tests, grades, benchmarks, and other valid assessment programs

SPA will also ensure the learning environment is supported by the following:

- All teachers are qualified and effective in developing and delivering curriculum and instruction in ways that encourage each student to meet and/or exceed proficiency in state standards.
- All administrators are qualified and effective, as defined by SPA's employment qualifications and the California Professional Standards for Educational Leaders.
- Curricular materials are available, adequate, aligned to the State Standards, and are culturally, linguistically, and developmentally appropriate.
- A variety of interventions are available to meet students' learning and achievement needs and to help students reach and/or exceed proficiency in the state content standards, CCSS and NGSS.
- Technology is adequate, available, and supportive of the learning process.
- All students have access to safe and up-to-date classrooms and learning labs.
- Facilities and grounds are safe, clean, and well maintained to ensure access to Charter School resources.
- Materials and other resources are monitored to ensure they are allocated to students for whom they were intended.
- Accurate records are maintained to ensure an accountable and transparent system of resource allocation.

- Stakeholders annually review and reflect upon resources allocated and make adjustments according to student and community needs.
- All students have equal access to resources.

### **Ensuring Optimal Preparation for Entry into a Rigorous Learning Environment**

SPA recognizes and embraces the spectrum of student abilities, learning modalities, and rates of development. The school will establish a “growth mindset” in all students in order to foster a positive and productive outlook on academic ability. SPA believes all students can achieve at high levels given the right time and support and wants to instill that belief in every individual that enters our program.

To this end, SPA conducts a New Student Orientation. This is an important program to help students integrate into the SPA community and culture and be prepared for success on day one of the new school year by understanding what tools, resources, and interventions are available to them. In addition, we have added important whole family and parent/guardian support programs that come with that start of the new school year and are interwoven through the calendar (these include Family Orientation, Learning Tours, Tech Support Sessions, etc.).

### **MTSS/RtI**

SPA employs a Multi-tiered Systems of Supports (“MTSS”) approach to all aspects of educational programming that impact student performance in behavior, attendance, and grades (BAGs). The approach articulates a robust Tier 1 of universal, research-based, and data-driven structures, systems, and practices intended to comprehensively meet the educational needs of the majority (or at least 80%) of students.

SPA’s universal Tier 1 includes:

- Quality research-based Core Curriculum instruction for all students.
- Robust and ongoing compliance with the IDEA, IEP/504 Planning, Implementation, and Progress Monitoring, and the delivery of education and education related services.
- The utilization of NWEA Map for universal screening, progress monitoring, and diagnostic assessment in English, Math, and Science.
- A school-wide approach to Character Development and Socio-emotional Learning.
- The recruitment and retention of a diverse, highly trained, and appropriately certified staff.
- A proactive, frontloaded system for robust communication with and engagement of families, and broader school stakeholders.
- Comprehensive onboarding, induction, and ongoing professional development for staff which emphasizes proactive capacity-building in:
  - DEI/Culturally Responsive Education Sustaining Practices
  - PL/DDI Strategies

- Pedagogy Centered on sustaining vibrant, inquiry-driven teaching and learning environments
- Restorative Approaches for sustaining positive school culture, climate, and discipline

Tier 2 of the MTSS utilizes diverse BAGs data to determine the need for rapid response interventions and supports to students who evidence the need for an additional layer of targeted educational programming.

Tier 3 of the MTSS utilizes progress monitoring data to determine the need for an additional layer of intensified educational programming characterized by weekly one-to-one or small group research-based supports.

### **Diversity Equity and Inclusion (DEI)**

SPA faculty developed and instituted a Diversity, Equity and Inclusion committee. In the short time since its beginning, the DEI committee has taken on an integral role in the school community through:

- The drafting of a DEI Vision Statement
- Establishing initial DEI priorities; and
- Focusing on prioritizing DEI in hiring and recruitment practices

Due, in great part to these efforts, SPA recruited its most diverse group of new hires at SPA yet for the 2020-2021 school year.

Through the onset of the Covid-19 pandemic and with the challenge of school campus closure, the DEI committee became an important sounding board for the creation of all school virtual learning policies. The committee helped develop equitable language around grading, attendance and other operating policies to ensure we supported all of our students and families through this crisis. Our success in reaching and engaging all of our students during this unprecedented time is largely credited to the thoughtful approach the DEI committee took in crafting outreach efforts.

The DEI committee also pushed SPA to create professional development opportunities and focus on Culturally Responsive Pedagogy. After planning an experience for teachers in June, much of our 2020-2021 PD work will focus on realizing the vision espoused in the DEI statement and ensuring our teachers have the tools they need to be culturally responsive educators.

### **Culturally Responsive Education**

SPA's approach to Culturally Responsive Education prioritizes building a strong and resilient restorative teaching and learning communities and informs all levels of its work. The SPA approach is characterized by the intentional building of systems, structures, skills, and practices to, with increasing efficacy, respectfully engage a more diverse cross-section of the SPA

community in highly relevant and student-centered teaching and learning. Building on a CRE tradition that focuses heavily on broad issue-sensitization to the impacts of history, educator mindset, behavior, and personal and institutional bias, SPA's work has emphasized the building of a wide array of CRE and Restorative Practices skills and practices highlighted in the works of Ladson-Billings (1994), Gay (2002), and Chalwell (2018). This ongoing teacher development is embedded in a year-long professional development plan for the 2020-2021 school year and beyond.

### **Academically High-Achieving Students**

SPA believes that all students are entitled to receive a content rich, academically rigorous educational experience that prepares them for a multitude of post-secondary opportunities. We are as committed to meeting the special needs of academically high-achieving students as we are to other special needs groups. High-achieving students may be identified through data analysis by their teachers due to consistent achievement that is beyond the typical bell-curve and refer them for counseling; however, these types of students also often self-identify. Differentiated instruction will be a core principal of every classroom, but students at SPA also have the ability to work with their counselor to design a high school plan that meets their needs.

The academic program will also implement instructional technology in classes that will have adaptive qualities. Research supports the efficacy of "smart" educational programs and their ability to assess, differentiate, and drive results in ways that surpass individual teacher ability. Time is a factor that contributes to the achievement gap. When content and pacing become dynamic (which is the key factor these programs bring to the table) students can excel and also receive additional support as needed and without the constraints of a rigid or static curriculum.

As a charter school, SPA can offer flexible scheduling to allow students to engage in a variety of opportunities to support individualized instructional programs. With the options of honors and AP classes, dynamic and rigorous curricula can be offered to all students at SPA to meet their individual academic needs.

### **Academically Low-Achieving Students**

SPA believes in a pro-active approach to academically low-achieving students in order to facilitate improved student achievement and pre-empt failure. SPA has adopted a multi-tiered system of supports ("MTSS") as schoolwide protocol as noted above.

SPA offers intervention to address each student's specific learning need. Cumulative records will be reviewed for incoming students and they will take diagnostic assessments in math and reading. This will aid in the correct identification of and placement for students who demonstrate a lower aptitude in some areas and will enable them to achieve at a level appropriate and consistent with their skills and ability levels. Parents will be notified of diagnostic results.

### **Student Interventions**

The Contra Costa School of Performing Arts has created various Tier 1 student supports since its inception. We firmly believe that all students can be successful in our mastery approach to learning, if given the time and resources. For the 2019-2020 school year, this is a list of interventions open to all students:

## **SPARS**

SPARS stands for SPA Reads and Solves. It is the creation of the Executive Functioning committee's work during the summer of 2019. The goal was to provide spaces and opportunities for students to work on reading/language skills, math skills and school culture through community building clubs. The time for SPARS occurs in the middle of the bell schedule Tuesday - Friday.

### Middle School Rotation:

- Tuesdays: Reading Strategies lessons designed by our Director of Curriculum
- Wednesdays: Clubs/Activities while math pull out support groups happen
- Thursdays: Math Online Programming (Prodigy)
- Fridays: Choice between Math Online Programming (Prodigy) and typing.com

### High School Rotation:

- Tuesdays: Clubs/Activities while math pull out support groups happen
- Wednesdays: Reading Strategies lessons designed by our Director of Curriculum
- Thursdays: Math Online Programming (Prodigy)
- Fridays: Choice between Math Online Programming (Prodigy) and typing.com

Each quarter, the staff reflects on the effectiveness of the program and reiterate as needed.

## **Study Hall**

Middle School students have the opportunity to attend study hall after school Monday-Friday (1:30pm-3:00pm on Mondays; 2:35pm-4:00pm on Tuesdays-Fridays) while high school is still in session. Study Hall is staffed by one of our Instructional team members and is intended for students who want quiet time to catch up or work ahead. Students causing any disruption will be asked to leave. In addition, teachers may encourage/require students needing extra support to att

## **SHINE Club**

Middle School students have the opportunity to participate in SHINE Club after school Monday-Friday while high school is still in session (1:30pm-3:00pm on Mondays; 2:35pm-4:00pm on Tuesdays-Fridays). Under the supervision of our Dean of Students, SHINE club participants help to build school culture, work on campus beautification, and run school spirit activities. On Fridays,



SHINE club shows movies (all appropriately rated). Again, students causing any disruption will be asked to leave.

### **Saturday Spotlight**

Saturday spotlight is held once a month (9am-12pm) as an intervention to provide more time for students who are behind on their work or for students to progress ahead. Students who have missed assignment, checkpoint, project, and focus area deadlines in the past month will be required to attend. If invited students do not attend, Administrators will call home and implement a make-up plan. Academic teachers are available during Saturday Spotlight to support students and help prioritize their time and effort.

Process:

- Teacher sends out weekly (or by assignment) email notifying students and families who have missed deadlines. Teacher gives a final cut-off date for submitting the work, along with ways student can get support with the assignment.
- Teacher sends a list to Admin of students who missed the cut-off deadline.
- Admin emails families and students who are required to attend Saturday Spotlight.
- Admin follows up with students who do not attend.

At Saturday Spotlight:

- Student checks in to grade-appropriate room and signs in with teacher.
- Student opens PLP and PowerSchool and makes a list of all missing assignments. Student prioritizes the list.
- Teacher signs off on student list, student begins work.
- Once a student has submitted all missing work, the teacher signs off and the student can sign out of Saturday spotlight. At 11:50, students remaining make a list of missing work, send an email to mentor, spotlight teacher and parent, and then sign out.

We are confident that this added support will support all students in their journey towards mastery and success in all classes.

### **Office Hours**

Teachers hold regular office hours for middle school and high school students to attend. Generally, office hours are held at the end of the school day in order to allow students the opportunity to access teachers without missing out on educational opportunities throughout the school day. The math department also hosts office hours during SPARS to provide further intervention on math concepts.

### **Student Success Teams**

Students who continue to demonstrate a consistent pattern of low academic achievement may be reviewed by a student success team (“SST”) comprised of parent(s), administrator, and teachers, and referred for intervention or assessment as appropriate.

The SST uses a systematic problem solving approach to assist students with concerns that are interfering with success. The SST identifies and clarifies problems and issues; develops strategies, and organizes resources; provides a system for support accountability; and serves to assist and counsel the student and their family. SSTs are a general education program of the school as all types of students can benefit from engaging in this process including, but not limited to, those students performing below or above grade level, students who have experienced emotional or social trauma, students who have behavioral issues, and those that have language barriers. Anyone who has concern for a student can refer that student for SST consideration (teacher, counselor, administrator, parent, student themselves). The generally accepted steps for an SST meeting are as follows:

- 1) Team members introduce themselves and their roles
- 2) The coordinator states the purpose and process of the SST meeting
- 3) A timekeeper is appointed
- 4) Student strengths are identified, recorded, and discussed
- 5) Student concerns are identified, recorded, and discussed
- 6) Any other pertinent information is shared (previous meetings, modifications, etc.)
- 7) Concerns are synthesized and foci are chosen
- 8) Strategies to support the foci are brainstormed
- 9) The team chooses actions
- 10) Individuals make commit to accountability for pertinent actions
- 11) Responsibilities are delineated and timelines are established
- 12) Follow-up meeting date is set

After implementation of an SST plan and follow up, the efficacy of the support system is evaluated. Adjustments and/or additional supports may be added to the plan. If necessary and appropriate, a referral for special education or Section 504 assessment may be deemed necessary.

In order to facilitate student achievement, SPA may implement advisory periods, essentially assigning every teacher with a caseload of students. This will ensure proper monitoring of student progress as well as a vehicle for delivering supports and interventions as needed. Students will also have an assigned counselor who will run SSTs and develop Individualized Learning Plans (“ILP”) as needed. SPA will also hold summer, weekend, and after school interventions to address each student’s specific learning needs as needed.

SPA will implement a summer transition program for incoming students. The length of transition program will be based on need. For example, students who are assessed as below grade level expectations may be placed in summer academic intervention programs focused 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. 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 low-achieving students. Students lacking necessary skills to succeed in their courses will be enrolled in an intervention program best fitting their individual needs as determined by an assessment conducted by qualified personnel. They will be enrolled in classes better aligned to their ability levels, in mandatory intervention or acceleration programs simultaneously with their ongoing course schedule, or in intervention/acceleration skills courses during winter or summer session breaks.

As mentioned above, the academic program will also implement instructional technology in classes that will have adaptive qualities. Research supports the efficacy of “smart” educational programs and their ability to assess, differentiate, and drive results in ways that surpass individual teacher ability. Time is a factor that contributes to the achievement gap. When content and pacing become dynamic (which is the key factor these programs bring to the table) students can excel and also receive additional support as needed and without the constraints of a rigid or static curriculum. Not only do these programs provide personalized instruction, but they also are constantly disaggregating and pushing data. SPA teachers will be trained in how to analyze this data and provide appropriate interventions. Data driven decision-making is imperative for supporting student achievement.

As a charter school, SPA can expand and enhance the many intervention opportunities possible for students.

### **English Learners**

The Charter School will meet all applicable legal requirements for English Learners (“EL”), including long-term English Learners or English Learners at risk of becoming long-term English Learners, as it pertains to annual notification to parents, student identification, placement, program options, EL and 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.

Under the management of the Executive Director, SPA will ensure that all teachers providing EL instruction have the appropriate credential or authorization to teach in their assignment.

SPA will make support for English Learners a primary focus of the school culture. This will be ensured by translating key parent materials into Spanish, providing Spanish language texts to support core concepts in content areas, providing translators at parent events, meetings, and

trainings as necessary according to attendees, and ensuring that all instructional staff development efforts specifically address the needs of English Learners. Literacy efforts will target the needs of English Learners including writing across the curriculum. SPA will partner with EL parents and empower them to engage in and support their children’s education. SPA will also establish an English Learner Advisory Committee (“ELAC”) if/when the EL population surpasses the required number of students that, in a school district, would mandate an ELAC.

### **A. Initial Identification and Assessment**

Students with limited English proficiency will receive guidance for proper program placement and support services according to their needs to ensure that the instructional programs are comprehensible and understandable. The Charter School shall timely identify language-minority students who have limited proficiency in reading, writing, speaking, or understanding English and will provide those students with an effective language instruction educational program that also affords meaningful access to the school’s academic content, as described below.

#### Home Language Survey

At the time of enrollment, all parents fill out an enrollment form, which shall include a Home Language Survey (“HLS”). The survey is used to determine the primary language of the student and is on file for each student in the SPA office in the cumulative folder and in the student’s English Learner folder. The application and language survey is available in English and Spanish. All students, including English only students, must have a completed HLS on file. Each completed HLS must include a parent’s signature and date.

#### **English Language Proficiency Assessment**

All students who indicate that their home language is other than English will be tested with the English Language Proficiency Assessments for California (“ELPAC”). The ELPAC has four proficiency levels (Level 4: well developed; Level 3: moderately developed; Level 2: somewhat developed; and Level 1: minimally developed) and is aligned with the 2012 California ELD Standards.

The ELPAC consists of two separate assessments:

- Initial Assessment (“IA”)

The ELPAC IA is used to identify students as either an English Learner, or as fluent in English. The IA is administered only once during a student’s time in the California public school system based upon the results of the home language survey. The locally scored IA will be the official score. The IA is given to students in grades K–12 whose primary language is not English to determine their English proficiency status.

- Summative Assessment (“SA”)

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

Both the ELPAC SA and IA are assessments administered in seven grade spans—K, 1, 2, 3–5, 6–8, 9–10, and 11–12. In kindergarten and grade 1, all domains are administered individually. In grades 2–12, the test is administered in groups, exclusive of speaking, which is administered individually. The ELPAC IA and SA will be administered via a computer-based platform, while the ELPAC Writing Domain for Kindergarten through 2<sup>nd</sup> grade will continue to be administered as a paper-pencil test.

Testing times will vary depending upon the grade level, domain, and individual student. Both the ELPAC IA and SA are given in two separate testing windows through the school year.

The IA testing window will be year-round (July 1–June 30). Any student whose primary language is other than English as determined by the home language survey and who has not previously been identified as an English Learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be assessed for English language proficiency within 30 calendar days after the date of first enrollment in a California public school, or within 60 calendar days before the date of first enrollment, but not before July 1 of that school year.

The SA testing window will be a four-month window after January 1 (February 1–May 31). The English language proficiency of all currently enrolled English Learners shall be assessed by administering the test during the annual assessment window.

The Charter School will notify all parents of its responsibility for ELPAC testing and of ELPAC results within thirty days of receiving results from publisher. The ELPAC shall be used to fulfill the requirements under the Every Student Succeeds Act for annual English proficiency testing.

## **B. Program Placement Options**

English Language Development (“ELD”) shall be a part of each English Learner’s instructional program. Each program includes a portion of the day when the focus of instruction is ELD and is geared towards each student's language proficiency level. In order to teach at the proficiency level of each student, teachers may combine or divide their students into homogeneous proficiency groupings.

ELD may be incorporated within the language arts curriculum and is taught daily for a minimum of 30 minutes in grades K-12. The state-adopted ELD Standards establish a framework for teachers to follow as they facilitate students’ development of the skills necessary to meet the

CCSS standards in English Language Arts and the content areas. The ELD standards describe what students should know and be able to do at each of the five levels of English proficiency. By the end of the early advanced proficiency level, students are expected to be reclassified and meet the same standards that native English speakers are expected to master.

In order to determine the student's progress in English, each English Learner is assessed annually with the ELPAC, as described above. Additional assessment obtained from the ELD curriculum and teacher observation are also considered to determine progress.

### **C. Instruction and Curriculum**

To ensure that all students have access to the curriculum, instructional programs for ELs are designed to promote the acquisition of high levels of English language proficiency, as well as access to the curriculum. Depending on the program in which the student is enrolled, this is accomplished through providing ELD instruction by a qualified teacher in conjunction with general education instruction (integrated ELD), or as a separate daily component if general education instruction occurs in the student's primary language (designated ELD). Academic instruction through English is modified to meet the student's level of language proficiency. Teachers use specialized strategies that enable students to understand, participate in, and access the curriculum. EL students will be placed with teachers or Education Specialists who hold appropriate credential authorizations.

All EL students use a variety of English support materials as well as at least one curriculum specifically designed for ELD instruction. SPA is currently implementing a combination of "Foundations" supports within the Summit Learning Platform and Rosetta Stone "Foundations" program. While both programs share the same title, the Summit Learning Foundations offers integrated curricular scaffolding to increase access to the base curriculum and the Rosetta Stone Foundations K-12 provides a platform for standalone ELD instruction and learning. SPA will annually review ELD curriculum and programming and make changes when deemed necessary based on student outcomes and teacher preferences.

### **D. Reclassification**

English Learners who demonstrate English language proficiency comparable to that of the average native English speaker, and who can participate effectively in a curriculum designed for pupils of the same age whose native language is English will be reclassified as Fluent English Proficient (R-FEP). SPA recognizes the importance and irreversibility of this item and has established the following criteria and process to fully address this obligation. Once a student has demonstrated that s/he is ready to participate fully in all-English instruction without special support services, the student is ready for reclassification. Readiness is determined through multiple measures, including the reclassification criteria described below: 1) teacher evaluation of the student's classroom performance, 2) parent opinion and consultation, 3) objective assessment of the student's English language proficiency using the ELPAC, and 4) academic achievement as measured by the CAASPP.

## **E. Reclassification Criteria**

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 ELPAC.
- 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 in basic skills based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.

## **F. Reclassification Process**

Reclassification is the culmination of the student's participation in the program for English Learners and is regularly conducted in the fall and spring. However, the classroom teacher, administrators, or parents may initiate the process at any time.

SPA personnel will collect objective assessment data and disseminate a list of English Learners who achieved English proficiency as well as basic skills requirements. The Student Records Department distributes to the teacher(s) of each reclassification candidate a form requesting the teacher 1) conduct an evaluation of the student's achievement in academic content areas, 2) conduct a writing assessment, and 4) recommend or deny the student's reclassification to fluent English proficient.

Consultation of the student's parents will be done by at least one of the following: 1) personal conference, 2) in writing, or 3) by telephone. A face-to-face conference with the student's parents or guardians is the optimum and desired method of consultation. A certificated teacher holding a credential authorizing instruction of English Learners and SPA administration must review and sign the Student Reclassification Worksheet. The signed documentation must be placed in the student's cumulative file and a copy kept in the Student Records Department.

## **G. Monitoring of Reclassified Students**

SPA staff will use the CAASPP/CMA/CAPA, Multiple Measure scores, and teacher assessments and observations to semi-annually monitor the progress of R-FEP students for a period no less than four years after reclassification. Student performance shall be reviewed at least at each semester. Those students found to be regressing in their academic performance will be referred to receive an academic intervention in the specific area of need.

## **H. Evaluation of Program Effectiveness**

SPA evaluates the effectiveness of its education program for ELs by:

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

## **Students with Disabilities**

### **Overview**

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

SPA is its own local educational agency (“LEA”) and has secured membership in a Special Education Local Plan Area (“SELPA”) in conformity with Education Code Section 47641(a). SPA intends to continue its membership in the El Dorado County Charter SELPA during the term of its charter and will comply with all applicable laws, regulations, and SELPA policies in the event it becomes appropriate to transfer membership to a different SELPA.

SPA’s application and acceptance as an independent LEA member of a different SELPA shall not be considered a material revision to this charter. As an LEA member of the SELPA, SPA shall receive state and federal revenues directly, in accordance with the SELPA’s allocation plan.



SPA 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.

SPA may request assistance from the SELPA in obtaining contract services (e.g. Speech, Occupational Therapy, Adapted P.E., Nursing, and Transportation), subject to SELPA approval and availability. SPA may also provide related services by hiring credentialed or licensed providers through private agencies or independent contractors. All staff members providing special education services shall be appropriately credentialed.

SPA shall be solely responsible for its compliance with Section 504 and the ADA. SPA shall assume full responsibility for appropriate accommodation to address the needs of any student. SPA acknowledges that it is responsible for providing special education, instruction and related services to the students enrolled in the school regardless of students' district of residence.

The facilities to be utilized by SPA shall be accessible for all students with disabilities.

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

SPA 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 at SPA. A student who has a physical or mental impairment that substantially limits one or more major life activities has a record of such an impairment, or is regarded as having such an impairment, is eligible for protections under Section 504.

A 504 team will be assembled by the Executive Director 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 IDEA but found ineligible for special education instruction or related services under the IDEA, 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 IDEA, a referral for assessment under the IDEA 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 SPA'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.

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

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

SPA will provide services for special education students enrolled in the school. SPA will follow SELPA policies and procedures, and shall utilize SELPA forms in seeking out and identifying and serving students who may qualify for special education programs and services and for responding to record requests and parent complaints, and maintaining the confidentiality of pupil records.

SPA agrees to promptly respond to all SELPA inquiries, to comply with reasonable SELPA directives, and to allow the SELPA access to SPA students, staff, facilities, equipment and records as required or imposed by law.

### **Staffing**

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

SPA will be responsible for the hiring, training, and employment of site staff necessary to provide special education services to its students, including, without limitation, special education teachers, paraprofessionals, and resource specialists. SPA shall ensure that all special education staff hired or contracted by SPA is qualified pursuant to SELPA policies, as well as meet all legal requirements. SPA shall be responsible for the hiring, training, and employment of itinerant staff necessary to provide special education services to SPA students, including, without limitation, speech therapists, occupational therapists, behavioral therapists, and psychologists.

### **Notification and Coordination**

SPA shall follow SELPA policies as they apply to all SELPA schools for responding to implementation of special education services. SPA will adopt and implement policies relating to all special education issues and referrals.

### **Identification and Referral**

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

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

### **Assessments**

The term "assessments" shall have the same meaning as the term "evaluation" in the IDEA, as provided in Section 1414, Title 20 of the United States Code. SPA will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible

students in accordance with applicable law. SPA shall obtain parent/guardian consent to assess Charter School students.

### **IEP Meetings**

SPA shall arrange and notice the necessary IEP meetings. IEP team membership shall be in compliance with state and federal law. SPA shall be responsible for having the following individuals in attendance at the IEP meetings: the Executive Director and/or SPA designated representative with appropriate administrative authority as required by the IDEA; the student's special education teacher; the student's general education teacher if the student is or may be in a general education classroom; the student, if appropriate; and other SPA representatives who are knowledgeable about the general education program at SPA and/or about the student. SPA shall arrange for the attendance or participation of all other necessary staff that may include, but are not limited to, an appropriate administrator to comply with the requirements of the IDEA, a speech therapist, psychologist, resource specialist, and behavior specialist; and shall document the IEP meeting and provide of notice of parental rights.

### **IEP Development**

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

### **IEP Implementation**

SPA shall be responsible for all school site implementation of the IEP. As part of this responsibility, SPA shall provide parents with timely reports on the student's progress as provided in the student's IEP, at least as frequently as reports are provided for SPA's non-special education students. SPA shall also provide all home-school coordination and information exchange. SPA shall also be responsible for providing all curriculum, classroom materials, classroom modifications, and assistive technology.

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

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

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

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

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

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

### **Specialized Instruction and Services Available at the Charter School**

SPA provides, directly or indirectly, instructional and other specialized services for students whose needs have been identified by the Individualized Education Plan (IEP) team as being exceptional. Services are determined by a student's current IEP and any updates documented by the IEP team. SPA ensures that the least restrictive environment is determined and maintained as appropriate; this can include mainstream regular education classrooms with push-in or pull-out supports, special education classrooms by subject or as a generalized resource setting, or a self-contained special day class.

### **Provision of Designated Instruction and Services (DIS)**

SPA shall provide or arrange for Designated Instruction and Services (DIS) to students pursuant to determination by the IEP team, with appropriate consultations and in accordance with applicable laws, regulations, and SELPA policies, as necessary to ensure that the student receives FAPE. See, *e.g.*, <https://charterselpa.org/selpa-policies-and-administration-regulations/>. SPA acknowledges that DIS may include, adapting, as appropriate to the needs of an eligible student, the content, methodology, or delivery of instruction to ensure access of the student to the general curriculum, so that the student can meet the educational standards that apply to all students in SPA. In determining the scope of DIS that shall be provided, SPA shall adhere to Education Code Section 56363, which provides that DIS includes, but is not limited to:

1. Language and speech development and remediation
2. Audiological services

3. Orientation and mobility services
4. Instruction in the home or hospital
5. Adapted physical education
6. Physical and occupational therapy
7. Vision services
8. Specialized driver training instruction
9. Counseling and guidance services, including rehabilitation counseling
10. Psychological services other than assessment and development of the individualized education program
11. Parent counseling and training
12. Health and nursing services, including school nurse services designed to enable an individual with exceptional needs to receive a free appropriate public education as described in the individualized education program
13. Social worker services
14. Specially designed vocational education and career development.
15. Recreation services
16. Specialized services for low-incidence disabilities, such as readers, transcribers, and vision and hearing services
17. Interpreting services

### **Transportation**

SPA shall not provide or arrange for transportation to and from school, unless required for a student with disabilities pursuant to determination by the IEP team, with appropriate consultations and in accordance with applicable laws, regulations, and SELPA policies, that transportation must be provided in order to ensure that the student receives FAPE. In such case, transportation shall be provided to the student in accordance with the terms of their IEP and applicable state and federal laws and regulations and SELPA policies.

### **Non-discrimination**

It is understood and agreed that all children will have access to SPA and no student shall be denied admission nor counseled out of SPA due to the nature, extent, or severity of his/her disability or due to the student's request for, or actual need for, special education services. SPA will not ask or require students or parents to waive the right to a free appropriate public education in order to attend SPA.

### **Parent/Guardian Concerns and Complaints**

SPA shall adopt policies for responding to parental concerns or complaints related to special education services. SPA shall receive any concerns raised by parents/guardians regarding related services and rights.

SPA's designated representative shall investigate as necessary, respond to, and address the parent/guardian concern or complaint.

### **Due Process Hearings**

SPA may initiate a due process hearing or request for mediation with respect to a student enrolled in SPA if it determines such action is legally necessary or advisable. In the event that the parents/guardians file for a due process hearing, or request mediation, SPA shall defend the case.

### **SELPA Representation**

SPA understands that it shall represent itself at all SELPA meetings.

### **Dispute Resolution Procedures**

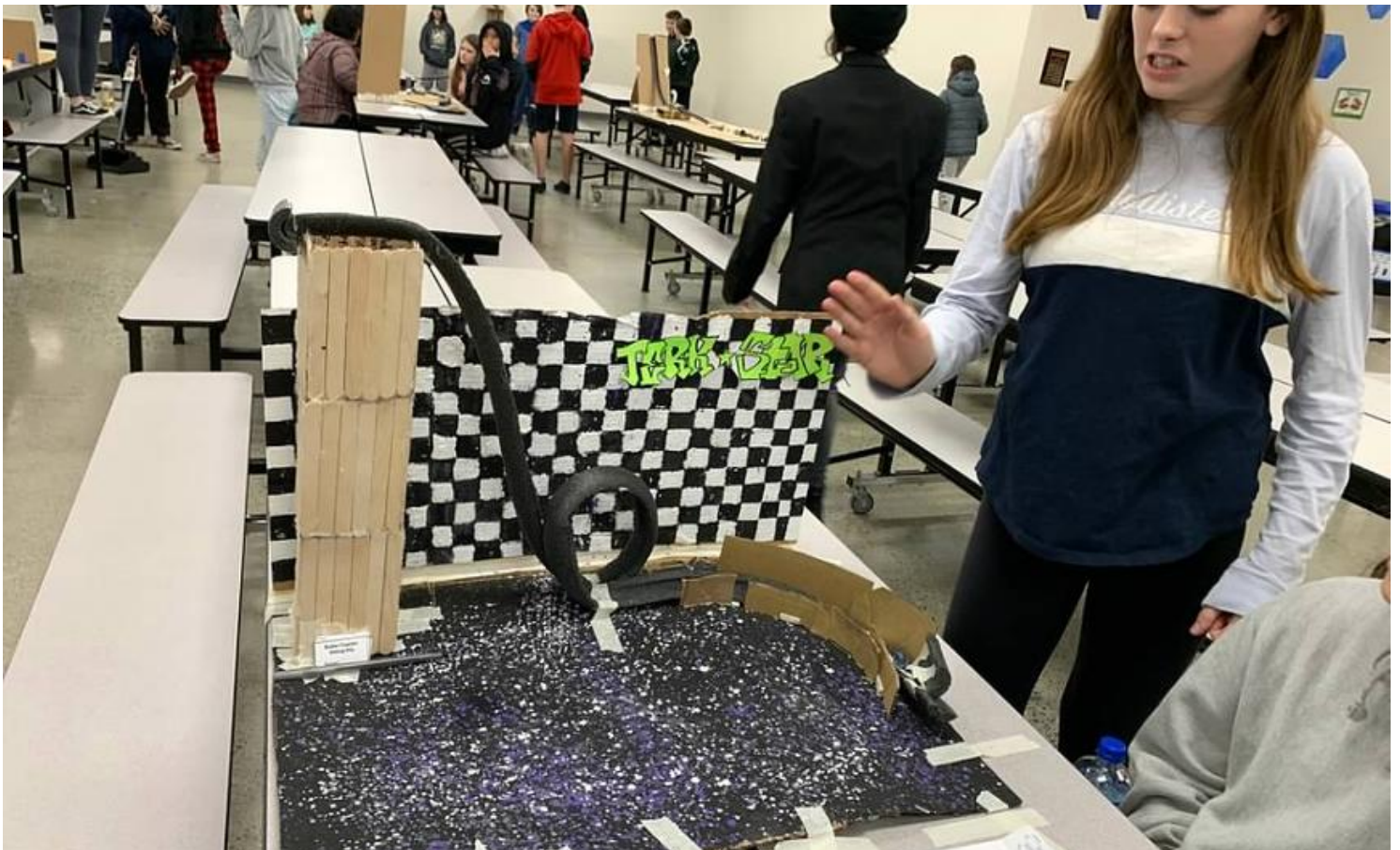
In the event of any disputes between educational entities, including the SELPA and LEA, regarding the provision of special education services in SPA, SPA shall observe all dispute resolution policies of the SELPA.

### **Funding**

SPA understands that it will be subject to the allocation plan of the SELPA.

# Element 2

## Measurable Student Outcomes





# ELEMENT 2

## **Measurable Student Outcomes:**

*The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all pupil subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school. Education Code Section 47605(c)(5)(B)*

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As a public charter school, we recognize and accept a heightened accountability for reaching ambitious standards for student achievement.

SPA has clearly defined schoolwide and student outcome goals in compliance with California Education Code sections 47605(c)(5)(B) and 52060(d).

SPA will pursue schoolwide and subgroup outcome goals, as measured by multiple and varied interim assessments that are aligned to state and federal standards, including the Common Core State Standards, and reflect proficiency measures required by the CAASPP, as well as grade-level applicable state priorities detailed in Education Code Section 52060(d) that apply for the grade levels served, or the nature of the program operated, by the charter school. For purposes of measuring achievement of these goals, a numerically significant pupil subgroup is defined as:

- The subgroup consists of at least 30 pupils each of whom has a valid test score.
- For a subgroup of pupils who are foster youth or homeless youth, a numerically significant pupil subgroup is one that consists of at least 15 pupils.

Actions intended to ensure that SPA meets its goals and targets are delineated throughout this charter petition (e.g., Element 1: Educational Program; Element 4: Governance and parental involvement; etc.)

Accomplishments in each of the goals and outcomes directly support our mission to provide a distinguished, pre-professional experience in performing arts within a college and career preparatory setting.

SPA will continue to examine and refine details of student outcomes to reflect any changes to state or local standards and better serve our school mission, students and community.

**Goals, actions, and measurable outcomes aligned with the eight state priorities:**

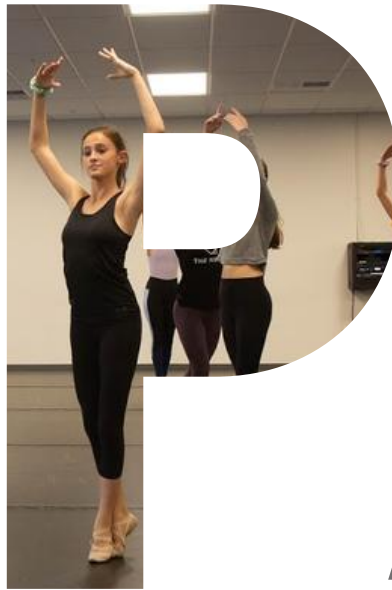
Pursuant to Education Code Sections 47605(c)(5)(A)(ii) and 47605(c)(5)(B), a reasonably comprehensive description of SPA’s annual goals, actions and measurable outcomes, both schoolwide and for each subgroup of pupils, in and aligned with the Eight State Priorities as described in Education Code Section 52060(d), can be found in SPA’s LCAP. Each of these goals addresses the unique needs of all students attending SPA, including our numerically significant student subgroups. The metrics associated with these goals help SPA to ensure that these specific subgroups are making satisfactory progress and are provided with necessary additional supports made possible by additional funds from the Local Control Funding Formula.

The current LCAP is on file with the County and is also available on SPA’s website and is attached as Appendix B. SPA shall annually update and develop the LCAP in accordance with Education Code Section 47606.5 and shall use the LCAP template adopted by the State Board of Education. SPA reserves the right to establish additional and/or amend school-specific goals and corresponding assessments throughout the duration of the charter term through the annual LCAP update. SPA shall submit the LCAP to the County Superintendent of Schools annually on or before July 1, as required by Education Code Section 47604.33.

The LCAP and any revisions necessary to implement the LCAP shall not be considered a material revision to the charter, and shall be maintained by SPA at the school site.

# Element 3

## Methods of Assessing Pupil Progress



# ELEMENT 3

## **Methods of Assessing Pupil Progress Toward Meeting Outcomes:**

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

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### **A. Assessments**

SPA will meet all statewide standards and will conduct all pupil state assessments required pursuant to Education Code Section 60605 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools.

Please refer to the LCAP attached as Appendix B for a description of the assessments SPA shall utilize in its educational program, which are aligned to the Eight State Priorities and demonstrate multiple measures for each subject area. SPA affirms that its methods for measuring pupil outcomes for the Eight State Priorities, as described in its LCAP, shall be consistent with the way information is reported on a School Accountability Report Card as required by Education Code Section 47605(c)(5)(C).

Schoolwide and student subgroup progress at SPA will be objectively measured by state-mandated annual assessments within the CAASPP assessment system for each grade (e.g., the Smarter Balanced Assessments, the California Science Test (“CAST”), the California Modified Assessment (“CMA”), and the California Alternate Assessment (“CAA”), the Physical Fitness Test (“PFT”), and the ELPAC).

Progress is also measured by classroom observations and formal formative and summative assessments, including essay exams, presentations, projects, rubrics, annual participation reports, and peer/teacher feedback. Benchmark assessments are given in all core classes multiple times per year and are stored electronically in the Student Information System. Student progress is tracked through portfolio assessment and the SPA online grade book (PowerSchool), which allows for full communication between the classroom teacher, parent, and student.

### **B. Use and Reporting of Data**

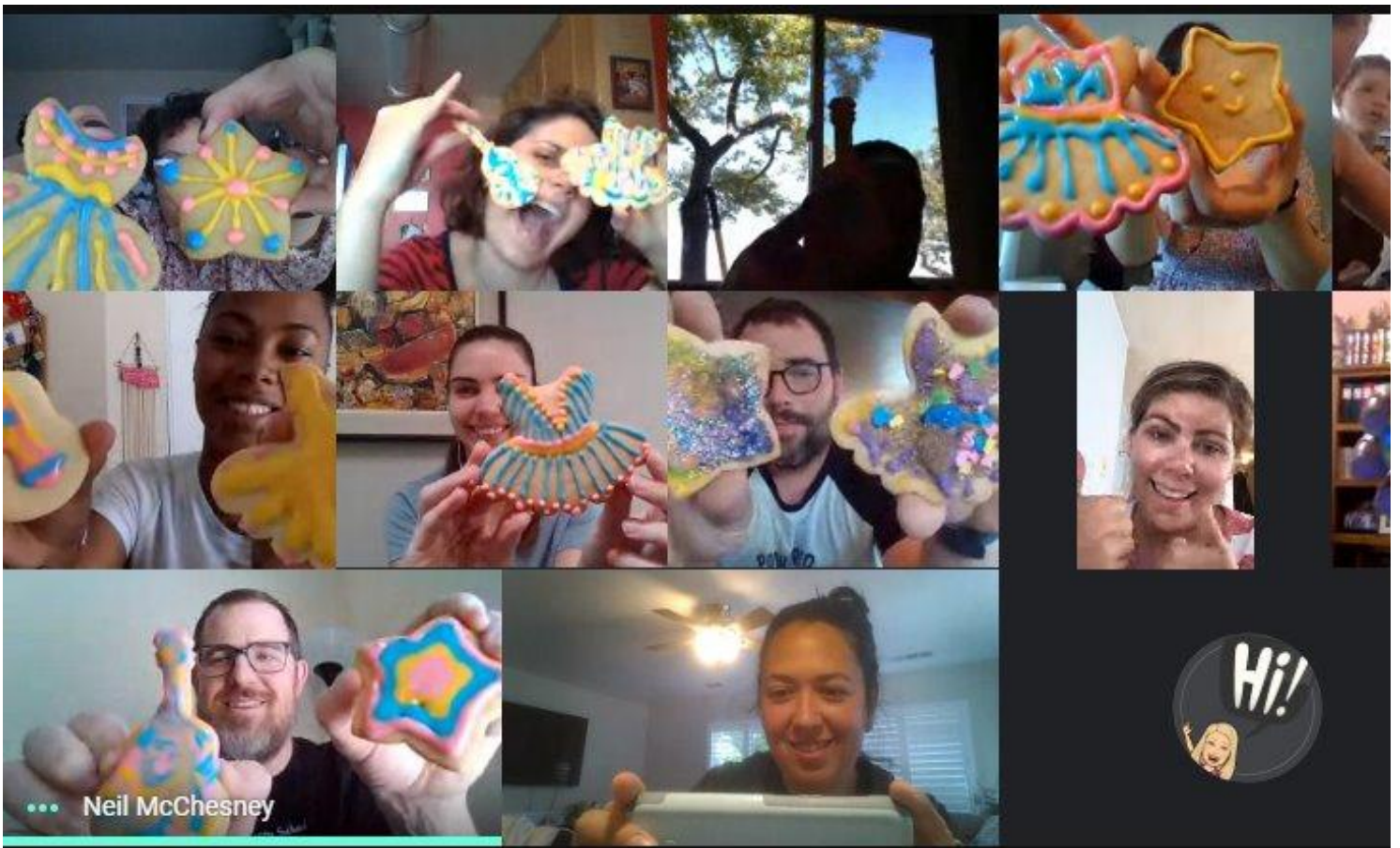
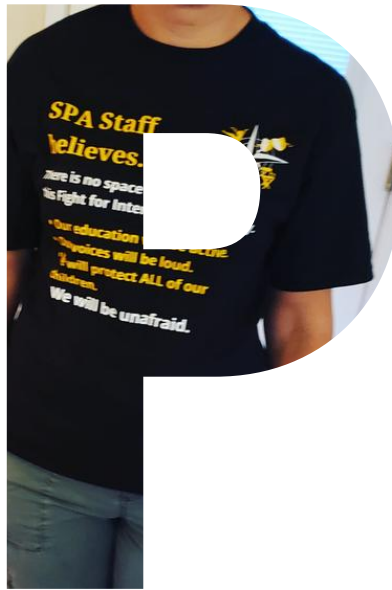
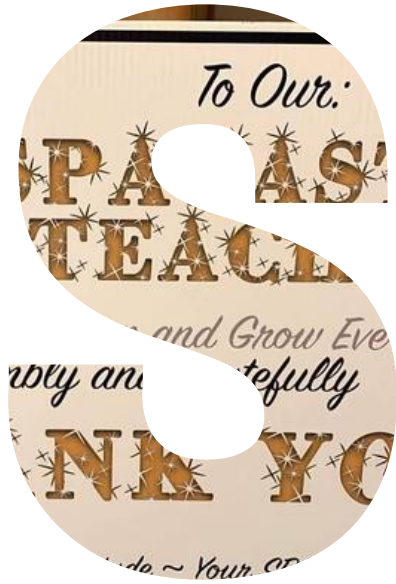
SPA shall be held accountable for meeting state and federal measurable student outcomes within a performance-based accountability system. SPA shall participate in the CAASPP assessment system and utilize the School Accountability Report Card (“SARC”), report cards, parent-teacher conferences and the LCAP as ways for parents to access and participate in SPA’s educational program as a means to be accountable to students, the County, and the public in general. SPA shall utilize PowerSchool Student Information System as a means of evaluating the effectiveness of, and need for, modifying the educational program or adding new program initiatives. Results shall be analyzed amongst teachers and administrators, and shared, explained and discussed through our Board of Directors and with representatives of the County. The Executive Director shall develop a professional development model that outlines when data is shared and reported. Overarching analysis shall be conducted with teaching staff and monthly grade level cohort meetings to discuss student achievement data. The Executive Director shall be responsible for reporting to the Board of Directors on a regular basis on student achievement.

#### SARC and LCAP

SPA will comply with state mandated requirements applicable to charter schools regarding the SARC and LCAP each year.

# Element 4

## Governance Structure



# ELEMENT 4

## **Governance Structure:**

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

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## **Non Profit Public Benefit Corporation**

SPA will be a directly funded independent charter school and will be operated by ChartHouse Public Schools, a California Nonprofit Public Benefit Corporation, pursuant to California law.

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

Attached, as Appendix A, please find the ChartHouse Public Schools Articles of Incorporation, which have been filed and approved by the Secretary of State. The operative Bylaws and Conflict of Interest Code are also attached. A copy of the Conflict of Interest Code has been submitted to the County Board of Supervisors as required by law.

## **Board of Directors**

SPA will be governed by the nonprofit Board of Directors (or “Board”) of ChartHouse Public Schools, in accordance with its adopted corporate bylaws, which shall be consistent with the terms of this charter.

The Board will meet regularly, at least once per month during the school year, and in accordance with the Brown Act and Education Code Section 47604.1(c). The Board shall establish an annual calendar listing the dates of its regular meetings and provide the locations of those meetings.

The Board is fully responsible for the operation and fiscal affairs of SPA, including, but not limited to, the following:

- Strategic planning
- Annual budget development and approval
- Fiscal oversight
- Hiring (or contracting for), supervision, evaluation, discipline, and dismissal of the Executive Director and hiring, discipline and dismissal of all other employees upon the recommendation of the Executive Director
- Adoption of the school calendar
- Oversight of curricular and extra-curricular programs
- Approval of community service programs
- Approval of graduation requirements
- Oversight and adoption of school policies
- Maintenance of strong Charter School-community relations
- Establishment of ad hoc hiring committees composed of a variety of stakeholder representatives, depending on the position
- Regular measurement of progress toward pupil outcomes
- Approval of all contractual agreements
- Approval and monitoring of the implementation of general policies of the Charter School
- Approval of annual independent fiscal audit
- Appointment of an administrative panel or acting as a hearing body to take action on recommended student expulsions

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 SPA any of those duties with the exception of budget approval or revision, approval of the fiscal audit, hiring and evaluation of the Executive Director, termination of employees, and the adoption of Governing Board policies. These delegated duties will focus on implementation rather than policy setting as this is the responsibility of the Board. The Board, however, retains ultimate responsibility over the performance of those powers or duties so delegated. Such delegation will:

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

ChartHouse Public Schools shall abide by an adopted Conflicts of Interest Code that complies with the Political Reform Act, Government Code Section 1090, *et seq.*, as set forth in Education Code Section 47604.1, Corporations Code conflict of interest rules, and shall be updated with any charter school-specific conflicts of interest laws or regulations applicable in the future. As noted



above, the Conflict of Interest Code is attached within Appendix A. As required, each updated Conflict of Interest Code will be submitted to the Contra Costa County Board of Supervisors for approval.

The 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. A board member orientation training will also be provided to all new members of the Board of Directors.

### **Composition of the ChartHouse Public Schools Board of Directors**

The Board shall have no fewer than five (5) and no more than (9) directors. All directors shall be designated by the Board of Directors. The Board of Directors will reflect the diversity of cultural, academic, and professional expertise that is essential for fulfilling SPA's unique mission.

In accordance with Education Code Section 47604(c), the County may appoint a representative to sit on the Board of Directors. If the County chooses to do so, SPA may appoint another director as necessary ensure that the Board is maintained with an odd number of directors.

Each director shall serve two (2)-year terms.

As specified in the bylaws, no persons serving on the Board can be "interested persons."

### **The Executive Director**

The Executive Director will be the leader of the Contra Costa School of Performing Arts. The Executive Director will, among other things, ensure that the curriculum is implemented in order to maximize student-learning experiences. The Executive Director must report directly to the Board of Directors, and s/he is responsible for the orderly operation of SPA and the supervision of all employees in SPA.

The Executive Director is assigned to perform assigned tasks directed from SPA 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 SPA enacts its mission and complies with its charter
- Supervise and evaluate teachers and staff
- Communicate and report to the 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 committees of SPA
- Interview and recommend 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 Board of Directors and/or the County
- Identify the staffing needs of SPA 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 SPA in the community and promote positive public relations and interact effectively with media
- Encourage and support teacher professional development
- Attend County Administrative meetings as requested by the County and stay in direct contact with the County regarding changes, progress, etc.
- Attend meetings with the Chief Financial Officer of the County on fiscal oversight issues as requested by the County
- Provide all necessary financial reports as required for proper attendance reporting
- Develop SPA's annual performance report and the SARC and the LCAP
- Present independent fiscal audit to the Board of Directors and after review by the Board of Directors present audit to the County 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
- 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 SPA or other appropriate employee or third-party provider.

### **Parental Involvement in Governance**

SPA believes that parent involvement in governance is incredibly important for the success of the organization and that this stakeholder group should be engaged in the highest levels of decision making. As such, the following initiatives are in place:

- The Bylaws of ChartHouse Public Schools requires a minimum of one Board seat to be filled by a current parent or legal guardian.

- The Board has established several standing committees (current committees listed below) and works to encourage and include parent membership.
  - Academic Excellence
  - Finance
  - Governance
  - Renewal
  - Outreach and Enrollment
  - Development
- SPA facilitated the creation of a parent organization called “Ensemble” and works in tandem with them to support the school mission. Ensemble has now been established as an independent 501c3 and holds its own elections for parent leadership, manages its own financials, and sets its own annual goals and objectives in consultation with SPA.
- The Executive Director and/or his or her designee shall maintain and regularly share a list of parent/guardian volunteer opportunities to promote participation and inclusion. In accordance with Education Code Section 47650(n), no child will be excluded from SPA or school activities due to the failure of his or her parent or legal guardian to participate.

# Element 5

## Employment Qualifications



# ELEMENT 5

## ***Employment Qualifications:***

*The qualifications to be met by individuals to be employed by the charter school. Education Code Section 47605(c)(5)(E)*

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## **Code of Professionalism**

All staff members shall recognize the magnitude of the responsibility being accepted in the field of education. In order to ensure the effectiveness of our programs and the success of students in meeting learning outcomes, all staff members must be committed to our collective mission and vision. Every stakeholder is accountable for the academic and social growth of our students.

## **Qualifications of Key Employees**

SPA does not discriminate against qualified applicants or employees on the basis of race, color, religion, sex, gender identity, gender expression, sexual orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, or any other characteristic protected by California, federal, or local laws and regulations.

Prior to beginning employment, all employees must be fingerprinted and receive background clearance in accordance with Education Code Section 44237 and shall provide proof of tuberculosis risk assessment or examination in accordance with Education Code Section 49406.

## **Administrative Team**

Administrators at SPA should possess:

- An educational vision that is consistent with SPA's mission and educational program,
- A global frame of reference
- Leadership abilities such as public speaking, motivational skills, relationship building, skills in hiring, mentoring, and coaching to maximize their full potential
- Technological and data experience
- Business and legal experience

The most important criteria for administrative candidates include the following qualifications:

- M.A. degree or equivalent
- Teaching credential
- Minimum of five years teaching experience
- Administrative Services Credential (or Student Services credential with the Administrative Services Credential earned within two years for the Director of Counseling)
- Positive references from most recent employment, college, or grad school
- Evidence of educational experience after college

## Teachers

SPA will hire appropriately qualified teachers. SPA will adhere to Education Code Section 47605(l), which states:

(1) Teachers in charter schools shall hold the Commission on Teacher Credentialing certificate, permit, or other document required for the teacher's certificated assignment. These documents shall be maintained on file at the charter school and are subject to periodic inspection by the chartering authority. A governing body of a direct-funded charter school may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in accordance with all of the requirements of the applicable statutes or regulations in the same manner as a governing board of a school district. A charter school shall have authority to request an emergency permit or a waiver from the Commission on Teacher Credentialing for individuals in the same manner as a school district.

(2) By July 1, 2020, all teachers in charter schools shall obtain a certificate of clearance and satisfy the requirements for professional fitness pursuant to Sections 44339, 44340, and 44341.

SPA teachers and paraprofessionals shall meet all applicable requirements under the Every Student Succeeds Act.

The most important characteristics of teachers are:

- Professionalism
- Effective classroom management skills
- Commitment to lifelong-learning and professional development
- Ability to work cooperatively and collaboratively with the school community
- Expertise in at least one subject
- Critical constructive thinking

- Demonstrable effectiveness in teaching
- Productive use of technology
- A willingness to take responsibility and exercise leadership for the Charter School as a whole

Although we expect our teachers to have additional qualifications, the minimum criteria for consideration include the following qualifications:

- B.A. or B.S. degree
- Subject matter competence (as evidenced by degree, subject waiver/course work, CSET, or work experience)
- Passing of CBEST and possession of a valid credential or appropriate authorization to teach in their area of assignment
- Completion of a teacher-training program at an accredited university
- Evidence of educational experience after college, if applicable (i.e. fellowships, graduate work, etc.)
- Evidence of successful classroom teaching experience, if applicable

Exceptions to the above qualifications may be made by the Executive Director for hiring staff in special areas as long as Education Code Section 47605(l) is followed.

Credentials will be maintained on site and monitored on an ongoing basis by the Executive Director. The Human Resources Manager (or similar role) will maintain a database. Monthly reports will be generated to check for credential expiration status. Reminder notifications will be sent to individuals three months prior to credential expiration date. The Human Resources Manager will print hard copies of credentials from the California Commission on Teacher Credentialing Website and keep the file on site. Copies will be available for review by the authorizer upon request.

### **Counselors and Other Non-Teaching Certificated Staff**

Non-teaching personnel will possess appropriate credentials for the specific positions, such as Pupil Personnel Services credential for Counselors.

Candidates for these positions will have evidence of adequate professional training and/or experience. A bachelor's degree is required for all positions. Desirable qualifications would include a Master's or higher degree with full clear credentials/licenses for the appropriate field.

In special circumstances, exceptions to the above qualifications may be made by the Executive Director for hiring non-teaching certificated staff such as counselors from another state with adequate professional training who are qualified to receive a California credential within a reasonable amount of time after being employed.

## **Non-Teaching Employees**

Non-teaching employees, who may include office staff, maintenance staff, custodial staff, grounds-keeping staff, food service staff, aides, and paraprofessionals, serve in support roles to keep SPA operating efficiently. If SPA receives Title I funding, it will ensure paraprofessionals are qualified to the extent required under state and federal law applicable to charter schools. The following will be required for all non-certificated position candidates:

- High school diploma or equivalent
- Background/fingerprint/TB clearance



# Element 6

## Health and Safety Procedures



# ELEMENT 6

## **Health and Safety Procedures:**

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

- (i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.*
- (ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (J), inclusive, of paragraph (2) of subdivision (a) of Section 32282-*
- (iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.*

*Education Code Section 47605(c)(5)(F)*

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In order to provide safety for all students and staff, the ChartHouse Public Schools Board of Directors 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. These procedures will be incorporated into SPA's family and staff handbooks and will be reviewed on an ongoing basis by the Executive Director and the Board. SPA shall ensure that staff are trained annually on the health and safety policies. These materials have been previously provided to the County. Any further versions will be provided to the County for review.

The following is a summary of the health and safety policies that shall be adopted and maintained by the Charter School:

### **Procedures for Background Checks**

Employees and contractors of SPA 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. SPA shall not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law, pursuant to Education Code Sections 44830.1 and 45122.1. The Executive Director of SPA shall monitor

compliance with this policy and report to the ChartHouse Public Schools Board of Directors on a regular basis. The Board Chair shall monitor the fingerprinting and background clearance of the Executive Director. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

### **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. SPA shall provide mandated reporter training to all employees annually in accordance with Education Code Section 44691.

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

Employees, and volunteers who have frequent or prolonged contact with students, will be assessed and examined (if necessary) for tuberculosis prior to commencing employment and working with students, and for employees at least once each four years thereafter, as required by Education Code Section 49406.

### **Immunizations**

All enrolled students 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. All rising 7<sup>th</sup> grade students must be immunized with a pertussis (whooping cough) vaccine booster.

### **Medication in School**

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

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

Students will be screened for vision, hearing and scoliosis. SPA will adhere to Education Code Section 49450, *et seq.*, as applicable to the grade levels served by SPA.

### **Diabetes**

SPA will provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7<sup>th</sup> grade students, pursuant to Education Code Section 49452.7. The information sheet shall include, but shall not be limited to, all of the following:

1. A description of type 2 diabetes.

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

### **Suicide Prevention Policy**

SPA shall maintain a policy on student suicide prevention in accordance with Education Code Section 215. SPA shall review, at minimum every fifth year, its policy on pupil suicide prevention and, if necessary, update its policy.

### **Prevention of Human Trafficking**

SPA shall identify and implement the most appropriate methods of informing parents and guardians of students in grades 6 through 12 of human trafficking prevention resources.

### **Feminine Hygiene Products**

To the extent SPA's student population meets or exceeds the 40% federal pupil poverty threshold, SPA will stock at least 50% of its restrooms with feminine hygiene products, and shall not charge students for these products, pursuant to Education Code Section 35292.6.

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

The Charter School shall provide each needy student, as defined in Education Code Section 49552, with one nutritionally adequate free or reduced-price meal, as defined in Education Code Section 49553(a), during each school day.

### **California Healthy Youth Act**

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

### **School Safety Plan**

SPA shall adopt a School Safety Plan, to be reviewed and updated by March 1 of every year, which shall include identification of appropriate strategies and programs that will provide or maintain a high level of school safety and address SPA's procedures for complying with applicable laws

related to school safety, including the development of all of the following pursuant to Education Code Section 32282(a)(2)(A)-(J):

- child abuse reporting procedures
- routine and emergency disaster procedures
- policies for students who committed an act under Education Code Section 48915 and other Charter School-designated serious acts leading to suspension, expulsion, or mandatory expulsion recommendations
- procedures to notify teachers of dangerous students pursuant to Education Code Section 49079
- a discrimination and harassment policy consistent with Education Code Section 200
- provisions of any schoolwide dress code that prohibits students from wearing “gang-related apparel,” if applicable
- procedures for safe ingress and egress of pupils, parents, and employees to and from SPA
- a safe and orderly environment conducive to learning
- the rules and procedures on school discipline adopted pursuant to Education Code Sections 35291, 35291.5, 47605, and 47605.6
- procedures for conducting tactical responses to criminal incidents

### **Emergency Preparedness**

SPA shall adhere to an School Safety Plan drafted specifically to the needs of the facility 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.

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

### **Blood borne Pathogens**

SPA 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 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-, Alcohol-, and Smoke-Free Environment**

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

### **Facility Safety**

SPA 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. SPA 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. SPA shall conduct fire drills as required under Education Code Section 32001.

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

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

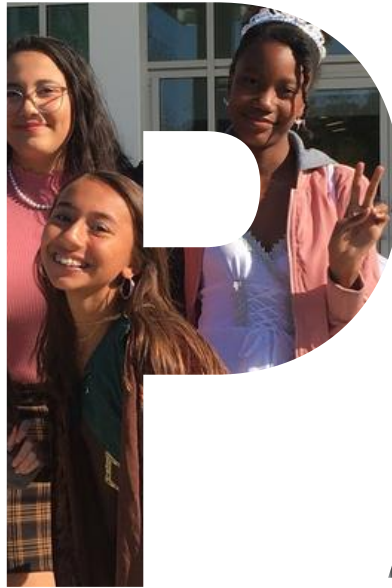
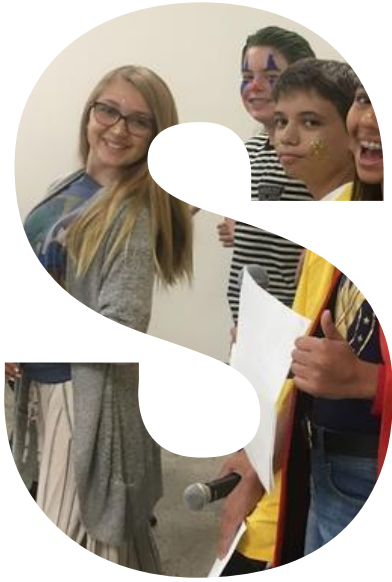
A copy of the policy shall be provided as part of any orientation program conducted for new and continuing pupils at the beginning of each quarter, semester, or summer session, as applicable, and to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year, or at the time that there is a new employee hired. SPA shall create a poster that notifies students of the applicable policy on sexual harassment in accordance with Education Code Section 231.6, and shall prominently and conspicuously display the poster in each bathroom and locker room at the school site and in public areas at the school site that are accessible to, and commonly frequented by, pupils.

### **Bullying Prevention**

SPA shall adopt procedures for preventing acts of bullying, including cyberbullying. SPA shall annually make available the online training module developed by the CDE pursuant to Education Code Section 32283.5(a) to certificated school site employees and all other school site employees who have regular interaction with children.

# Element 7

## Student Population Balance



# ELEMENT 7

## **Student Population Balance:**

*The means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics in Section 52064.5, that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted. Upon renewal, for a charter school not deemed to be a local educational agency for purposes of special education pursuant to Section 47641, the chartering authority may consider the effect of school placements made by the chartering authority in providing a free and appropriate public education as required by the federal Individuals with Disabilities Education Act (Public Law 101-476), on the balance of pupils with disabilities at the charter school. Education Code Section 47605(c)(5)(G)*

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Subject to the constraints of current state law, which requires admission by public random drawing and without discrimination based on the characteristics set forth in Education Code Section 220, SPA seeks to mirror as closely as possible the diversity of the territorial jurisdiction of the District, including with regard to socio-economic status, race and ethnicity, special education status, and English learner status.

Annual recruitment and outreach efforts to achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils reflective of the general population residing within the territorial jurisdiction of the District shall include but is not limited to the following:

**Open Houses/Information Meetings** – SPA holds multiple events of this kind each year for interested families. These open houses are held at the school site and offer families the opportunity to tour the campus and learn more about the school’s educational program, mission and vision, instructional practices, and accomplishments. Spanish language interpreters are provided.

**Print Media** – SPA invests annually in advertisement space and/or front-page stickers for local newspapers and other appropriate print media (e.g. *East Bay Times*). The messaging for these media outlets is focused on further promoting our open houses, community informational meetings, and various open community school events (e.g. arts performances).



**Online Media** – SPA utilizes online multimedia options for advertisement including *Claycord, Patch, Next Door*, and other public, open-source social media platforms. SPA maintains its own dynamic and user-friendly website. The SPA website includes detailed information including the school’s charter, mission and vision, instructional practices, student registration, upcoming meetings, board members, staff members, policy and procedures, and contact information. Spanish translations are made available. This is a primary source of information for current and prospective families as well as the community at large. SPA also keeps active their own social media accounts including Facebook, Instagram, and Twitter and leverages marketing and advertising tools on these platforms.

**Brochures/Fliers** – SPA sends out and actively posts in public places fliers in English and Spanish outlining our vision and mission statements for the school, for the purpose of student recruitment. These efforts are widespread and ubiquitous, but additional layers of outreach also target students who are actively involved in community and cultural arts programs outside the public-school system and who are approaching or are of middle or high school age. The fliers and brochures invite families and students to attend the school’s open houses, attend information meetings or performance, or visit the school for more information at any time. SPA invests in direct mail services to support pervasive saturation.

**SPA Tours** – SPA provides for regular and ongoing school tours to the community. The primary focus of these tours is for recruitment and outreach purposes. Tours are facilitated by students and staff (including Spanish speaking staff and students as needed) and give prospective families as well as the public at large first-hand experience of the SPA program during a regular school day.

**Feeder School Articulation** – SPA attempts active engagement with all feeder schools in the community in order to ensure all families understand public-school matriculation options.

**Parent and Community Involvement** – SPA works to increase parent and community involvement in all of the outreach activities, which not only encourage additional student enrollment but also strengthens stakeholder engagement in our school. Our parents, students, and community members are our best marketers and provide first-hand accounts of the successes of our school. Business and non-profit partners throughout the community regularly work with SPA to promote the school and attract new families. Local elected officials and related city or county run systems/organizations also receive information and collaborate on recruitment efforts.

SPA shall maintain an accurate accounting of the balance of students enrolled in the school, according to the characteristics subject to this element. Such data shall be reviewed by administration at least annually, whereby modifications to the recruitment and outreach efforts described above may be made.

# Element 8

## Admission Policy and Procedures



# ELEMENT 8

## ***Admission Policies and Procedures:***

*Admission policies and procedures, consistent with [Education Code Section 47605] subdivision (e). Education Code Section 47605(c)(5)(H)*

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The Contra Costa School of Performing Arts will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition nor discriminate against any student based upon any of the characteristics listed in Education Code Section 220, including but not limited to on the basis of academic performance, disability, race or ethnicity, national origin, immigration status, English learner, neglected, delinquent, homeless, economically disadvantaged, foster youth, gender, gender identity, gender expression, religion, or sexual orientation.

SPA shall admit all pupils who wish to attend SPA, who meet the admission requirements. No test or assessment shall be administered to students prior to acceptance and enrollment into SPA. SPA will comply with all laws establishing minimum and maximum age for public school attendance in charter schools. Admission, except in the case of a public random drawing (“PRD”), shall not be determined by the place of residence of the pupil or that student’s parent or legal guardian within the state. In accordance with Education Code Sections 49011 and 47605(e)(2)(B)(iv), admission preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

In accordance with Education Code Section 47605(e)(4)(A), SPA shall not discourage a pupil from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605(e)(2)(B)(iii), including pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation. Similarly, in accordance with Section 47605(e)(4)(C), SPA shall not encourage a pupil currently attending the Charter School to disenroll from SPA or transfer to another school for any reason, including, but not limited to the academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605(e)(2)(B)(iii), as listed above.

Pursuant to Education Code Section 47605(e)(4)(D), SPA shall post a notice developed by the CDE on SPA's website, outlining the requirements of Section 47605(e)(4), and make this notice available to parents.

SPA's admission policies, procedures, and practices shall ensure that:

- Language-minority parents who are not proficient in English receive meaningful access to the same admissions information and other school-related information provided to English-proficient parents in a manner and form they can understand, such as by providing free interpreter and/or translation services.
- Communications with parents with disabilities must be as effective as communications with other parents. Appropriate auxiliary aids and services (such as Braille materials or a sign language interpreter) must be made available whenever they are necessary to ensure equally effective communication with parents with hearing, vision, or speech disabilities.

SPA's admission requirements are as follows:

- Completion of an application form
- Participation in an Arts Open House

After admission, students will be required to submit an enrollment packet, which shall include the following:

1. Student enrollment form
2. Proof of Immunization
3. Home Language Survey
4. Completion of Emergency Medical Information Form
5. Proof of minimum age requirements
6. Release of records<sup>3</sup>

### **Public Random Drawing**

Each year, the SPA Board of Directors, acting on recommendations from the SPA Executive Director (or designee), will approve a plan for school growth and capacity for the upcoming academic year, which shall include the number of slots available for new students (if applicable) per grade, and in accordance with the SPA Charter.

If SPA receives more applications than capacity available in the Charter School, as determined by the SPA Board of Directors, except for currently enrolled students of SPA, admission shall be determined by a public random drawing in accordance with Education Code Section 47605(e)(2).

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<sup>3</sup> The Charter School shall not request a pupil's records or require a parent, guardian, or pupil to submit the pupil's records to the Charter School before enrollment.

**PRD Date and Time:** The PRD shall be held on the second Wednesday in February at 7:00 p.m., or as otherwise determined each year by the SPA Board of Directors. SPA will hold the PRD in the evening so that parents who work during the day are able to attend, though attendance is not mandatory. Public notice of the PRD will be posted on the SPA website, the application form, and any information sheets sent by email regarding the date, time, and location of the PRD, encouraging people to attend.

**PRD Location:** The PRD will be held at or near the Charter School to ensure maximum parent participation, and in a public space large enough to safely accommodate all interested families.

Preference in the PRD will be given in the following order:

1. Siblings of students admitted to or attending the Charter School
2. Residents of the District
3. Children and dependents of Charter School employees
4. All other applicants

SPA and the County mutually agree that the preferences in the public random drawing as listed above are consistent with the California Constitution, Education Code Sections 200 and 47605(e)(2)(B) and applicable federal law, and that the above preferences will not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.

If a student is extended an offer for admission through one of the preferences, SPA shall require supporting documentation from the parent/guardian in the student's enrollment package. SPA shall conduct verification of such documentation prior to finalizing the student's enrollment. If the student was offered admission via a preference and SPA determines that the student does not qualify, the offer of admission will be rescinded and the student will be placed at the end of the waiting list.

**PRD Procedures:** The PRD will be led by the Executive Director or designee. The PRD will be open to the public and families will be encouraged to attend; however, families are not required to be present at the time of the drawing to be eligible for admission.

Where the PRD is conducted using a paper-based system, names will be placed on cards that are of equal size and shape, or on equal size tickets. The cards/tickets will indicate whether the applying student has any siblings who are applying for admission the same year. The cards/tickets will be randomly mixed. The person leading the PRD will draw the cards/tickets one at a time, at random, and read aloud the name on the card/ticket. As each card/ticket is pulled, it will be posted visibly on a display in the order it was chosen. Names will be given a numerical ranking based on the order they were chosen. The drawing will continue until all cards/tickets have been

drawn and all names have been assigned a numerical ranking. These rankings will be recorded in an electronic database that will be double checked by the PRD official.

Separate lotteries shall be conducted for each grade in which there are fewer vacancies than pupils interested in attending. All lotteries shall take place on the same day in a single location. Lotteries will be conducted in ascending order beginning with the lowest applicable grade level.

The Executive Director may choose to employ an automated computer program or remote real-time PRD to conduct the PRD following the same basic protocol as stated above, subject to modification as appropriate to meet the utilized PRD method and the circumstances.

If a number of applications within a preference category exceeds the Charter School's established capacity (and there are no other lower ranked priority status student applications), application acceptance shall be determined by a PRD of the students within the preference category.

If an applicant drawn during the process described above has a sibling(s) who has (have) also applied for admission during the current admission period and for the same grade level, that sibling(s) will be offered the next available slot(s) or if no such slot(s) remain they will be placed in the first available slot(s) on the appropriate waiting list. If maximum capacity has been reached in a particular grade level and the applicant drawn in the PRD has a twin, triplet, or other siblings of a multiple birth that has also submitted a timely application, admission shall be determined on a case-by-case basis as determined by the Executive Director. If an applicant drawn during the process described above has a sibling(s) who has (have) also applied for admission during the current admission period and for a different grade level which has already been assigned slots, that sibling(s) will be offered an open slot, if available, or placed in the first available slot(s) on the appropriate waiting list. If an applicant drawn during the process described above has a sibling(s) who has (have) also applied for admission during the current admission period and for a different grade level which has not yet been assigned slots, that sibling(s) will be given sibling preference (as defined above) at the time of assignment of slots for their grade level.

Waiting List: During the PRD, once maximum capacity is reached, the remaining names will continue to be drawn and will be placed on a waiting list in the order drawn. If vacancies occur during the school year, the vacancies may be filled according to the waiting list. Records will be kept on file at the Charter School documenting the fair execution of the PRD for two (2) years.

Families will be notified by phone call or email of their placement on the waiting list within two (2) weeks of the PRD. Families may call the main office to track their status on the waiting list.

Students who are not offered seats for the academic school year for which the PRD was held will remain on the waiting list of the applicable school year unless otherwise requested by the parent/guardian to be removed. The waiting list shall be cleared at the end of the academic school year for which it was established and shall not carry over from one year to the next.

### **Admission Offers and Acceptance of Offers/Registration and Enrollment**

Families who were selected during the PRD will immediately be notified by email or phone call of enrollment eligibility and will be required to indicate their commitment to enroll by the posted instructions and due date.

Families who do not submit the required document indicating their commitment to enroll by the posted due date will forfeit admission. The student's space is no longer reserved and may be filled by the next student on the SPA waiting list.

Families who submit a timely document indicating their commitment to enroll will be contacted and required to return or submit a completed registration packet by the posted deadline to ensure enrollment in the next academic year. If the completed registration packet is not received by SPA by the deadline, the student will forfeit admission and the slot may be filled by the next student on the SPA waiting list.

Following registration, students must participate in an arts placement audition. Multiple opportunities for the arts placement audition will be provided and posted as well as information about what to expect at the event. If the student fails to attend an arts placement audition, the student will forfeit admission and the slot may be filled by the next student on the SPA waiting list.

Admission offers are valid only for the applied-for academic year. There is no option to defer an offer of admission. No added preference in the future will be given to an applicant who is offered a slot and declines that slot. However, applicants who remain eligible for preference, as defined above, may still receive such preference if they decline an offer of enrollment and then reapply for a future academic year. Similarly, applicants who were waitlisted and who remain eligible for admission preference, as defined above, may still receive such preference if they reapply for a future academic year.

If the student does not attend school within the number of days of the beginning of the school year, as set by the SPA Board of Directors, and does not communicate with SPA prior to or during that time regarding the reason for his or her absence, he or she will be presumed to have declined enrollment at SPA and his or her slot will be offered to the next eligible student on the waitlist. If an applicant accepts his or her admission offer and is enrolled at SPA, but does not attend the first day of school, SPA will call that student's contact number and send them an email to let them know that they missed the first day of school. If the student then does not attend school in the time period set by the SPA Board of Directors or does not communicate with SPA within that time regarding the reason for their absence, they will be presumed to have declined enrollment at SPA and their slot will be offered to the next eligible student on the waitlist.

If slots become available because an admitted student declines admission, or a student leaves SPA after the start of the academic year, or as spots become available, SPA staff may notify families on the waiting list via phone call (as stated in the student's application for admission) in the order they appear on the waiting list. Families shall accept the admission offer by indicating

their commitment to enroll in the manner and time specified by policy as determined by the SPA Board of Directors. Families shall then proceed with the enrollment process by submitting a completed registration packet as specified by school officials. This procedure may be repeated until all slots for the upcoming/current academic year have been filled with applicants who confirm their enrollment in SPA.



# Element 9

## Independent Financial Audits



# ELEMENT 9

## ***Independent Financial Audits:***

*The manner in which annual, independent, financial audits shall be conducted, which shall employ general 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(c)(5)(I)*

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

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

The annual audit will be completed and forwarded to the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. The Executive Director, along with the audit committee, if any, will review any audit exceptions or deficiencies and report to the Board with recommendations on how to resolve them. The Board will submit a report to the County describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the County along with an anticipated timeline for the same. Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel (“EAAP”) in accordance with applicable law.

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

# Element 10

## Suspension and Expulsion Procedures



# ELEMENT 10

## ***Suspension and Expulsion Procedures:***

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

*(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil's side of the story.*

*(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:*

*(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.*

*(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.*

*(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five school days before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform the pupil, the pupil's parent or guardian, or the pupil's educational rights holder of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii). Education Code Section 47605(c)(5)(J)*

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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 the Contra Costa School of Performing Arts. In creating this policy, SPA has reviewed Education Code Section 48900 *et seq.* which describes

the non-charter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* SPA is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as SPA's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. SPA staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations. Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

SPA's administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline and involuntary removal policies and procedures. The notice shall state that this Policy and Procedures are available on request at the Executive Director's office.

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

A student identified as an individual with disabilities or for whom SPA has a basis of knowledge of a suspected disability pursuant to IDEA or who is qualified for services under Section 504 is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. SPA will follow all applicable federal and state laws including but not limited to the Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom SPA has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

No student shall be involuntarily removed by SPA for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform him or her of the basis for which the pupil is being involuntarily removed and his or her right to request a hearing to challenge the involuntary removal. If a parent, guardian, or educational rights holder requests a hearing, SPA shall utilize the same hearing procedures specified below

for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until SPA issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated below.

### **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**

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force or violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
- g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes,

smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.

- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. This section shall apply to pupils in any of grades 9 to 12, inclusive.
- l) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Harassed, threatened, or intimidated a 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.
- o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- p) Engaged in, or attempted to engage in hazing. For 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.
- q) Made terroristic threats against school officials and/or school property which includes but is not limited to, electronic files and databases. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal,

unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.

- r) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- s) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
  - 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
    - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
    - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.



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

artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

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

2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.
- b) Brandishing a knife at another person.
- c) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, *et seq.*
- d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n).

3. Discretionary Expellable Offenses: Students may be recommended for expulsion for any of the following acts when it is determined the pupil:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force or violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.

- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
- g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Knowingly received stolen school property or private property.
- l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m) Harassed, threatened, or intimidated a 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.
- n) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o) Engaged in, or attempted to engage in hazing. For 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.

- p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
  - 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation,

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

- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
- ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
- iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
- iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

2) "Electronic Act" means the creation or transmission originated on or off the schoolsite by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

- i. A message, text, sound, video or image.
- ii. A post on a social network Internet Web site including, but not limited

to:

- (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
- (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
- (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

iii. An act of cyber sexual bullying.

- (a) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an

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

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

iv. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

u) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).

v) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee’s concurrence.

4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the pupil:

a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee’s concurrence.

b) Brandishing a knife at another person.

a) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, et seq.

b) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n).

If it is determined by the Administrative Panel and/or Board of Directors that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student

shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. In such instances, the pupil shall be provided due process rights of notice and a hearing as required in this policy.

The term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

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

### **C. Suspension Procedure**

Suspensions shall be initiated according to the following procedures:

#### **1. Conference**

Suspension shall be preceded, if possible, by a conference conducted by the Executive Director or the Executive Director’s designee with the student and his or her parent and, whenever practical, the teacher, supervisor or SPA employee who referred the student to the Executive Director or designee.

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

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense in accordance with Education Code Section 47605(c)(5)(J)(i). This conference shall be held within two (2) 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 Charter 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 the suspension, an administrator or designee shall make a reasonable effort to

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

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

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

This determination will be made by the Executive Director or designee upon either of the following: 1) the pupil’s presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil’s suspension will be extended pending the results of an expulsion hearing. Upon determining that the pupil will be recommended for expulsion, the Executive Director or designee shall inform the student services office for the authorizer via email.

### 4. Homework Assignments/Academic Work During Suspension

In accordance with Education Code Section 47606.2(a), upon the request of a parent, a legal guardian or other person holding the right to make education decisions for the pupil, or the affected pupil, a teacher shall provide to a pupil in any of grades 1 to 12, inclusive, who has been suspended from school for two or more schooldays, the homework that the pupil would otherwise have been assigned.

In accordance with Education Code Section 47606.2(b), if a homework assignment that is requested pursuant to Section 47606.2(a) and turned into the teacher by the pupil either upon the pupil’s return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment shall not be included in the calculation of the pupil’s overall grade in the class.

## **D. Authority to Expel**

As required by Education Code Section 47605(c)(5)(J)(ii), students recommended for expulsion



are entitled to a hearing adjudicated by a neutral officer to determine whether the student should be expelled. The procedures herein provide for such a hearing and the notice of said hearing, as required by law.

A student may be expelled either by the neutral and impartial SPA Board following a hearing before it or by SPA Board upon the recommendation of a neutral and impartial Administrative Panel to be assigned by the Board as needed. The Administrative Panel shall consist of at least three members who are certificated and neither a teacher of the pupil nor a Board member of SPA's governing board. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board of Directors shall make the final determination.

### **E. Expulsion Procedures**

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

In the event an Administrative Panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the Pupil makes a written request for a public hearing in open session three (3) days prior to the date of the scheduled hearing.

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

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

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

SPA may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by SPA 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. SPA 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 entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, SPA must present evidence that the witness' presence is both desired by the witness and will be helpful to SPA. 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 public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

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

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

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

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

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

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

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

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

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

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

### **J. Disciplinary Records**

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

### **K. Expulsion Appeal**

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

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

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

### **M. Rehabilitation Plans**

Students who are expelled from SPA shall be given a rehabilitation plan upon expulsion as developed by the Board at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation

plan should include a date not later than one year from the date of expulsion when the pupil may reapply to SPA for readmission.

#### **N. Readmission**

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board following a meeting with the Executive Director or designee and the pupil and parent/guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Executive Director or designee shall make a recommendation to the Board following the meeting regarding his or her determination. The Board shall then make a final decision regarding readmission during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The pupil's readmission is also contingent upon SPA's capacity at the time the student seeks readmission.

#### **O. Notice to Teachers**

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

#### **P. Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities**

##### **1. Notification of SELPA**

SPA shall immediately notify the SELPA and coordinate the procedures in this policy with the SELPA of the discipline of any student with a disability or student who SPA or SELPA would be deemed to have knowledge that the student had a disability.

##### **2. Services During Suspension**

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting (which could constitute a change of placement and the student's IEP would reflect this change), and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

##### **3. Procedural Safeguards/Manifestation Determination**

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, SPA, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

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

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

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

- a. Conduct a functional behavioral assessment and implement a behavioral intervention plan for such child, provided that SPA had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b. If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c. Return the child to the placement from which the child was removed, unless the parent and SPA agree to a change of placement as part of the modification of the behavioral intervention plan.

If SPA, the parent, and relevant members of the IEP/504 Team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a direct result of the failure to implement the IEP/504 Plan, then SPA may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

#### 4. Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or SPA believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education

Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

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

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

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

#### 5. Special Circumstances

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

The Executive Director or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

- a. Carries or possesses a weapon, as defined in 18 U.S.C. Section 930, to or at school, on school premises, or to or at a school function;
- b. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
- c. Has inflicted serious bodily injury, as defined by 20 U.S.C. Section 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

#### 6. Interim Alternative Educational Setting

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

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

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

SPA shall be deemed to have knowledge that the student had a disability if one of the following conditions exists:

- a. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to SPA supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b. The parent has requested an evaluation of the child.
- c. The child's teacher, or other SPA personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other SPA supervisory personnel.

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

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

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

### **Schoolwide Behavior and Discipline Plan**

SPA has gone through a transformative period for the past year that has led us to become more reflective on how innovative we, as a school, can be in the realms of discipline, community, and school culture. SPA is implementing a more comprehensive Restorative Justice/Practices system to better meet the needs of our community and create a system that allows for reparations, reform, and a space for students to feel safe enough to express themselves honestly. At SPA we want to cater to the needs of students on an equitable level and tried to provide a safe, caring, therapeutic environment for students with different levels of emotional and academic needs.



Because SPA has a diverse population with diverse needs, the Student Services team has created a tier system that allows for an appropriate response to the levels of different types of behavior, as well as piloting a Youth Council program that will take place twice a week during Spotlight. We want to ensure that every student develops the skills they need to navigate social challenges and becomes a contributing member to the SPA community. One of the ways we are going to do this is by creating a Restorative Justice Manual to assist teachers build relationships in the classroom that foster a sense of belonging and redirect student behaviors.

The goal of PBS and RP as SPA is to support students in a positive and meaningful way while reducing negative behavior. Our program works to ensure that student behavior supports an environment in which academic achievement and artistic excellence can flourish. SPA staff will communicate these expectations to our student body. Our response to student transgressions is not simply intended to deliver punishments for breaking rules, it is founded on the practice of community building, self-assessment, and self-discipline. All students will be afforded the full extent of their due process rights.

SPA will continually assess and evolve its student behavior and discipline programs to ensure efficacy and equity.

### **Positive Behavior Program**

One of the foremost advances in school-wide discipline is the emphasis on school-wide systems of support that include proactive strategies for defining, teaching, and supporting appropriate student behaviors to create positive school environments. Instead of using a piecemeal approach of individual behavioral management plans, a continuum of positive behavior support for all students within a school is implemented in areas including the classroom and non-classroom settings (such as hallways, virtual space, and restrooms).

Positive Behavior System (PBS) is a proactive approach to establishing the behavioral supports and social culture needed for all students in a school to achieve social, emotional and academic success. Attention is focused on creating and sustaining primary (school-wide), secondary (classroom), and tertiary (individual) systems of support that improve lifestyle results (personal, health, social, family, work, recreation) for all youth by making targeted misbehavior less effective, efficient, and relevant, and desired behavior more functional.

Frequently, the question is asked, “Why should we have to teach kids to be good? They already know what they are supposed to do. Why can we not just expect good behavior?” In the past, school-wide discipline has focused mainly on reacting to specific student misbehavior by implementing punishment-based strategies including reprimands, loss of privileges, office referrals, suspensions, and expulsions. Research has shown that the implementation of punishment, especially when it is used inconsistently and in the absence of other positive strategies, is ineffective.

Introducing, modeling, and reinforcing positive social behavior is a crucial step of a student’s educational experience. Teaching behavioral expectations and rewarding students for following them is a much more positive approach than waiting for misbehavior to occur before responding. The purpose of school-wide PBS is to establish a climate in which appropriate behavior is the norm.

The goal of SPA’s Positive Behavior Program is that our **Stars will SHINE** at SPA and in our community!



### Restorative Practices

Restorative Practices (RP) is a movement grounded in principles designed to create powerful relationships, which are central to building and sustaining thriving communities. RP represents a paradigm shift that, when wrongdoings occur, focuses on the harm done rather than the rule broken, and seeks the restoration of relationships. RP is a reflective practice that encourages personal responsibility, giving voice to the person harmed, as well as the person who caused the harm. RP aids in the embracing of cultural differences by offering an equitable process whereby

all members of a community feel valued and heard, and in turn, are more likely to bring their “best self” to the community.

SPA graduates look back on their seven-year experience we want them to say that they were exposed to life’s realities in the Arts – that they participated in internships, engaged with real artists and professionals. We want to hear them reflect with pride on the struggles and challenges they overcame on their way to their academic and artistic achievements. We want our graduating seniors to speak with confidence about what is coming next, we want to hear them say that feel ready, that they have the skills they need to be active, creative, informed and contributing members of the community.

We want our students to describe our school community as a place where they always know what is expected of them, that the guidelines are clear and teachers are consistent in communicating and upholding them. We want our students to say that they are held to high standards and to recognize that their teachers push them and demand their best because they respect them and want the best for them.

We know that we need to be in productive, caring partnership with the families of the young people in our school community. In 2025, when our incoming 6th graders are getting ready to graduate, we want their families to reflect positively on their experiences in our school. We want them to:

- describe how connected they felt, that they had meaningful relationships with teachers, staff and school leaders who were accessible and committed to clear and consistent communication.
- recognize the unique social and cultural diversity from which their students benefit from our school, and to value the personalized learning approach that calls for meaningful demonstration of content and skill mastery – not just high scores on a test.
- celebrate our school’s emphasis on maintaining and restoring healthy relationships and creating a strong community.
- say that they always felt heard and respected, even when a disagreement was not resolved to their liking.
- recognize and celebrate that their students felt safe, happy and engaged when they were in our care.

## **Youth Council**

SPA’s Youth Council is a peer to peer restorative justice program. Youth will work together as an alternative to suspension, early intervention for escalating behaviors, and mediating peer conflict. The purpose of the Youth Council will be to repair harm and build competencies that help create safer schools.

Goals of the Youth Council:

- Increasing accountability of youth
- Assisting all those involved to move forward successfully
- Determining a fair and restorative sanction
- Supervising the sanction and monitor the outcome

Youth Council is created to reduce incident escalation and/or serve as a last step effort to reduce suspension/ expulsion.

At SPA, we know that part of growing up includes making mistakes and sometimes failing to make good choices, but we want students to know that they are not their mistakes. We want students to evolve from their interactions, right their wrongs, and reflect on how our process demonstrated care and character building versus punitive outcomes. Part of this process includes productive and caring partnerships with the families of young people in our community.

Student(s) will end up on a Behavior Plan post Youth Council if an offense falls under Tier 3 incidents. Youth Council members participate in an informative and fun intensive summer training program, in which they learn about restorative justice and how the justice system in the city works and can impact schools.

Teenagers learn to perform the functions of the Youth Council by practicing the roles of judges, jurors, community advocates and youth advocates, conducting intake, and distributing sanctions.

A sanction is an accountability-based and proportional (including incentives, counseling services, workshops, etc.) response and a requirement for students to fulfill because of their actions and to protect communities from the effects of the incident. Additionally, it serves as a positive behavior intervention that allows the student to get back on track versus continue in a downward spiral.

Additionally, we want to encourage teachers to implement Restorative Practices within their own respective classrooms and collaborate with administration on disciplinary responses.

**Classroom consequences by the teacher before referral to administration for Middle School:**

1. Warning/ Counseled by teacher
2. Reflection Assignment along with email sent home
3. Referral to counselor for positive social skills intervention/ Parent call home
4. Email/Call home to parent for meeting along with Classroom Contract
5. Referral to Administration/ SST
6. Lunch Detention, ISD, ISS, Youth Council, Behavior Contract, referral to administration

**Classroom consequences for High School students:**

1. Warning
2. One on One meeting/ Classroom Contract- Use your discretion if you want to include parent on Classroom Contract
3. SST meeting

4. Email home to parent with Dean CC'd about further escalating behavior
5. Referral to administration/Behavior Contract/ISD/ISS/Youth Council

# Element 11

## Retirement Systems



# ELEMENT 11

***Retirement Systems:***

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

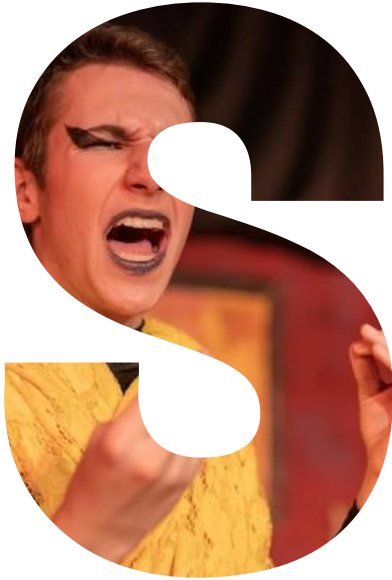
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All full time, eligible employees will participate in the State Teachers' Retirement System ("STRS"). All other employees will participate in the federal social security system. The Executive Director or designee shall be responsible for ensuring that appropriate arrangements for retirement coverage have been made for all employees.

SPA reserves the right to revise or supplement its retirement systems offerings.

# Element 12

## Public School Attendance Alternatives





# ELEMENT 12

***Public School Attendance Alternatives:***

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

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No student may be required to attend SPA. Students who reside within the District or County who choose not to attend SPA may attend school within the District or County according to District or County policy or at another school district or school within the District or County through the local district's intra and inter-district transfer policies. Parents and guardians of each student enrolled in SPA will be informed on admissions forms that students have no right to admission in a particular school of a local education agency as a consequence of enrollment in SPA, except to the extent that such a right is extended by the local education agency.

# Element 13

## Employee Return Rights



# ELEMENT 13

**Employee Return Rights:**

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

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

Sick or vacation leave or years of service credit at any school district will not be transferred to SPA. Employment by ChartHouse Public Schools provides no rights of employment at any other entity, including any rights in the case of closure of SPA.

# Element 14

## Dispute Resolution



# ELEMENT 14

***Dispute Resolution:***

*The procedures to be followed by the charter school and the chartering authority to resolve disputes relating to provisions of the charter. Education Code Section 47605(c)(5)(N)*

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SPA and the County will be encouraged to attempt to resolve any disputes with the County amicably and reasonably without resorting to formal procedures.

In the event of a dispute between SPA and the County, Charter School staff, employees and Board members of SPA and the County agree to first frame the issue in written format (“dispute statement”) and to refer the issue to the County Superintendent and Executive Director of the Contra Costa School of Performing Arts or their respective designees. In the event that the County Board of Education believes that the dispute relates to an issue that could lead to revocation of the charter in accordance with Education Code Section 47607, SPA requests that this shall be noted in the written dispute statement, although it recognizes it cannot legally bind the County to do so. However, participation in the dispute resolution procedures outlined in this section shall not be interpreted to impede or act as a pre-requisite to the County’s ability to proceed with revocation in accordance with Education Code Section 47607 and its implementing regulations.

The Executive Director and Superintendent, or their respective designees, shall informally meet and confer in a timely fashion to attempt to resolve the dispute, not later than five (5) business days from receipt of the dispute statement. In the event that this informal meeting fails to resolve the dispute, both parties shall identify two Board members from their respective boards who shall jointly meet with the Superintendent and the Executive Director of SPA, or their respective designees, and attempt to resolve the dispute within fifteen (15) business days from receipt of the dispute statement.

If this joint meeting fails to resolve the dispute, the Superintendent and the Executive Director, or their respective designees, shall meet to jointly identify a neutral third party mediator to engage the Parties in a mediation session designed to facilitate resolution of the dispute. The format of the mediation session shall be developed jointly by the Superintendent and the Executive Director, or their respective designees. Mediation shall be held within sixty (60) business days of receipt of the dispute statement. The costs of the mediator shall be split equally between the County and SPA. If mediation does not resolve the dispute either party may pursue

any other remedy available under the law. All timelines and procedures in this section may be revised upon mutual written agreement of the County and SPA.

### **Internal Disputes**

SPA shall have an internal dispute resolution process to be used for all internal disputes related to SPA's operations. SPA shall also maintain a Uniform Complaint Policy and Procedures as required by state law. Parents, students, Board members, volunteers, and staff at SPA shall be provided with a copy of SPA's policies and internal dispute resolution process. The County shall promptly refer all disputes not related to a possible violation of the charter or law to SPA.

# Miscellaneous Provisions



# ELEMENT 15

## **Closure Procedures:**

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

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Closure of the Contra Costa School of Performing Arts will be documented by official action of the Board of Directors. The action will identify the reason for closure. The official action will also identify an entity and person or persons responsible for closure-related activities.

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

SPA 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 SPA.

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

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



County upon Charter School closure. If the County will not or cannot store the records, SPA shall work with the County Office of Education to determine a suitable alternative location for storage.

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

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

SPA will complete and file any annual reports required pursuant to Education Code section 47604.33.

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

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

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

As specified by the Budget in Appendix D, SPA will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above.

# MISCELLANEOUS PROVISIONS

## **Budget and Financial Reporting**

*The petitioner or petitioners also shall 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(h)*

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

- A projected budget including cash-flow
- Financial projections for the term of operation
- Budget narrative

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

The Contra Costa School of Performing Arts shall provide reports to the County as follows, and may provide additional fiscal reports as requested by the County:

1. By July 1, a preliminary budget for the current fiscal year.
2. By July 1, an annual update required pursuant to Education Code Section 47606.5.
3. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of the SPA's annual, independent financial audit report for the preceding fiscal year shall be delivered to the State Controller, California Department of Education and County Superintendent of Schools.
4. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
5. By September 15, a final unaudited report for the full prior year. The report submitted to the County shall include an annual statement of all SPA's receipts and expenditures for the preceding fiscal year.

## **Insurance**

SPA shall acquire and finance general liability, workers compensation, and other necessary insurance of the types and in the amounts required for an enterprise of similar purpose and circumstance. Coverage amounts will be based on recommendations provided by the County and SPA's insurer or broker. The County Board of Education shall be named as an additional insured on all policies of SPA. SPA will provide evidence of the above insurance coverage to the County as requested or consistent with any memorandum of understanding ("MOU") between SPA and the County.

### **Administrative Services**

*The manner in which administrative services of the charter school are to be provided. Education Code Section 47605(h)*

SPA will provide or procure its own administrative services through an appropriately qualified third-party contractor. SPA intends to continue to contract with EdTec, a business and development company specializing in charter schools, for administrative and "back-office" services including, but not limited to, the following:

- Complete Bookkeeping Services
- Budget Creation / Fiscal Planning Services
- Cash Flow Management
- Local, State, and Federal Reporting
- Audit and Compliance Preparation
- Payroll Services
- Employee Benefits
- STRS and PERS Setup and Management
- Planning & Management
- Payroll Tax Payments
- Audit Preparations & Support
- LEA Plans
- Compliance Reporting to County & State Grantors
- Attendance Reporting
- Food Program - Implementation & Claims Reporting
- Training - Charter School Finance, Accounting & Operation Functions, Budgets, Financial Reports
- Quarterly & Annual Filings of Tax Forms (IRS, EDD, etc.)
- Property Tax Exemptions Filings

EdTec has a longstanding record of providing back-office services to charter schools in California and is recognized in the California education community as having broad expertise in school business practices, including accounting and payroll.

If the County is interested in discussing the possibility of providing administrative services to

SPA on a fee-for-service basis, the specific terms and cost for these services will be the subject of a separate memorandum of understanding between the Charter School and the County and subject to County availability and willingness to provide such services.

### **Criteria for Contract Services**

SPA will ensure that all contractors, including back-office service providers, perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. SPA shall approve only responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement, and in compliance with conflict of interest laws referenced herein. Consideration will be given to matters such as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

### **Facilities**

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

The SPA facility is located at 2730 Mitchell Drive, Walnut Creek, CA 94598. The campus is a ~43,000sf, single-story building with 28 classrooms and 10 offices, a multipurpose room, an enclosed yard, and a dedicated parking lot with private ingress and egress to the property. The campus is located in the Shadelands Business Park of Walnut Creek and benefits from business and community partnerships in the surrounding area.

### **Transportation**

SPA will not provide transportation to and from school, except as required by law. SPA will investigate transportation options for students such as orchestrated carpools, transportation scholarships, and free or reduced price bus passes.

### **Student Fees**

SPA shall comply with Education Code Sections 49010 and 49011.

SPA will not charge or collect a fee for registering for school or classes, or as a condition of participation in class or any extracurricular activities, a Security deposit, or other payment that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, uniform, or other materials or equipment, or require a student to make a purchase to make to obtain materials, supplies, equipment, or uniforms associated with an educational activity.

All supplies, materials, and equipment needed to participate in educational activities shall be provided to pupils free of charge

SPA will not establish or utilize a fee waiver policy.

SPA will not offer a higher educational standard that pupils may obtain through payment of a fee or purchase of additional supplies that the school district does not provide.

SPA will not offer course credit or privileges related to educational activities in exchange for money or donations of goods or services from a pupil or a pupil's parents or guardians

SPA will not remove course credit or privileges related to educational activities, or otherwise discriminate against a pupil, because the pupil or the pupil's parents or guardians did not or will not provide money or donations of goods or services to the school district or school.

SPA shall implement a Student Fee complaint procedure and remedy consistent with Education Code Section 49013.

### **Potential Civil Liability Effects**

*Potential civil liability effects, if any, upon the charter school and upon the school district. Education Code Section 47605(h)*

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

Pursuant to Education Code Section 47604(d), 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. SPA shall work diligently to assist the County in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other County -requested protocol to ensure the County shall not be liable for the operation of SPA.

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

As stated above, insurance amounts will be determined by recommendation of the County and SPA's insurance company for schools of similar size, location, and student population. The County shall be named an additional insured on the general liability insurance of SPA.

### **FERPA Compliance**

SPA acknowledges that FERPA is a comprehensive federal law that protects the privacy of student education records and that the law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. SPA shall comply with FERPA by developing and implementing appropriate policies and controls to protect student information and provide annual training to all employees on the requirements of FERPA compliance.

# Cover Sheet

## Amended Bylaws and Conflict of Interest Code

**Section:** IV. Action Items  
**Item:** B. Amended Bylaws and Conflict of Interest Code  
**Purpose:** Vote  
**Submitted by:**  
**Related Material:** 20 08 12 CHPS Bylaws 4.4.16 (KR Redline).doc  
20 08 12 CHPS Conflict of Interest Code (KR Redline).docx

## CHARTHOUSE PUBLIC SCHOOLS

### CONFLICT OF INTEREST CODE

#### I. ADOPTION

In compliance with the Political Reform Act of 1974, California Government Code Section 87100, et seq., the Charthouse Public Schools hereby adopts this Conflict of Interest Code (“Code”), which shall apply to all governing board members, ~~candidates for member of the governing board,~~ and all other designated employees of Charthouse Public Schools (“Charter School”), as specifically required by California Government Code Section 87300.

#### II. DEFINITION OF TERMS

As applicable to a California public charter school, the definitions contained in the Political Reform Act of 1974, the regulations of the Fair Political Practices Commission, specifically California Code of Regulations Section 18730, and any amendments or modifications to the Act and regulations are incorporated by reference to this Code.

#### III. DESIGNATED EMPLOYEES

Employees of this Charter School, including governing board members ~~and candidates for election and/or appointment to the governing board,~~ who hold positions that involve the making or participation in the making, of decisions that may foreseeably have a material effect on any financial interest, shall be “designated employees.” The designated positions are listed in “Exhibit A” attached to this policy and incorporated by reference herein.

#### IV. STATEMENT OF ECONOMIC INTERESTS: FILING

Each designated employee, including governing board members ~~and candidates for election and/or appointment to the governing board,~~ shall file a Statement of Economic Interest (“Statement”) at the time and manner prescribed by California Code of Regulations, title 2, section 18730, disclosing reportable investments, interests in real property, business positions, and income required to be reported under the category or categories to which the employee’s position is assigned in “Exhibit A.”

An investment, interest in real property or income shall be reportable, if the business entity in which the investment is held, the interest in real property, the business position, or source of income may foreseeably be affected materially by a decision made or participated in by the designated employee by virtue of his or her position. The specific disclosure responsibilities assigned to each position are set forth in “Exhibit B.”

Statements Filed With the Charter School. All Statements shall be supplied by the Charter School. All Statements shall be filed with the Charter School. The Charter School’s filing officer shall make and retain a copy of the Statement and forward the original to the County Board of Supervisors.



**CHARTHOUSE PUBLIC SCHOOLS  
CONFLICT OF INTEREST CODE**

**PAGE 1 OF 2**

**V. DISQUALIFICATION**

No designated employee shall make, participate in making, or try to use his/her official position to influence any Charter School decision which he/she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family.

**VI. MANNER OF DISQUALIFICATION**

**A. Non-Governing Board Member Designated Employees**

When a non-Governing Board member designated employee determines that he/she should not make a decision because of a disqualifying interest, he/she should submit a written disclosure of the disqualifying interest to his/her immediate supervisor. The supervisor shall immediately reassign the matter to another employee and shall forward the disclosure notice to the ~~Charter School Principal~~Executive Director, who shall record the employee's disqualification. In the case of ~~the Executive Director~~a designated employee who is head of an agency, this determination and disclosure shall be made in writing to ~~his/her appointing authority~~the Board of Directors. -

**B. Governing Board Member Designated Employees**

The Corporation shall not enter into a contract or transaction in which a director directly or indirectly has a material financial interest (nor shall the Corporation enter into any contract with any other corporation, firm, association, or other entity in which one or more of the Corporation's directors are directors and have a material financial interest).

**EXHIBIT A**

**Designated Positions**

**Comment [KR1]:** This Exhibit should include all positions within COCOSPA that exercise discretionary decision-making authority.

<u>Designated Position</u>	<u>Assigned Disclosure Category</u>
Members of the Governing Board	_____ 1, 2, 3
CEO/ <del>President-Executive Director</del> —	_____ 1, 2, 3
<del>Chairman of the Board</del> _____	_____ 1, 2, 3
CFO/Treasurer	_____ 1, 2, 3
<del>Secretary-Principal</del>	_____ 1, 2, 3
<u>Director of Curriculum and Instruction</u> _____	_____ 3
<del>Executive Director of Charter School</del> _____	_____ 1, 2, 3
Consultants/ <u>New Positions</u> _____	_____ *

\*Consultants/New Positions are included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation:

The Executive Director may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code. (Gov. Code Section 81008.)

**EXHIBIT B**

Disclosure Categories

**Category 1**

Designated positions assigned to this category must report:

- a) Interests in real property that are located in whole or in part within a two-mile radius:
  - of any school district that has authorized a Charthouse Public Schools charter school, or
  - of any facility utilized by a Charthouse Public Schools charter school, or
  - of a proposed site for a Charthouse Public Schools facility.
  
- b) Investments and business positions in business entities, and sources of income (including gifts, loans, and travel payments) of the type that engage in the purchase or sale of real property or are engaged in building construction or design.

~~Interests in real property which are located in whole or in part within the boundaries (and a two mile radius) of the school district in Charthouse Public Schools operates.~~

~~Investments in, income, including gifts, loans, and travel payments, from, and business positions in any business entity of the type which engages in the acquisition or disposal of real property or are engaged in building construction or design.~~

~~Investments in, income, including gifts, loans, and travel payments, from, and business positions in any business entity of the type which engages in, the manufacture, sale, repair, rental or distribution of school supplies, books, materials, school furnishings or equipment to be utilized by Charthouse Public Schools.~~

**Category 2**

Designated positions assigned to this category must report:

- a. Investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) that are contractors engaged in the performance of work or services, or sources that manufacture, sell, repair, rent or distribute school supplies, books, materials, school furnishings or equipment of the type to be utilized by Charthouse Public Schools.

~~Investments in, income, including gifts, loans, and travel payments, from, and business positions in any business entity of the type which engages in the manufacture, sale, repair, rental or distribution of school supplies, books, materials, school furnishings or equipment to be utilized by Charthouse Public Schools, its parents, teachers and students for educational purposes. This~~

~~includes, but is not limited to, educational supplies, textbooks and items used for extra-curricular courses.~~

### **Category 3**

Designated positions assigned to this category must report:

- a. Investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) that are contractors engaged in the performance of work or services, or sources that manufacture, sell, repair, rent or distribute school supplies, books, materials, school furnishings or equipment of the type to be utilized by the designated position's department.

~~Investments in, income, including gifts, loans, and travel payments, from, sources which are engaged in the performance of work or services of the type to be utilized by Charthouse Public Schools, its parents, teachers and students for educational purposes. This includes, but is not limited to, student services commonly provided in public schools such as speech therapists and counselors.~~

## Attachments

The following files are attached to this PDF: You will need to open this document in an application that supports attachments (i.e. [Adobe Reader](#)) in order to access these files.

20 08 12 CHPS Bylaws 4.4.16 (KR Redline).doc