ASPIRE – JUNIOR COLLEGIATE ACADEMY

A 2012 California Distinguished School

CDS Code: 09-76489-0114884

K - 5

CHARTER PETITION

Original Charter Approved by CA State Board of Education as part of Aspire’s Statewide Benefit Charter
January 11, 2007
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Aspire – Junior Collegiate Academy Charter: Affirmations and Assurances

Aspire – Junior Collegiate Academy (“the School”) will follow any and all federal, state, and local laws and regulations that apply to the School, including but not limited to:

1. The School shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]

2. The School shall not charge tuition.

3. The School shall not discriminate against any student on the basis of 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.

4. The School shall admit all students who wish to attend the Charter School. Education Code Section 47605(d)(2)(A)

5. Determine admission by a public random drawing, if the number of pupils who wish to attend the school exceeds the school capacity, and preference shall be extended to pupils who currently attend the Charter School and pupils who reside in the District. EC 47605(d)(2)(B) The School shall not enroll pupils over nineteen (19) years of age unless continuously enrolled in public school and making satisfactory progress toward high school diploma requirements.

6. The School shall not require any child to attend the School nor any employee to work at the charter school.

7. The School shall comply with any jurisdictional limitations to locations of its facilities. [Ref. California Education Code Section 47605-47605.1]

8. In accordance with Education Code Section 47605(d)(3), if a pupil is expelled or leaves the charter school without graduation 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 the school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information.

9. The School shall comply with all applicable portions of the No Child Left Behind Act.

10. The School shall comply with the Public Records Act.

11. The School shall comply with the Family Educational Rights and Privacy Act.
12. The School shall comply with the Ralph M. Brown Act.

13. The School shall comply with the Political Reform Act.

October 15th, 2012

Roberta Benjamin
Los Angeles Area Superintendent, Aspire Public Schools
Lead Petitioner
INTRODUCTION
Aspire Public Schools ("Aspire") hereby respectfully submits this charter petition on behalf of Aspire – Junior Collegiate Academy ("the School").

Aspire was founded in 1998 by experienced educators and entrepreneurs to enrich students’ lives and to contribute to innovation in local public school systems. Aspire currently operates charter schools at 34 different campuses in various school districts throughout the state of California. Aspire is a California non-profit 501(c)(3) public benefit corporation and its vision is that Every Student is Prepared to Earn a College Degree.

Its mission includes the following:
- To increase the academic performance of underserved students
- To develop effective educators
- To share successful practices with forward-thinking educators
- To catalyze change in public schools

Aspire – Junior Collegiate Academy Charter School History

Aspire – Junior Collegiate Academy ("the School") first began operation on August 13, 2007 under the authorization of the State Board of Education ("SBE") with CDS code 09-76489-0114884. During the first 5 years of operation the School achieved the following achievement results and enrollment figures:

<table>
<thead>
<tr>
<th>ACHIEVEMENT DATA</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>API – 2007(base year)</td>
<td>768</td>
</tr>
<tr>
<td>API – 2008</td>
<td>795</td>
</tr>
<tr>
<td>API – 2009</td>
<td>844</td>
</tr>
<tr>
<td>API – 2010</td>
<td>868</td>
</tr>
<tr>
<td>API – 2011</td>
<td>841</td>
</tr>
</tbody>
</table>

2010 CST Data: % of Student Scoring Proficient or Above

<table>
<thead>
<tr>
<th></th>
<th>ELA</th>
<th>Math</th>
</tr>
</thead>
<tbody>
<tr>
<td>School wide</td>
<td>58 %</td>
<td>76 %</td>
</tr>
<tr>
<td>African American</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Hispanic</td>
<td>58 %</td>
<td>76 %</td>
</tr>
<tr>
<td>White</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>FRL</td>
<td>97%</td>
<td>97%</td>
</tr>
</tbody>
</table>

2011 CST Data: % of Student Scoring Proficient or Above

<table>
<thead>
<tr>
<th></th>
<th>ELA</th>
<th>Math</th>
</tr>
</thead>
<tbody>
<tr>
<td>School wide</td>
<td>64 %</td>
<td>85 %</td>
</tr>
<tr>
<td>Hispanic</td>
<td>64 %</td>
<td>85 %</td>
</tr>
<tr>
<td>White</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>FRL</td>
<td>97 %</td>
<td>97 %</td>
</tr>
</tbody>
</table>
Based on a lawsuit filed against the State Board of Education, including appeal, Aspire Public Schools may be required to transition the School to a different authorizer. In the case of a transition from the State Board of Education to the Los Angeles Unified School District (“the District”) as the School’s authorizer, the School shall retain its original school start date, charter name, academic and enrollment history, and all other historical and financial data and information. This change in authorizer will not impact the students’ educational programs.

The School has done a financial analysis and projections that support continued operation of a K-5 school in the District on a financially sound basis.

The School is located at 6724 S. Alameda Street, Huntington Park, CA 90255, California, where it owns the facility in which operations are conducted.

In accordance with the Charter Schools Act of 1992, Aspire hereby respectfully petitions the Los Angeles Unified School District (“the District”) to approve the charter for School for a five-year period, from July 1, 2013 to June 30, 2018.

The Charter Schools Act of 1992 states that:

*It is the intent of the Legislature...to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure, as a method to accomplish all of the following:*

(a) Improve pupil learning.

(b) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.

(c) Encourage the use of different and innovative teaching methods.

(d) Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.

<table>
<thead>
<tr>
<th>ENROLLMENT DATA</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2009 – 2010 Enrollment</td>
<td>296</td>
</tr>
<tr>
<td>2010 – 2011 Enrollment</td>
<td>296</td>
</tr>
<tr>
<td>2011 – 2012 Enrollment</td>
<td>296</td>
</tr>
<tr>
<td>2012 – 2013 Enrollment</td>
<td>296</td>
</tr>
</tbody>
</table>
(e) Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.

(f) Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems.

(g) Provide vigorous competition within the public school system to stimulate continual improvements in all public schools.

- California Education Code Section 47601(a)-(g)

The School has made and will continue to make important contributions to the legislative goals outlined above. By granting this charter, the District will help fulfill the intent of the Charter Schools Act of 1992 (“Charter Schools Act”), while providing students in the District with a small school option.
Element 1: Description of the Educational Program

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

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

Key facts about the school
The address of the Charter School is 6724 S. Alameda Street, Huntington Park, CA 90255
The phone number of the School is 323-583-5421
The contact person for the School is Ms. Bonnie Brimecombe
The term of this charter shall be from July 1st, 2013 to June 30, 2018.

The grade configuration of the school is K-5.
The number of students in the first year of this charter term is projected to will be 296
The grade level(s) of the students the first year will be K – 5
The scheduled opening date of the Charter School is August 14th, 2013
The enrollment capacity is 296
The School’s instructional calendar and bell schedule are included in Appendix I and Appendix J After its first year of operation, the school uses a modified traditional calendar (shorter summer recess) to decrease the loss of learning during extended recesses
The bell schedule for the Charter School will be 8:00 a.m. – 3:00 p.m. If space is available, traveling students will have the option to attend.

Population to be served by the school
The School currently serves 296 students in grades K-5.

Aspire – JUNIOR COLLEGIATE ACADEMY’s enrollment rollout for SY 2013-14

<table>
<thead>
<tr>
<th>Grade</th>
<th>Student teacher Ratio</th>
<th>Total Students</th>
</tr>
</thead>
<tbody>
<tr>
<td>K - 3</td>
<td>22 : 1</td>
<td>176</td>
</tr>
<tr>
<td>4 - 5</td>
<td>30 : 1</td>
<td>120</td>
</tr>
<tr>
<td></td>
<td>Total Enrollment</td>
<td>296</td>
</tr>
</tbody>
</table>
Projections of who we will serve

Aspire – JUNIOR COLLEGIATE ACADEMY plans to serve 296 students in grades K-5.

<table>
<thead>
<tr>
<th>Student Characteristics</th>
<th>Year 1</th>
<th>Year 2</th>
<th>Year 3</th>
<th>Year 4</th>
<th>Year 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Enrollment</td>
<td>296</td>
<td>296</td>
<td>296</td>
<td>296</td>
<td>296</td>
</tr>
<tr>
<td>Student ADA</td>
<td>287</td>
<td>287</td>
<td>287</td>
<td>287</td>
<td>287</td>
</tr>
<tr>
<td>% Free/Reduced Lunch</td>
<td>96</td>
<td>96</td>
<td>96</td>
<td>96</td>
<td>96</td>
</tr>
<tr>
<td>% of ELL/LEP Students</td>
<td>48</td>
<td>48</td>
<td>48</td>
<td>48</td>
<td>48</td>
</tr>
<tr>
<td>Avg. # of Students Per Class</td>
<td>22</td>
<td>22</td>
<td>22</td>
<td>22</td>
<td>22</td>
</tr>
<tr>
<td></td>
<td>K-3: 30</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>Number of classrooms</td>
<td>12</td>
<td>12</td>
<td>12</td>
<td>12</td>
<td>12</td>
</tr>
</tbody>
</table>

According to demographic data compiled by the California Department of Education (“CDE”), the District enrolled 662,140 students in 2011-12. Of these students, African Americans constitute 9.6% of the students, American Indians 0.5%, Asians 4.0%, Filipinos 2.1%, Hispanics 72.3%, Pacific Islanders 0.4% and Whites 10.1%. During the 2011-12 school year, students who spoke English as a second language made up 27.3% of the District student body. The School seeks to enroll a diverse population of students that reflects these demographics.

Aspire’s educational program is based on the instructional needs of our target student profile. Aspire targets the following students:

- Students who are not currently successful in their current core academic subjects;
- Students whose academic or English language learning needs necessitate a small school environment with personalized attention;
- Students whose academic or English language learning needs are not being met in a traditional school environment; and
- Students whose diversity represents their respective communities.

In education, one size does not fit all and Aspire is dedicated to providing students and families throughout the State of California with a small school option that can meet their unique needs.
THE SCHOOL’S MISSION

The School’s mission is to provide all students with an exceptional education that will allow them to excel inside and outside the classroom. The School seeks to achieve this mission by offering students a rigorous core curriculum, an outstanding staff, high standards and expectations, extended instructional hours, and personalized learning opportunities. The School will strive to ensure that students are prepared for college and for the 21st Century world and workplace by helping them develop important basic skills, thinking skills, and life skills.

THE EDUCATED PERSON IN THE 21ST CENTURY

Aspire recognizes that to be an educated person in the 21st century, our students need to have a foundation of knowledge and skills to access this world of ideas, as well as the ability to analyze information, ask good questions and innovate new ideas, and express themselves thoughtfully. They must also have habits of mind that include self-
motivation, intellectual curiosity, analytic ability, creative thinking, moral reasoning, self-confidence, and empathic action. Thus equipped, students will excel in college and become engaged and empowered citizens in their community and beyond.

**HOW LEARNING BEST OCCURS**

Aspire’s education program is designed to give students the content knowledge and habits of mind necessary to face the challenges of the 21st century. The California content Common Core State Standards (CCSS) drive the instruction of Aspire by providing the road map of what students need to know.

In order to ensure our students’ success in college, Aspire’s educational program has drawn on the Center for Educational Policy Research’s study *Standards for Success*. This research gathered information about the required skills to succeed in college from more than 400 staff and faculty members at research universities. The authors of this research believe college students need “critical thinking, analytic thinking and problem solving; an inquisitive nature and interest in taking advantage of what a research university has to offer; the willingness to accept critical feedback and to adjust based on such feedback; openness to possible failures from time to time; and the ability and desire to cope with frustrating and ambiguous learning tasks.” Aspire has interwoven these habits into their core curriculum.

Additionally, Aspire has built a College For Certain® culture. Beginning in kindergarten, students are informed and inspired to succeed in high school and attend college. Classrooms are named after universities with the year the class will graduate from college above the door. Teachers and principals proudly share their college going experiences, diplomas and challenges. Through Aspire’s schools, students are given the will, the skills and the habits of mind to attend college and succeed in life by becoming self-motivated, competent, and lifelong learners.

**THE SCHOOL’S PROGRAM DESIGN ELEMENTS**

**Community**

Aspire schools are small with approximately 60 students per grade level. The schools are broken into divisions and small classes to create a community where each student is known personally.

- **Small Schools**: Students are more likely to succeed in small schools, where teachers and the principal know each family well. Students and their needs are not lost in the crowd. Target enrollment for Aspire elementary schools (K-5) is between 320 and 400 students.

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1 Training to support this model includes professional development in academic discourse, math problem solving, CARES - our social emotional framework and conflict resolution. Our Aspire Instructional Rubric identifies instruction which supports these skills. Our on-line teacher support system, the Purple Planet, has professional development resources aligned to all of these practices.
• **Small Class Sizes:** In smaller classes, teachers can give each individual student the time and individual attention necessary to realize his or her personal academic goals. Aspire strives to maintain an approximate 22:1 student-teacher ratio in kindergarten through third grade and an approximate 30:1 ratio in grades four through five.

• **Looped Grouping:** In grade K-5, teachers typically teach the same group of students for two years. This longer time with one teacher, allows students to develop a deep relationship with one individual. The teacher saves instructional time during the second year of instruction as she/he knows the individual student’s strengths and weaknesses on the first day of school. Instruction can begin as soon as the school year does. Students remain with the same teacher for kindergarten and first grade; second grade and third grade; and fourth and fifth grade.

**Learning Time**

Aspire provides 15% more learning time for students, and uses time more effectively during the year and day to maximize in-depth learning.

• **Longer School Day:** Students learn more when they are given more time to learn each day. With more time, teachers can create more effective projects to build higher order thinking skills. Aspire schools have, on average, a 7.5 hour school day for grades 1-12, and at least a 5-hour school day for kindergarten. In other words, Aspire students receive about one hour more instruction each day than students in traditional public schools. A sample school bell schedule is attached in **Appendix J**.

• **Longer School Year:** Aspire schools provide approximately 186 to 190 days of instruction, which is about 11 more days than traditional public schools. Some of these additional days are on Saturday, when parents can attend class with their children. A sample school calendar is attached in **Appendix I**.

• **Modified Traditional Calendar:** After its first year of operation, the school uses a modified traditional calendar (shorter summer recess) to decrease the loss of learning during extended recesses.

**Teaching Methods**

All educators at Aspire Public Schools use a variety of pedagogical strategies to ensure all students learn and grow continuously. Strategies are selected based on the teacher’s knowledge of how students best learn different topics, and are usually used in combination. Aspire has created Instructional Guidelines (PACING GUIDES) in math, language arts, science and humanities (i.e. the interdisciplinary study of social sciences, literature, and art), that spell out the frequency and purpose for each type of instruction. Sample Instructional Guidelines (PACING GUIDES) are attached in **Appendix K**. These guidelines, as well as the purchased curriculum materials, provide the structure
for a standards-based curriculum. Aspire educators are also trained to adapt these methods in ways that maximize personalized experiences each child receives.

The major strategies used include:

- **Explicit Instruction**: in this traditional form of teaching, the teacher presents the lesson, which includes: a purpose; specific instructions; modeling; guided practice; and checking for understanding. At the conclusion, students individually demonstrate their new skills or knowledge.

- **Massed and Distributed Practice**: this retention strategy provides students with many opportunities to practice new skills upon initial learning. Practice is then distributed over the course of many months to increase the retention of previously learned skills and knowledge.

- **Problem Solving**: this method provides students with a step-by-step process for determining the solution.

- **Inquiry**: in this process, students are presented with a problem or question, and formulate and test theories to work towards a solution.

- **Project-based Instruction**: In this approach, students apply learning to complex problems, and are required to conduct extended research, analyze and synthesize information across subject areas, and develop written and oral end products. Projects are also ideal for developing the “habits of mind” necessary for success in college and the world beyond, such as perseverance, responsibility, and time management. Projects are linked with students’ real world experiences, making learning relevant. Many projects are community service oriented.

- **Culturally appropriate curriculum and instruction**: A multicultural curriculum and culturally sensitive pedagogy will enable students to appreciate and respect their own and each others’ heritages and to develop an understanding of multiple perspectives.

- **Flexible supports**: Many supports will be provided within the classroom, the school and community. For example, pedagogical support might include literacy support, tutoring across subject areas, and second language learning supports.

- **Diagnostic assessment**: Teachers will use a wide range of diagnostic assessments to evaluate how students are learning as well as what they are learning. These assessments will inform decisions about the curriculum and teaching strategies as well as individual supports for students. Once each semester the teacher, parents and students will discuss the student’s learning strengths and weaknesses, and set goals for the next semester. The rubric is attached in **Appendix G**.

- **Authentic experiences**: In the early elementary grades at Aspire schools, students learn literacy skills through authentic reading and writing experiences, including
shared reading, guided reading, independent reading, shared writing, interactive writing, writing workshops and independent writing. In the older elementary grades at Aspire schools, students focus on “reading to learn,” through reciprocal teaching, literature circles, and the use of both non-fiction books and classical literature. Students also learn by applying the scientific method to hands-on experiments and by interacting with others on community issues.

**Curriculum**

Aspire uses a combination of adopted programs and curriculum developed in-house to meet Aspire standards and build basic skills, higher-order thinking skills, and life-skills. The curriculum is clearly articulated as a K-12 system and based on the Common Core State Standards. All elements of the curriculum are research-based and have been proven effective in schools.

- **Language Arts:** Students communicate ideas clearly and effectively in various modes of expression appropriate to audience and purpose. This is through oral reports and debates, written letters and essays. Through the examination of various texts, students demonstrate critical reading and active listening skills in order to comprehend interpret and evaluate ideas. Students write extensively in both expository and creative forms.

When students are learning to read, instruction will focus on phonemic awareness, phonics instruction, fluency, and text comprehension. Writing is integrated into the learning process. In preparation for the change to the Common Core State Standards as well as preparing them for college, students write in every subject with writing instruction embedded into feedback, as well as explicit writing instruction.

One of the main resources in K-6 literacy instruction is the Open Court Reading materials. Writing is to be supplemented with vocabulary and instruction based on the Six Traits of Writing.

- **Social Science:** Aspire’s history and social studies curriculum ensures that students are historically literate (including culture, geography, politics, economics, and ethics) and become active, informed citizens (including U.S. policy and effective research techniques). Students apply historical, political, philosophical, geographical, economic and sociological knowledge to local and global situations in order to comprehend contexts and events, predict and evaluate the outcomes of human actions, and act responsibly as world citizens. Students learn to apply chronological, thematic and integrative thinking, develop and test hypotheses about cause and effect, gather evidence to support conclusions, use methods of historiography, conduct in-depth and relevant research, critically examine sources, and synthesize ideas. Materials at both the
elementary and secondary level include primary sources, historical literature, History Alive! Interact and a variety of non-fiction texts.

Throughout the K-12 instructional program, social science and language arts are interwoven. The stories and facts in history are the vehicles for instructing students to read and write.

- **Mathematics:** Students apply mathematical concepts and processes, including number systems, operations, graphics and logic, in order to problem-solve within and outside of mathematics. Students demonstrate facility with the language of mathematics and express generalizations discovered through investigation. Students are expected to be competent in symbolic reasoning and in constructing logical arguments.

A balanced approach provides both the conceptual understanding of math and the skills to solve problems. By providing extensive math time in elementary classrooms and a double block of math in secondary schools, our state adopted math materials, Harcourt Brace, Prentice Hall and California Preparatory Mathematics can be interwoven with other real-life problems.

A key tool in mathematics instruction is the standards-based software program Edusoft. Edusoft creates, scores and reports standards-based assessments. Aspire uses these assessments as both benchmark exams and formative assessments. The Edusoft reports in all subjects inform the teacher on whether the students have mastered a standard or need further instruction.

For example, the results of a standards-based assessment given in 5th grade might show that 90% of the students mastered Math Standard Number Sense 1.2, but only 15% mastered Number Sense 2.3. The teacher would provide remediation for students who did not understand one standard and reteach the whole class the other standard. Teachers use this data on a daily cycle. Grade level teams, principals and subject level teams look at this assessment data every two weeks.

- **Science:** Students demonstrate understanding of scientific concepts and ideas through real-world applications. Students utilize scientific research and inquiry methods to conduct investigations and problem-solve. They apply conceptual knowledge and processes from the major branches of science (biology, chemistry, the earth sciences and physics) in order to further the study of science and relate the study of science to other disciplines. Aspire uses a variety of curriculum materials and the state adopted textbooks may be supplemented with AIMS, FOSS, and local scientific resources such as guest speakers, field trips, and presentations.

Other subjects essential to a healthy and balanced life are also covered in a variety of ways:
• **Visual and Performing Arts:** Appreciation and participation in the arts are essential to each student’s development. At the elementary level, arts are integrated into thematic units to inspire students, help ideas come to life by using multiple intelligences, and ensure cultural literacy. Visiting artists and parent docents also provide special programs in the arts. Aspire secondary schools offer some on-campus electives in visual and performing arts and establish partnerships with local arts organizations and colleges to provide additional programs for students.

• **Health:** Students develop an understanding of the importance of health and nutrition through classroom instruction, selected special programs, collaborations with local health agencies, and thematic units. Health instruction follows the California Health Framework. Data from the California Healthy Kids survey or our own internal surveys will inform additional needed interventions.

• **Physical Education:** Students receive daily physical education instruction. Emphasis is placed on activities that students are likely to engage in throughout their lives (e.g. running, dancing).

**Assessment**

At Aspire Public Schools, assessment is a critical tool for observing individual student progress, determining the efficacy of individual teachers, and evaluating the success of the program as a whole. Multiple assessments are used because no single assessment provides sufficient information on students’ learning regarding all three outcomes. Aspire students are assessed through:

- All standardized and standards-based tests required for traditional public schools that are mandated in the California Education Code (including, but not limited to, CST, CELDT and Physical Fitness Test)\(^2\);
- Other nationally recognized norm-referenced and/or developmentally based tests (e.g. Developmental Reading Assessment, SRI Reading Assessment);
- Specialized assessments developed by Aspire Public Schools for all areas of the academic core (e.g. project rubrics);
- Day-to-day assessments related to specific content or skills (running record for language arts; Open Court phonics, Edusoft assessments; math computation quizzes, unit tests);

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\(^2\) The growing emphasis on norm-reference tests is much debated. Educationally, standardized tests are only a single indicator of mastery in basic skills; however, they are regarded by employers and policymakers as broadly meaningful. Aspire Public Schools believes that students should be prepared to be successful on the tests that they are held accountable for; these tests are often the key to future opportunity.
• Qualitative observations of the process of learning (teachers' anecdotal notes, a child's reflection log, internship mentor reports); and

• Examination of final products (a final draft of a paper, an interdisciplinary final project, 5th grade Rites of Passage (ROPES) project) based on criteria and standards clearly communicated at the beginning of the project.

Technology as a Tool

At Aspire, technology is used as a tool for research, communication, and production—just as it is in everyday life. Each school has 3 to 5 computers in a classroom with Internet access, a computer lab or access to banks of laptop computers. Students exercise their higher-order thinking skills through simulations and presentations, their communication and production skills through electronic mail and publishing, and their research skills through use of electronic references, including the Internet.

Support for English Learners

Aspire is committed to the success of its English Learner population, and supports will be offered both within academic classes and in supplemental settings for students who need additional support for English learning. The School will meet all applicable legal requirements for English Learners (“EL”) as it pertains to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirement. The School will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents. The School’s program for English Learners is research-based, supported by budget resources and professional development and evaluated regularly for efficiency and needed improvements.

• Home Language Survey

The School will administer the home language survey upon a student’s initial enrollment into the School (on enrollment forms). Spanish-speaking students in the country less than twelve months will be given the state’s Designated Primary Language Test (currently the Standards-Based Tests in Spanish) to determine the student’s academic proficiency when tested in his/her home language of Spanish. Students who take the STS are required to also take the CSTs and/or CMA appropriate to their grade level.

• CELDT Testing
All students who indicate that their home language is other than English will be California English Language Development Test (“CELDT”) tested within thirty days of initial enrollment\(^3\) and at least annually thereafter between July 1 and October 31\(^{st}\) until re-designated as fluent English proficient.

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

**Reclassification Procedures**

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

- Assessment of English language proficiency using an objective assessment instrument including, the CELDT.
- Participation of the pupil’s classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil’s mastery and progress on the California or Common Core Standards.
- Parental opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement including a description of the reclassification process and the parents opportunity to participate, and encouragement of the participation of parents or guardians in the reclassification procedure including seeking their opinion and consultation during the reclassification process.
- Comparison of the pupil’s performance in basic skills against an empirically established range of performance and basic skills (i.e. performance on the CST and/or CMA) 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.

**Strategies for English Learner Instruction and Intervention**

To meet the needs of English learners, Aspire has added a number of bilingual teaching strategies to its core program, including Specially Designed Academic Instruction in English (SDAIE). Specifically, those strategies include:

\(^3\) The thirty-day requirement applies to students who are entering a California public school for the first time or for students who have not yet been CELDT tested. All other students who have indicated a home language other than English will continue with annual CELDT testing based upon the date last tested at the prior school of enrollment.
• realia (real objects and materials)
• manipulatives (drawings, posters, brainstorming-clusters, graphs, tables, maps, props, multimedia presentations, storyboards, storymaps)
• visuals (study-prints, text book illustrations, overheads-projected prints, reproductions of paintings and documents)
• graphic organizers (matrices, Venn diagrams and webs)
• planned opportunities for interaction between all individuals in the classrooms (creating a skit and acting it out, cooperative learning, collaborative groups and student-generated writing based on personal experience)

All teachers will be given professional development in teaching English Learners during summer training and one-on-one coaching with instructional coaches in their appropriate content areas, including having the opportunity to participate in Guided Language Acquisition Development (GLAD) training. A sample of training material is provided in the Appendix. The English Language Development Standards have been mapped to Aspire’s Instructional Guidelines, and is detailed in Appendix O.

Ongoing Assessment of EL Students
The School’s use of achievement data will also drive the instruction and professional development as it relates to English Learners. All teachers will analyze the CST and Aspire benchmark achievement data by this subgroup at least twice a year, and continue to assess the students through teacher-designed assessments and Aspire’s benchmark assessments. Any students not making progress or mastering standards will be included in the Response to Intervention analysis. Supports may include after school tutoring, time with a reading intervention specialist or in classroom support based on their language needs.

Monitoring and Evaluation of Program Effectiveness
The evaluation for the program effectiveness for ELs in the School will include:

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

English Learner Instruction
The Charter School is required to timely identify potential English Learner students and provide them with an effective English language acquisition program that affords meaningful access to the school’s academic core curriculum. Instructional plans for English Learners (EL) must be (1) based on sound educational theory; (2) adequately supported with trained teachers and appropriate materials and resources; and (3)
periodically evaluated to make sure the program is successful and modified when the program is not successful.

On an annual basis (on or about October 1), the Charter School shall submit a certification to the District that certifies that they will either adopt and implement LAUSD’s English Learner Master Plan or implement the Charter School’s own English Learner Instructional/Master Plan. If Charter School chooses to implement its own EL plan, the instructional plan shall encompass the following, including but not limited to:

- How ELs’ needs will be identified;
- What services will be offered;
- How, where and by whom the services will be provided;
- How the program for ELS is evaluated each year and how the results of this assessment will be used to improve those services (annual report of the assessments)

The Charter School shall provide to CSD a copy of its entire, current plan upon request such as during the annual oversight review process.

The Charter School shall administer the CELDT annually. The Charter School shall also ensure that it will provide outreach services and inform parents with limited English proficiency with important information regarding school matters to the same extent as other parents.

**SUPPORT FOR STUDENTS**

**Highly Qualified Teachers**

At the center of the educational program are the teachers. The faculty will consist of well-prepared and certified teachers. All core teachers and paraprofessionals will meet the requirements of the No Child Left Behind Act. Professional development and teacher collaboration will be scheduled on a regular and on-going basis to support teachers throughout their career. In establishing a professional teaching environment, Aspire will ensure collaborative planning time for teachers to design student focused curriculum, pedagogy and assessment through which students can make connections, deepen their understanding of concepts and achieve at high levels.

**Personalized Learning Plans**

The School will create and maintain a Personalized Learning Plan (PLP) for each student. The PLP will provide the teacher, parents and student with a common understanding of the student’s learning style and objectives; all parties may then act based on that understanding. During Student-Led Conferences, the teacher, parent and student will discuss the student’s learning strengths and weaknesses, and set goals for the next semester. By working closely with each student and family to develop an appropriate PLP, the School will be able to respond to the needs of every individual
student, including those who are achieving above or below expected levels. This allows all students to receive the appropriate interventions, if needed, provided by the school (e.g. in-school, after-school or specialized classroom instruction). The high standards, deep interventions, and rigorous caring provided to all students can be personalized in the PLP. Indeed, the PLP will allow the School to help meet the general education needs of students with disabilities (who may also have Individualized Education Programs (“IEPs”) or 504 plans as required by law), English learners, students achieving substantially above or below grade level expectation, and other special student populations.

**SUPPORT FOR STUDENTS ACHIEVING BELOW GRADE LEVEL**

Aspire sets high expectations for all students and is committed to working with students who are not meeting outcomes to help them achieve at expected levels. Students who perform below the acceptable level may receive a mix of intervention services, including: in-class individual tutoring by classroom teachers; in-class small-group tutoring by classroom teachers; before- or after-school tutoring by non-classroom educators in a one-on-one or in small groups; participation in a specialized support class taught by a literacy specialist or other educator. Materials for intervention services may be designed by the educator or based on an off-the-shelf package such as READ 180.

Students targeted for additional intervention will include, but are not limited to, students who meet the following criteria:

<table>
<thead>
<tr>
<th>Assessment</th>
<th>Criteria For Additional Intervention</th>
</tr>
</thead>
<tbody>
<tr>
<td>CST, CMA, CAPA, and/or STS - ELA or Math</td>
<td>Far Below Basic, Below Basic, Basic</td>
</tr>
<tr>
<td>DRA</td>
<td>Not at grade level</td>
</tr>
<tr>
<td>Parent Recommendation</td>
<td>Any</td>
</tr>
<tr>
<td>Teacher Recommendation</td>
<td>Any</td>
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</tbody>
</table>

Aspire uses the Response to Intervention framework (RtI) to support all students below grade level. RtI is a process by which schools are proactive and universal in assessing students’ academic, behavioral and socio-emotional development needs and providing students with timely, targeted and interventions such as classroom differentiation, specific interventions and additional services, including special education services. Off-the-shelf programs such as READ 180 or Seeing Stars are all vetted for research-based effectiveness before use.

Aspire’s RtI framework strives to offer a comprehensive approach to assessing, supporting and monitoring the progress of all students. RtI’s framework encompasses and extends Aspire’s data driven, student-focused approach to instruction and student support, and encourages us to deepen coordination across our core classroom, intervention, special education and non-academic services. The RtI team, an intervention teacher, an educational specialist and classroom teachers, meet on a
monthly basis to monitor the progress of students and identify needed interventions. Students receiving Tier 2 interventions until they make progress.

**SUPPORT FOR STUDENTS ACHIEVING ABOVE GRADE LEVEL**

Because Aspire’s Instructional Guidelines are designed to differentiate and individualize instruction for students at different levels, students achieving above grade level can be effectively served at the School. For instance, the instruction during language arts allows students to be reading at their own instructional level. One student reading at grade level can sit next to another student doing the same activity at three grade levels higher. Specific instructional strategies include high level questioning, academic discourse, self-monitoring and Socratic seminars. Small class sizes and looping also aid in differentiation of instruction because classroom teachers understand each individual student’s needs. The variety of instructional techniques and materials provided in Aspire’s program are cited as important features by the National Association for Gifted Children in the Gifted Educational Program Standards. Finally, any student achieving above grade level can be accelerated to a higher grade level at the discretion of the parent and principal.

**SPECIAL EDUCATION PROGRAM**

All charter schools must adhere to all terms and conditions of the *Chanda Smith Modified Consent Decree* ("MCD") and any other court orders and/or consent decrees imposed upon the LAUSD as they pertain to special education. Charter schools must ensure that no student otherwise eligible to enroll in their charter school will be denied enrollment due to a disability or to the charter school's inability to provide necessary services. Policies and procedures are in place to ensure the recruitment, enrollment and retention of students with disabilities at charter schools.

LAUSD and Aspire will execute a Memorandum of Understanding ("MOU") by and between LAUSD and Aspire regarding the provision and funding of special education services consistent with the terms and provisions below.

**SELP A REORGANIZATION**

The Los Angeles Unified School District is approved to operate as a single-District SELPA under the provisions of Education Code § 56195.1(a) and intends to continue operating as a single-District SELPA as in the current structure but has created two school sections (District-operated Programs and Charter-operated Programs) under the administration of one single Administrative Unit pursuant to a reorganization plan approved by the Board of Education on January 4, 2011 (149/10-11). Full implementation of the reorganized LAUSD SELPA will begin in the 2013-2014 school year. The School may continue as a member in the El Dorado County Charter SELPA or it may apply for one of the three options available under the LAUSD SELPA, in its

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4 Gifted Education Program Standards, National Association for Gifted Children.
discretion. Aspire is a California non-profit charter management organization which operates 34 schools throughout the State of California, including but not limited to those located in the geographic area of the District, 27 of which operate under the auspices of a out-of-geographic area SELPA pursuant to the provisions of the CA Education Code. Unless operated pursuant to the District-operated Program as set forth above, the Aspire school subject to this petition may maintain LEA status and exercise all rights thereto including but not limited to participation in the El Dorado County Charter SELPA or other out of geographic area SELPA, or it may apply for membership in the Charter-operated Program as set forth above. If it applies for membership in the Charter-operated Program, it will not have a LEA status but will function in a similar role in that each charter school will be responsible for all special education issues including services, placement, due process, related services, special education classes, and special education supports. Charter schools may apply for membership in the Charter-operated Program section of the SELPA. These schools will receive support from a Special Education Director for the Charter-operated Programs. If it does not apply for membership, it shall continue as a school within the El Dorado County Charter SELPA.

**MODIFIED CONSENT DECREES REQUIREMENTS**

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

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

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

**THE MCD REQUIRES CHARTER SCHOOLS TO IMPLEMENT THE DISTRICT’S INTEGRATED STUDENT INFORMATION SYSTEM (ISIS). ISIS IS A SUITE OF APPLICATIONS WHICH IS DESIGNED TO CAPTURE ALL DISTRICT STUDENT DATA.**

**SUPPORT FOR SPECIAL EDUCATION STUDENTS**

In accordance with state and federal law, each student eligible under IDEA will be provided a free appropriate education in the least restrictive environment. No student will be denied admission to the School because he or she is in need of special education services. Aspire is dedicated to ensuring that identified special education students shall be enrolled in the same setting along with their non-disabled peers and shall have access to participate in extra-curricular activities the same as their non-disabled peers.

Aspire’s education program will include instructional strategies and systems which will support students with special education needs. The PLP will allow the teacher, student and parent to share information and create a program which meets the student’s personal needs. It may include teacher interventions for a student or a list of student outcomes. The language arts and math programs focus on differentiating instruction for students. The professional development of all teachers focuses on making the curriculum fit the needs of every child in the classroom.

Aspire is charged with ensuring that all students, including students with disabilities, are progressing towards grade level mastery of Common Core State Standards and will attain College Readiness. Aspire’s educational program includes systems of intervention, including After School Program, as well as differentiated instructional strategies to meet the diverse learning needs of all students. All incoming students participate in assessments in the areas of English Language Arts and Mathematics to assist in identification of student learning needs and provision of appropriate instructional supports for all students, including ELL, Disadvantaged, 504, or IEP. Other measures used to assist with creating teacher interventions or differentiating instruction for all students include:

- California Modified Assessment (CMA)
- California Alternate Performance Assessment (CAPA)
- CELDT
- Curriculum-based Benchmark Assessments
- Teacher observation and interview
More details around Aspire’s 504 procedures and Enrollment Steps are attached in Appendix L.

Section 504 of the Rehabilitation Act
The School recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of the School. Any student, who has an objectively identified disability which substantially limits a major life activity including but not limited to learning, is eligible for accommodation by the School.

A 504 team will be assembled by the Principal and shall include the parent/guardian, the student (where appropriate) and other qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options, and accommodations. The 504 team will review the student’s existing records; including academic, social and behavioral records, and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEIA but found ineligible for special education instruction or related services under the IDEIA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team who will evaluate the nature of the student’s disability and the impact upon the student’s education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team 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 include those tailored to assess specific areas of educational need, and not merely those which are designed to provide a single general intelligent quotient.

Tests are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual or speaking skills, the test results accurately reflect the student’s aptitude or achievement level, or whatever factor the test purports to measure, rather than reflecting the student’s impaired sensory, manual or speaking skills.

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

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

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

All 504 team participants, parents, guardians, teachers and any other participants in the student’s education must have a copy of each student’s 504 Plan. 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.

The decisions regarding specialized academic services each student will receive are the responsibility of the Individualized Education Team, which includes the involvement of parents in decision-making and developing the written Individualized Education Plan.

The identification process for students who would be eligible for special education services begins when students have been accepted through the enrollment lottery and enrolled in the School. Through the process of “Child Find”, the Student Success Team serves parents, students and staff to address student needs and to initiate the referral process, if appropriate, for special education. More information about the Student Success Team can be found in the Appendix.

Specialized Academic Instruction will be provided by the Education Specialist (Mild/Moderate or Moderate/Severe) as determined in an eligible student’s Individualized Education Program. Co-Teaching models will ensure the integration of supports and services within the general education setting. To support inclusive classroom practices, flexible learning options or environments, such as a Learning Center, will be provided as needed for students with specific accommodations or modifications to their learning program as included in their individual IEP. Learning Centers will also provide the structured setting as required for some students in the IEP and will ensure provision of a continuum of services, including students with moderate/severe disabilities. These options may also serve general education students with intensive academic or behavioral support needs as determined through the intervention process.

**LEA Member in EDCOE Charter SELPA**

Unless operated pursuant to a District-operated Program as set forth above, or unless operated pursuant to membership in the Charter-operated Program of the SELPA as set forth above, the School shall assume full responsibility for the provision of special
education and related services to eligible students as an LEA member of the El Dorado County Office of Education Charter SELPA (EDCOE Charter SELPA). As such, State and Federal funding shall be allocated directly to the School per the allocation plan of the EDCOE Charter SELPA. The School shall assume responsibility for the general education contribution which may be necessary for the provision of special education services to identified students and shall meet the annual Maintenance of Effort Requirement.

If applicable, a copy of the SELPA agreement is attached in Appendix N.

**LEA Assurances**

As required of LEA members within the EDCOE Charter SELPA, the School provides the following assurances:

- **Free Appropriate Public Education (FAPE)** - The School will assure that a free appropriate public education shall be provided to all enrolled students including children with disabilities who have been suspended or expelled from school.

- **Child Find** - The School will assure that all students with disabilities are identified.

- **Full Educational Opportunity** - The School will assure that all students with disabilities have access to the full range of programs available to non-disabled students.

- **Least Restrictive Environment (LRE)** - The School will assure that students with disabilities are educated with students who are not disabled to the maximum extent appropriate. This will be addressed through the use of supplementary aids, supports and services in the general education environment.

- **Individualized Education Program (IEP)** - The School will assure that an Individualized Education Plan is developed, reviewed and revised for each child who is eligible.

- **Assessments** - The school will assure that an IEP review shall be conducted on an annual basis at a minimum. In addition, a reassessment shall be conducted at least once every three years and more often if conditions warrant or if requested by the student’s parents or teacher, to determine continued eligibility and needs.

- **Confidentiality and Procedural Safeguards** - The School will assure that the confidentiality of identifiable data shall be protected at collection, storage, disclosure and destruction. In addition, students and their parents shall be provided with safeguards through the identification, evaluation and placement process and provisions for a free appropriate public Education.
• Personnel Standards-The School will assure that good faith efforts will be made to attract, recruit and hire appropriately trained and credentialed personnel to provide special education services to eligible children with disabilities.

• State Assessments-The School will assure that students with disabilities are included in State assessment programs with appropriate accommodations and modifications when necessary and appropriate.

The School shall comply with all requirements of the Federal Individuals with Disabilities in Education Act (IDEA), State laws and the EDCOE Charter SELPA Local Plan, and perform all corrective actions deemed necessary by Aspire Public Schools, the EDCOE Charter SELPA and or CDE. The Aspire Director of Special Education will involve the school team in the development of the budget, hiring necessary staff, contracting for appropriate services and documenting the qualifications and competency of school leadership to meet the special education compliance and quality requirements. A Program Specialist shall be assigned to support the school and to provide coaching support to the site special education to ensure that all requirements of IDEA are met, and each child is well served. In addition, the School will adhere to the terms, conditions and requirements of the MCD and other court orders imposed upon District pertaining to special education.

A comprehensive year-long Aspire Special Education Professional Development plan shall be developed with site team input to provide continuous learning opportunities and support to special education staff, as well as to build the capacity of the site team in meeting compliance with state and federal statutes, reporting requirements and use of instructional data for decision-making. In addition to Induction Program for Education Specialist Credential, professional development will be provided about promising practices that support the specialized learning needs of special education students in the least restrictive environment, including: universal design for learning, models of collaboration and the unique specialized earning needs of the secondary learner. Each staff member’s Professional Learning Plan (PLP) will reflect our Aspire shared responsibility for student progress and site special education needs, as well as differentiated opportunities to address each staff’s individual professional development needs. Professional development opportunities will include those offered in collaboration with other Aspire schools, the EDCOE Charter SELPA, or Diagnostic Center.
Element 2: Measurable Pupil Outcomes

The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program.

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

An Aspire education provides students with access to opportunities for success in future endeavors – in higher education, work, and citizenship. Through personalized learning experiences, students master basic skills, acquire the thinking skills needed for the rigorous work of the real world, and develop productive life skills. Aspire’s educational program is designed to help all of its students to develop the following measurable pupil outcomes:

To establish a foundation for success, Aspire ensures students will:

• Basic Skills: Master at least grade level competency in the four core subjects: mathematics, science, social studies, and language arts (including reading, writing, listening and speaking);

• Thinking Skills: Be able to apply classroom learning to their real world experiences in a relevant and valuable way, using higher-order thinking skills (including critical thinking, creativity, decision-making, problem solving, reasoning, knowing how to learn); and

• Life Skills: Have developed personal qualities of individual responsibility, intellectual curiosity, sociability, self-management, confidence, and integrity.5

Aspire sets high standards for all students, based on Common Core State Standards, Newmann’s Standards for Authentic Instruction and Assessment, and the Secretary’s Commission on Achieving Necessary Skills (SCANS). In addition, each student has a Personal Learning Plan (PLP), developed in collaboration with his/her teacher and parent(s) that outlines the student’s specific learning goals each semester. Students will participate in the legally required statewide assessments pursuant to Education Code Section 47605(c). Through these assessments, Aspire shall demonstrate student mastery of state standards.

Please see specific measurable pupil outcomes below in Element 3.

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5 Based on important workplace skills as determined by the U.S. Department of Labor Secretary’s Commission on Achieving Necessary Skills (SCANS), Learning a Living: A Blueprint for High Performance. April, 1992.
Element 3: Means to Assess Pupil Progress

The method by which pupil progress in meeting those pupil outcomes is to be measured.

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

Aspire’s academic program is standards-based and data driven. The California state content and performance standards and multiple sources of data form the basis of the School’s teachings. Aspire has aligned its coursework to the Common Core Standards. Performance assessments will be evaluated with the use of common benchmarks and rubrics and will be analyzed on a regular basis to help drive the School's educational program. The rubrics will be used to inform students and parents about the standards for student work. Both teachers and students will use the rubric to score the work and make improvements. Rubrics used throughout the year will show growth over time. Standards-based report cards are sent home three times a year. These documents allow parents to see if students are approaching mastery, have mastered or have not learned specific standards yet.

The School commits to pursuing the following pupil outcomes:

<table>
<thead>
<tr>
<th>Measurable Pupil Outcomes</th>
<th>Instrument</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trimester Basis:</td>
<td></td>
</tr>
<tr>
<td>95% Student Attendance</td>
<td>P1, P2, Annual</td>
</tr>
<tr>
<td>Annual Basis:</td>
<td></td>
</tr>
<tr>
<td>State Target for API Growth</td>
<td>API</td>
</tr>
<tr>
<td>Annual Basis:</td>
<td></td>
</tr>
<tr>
<td>Increase Proficiency Levels on CST- Science</td>
<td>Percent P/A</td>
</tr>
<tr>
<td>Annual Basis:</td>
<td></td>
</tr>
<tr>
<td>Increase Proficiency Levels on CST- ELA</td>
<td>Percent P/A</td>
</tr>
<tr>
<td>Annual Basis:</td>
<td></td>
</tr>
<tr>
<td>Increase Proficiency Levels on CST- Math</td>
<td>Percent P/A</td>
</tr>
<tr>
<td>Annual Basis:</td>
<td></td>
</tr>
<tr>
<td>Increase Number of Students Reading on Grade Level</td>
<td>Percent P/A</td>
</tr>
<tr>
<td>Annual Basis:</td>
<td></td>
</tr>
<tr>
<td>Expository Writing Assessment- All students will score a 3 or 4 per Aspire Rubric</td>
<td>DRA EOY Cuts:</td>
</tr>
<tr>
<td></td>
<td>K – 6</td>
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<tr>
<td></td>
<td>1 – 18</td>
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<td>2 – 30</td>
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<td>3 – 40</td>
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<td></td>
<td>4 – 50</td>
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<td></td>
<td>5 - 60</td>
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<tr>
<td>Annual Basis:</td>
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<tr>
<td>Expository Writing Assessment- All students will score a 3 or 4 per Aspire Rubric</td>
<td>EOY</td>
</tr>
<tr>
<td>Annual Basis:</td>
<td></td>
</tr>
<tr>
<td>All 5th Graders will pass Aspire Math Basic Skills Test with 90% or higher</td>
<td>EOY</td>
</tr>
<tr>
<td>Annual Basis:</td>
<td></td>
</tr>
<tr>
<td>Annual Surveys</td>
<td></td>
</tr>
</tbody>
</table>
## Measurable Pupil Outcomes

<table>
<thead>
<tr>
<th>Instrument</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Meeting Data</td>
<td>95% of families and students are satisfied</td>
</tr>
<tr>
<td>Annual RFEP Data</td>
<td>100% of all students with an IEP meet a minimum of 80% of IEP goals</td>
</tr>
<tr>
<td>Annual RFEP Data</td>
<td>Students are reclassified English Language Proficient</td>
</tr>
</tbody>
</table>

### ASPIRE JUNIOR COLLEGIATE ACADEMY

#### Schoolwide Academic Performance Index (API)

<table>
<thead>
<tr>
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#### Subgroup API goals

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#### % Proficient/Advanced in ELA

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#### % Proficient/Advanced in Math

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<td>81%</td>
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COLLECTING, ANALYZING, AND REPORTING DATA

Aspire will collect and analyze data on student achievement on a regular basis and will provide student achievement data to staff, parents and guardians, and the District:

- Staff will receive data on student achievement during staff meetings using the Data Portal and will use this data to help monitor and improve Aspire’s education program;

- The Principal and other administrators will receive data on the school’s student achievement, attendance, and discipline using Aspire’s Admin Data Portal and Principal Operational Dashboard;

- Parents and guardians will receive data on student achievement when they meet with their child’s teacher to develop, modify, or review their child’s PLP; and

- The District will receive data on student achievement through School reports and/or presentations.

Aspire uses the State Testing and Assessment Reports to assist in identifying strengths and weaknesses at a student, classroom, grade level, school and organization. Additionally, the California Physical Fitness test will be administered and used to inform the school program. Every summer each school will have a staff retreat where the data will be analyzed. School wide plans for professional development will be based on these plans.

Aspire uses many in-house assessments which inform daily instruction. Three Aspire assessments provide the best benchmarks of a student’s progress towards reaching the state standards.

Reading Assessment

In grades K-8, the Developmental Reading Assessment (DRA) is used to benchmark students reading achievement at least three times a year. This assessment tool measures students’ independent reading level and instructional path to help teachers guide students to the next reading level. It not only allows a teacher to listen for decoding, fluency and strategies, it also allows a teacher to measure comprehension. The DRA levels span from 1 to 70 to show incremental reading growth. Aspire has set benchmarks for every grade level. Each teacher has similar weekly assessments that she/he uses in the classroom for instruction.
Aspire Writing Assessment

Two times a year every student in the school takes a writing assessment. The prompts change and are aligned with the skills and sample writing samples in the Common Core State Standards. The papers are scored with other Aspire staff including teachers and instructional coaches to ensure validity of scores. The rubric for scoring is aligned with the writing rubric used by the state. Benchmarks are set for every grade level. These scores are analyzed two times a year.

Aspire Math Assessment

Every student takes an Aspire math assessment based on the specific grade level standards. The papers include both computation and a problem solving section. The computation is scored with Edusoft software. The problem solving is scored with Aspire teachers. A task analysis is done of every paper, so that teachers can identify standards that need to be re-taught. After every administration of the benchmark exams, the student data is analyzed at several levels – classroom, grade level, school and Aspirewide.

If any student is not making sufficient progress, teachers, parents or administrators begin a Student Success Team. From this meeting an action plan is created to support the student.

Annually, the status of the school will be reported using a School Health Dashboard. This tool allows Aspire’s Management Team to evaluate a school on more than one facet. At the beginning of the year, the dashboard will help Management Team identify schools that require more focused attention and support. On an on-going basis, this dashboard will also be used to monitor progress of schools on a monthly basis. Specifically, the dashboard reports on:

- Student achievement: Academic Performance Index, course grades, behavior, and internal benchmark scores;
- Affiliation: results on the staff, parent, and student surveys, teacher retention; and
- Financial: actual versus budget and forecast; average daily attendance.

Reporting and Accountability - Testing

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

Test results for the prior year, if not provided directly to the District by the State, will be provided by the charter school to the District no later than September 1 of each year.
External Reporting

Aspire maintains sufficient staff and systems including technology, required to ensure timely reporting necessary to comply with the law and to meet all reasonable inquiries from District and other authorized reporting agencies. All state mandated assessments will be administered.
Element 4: Governance

The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement.

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

ASPIRE PUBLIC SCHOOLS BOARD OF DIRECTORS

The School is an independent charter school governed by the Aspire Board of Directors. The current Aspire Board of Directors is listed in Appendix A. The biographies and resumes of the current Aspire Board of Directors are attached in Tab #8. Aspire is a California, nonprofit, public benefit corporation. Proof of Aspire’s nonprofit status is attached in Appendix M.

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

The School will comply with the Brown Act.

Aspire is governed by the Aspire Public Schools Board of Directors in accordance with California’s Charter Schools Act and the Nonprofit Public Benefit Corporation Law. The School will be governed pursuant to the bylaws adopted by the incorporators, as subsequently amended pursuant to the amendment process specified in the bylaws.

Copies of the current Aspire Board’s articles of incorporation, by-laws, and a conflicts code are attached in Tabs #6b, #6c and #6d, but not incorporated herein by reference.

Members of the Aspire Board of Directors, any administrators, managers or employees, and any other committees of the School shall comply with federal and state laws, nonprofit integrity standards and LAUSD’s Charter School policies and regulations regarding ethics and conflicts of interest.

Aspire is non-sectarian in its programs, admissions policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any student or employee on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation or disability or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code. Aspire complies with all applicable federal, state and local laws applicable to its operation. It will retain its own legal counsel when necessary. It will purchase and maintain as necessary general liability, property, workers’ compensation and unemployment insurance policies.

The Aspire Board of Directors currently consists of a maximum of 11 regular members plus one seat for every sponsoring authority. The District reserves the right to appoint a single representative to the Aspire Board of Directors pursuant to Education Code section 47604(b). The Aspire Board of Directors is responsible for establishing broad policies that affect all Aspire schools. For example, the Board of Directors may set...
policies related to staff hiring, benefits and compensation, conditions for student suspension or expulsion, controversial issues that affect more than one school site and teacher, and principal and staff compensation criteria. Members of the Board may also participate in raising funds and increasing public awareness of Aspire’s work. The Board meets approximately 10 times a year (monthly, except for July and December). Aspire takes a conscientious approach to recruiting and selecting new Board members. Aspire’s Board and CEO conduct extensive due diligence to ensure that new Board members are a strong cultural fit with the organization, will add value in specific areas and, most importantly, contribute to Aspire’s growth and success.

The recruitment, evaluation and selection of new Board members typically are conducted through the following six-step process.

**Step 1:** Solicit nominations and compile names

**Step 2:** Initial meeting with nominating Board member

**Step 3:** Nominator reports back to the Board

**Step 4:** Prospective member meets with CEO, other Board members and staff

**Step 5:** Visit schools and attend Board meeting(s)

**Step 6:** Final meeting with CEO or nominator

Once a candidate completes this process a decision will be issued by the Board based on a majority vote.

At a high level, there are three broad categories that define what characteristics Aspire looks for in prospective Board members:

**Skill Set** – All Board members must have expertise in an area that is valuable to Aspire’s operations, especially where there are gaps in the board skill set.

**Diversity** – Geographic, ethnic and gender diversity are very important factors.

The organizational chart for the entire Aspire organization is attached in Appendix H.

**Parent and Community Involvement**

There will be a teleconference line available in the conference room at Aspire - Junior Collegiate Academy (JCA) located at 6724 Alameda Street in Huntington Park, CA. An Aspire staffer will be present in the conference room at JCA to assist any parents who would like to come and call in on the line. The Brown Act will be followed with regard to teleconferencing.

Principals will always notify their communities of the date of the Aspire Board meetings two weeks in advance in their parent newsletters. Local stakeholders will have access to Board of Directors meetings pursuant to the procedures in place designed to comply with the Brown Act.

The Board Meeting call-in number is 1 866 244 8528, passcode is 873977.

The teleconference line can be used until the video streaming technology is consistently in place.
Aspire encourages all groups to participate in and share responsibility for the educational process and educational results. In order to achieve this important end, the School plans to share local control with an Advisory School Council (‘ASC’), consisting of parent and school representatives. Each school’s ASC may participate in developing school policies and share in efforts to engage the support of the community. The ASC may make recommendations about issues related to the school and participate in reviewing parental and community concerns. The ASC will consist of representatives of the following parties: the principal, teachers, and parents. The principal is responsible for communicating all ASC policy recommendations to the Aspire Board of Directors. In short, Aspire’s Board of Directors oversees issues related to Aspire schools in general, while the ASC’s focus on the day-to-day concerns of each respective Aspire school.

**Additional Opportunities for Parent Involvement**

- Parents, students and teachers meet at least twice a year to plan and assess the students’ learning progress and determine goals
- Exhibition panels – parents may sit on panels to judge student work
- School and staff evaluations – parents fill out a survey each year evaluating the strengths and weaknesses they identify with the program at the School
- Student-led conferences – students will lead conferences on their work during the year to keep parents informed
- Volunteer Opportunities – various opportunities will arise for parents to volunteer, such as helping in classrooms, leading extra-curricular activities, assisting in event planning, attending study trips, and serving on parent committees
- Fundraising – parents and community members may work with the school to raise additional resources to support students and the school program
- Advocacy – parents and community members communicate the school design and outcomes to the public, educators and policy makers and advocate for necessary policies and resources
- Aspire Board of Directors meetings – parents and community members are welcome to the Board meeting. In compliance with the Brown Act, Aspire posts the agenda for Aspire Board of Directors meetings at least 72 hours prior to the meeting.

**Addressing Parent Concerns and Complaints**
Aspire is committed to working with parents to address parental concerns and complaints. Parents will be encouraged to share their ideas and concerns with the School and Aspire throughout the school year.

Aspire has established a formal complaint process to address any parent complaints about the employees or employment practices of the organization. Aspire has issued a Uniform Complaint Procedure Policy and a Community Complaint Form, attached in Appendix B. Finally, Aspire is committed to providing a safe, discrimination-free and harassment-free education to its students. To help achieve this important end, Aspire has established a formal Discrimination/Harassment Policy and Complaint Procedure, attached in Appendix C.

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

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

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

*LAUSD Charter Policy*
Aspire - JCA will comply with the District policy related to charter schools, as it may be changed from time to time after notice and reasonable opportunity for input from the Charter School Collaborative.

*Responding to Inquiries* Aspire- JCA and/or its nonprofit corporation shall promptly respond to all inquiries, including but not limited to, inquiries regarding financial records, from the District and shall consult with the District regarding any inquiries. [Charter School] and/or its nonprofit corporation acknowledges that it is subject to audit by LAUSD including, without limitation, audit by the District Office of the Inspector General.

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

*Notifications*
Notification is to be made to the Charter Schools Division in writing of any notices of workplace hazards, investigations by outside regulatory agencies, lawsuits, or other formal complaints, within one week of receipt of such notices by Aspire-JCA.
Element 5: Employee Qualifications

The qualifications to be met by individuals to be employed by the school.

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

Aspire will recruit professional, effective, and qualified personnel to serve in administrative, instructional, instructional support, and non-instructional support capacities. Aspire believes that all of its employees play a key role in creating a successful learning environment and will recruit qualified employees throughout the organization. Aspire recognizes that employment is voluntary, and the Aspire Board of Directors shall not require any employee to be employed at an Aspire school. The School will conduct background checks on employee candidates to provide for the health and safety of the School’s faculty, staff, and pupils and the academic success of the pupils. Aspire’s Human Resources department, along with the Chief Academic Officer, shall monitor compliance with this policy. Employees will meet specific qualifications for employment as outlined in their job descriptions. Teachers at each school will meet all requirements for employment set forth in applicable provisions of law, including credential requirements outlined in Section 47605(l) of Charter Schools Act and the No Child Left Behind Act. As provided in the Charter Schools Act, the School is afforded flexibility with regards to noncore, noncollege preparatory courses (e.g. music, physical education, various electives, etc.). The educational and skill level qualifications and job descriptions of teachers to be employed in the School shall meet the educational goals as outlined in this charter.

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

Principal Qualifications

The School’s Principal will be the instructional leader at the School and will be responsible for helping the Schools and students achieve the outcomes outlined in this charter petition. The Principal will have the following qualifications:

Required knowledge, skills, and abilities:
- Superb communication and community-building skills
- Deep knowledge of curriculum development and program design
- A record of success in developing teachers
- Entrepreneurial passion

Required educational level:
• Bachelors degree
• Graduate coursework in educational administration

*Required experience:*
• 5 plus years teaching and administrative experience
• Experience in performance assessment

**Office Manager Qualifications**

The Office Managers are responsible for overall front office activities, will report to the Principal, and will work with students, parents, and outside parties. The Office Manager will have the following qualifications:

*Required knowledge, skills, and abilities:*
• Strong organizational, time management, and multi-tasking skills
• Strong interpersonal and communication skills
• Expedience in office management capacity
• Ability to work independently as well as with a team

*Required educational level:*
• A.A. degree or equivalent work experience

*Required experience:*
• 3 plus years in fast-paced administrative support position
• Experience in school front office preferable
• Proficiency with Microsoft Office

**Teacher Qualifications**

Criteria for the selection of teachers are adapted from the five standards used for certification from the National Board for Professional Teaching Standards. During the hiring process, candidates are evaluated using these standards:

1. Committed to students and learning
2. Knowledgeable about their subject matter
3. Skilled in management of learning
4. Reflective in their practice
5. Community-oriented

In addition, teachers of core, college preparatory courses at each Aspire school will be required to hold a California Commission on Teacher Credentialing (CCTC) certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. Teachers who are hired to teach a specific subject (e.g. math) will be required to hold a subject-specific credential or permit from the
CCTC. In accordance with Education Code Section 47605(l), flexibility shall be given with regard to noncore, noncollege preparatory courses.

Additionally, teachers shall meet all applicable highly qualified requirements under the No Child Left Behind Act.

**TEACHER HIRING**

As a public charter school organization with a clearly defined focus, Aspire tends to attract educators interested in working in more accountable, innovative, collaborative environments—teachers and principals who are themselves educational entrepreneurs. A rigorous and sound process for selecting from the pool of teacher candidates is essential. Aspire’s multiple-stage approach includes: a resume screen; interview with a site hiring committee (discussed below); demonstration lesson with students; and reference checks.

The principal will be in charge of making School hiring decisions and may have the opportunity to work with other staff and community members in making these decisions. The School may utilize a hiring team that includes some or all of the following individuals:

- **Principal:** Chairs the hiring committee and makes all final decisions on hiring for the School.
- **Office Manager:** Helps organize the process and paper trail, including: scheduling candidates for interviews and demonstration lessons; collecting score sheets; coordinating with current staff or participating students for demonstration lessons; and sending declined candidates’ paperwork to Aspire’s Home Office.

- **Teachers:** Actively participate in evaluating candidates through interview and demonstration lesson observation.

- **Parents:** Actively participate in evaluating candidates through the interview process, observe demonstration lessons and provide input.

The rubrics for measuring and assessing Principals and teachers’ work performance is attached in **Appendix D.**

**PROFESSIONAL DEVELOPMENT**

Once teachers are hired, Aspire invests in their continued professional development. Teachers new to Aspire participate in 2 weeks of training to become fluent in the Aspire education program; Aspire culture, literacy instruction, math instruction, rigorous interdisciplinary instruction, parent engagement and time with
other team members examining student data. Each subject training includes professional development about assessing student achievement, classroom management and differentiating instruction. Teachers also receive ongoing PD that takes place weekly on minimum days. Weekly PDs are based on the specific needs of the school. The topics are determined by the principal with input from the lead teachers. They may be run by the principal, a lead teacher, an outside expert, or an instructional coach.

In addition, Aspire conducts several school-year workshops in specific areas. The School Principal, in his/her capacity as instructional leader, provides on-site coaching. Teachers are organized into teams, led by an experienced “lead teacher” who has the skills to mentor others. Teachers are then able to collaborate and support each other to reach the Schools’ and individual students’ learning goals. Aspire also has instructional coaches who provide additional support, provide one-on-one consultation, conduct experience-based group sessions (e.g. New Teacher Support Program), and guide educators in their application for certification from the National Board for Professional Teaching Standards. Teachers are evaluated by their School Principal at least twice a year according to research-based criteria. A copy of Aspire’s Evaluation Tool is attached in Appendix D.
Element 6: Health and Safety

The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Section 44237.

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

In order to provide safety for all students and staff, Aspire has adopted and implemented full health and safety procedures and risk management policies at each school site in consultation with its insurance carriers and risk management experts.

Health, Safety and Emergency Plan
The Charter School will have a Health, Safety and Emergency Plan in place prior to beginning the operation of the Charter School. The Charter School will ensure that staff has been trained in health, safety, and emergency procedures and will maintain a calendar and conduct emergency response drills for students and staff. A school site health and Safety Plan is attached in Appendix E.

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

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

The following insurance policies are required:

1. Commercial General Liability, including Fire Legal Liability, coverage of $5,000,000 per Occurrence and in the Aggregate. The policy shall be endorsed to name the Los Angeles Unified School District and the Board of Education of the City of Los Angeles (“Board of Education”) as named additional insured and shall provide specifically that any insurance carried by the District which may be applicable to any claims or loss shall be deemed excess and the Charter School’s insurance shall be primary despite any conflicting provisions in the Charter School’s policy. Coverage shall be maintained with no Self-Insured Retention above $15,000 without the prior written approval of the Office of Risk Management for the LAUSD.
2. Workers' Compensation Insurance in accordance with provisions of the California Labor Code adequate to protect the Charter School from claims that may arise from its operations pursuant to the Workers' Compensation Act (Statutory Coverage). The Workers' Compensation Insurance coverage must also include Employers Liability coverage with limits of $1,000,000/$1,000,000/$1,000,000.

3. Commercial Auto Liability, including Owned, Leased, Hired, and Non-owned, coverage with limits of $1,000,000 Combined Single Limit per Occurrence if the Charter School does not operate a student bus service. If the Charter School provides student bus services, the required coverage limit is $5,000,000 Combined Single Limit per Occurrence.

4. Fidelity Bond coverage shall be maintained by the Charter School to cover all Charter School employees who handle, process or otherwise have responsibility for Charter School funds, supplies, equipment or other assets. Minimum amount of coverage shall be $50,000 per occurrence, with no self-insured retention.

5. Professional Educators Errors and Omissions liability coverage with minimum limits of $3,000,000 per occurrence and $3,000,000 general aggregate.

6. Sexual Molestation and Abuse coverage with minimum limits of $3,000,000 per occurrence and $3,000,000 general aggregate. Coverage may be held as a separate policy or included by endorsement in the Commercial General Liability or the Errors and Omissions Policy.

7. Employment Practices Legal Liability coverage with limits of $3,000,000 per occurrence and $3,000,000 general aggregate.

8. Excess/umbrella insurance with limits of not less than $10,000,000 is required of all high schools and any other school that participates in competitive interscholastic or intramural sports programs.

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

**Evidence of Insurance**

The Charter School shall furnish to the District's Office of Risk Management and Insurance Services located at 333 S. Beaudry Ave, 28th Floor, Los Angeles CA 90017 within 30 days of all new policies inceptions, renewals or changes, certificates or such insurance signed by authorized representatives of the insurance carrier. Certificates shall be endorsed as follows:
“The insurance afforded by this policy shall not be suspended, cancelled, reduced in coverage or limits or non-renewed except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the District.”

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

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

* To the fullest extent permitted by law, the Charter School does hereby agree, at its own expense, to indemnify, defend and hold harmless the LAUSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers from and against any and all actions, suits, claims, demands, costs, penalties, obligations, errors, omissions, debts, liabilities, damages, losses and expenses including but not limited to legal costs, attorneys’ fees, and expert witness fees, brought by any person or entity whatsoever, whether known or unknown, whether suspected or unsuspected, including but not limited to:

(a) arising out of, or relating to this Charter agreement.

(b) that occurred, arose, existed, originated, or was initiated prior to the date on which LAUSD became the authorizing agency of the Charter School;

(c) arising from or relating to acts or omission of acts committed by the Charter School, and their officers, directors, employees or volunteers;

(d) against any other school operating under the control or guidance, whether directly or indirectly, of the Aspire Corporation, or an affiliate thereof; and

(e) for any contractual liability resulting from third party contracts with its vendors, contractors, partners or sponsors.

**Hold Harmless/Indemnification Provision**

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

**FERPA**

The [Charter School], its employees and officers will comply with the Family Educational Rights and Privacy Act (FERPA) at all times.

**PROCEDURES FOR BACKGROUND CHECKS**

Employees and contractors of Aspire Public Schools will be required to submit to a criminal background check and to furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1. New employees not possessing a valid California Teaching Credential must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. Aspire’s Human Resources department, along with the Chief Academic Officer, shall monitor compliance with this policy. Volunteers 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.

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

**ROLE OF STAFF AS MANDATED CHILD ABUSE REPORTERS**

All non-certificated and certificated staff will be mandated child abuse reporters and will follow all applicable reporting laws. Staff will be trained on child abuse reporting.

**TUBERCULOSIS TESTING**

Faculty and staff will be tested for tuberculosis prior to commencing employment and working with students as required by Education Code Section 49406.
**IMMUNIZATIONS**

All students enrolled and staff will be required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000-6075. Beginning July 1, 2011, all rising and enrolled students in grades 7-12 must be immunized with a pertussis (whooping cough) vaccine booster. Beginning July 1, 2012, this requirement applies only to rising 7th graders.

**MEDICATION IN SCHOOL**

The School will adhere to Education Code Section 49423 regarding administration of medication in school and will abide by all guidance as issued by the California Department of Education and applicable law.

**VISION, HEARING, AND SCOLIOSIS**

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

**EMERGENCY PREPAREDNESS**

The School shall adhere to Emergency Preparedness Procedures drafted specifically to the needs of the school. These procedures shall include, but not be limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations. If assuming a facility that was previously used as a school site, any existing emergency preparedness plan for the school site may be used as a starting basis for updating the procedures for the School.

**BLOOD BORNE PATHOGENS**

The School shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the work place. Whenever exposed to blood or other bodily fluids through injury or accident, staff and students shall follow the latest medical protocol for disinfecting procedures.

**DRUG FREE/ALCOHOL FREE/SMOKE FREE ENVIRONMENT**
The School shall function as a drug, alcohol and tobacco free workplace.

**FACILITY SAFETY**

The School shall comply with Education Code Section 47610 by either utilizing facilities that are compliant with the Field Act or facilities that are compliant with the California Building Standards Code. The School agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. The schools shall conduct fire drills as required under Education Code Section 32001.

**COMPREHENSIVE SEXUAL HARASSMENT POLICIES AND PROCEDURES**

Aspire is committed to providing a school that is free from sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability. Aspire has developed a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at the school (including employee to employee, employee to student, and student to employee misconduct). (See **Appendix C**)

Element 7: Means to Achieve Racial & Ethnic Balance

The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.

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

Aspire will take action to ensure that the student population of the School will be reflective of the general population residing within the territorial jurisdiction of the District. Aspire will monitor the racial and ethnic balance among its students on an annual basis and will engage in a variety of means and strategies, including monitoring and revising its student outreach plan on an annual basis, to try to achieve a racially and ethnically diverse student population. These strategies cover a broad based recruiting and application process every year during Open Enrollment in the months of January, February, and March, and may include:

- Developing an enrollment timeline and process that allows for a broad-based recruiting and application process,
- Engaging in outreach efforts and making presentations via neighborhood groups, community organizations, churches, other leadership organizations, and local preschools
- Advertising openings through marketing brochures, posting flyers in neighborhoods, distributing flyers at local grocery stores, and/or TV/radio public service announcements targeted towards diverse populations, and when needed, in various languages.

Aspire Junior Collegiate Academy is committed to ensuring that all students and families involved with our outreach and process are made to feel welcome and respected. The geographic area surrounding the school site in Huntington Park will be targeted in outreach efforts. The demographics for the 90255 Zip code indicate that the community is 97.2% Hispanic or Latino, 1.6% While, .30% Black or African American, 0.10% American Indian and Alaska Native, 0.50% Asian, 0.10% Other Race, and 0.10% Two or More Races. Aspire Junior Collegiate Academy is committed to upholding the District’s ethnic balance goal and the school’s outreach and recruitment efforts described above will support this.

Aspire shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).

COURT-ORDERED INTEGRATION
The Charter School shall comply with all requirements of the Crawford v. Board of Education, City of Los Angeles court order and the LAUSD Integration Policy adopted and maintained pursuant to the Crawford court order, by Student Integration Services
(collectively the “Court-ordered Integration Program”). The Court-ordered Integration Program applies to all schools within or chartered through LAUSD. The School will provide a written plan in the charter petition and upon further request by the District outlining how it would achieve and maintain the LAUSD’s ethnic goal of 70:30 or 60:40 ratio. *(Ratio represents the percentage of Predominantly Hispanic Black Asian Other (PHBAO) compared to Other White (OW)).* The written plan should list specific dates, locations and recruitment activities to achieve the District’s Racial and Ethnic Balance goal.

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

**NO CHILD LEFT BEHIND-PUBLIC SCHOOL CHOICE (NCLB-PSC) TRAVELING STUDENTS**

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

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

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

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

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

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

The School also understands that as part of its oversight of the Charter School, the District may conduct program review of federal and state compliance issues.
Element 8: Admission Requirements

Admission requirements, if applicable.

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

Aspire will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition nor discriminate against any student based upon any of the characteristics listed in Education Code Section 220.

Aspire shall admit all pupils who reside in the State of California who wish to attend the Charter School subject to the provisions set forth below. No test or assessment shall be administered to students prior to acceptance and enrollment into the school. Aspire will comply with all laws establishing minimum and maximum age for public school attendance in charter schools.

The Aspire application process is comprised of the following:

- Completion of a Student Interest Form for each child who is interested in attending the school

Applications will be accepted during a publicly advertised open application period each year for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In the event that this happens, the Charter School will hold a public random drawing to determine enrollment for the impacted grade level, with the exception of existing students who are guaranteed enrollment in the following school year. Enrollment preferences in the case of a public random drawing shall be as follows:

- All students currently enrolled in the School
- Children residing within the District
- All other students who reside in the state of California

Education Code section 47605(d)(2)(B) requires the School to extend an enrollment preference to pupils currently attending the School and pupils who reside in the District except as provided in Education Code section 47614.5. All students attending the Charter School authorized by SBE in the school year prior to this School’s operation under the District shall be deemed to be “pupils currently attending the School.”

At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be given the option to put their name on a wait list according to their draw in the lottery. This wait list will allow students the option of enrollment in the case of an opening during the current school year.

In no circumstance will a waitlist carry over to the following school year.
Upon confirmation that a student has secured a spot at the school, parents must submit a completed Registration Form.

**PLANNED APPLICATION, PUBLIC RANDOM DRAWING, AND ADMISSION SCHEDULE**

Aspire typically utilizes the following application, public random drawing, and admission schedule. The schedule below may be abbreviated to ensure all steps are followed within a shorter timeframe if required by the opening date of a particular Aspire school.

- **December – January**
  - Recruit students (via referrals, networking, and holding enrollment and option fairs).
  - Collect Student Interest Forms.

- **January - March**
  - Send re-enrollment forms to existing students to identify open seats. Public random drawing conducted (if necessary).

- **March - May**
  - Waitlist letters distributed to applicants not selected in the public random drawing.
  - Acceptance letters and registration packets distributed to parent and children who have been drawn in the public random drawing.

**McKinney-Vento Homeless Assistance Act**

The Charter School will adhere to the provisions of the McKinney-Vento Homeless Assistance Act and ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths. The Charter School will include specific information in their outreach materials, websites, at community meetings, open forums, and regional center meetings notifying parents that the school is open to enroll and provide services for all students which shall include a District standard contact number to access additional information regarding enrollment. A student’s IEP will never be required prior to participation in any attendance lottery or as a condition for enrollment.
Element 9: Annual Financial Audits

The manner in which annual, independent, financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.

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

An annual fiscal audit, required under the Charter Schools Act, will be conducted by an auditor with experience in education finance and will use generally accepted accounting principles. Aspire’s Audit Committee, in conjunction with Aspire’s Chief Financial Officer, is responsible for contracting with the independent auditor, who shall be selected from the Certified Public Accountant’s Directory published by the State Controller’s Office. The audit shall be conducted in accordance with Education Code Section 47605(m) and the applicable portions of Standards and Procedures for Audits of California K–12 LEAs as published in the California Code of Regulations. Aspire’s Chief Financial Officer is responsible for overseeing the independent audit. Aspire shall transmit a copy of its annual independent financial audit report for the preceding fiscal year to the District or designated staff and any other entities (such as the State Board of Education, the California Department of Education, the County Office of Education, or any other agency as the State Board of Education may direct) as required by law and by December 15 of each year. Aspire will resolve audit exceptions and deficiencies, if any, in a timely fashion. All exceptions and deficiencies and their remedies and will be resolved to the satisfaction of the district.

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

Balance Reserves
Additionally, it is recommended that the Charter School maintain a funds balance (reserve) of its expenditures as outlined in section 15450, Title 5 of the California Code of Regulations.

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

**AUDIT AND INSPECTION OF RECORDS**

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

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

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

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

The Charter School shall cooperate fully with such audits and shall make available any and all records necessary for the performance of the audit upon 30 days notice to Charter School. When 30 days notice may defeat the purpose of the audit, the District may conduct the audit upon 24-hours notice.

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

The following reports will be submitted to LAUSD, in the required format and within timelines to be specified by LAUSD each year:
a. Final Budget – Spring prior to operating fiscal year
b. First Interim Projections – November of operating fiscal year
c. Second Interim Projections – February of operating fiscal year
d. Unaudited Actuals – July following the end of the fiscal year
e. Audited Actuals – December 15 following the end of the fiscal year
f. Classification Report – monthly according to school’s Calendar
g. Statistical Report – monthly according to school’s Calendar of Reports
In addition:
   • P1, first week of January
   • P2, first week of April
h. Instructional Calendar – annually five weeks prior to first day of instruction
i. Other reports as requested by the District
Element 10: Suspensions and Expulsions

The procedures by which pupils can be suspended or expelled.

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

**Suspension**

These Suspension Regulations have been established in order to promote learning and protect the safety and well being of any students at any Aspire Public School (“Aspire School”). When the regulations are violated, it may be necessary to suspend or expel a student from regular classroom instruction. This document shall serve as Aspire Public School’s Administrative Regulations for student suspension, and they may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements.

Staff shall enforce disciplinary rules and procedures fairly and consistently among all students. These rules and procedures will clearly describe the Aspire School’s discipline expectations, and it will be printed and distributed as part of the annual notifications that are sent to each student at the beginning of the school year.

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

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of these Regulations, 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.

**Notice of Regulations**
The Aspire School’s administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies, rules and procedures. The notice shall state that these Aspire Public School’s Board Policy and Administrative Regulations are available on request at the Principal’s office.

**Suspension**
Suspension is the temporary removal of a student from class instruction for adjustment or disciplinary reasons. A suspension does not mean any of the following:
1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day for students of the same grade level;
2. Referral to a certificated employee designated by the principal to advise students;
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion. While on suspension from school, the student is not to loiter on or about any school grounds at any time, nor to attend any Aspire activity at any time, no matter where such activity may be taking place. Violation may result in further disciplinary action.

Except in cases where suspension for a first offense is warranted in accordance with law, each school site shall consider suspension from school only when other means have not been successful or where the student’s presence would constitute a danger to persons or property or seriously disrupt the educational process.

**Authority to Suspend**

1. A teacher may suspend a student only from his/her classroom for the day of the suspension plus the following school day.
2. The Principal or his/her designee may suspend a student from class, classes or the school campus for a period not to exceed five school days.
3. The CEO or designee may extend a student’s suspension pending final decision by the Aspire Board of Directors – Executive Committee (“Aspire Executive Committee”) on a recommendation for expulsion.

**Jurisdiction**

A student may be suspended or expelled for prohibited misconduct if the act is 1) related to an Aspire school activity, 2) school attendance occurring at an Aspire school or at any other school, or 3) at an Aspire school’s sponsored event. A student may be suspended or expelled for acts that are enumerated below and related to school activity or attendance that occur at any time, including, but not limited to, and of the following:

- While on school grounds.
- While going to or coming from school.
- During the lunch period whether on or off the campus.
- During, or while going to or coming from, a school sponsored activity.

**Suspension Alternatives**

The Aspire CEO, CEO Designee, or Principal may use their discretion to provide alternatives to suspension or expulsion, including, but not limited to, counseling and anger management programs for students subject to suspension or expulsion. [Education Code 48900 (u)]

As part of or instead of disciplinary action, the CEO, CEO’s designee, or Principal may require a student to perform community service on school grounds or, with written permission of the parent or guardian, off school grounds during the student’s non-school hours. Community Service may include, but is not limited to, work performed in the community or on school grounds in the areas of outdoor beautification,
community or campus betterment, and teacher, peer, or youth assistance programs. [Education Code 48900.6]

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

**Grounds for Suspension and Expulsion**
The following information is provided in order to provide uniformity within Aspire in matters of student misconduct requiring disciplinary action. The following offenses constitute grounds for suspension and expulsion:

a) Caused, attempted to cause, or threatened to cause physical injury to another person. [Education Code 48900(a)(1)] or, willfully used force or violence upon the person of another, except in self-defense. [Education Code (a)(2)]

**Note:** A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant of Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. [Education Code 48900(s)].

b) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal. [Education Code 48900(b)]

**Note:** Knife is defined as knife, dirk, dagger, or other weapon with a fixed, sharpened blade, fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 ½", a folding knife with a blade that locks into place, a switchblade of any length, or a razor with an unguarded blade. Firearm means any device, designed to be used as a weapon, from which is expelled through a barrel a projectile by the force or any explosion or other form of combustion.

c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind. [Education Code 48900(c)]
d) Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcohol beverage or intoxicant. [Education Code 48900(d)]

e) Committed or attempted to commit robbery or extortion. [Education Code 48900(e)]

f) Caused or attempted to cause damage to school property or private property. [Education Code 48900(f)] As used in this section, “school property” includes, but is not limited to, electronic files and databases.

   **Note:** Parents can be held financially liable for damages up to $10,000 and shall also be liable for the amount of any reward not exceeding $10,000. [Education Code 48904, Government Code 53069.5]

g) Stole or attempted to steal school property or private property. [Education Code 48900(g)] As used in this section, “school property” includes, but is not limited to, electronic files and databases.

h) Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his/her own prescription products. [Education Code 48900(h)]

i) Committed an obscene act or engaged in habitual profanity or vulgarity. [Education Code 48900(i)]

   **Note:** Obscene act means matter, taken as a whole, that to the average person, applying contemporary statewide standards, appeals to the prurient interest, that, taken as a whole, depicts or describes sexual conduct in a patently offensive way, and that, taken as a whole, lacks serious literary, artistic, or scientific value.

j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. [Education Code 48900(j)]

k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties. [Education Code 48900(k)]
l) Knowingly received stolen school property or private property. [Education Code 48900(l)] As used in this section, “school property” includes, but is not limited to, electronic files and databases.

m) Possessed an imitation firearm. [Education Code 48900(m)]

   **Note:** Imitation firearm means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code. [Education Code 48900(n)]

o) Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both. [Education Code 48900(o)]

p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma. [Education Code 48900(p)]

q) Engaged in, or attempted to engage in, hazing as defined in Penal Code Section 245.6 (b). [Education Code 48900(q)]

   **Note:** Hazing means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil.

r) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel. [Education Code 48900 (r)]

In addition to the grounds specified in Sections 48900 and 48900.2, an Aspire pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the CEO or the principal of the school in which the pupil is enrolled determines that the pupil has:

s) Committed sexual harassment as defined in the Education Code section 212.5. [Education Code 48900.2]
**Note:** For the purposes of this section, the conduct described 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 on the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment.

t) 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. [Education Code 48900.3]

u) Intentionally engaged in harassment, threats, or intimidation, directed against any Aspire personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment. [Education Code 48900.4]

v) Made terroristic threats against school officials or school property. [Education Code 48900.7]

**Note:** For the 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 district property, or the personal property of the person threatened or his or her immediate family. [Education Code 48900.7]

w) Possessed or used any electronic signaling device that operates through the transmission or reception of radio waves, including, but not limited to, paging and signaling equipment, cell phones, pagers, game devices, lasers, laser-pointers, and music playing devices while students are on campus or attending a school-sponsored activity, or while under the supervision and control of any Aspire employee. [Education Code 48901.5 (a)]

### Procedures in Cases Requiring Suspension

1. **Incident Investigation**
   - The school site administrator or teacher investigates the incident and determines whether or not it merits suspension.
Investigations:
- School officials may investigate, interrogate, and search students based upon reasonable suspicion (a greatly reduced standard as opposed to the requirement of probable cause);
- Miranda Rights do not apply in situations in which the pupil is not in custody and school officials are pursuing disciplinary policy, even if the questioning is likely to reveal criminal activity which may be reported to the police; and
- Standard school operations are not subject to Parental Notification requirements – the school official does not need to notify or obtain permission from the parent of an involved student as to how to act or proceed, and the parent cannot bind the school by demanding such notification. (New Jersey v. T.L.O., [1985])

Searches: In order to investigate an incident, or where there is reasonable suspicion, a student’s attire, personal property, vehicle or school property, including books, desks, and school lockers, may be searched by a principal or designee who has reasonable suspicion that a student possesses illegal items or illegally obtained items. These may include illegal substances, drug paraphernalia, weapons or other objects or substances that may be injurious to the student or others. Illegally possessed items shall be confiscated and turned over to the police.

2. Determination of Length of Suspension
   The school site administrator determines the appropriate length of the suspension in conjunction with local school policy and school-specific disciplinary management plans (up to five consecutive school days). [Education Code 48911 (a)]

   The total number of days for which a student may be suspended from school shall not exceed 20 school days in any school year. [Education Code 48903 (a)] A student who accumulates more than 20 days of suspension in a school year shall be recommended for expulsion to the Aspire Board of Directors.

   Aspire may count suspensions that occur while the student is enrolled in another school or school district toward the maximum number of days for which a student may be suspended in any school year. [Education Code 48903 (b)]

3. Legal Notifications
   Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902) Upon reporting such an incident, the principal or designee with secure a written copy of the police report and a copy of that report shall be placed in the private student files.

   The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts that may involve the possession or sale
of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol or intoxicants of any kind. (Education Code 48902)

Specifically:

- Prior to suspending a student from school for an assault upon any person with a deadly weapon or by force likely to produce great bodily injury. (Ed. Code 48902)
- A non-acciendally inflicted physical injury upon a minor student by another student that requires medical attention beyond the level of school-applied first aid. (Penal Code 11166)
- A non-acciendally inflicted physical injury by any person upon any minor that requires any medical attention. A report must be made to police or a child protection agency. (Penal Code 11166)
- Actual or suspected sexual abuse or physical abuse of any minor child. A report must be made to a child protection agency. (Penal Code 11166)
- An attack or assault on, or the menacing of, any school employee by a student. (Ed. Code 44014)
- A directly communicated threat by a student or any person to inflict unlawful injury upon the person or property of a school employee to keep the employee from fulfilling any official duty or for having fulfilled any official duty.
- Possession of any controlled substance, drug paraphernalia, alcoholic beverages or intoxicants, including glue-containing toluene. Possession of such materials is illegal, and upon confiscation, cannot be retained by school personnel. (Ed. Code 48900(c))
- Acts of school misconduct in violation of court imposed conditions on probation. (Ed. Code 48267)
- Truancy of any student under court ordered mandatory attendance.

When the Principal or other school official releases a student to a peace officer for the purpose of removing the student from the school premises (after the release), the Principal or other school official shall take immediate steps to notify the parent, guardian, or responsible relative of the student regarding the release of the minor to the officer, and regarding the place to where the minor is reportedly being taken.

**Note:** The responsibility to notify the parent, guardian, or other responsible relative concerning the release of a student does not apply to the release of a student who has been taken into custody as a victim of suspected child abuse. [Education Code 48906]

4. **Suspension Conference**
Suspension shall be preceded, if possible, by a conference conducted by the Principal or designee with the student and his or her parent and, whenever practical, the teacher, supervisor or school employee who referred the student to the Principal.

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.

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

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

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

The school administrator may require the student and his/her parent or guardian to sign a contract that states the conditions that the student is expected to meet while at the school. Copies of the signed contract are kept by the school site, the student and parent or guardian and the Aspire home office.

5. **Notice of Suspension**

The Principal or designee must complete an Aspire Notice of Suspension form. The parent will be given written notice of the suspension using this form. The Aspire Notice of Suspension serves as written notification of the student’s suspension and indicates 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.

At the time of suspension, the Principal or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

A copy of this form is also sent to the Aspire home office (Attention: Director of Student Services) and placed in the principal’s private student files – suspension notices should not be placed in the student’s cumulative file.
6. **Suspension Time Limits/Recommendations for Expulsion or Change of Placement**

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

Upon a recommendation of Expulsion or for a Change of Placement by the Principal or Principal’s designee, the pupil and the pupil’s guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing with the Aspire CEO or designee. At this meeting the offense and repercussions are discussed -- if the student has committed an offense that requires a recommendation of mandatory expulsion, this is discussed and understood by all parties.

This determination will be made by the Principal and the CEO or the CEO Designee or upon either of the following determinations: 1) the pupil’s presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil’s suspension will be extended pending the results of an expulsion hearing, as consistent with the law.

**Appeals Process:**

A student or the student’s parents/guardians may appeal those disciplinary actions, other than expulsion, imposed upon a student for his/her school related offenses.

- Appeals must be made first in writing at the school level, and should be directed to the principal. The principal or principal’s designee will attempt to resolve the appeal with a written response within ten (10) school days.
- After appeal at the school level, if further appeal is desired, the appeal should be made to the Aspire Home Office and should be directed to the CEO or designee (Director of Student Services) for resolution with a written response within fifteen (15) school days.
- After appeal at the Aspire administrative level, if further review is desired, the appeal may be forwarded to the Aspire Executive Committee for resolution with a written response within 20 school days.

If any appeal is denied, the parent may place a written rebuttal to the action in the student’s file.

**Other Miscellaneous Policies Related to Student Discipline and Suspension**

1. **Detention After School** [CCR 5, 504]

   Students may be detained in school for disciplinary or other reasons for up to one (1) hour after the close of the maximum school day. On minimum school days, students may be detained in school until a dismissal time that is the equal to one hour after the close of the maximum school day.

2. **Electronic Signaling Devices** [Education Code 48901.5]
a. Aspire Public Schools prohibits the possession of any electronic signaling device that operates through the transmission or reception of radio waves, including, but not limited to, paging and signaling equipment, cell phones, pagers, game devices, lasers, laser-pointers, and music playing devices while students are on campus or attending a school-sponsored activity, or while under the supervision and control of any Aspire employee.

b. No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician and surgeon to be essential for the health of the student and use of which is limited to the purposes related to the health of the student.

c. Each school shall design and implement a school-site plan and series of procedures to manage student possession of electronic signaling devices.

d. Violation of a school’s plan and/or procedures with regard to electronic signaling devices may result in disciplinary action (including confiscation of the device) up to and including suspension and expulsion.

3. Duty Concerning Conduct of Pupils [Education Code 44807]
Every Aspire teacher and school staff shall hold all students to a strict account for their conduct on the way to and from school, on the playgrounds, during recess, or while involved in a school-sponsored activity.

An Aspire teacher, Principal, school official, or any other Aspire employee shall not be subject to persecution or penalties for the exercise of physical control over a pupil, during the performance of his/her duties that a parent would be legally privileged to exercise but in no way shall exceed the amount of physical control reasonably necessary to:
- maintain order
- protect property
- protect the health and safety of pupils
- maintain proper and appropriate conditions conducive to learning

EXPULSION

These Expulsion Regulations have been established in order to promote learning and protect the safety and well being of any students at any Aspire Public School (“Aspire School”). When the regulations are violated, it may be necessary to expel a student from an Aspire Public School for a specified term. This document shall serve as Aspire Public School’s Administrative Regulations for student Expulsion, and they may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements.
Staff shall enforce disciplinary rules and procedures fairly and consistently among all students. These rules and procedures will clearly describe the Aspire School’s discipline expectations, and it will be printed and distributed as part of the annual notifications that are sent to each student at the beginning of the school year.

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

**Notice of Regulations**
The Aspire School’s administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies, regulations, procedures, and rules. The notice shall state that these Aspire Board Policy and Administrative Regulations are available on request at the Principal’s office.

**Expulsion Defined**
Expulsion is the involuntary removal of a student from all Aspire schools and Aspire programs for acts of specified misconduct.

Except for single acts of a grave nature [enumerated in Education Code 48915 (a) or (c)], expulsion should only be used only when there is a history of misconduct, when other forms of discipline (including suspension) have failed to bring about proper conduct, when a student has accumulated 20 or more days of suspension in a school year (10 days for students with an IEP or 504 plan), or when the student’s presence causes a continuing danger to other students.

**Authority to Expel**
A student may be expelled by an Aspire Administrative Panel. The Administrative Panel should consist of at least three members who are certificated and neither a teacher of the pupil or a Board member of the Aspire Board of Directors. (APS 5144.1).

While under expulsion, a student can only enroll in another Aspire school with the approval of the Aspire Board of Directors. Families wishing to place their student at another Aspire schools (provided there is a seat available) may send a request in writing or appear to the board to ask for consideration.

**Expelled Students/ Alternative Education**
In the event of a decision to expel a student from SCHOOL, the School will work cooperatively with the district of residence, county, and/or private schools to assist with the appropriate educational placement of the student who has been expelled. Any incident of violent and/or serious student behavior shall be communicated to the district/school to which the student matriculates.

**Expellable Offenses**
Mandatory Expulsion
The Principal or CEO (or the CEO’s designee) shall immediately suspend and shall recommend the expulsion of a student who has been determined to have committed any of the following acts at school or at school sponsored activity while under the school’s jurisdiction. The Aspire Administrative Panel will expel the student upon the recommendation of the Principal or CEO (or the CEO’s designee). **Expulsion does not require a second finding of fact.** [Education Code 48915(c)]

- Possessing, selling, or otherwise furnishing a firearm, unless pupil had obtained prior written permission to possess the firearm from a certificated school employee
- Brandishing a knife at another person
- Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
- Committing or attempting to commit a sexual assault or committing a sexual battery
- Possessing an explosive

Mandatory Recommendation for Expulsion
The Principal or CEO (or the CEO’s designee) shall immediately suspend and shall recommend the expulsion of a student who has been determined to have committed any of the following acts at school or at school sponsored activity while under the school’s jurisdiction. The Aspire Administrative Panel may order the student expelled based on the recommendation of the Principal or CEO (or the CEO’s designee). **Expulsion requires a second finding of fact.** [Education Code 48915(a)]

- Causing serious physical injury to another person, except in self-defense
- Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student
- Unlawful possession of any controlled substance, as listed in Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis
- Robbery or extortion
- Assault or battery upon any school employee as defined in (Penal Code 240 and 242)

Permissive Expulsion
Upon recommendation of the Principal or CEO (or the CEO’s designee), Administrative Hearing Officer or Administrative Panel appointed by the Aspire Board of Directors, the Board may order a student expelled upon finding that the pupil, at school or at a school sponsored activity on or off school grounds, violated any of the following acts at school or at school sponsored activity while under the school’s jurisdiction. The Aspire Board of Directors may order the student expelled the
recommendation of the Aspire Administrative Panel. **Expulsion requires a second finding of fact.** [Education Code 48915(e)]

- Caused or attempted to cause damage to school property or private property.
- Stole or attempted to steal school property or private property.
- Possessed or used tobacco or tobacco related items.
- Committed an obscene act or engaged in habitual profanity.
- Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- Knowingly received stolen school property or private property.
- Possessed an imitation firearm.
- Engaged in an act of bullying, including bullying committed by means of an electronic act specifically directed toward a pupil or school personnel.
- Committed sexual harassment (grades 4-12)
- Caused, attempted to cause, threatened to cause, or participated in an act of hate violence (grades 4-12).
- Intentionally engaged in harassment, threats, or intimidation, directed against any Aspire personnel or pupil (grades 4-12).
- Made terroristic threats again school officials or school property (grades 4-12).
- Possessed or used any electronic signaling device while the students are on campus or attending a school sponsored activity, or while under the supervision or control of any Aspire employee (grades 4-12).
- Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code

**Second Finding of Fact**
The Aspire Board of Director’s decision to expel a student for violations included in the **Mandatory Recommendation for Expulsion** and **Permissive Expulsion** categories above shall be based on a finding of one or both of the following:

1. Other means of correction are not feasible or have repeatedly failed to bring about the proper conduct.
2. Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

**Expulsion Procedures**

1. **Determination of an Expellable Offense**
   The Aspire Principal or designee investigates an incident and determines whether the offense
results in a suspension. If so, the administrator follows the procedures to suspend the student outlined in Aspire’s Administrative Regulations for Suspension (APS AR 5411.1).

If the student’s conduct which warranted the suspension is ascribed in the Expulsion Offenses (listed above), and if the Aspire Principal determines that there is cause for expulsion as based on a probable Second Finding of Fact, the Principal will contact the CEO or designee in order to recommend the student for expulsion proceedings.

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

2. Meeting to Extend Suspension Pending Expulsion
A meeting is held within five (5) school days of the student’s suspension to extend the suspension pending the expulsion process. The student and his/her parent or guardians are invited to attend this meeting with the CEO or designee. School site administrators or teachers may also be present. At this meeting the offense and repercussions are discussed -- if the student has committed an offense that requires a recommendation of mandatory expulsion, this is discussed and understood by all parties.

3. Official Notification
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:

- The date and place of the expulsion hearing;
- A statement of specific facts, charges and offenses upon which the proposed expulsion is based;
- A copy of Aspire Public School’s disciplinary Administrative Regulations concerning Suspension (APS AR 5411.1) and Expulsion (APS AR 5411.2) which relate to the alleged violation;
- Notification of the student’s or parent/guardian’s obligation to provide information about the student’s status at the school to any other school district or school to which the student seeks enrollment;
- The opportunity for the student or the student’s parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor. **Note**: if the student is to be represented by counsel or by a non-attorney adviser, such written notice must be received by Aspire no less than five (5) calendar days prior to the hearing.
- The right to inspect and obtain copies of all documents to be used at the hearing;
• The opportunity to confront and question all witnesses who testify at the hearing;
• The opportunity to question all evidence presented and to present oral and documentary evidence on the student’s behalf including witnesses;
• The opportunity to request a one-time postponement of the hearing. **Note:** if the student or the student’s parent/guardian wish to postpone the hearing, such written request must be received by Aspire no less than five (5) calendar days prior to the hearing;
  The right to appeal the decision to the Aspire Board of Directors.

4. **Expulsion Documents and Hearing Preparations**
   The Principal or designee files papers with the CEO or designee (Director of Student Services) that are available for review by the student and his/her parent or guardian. These papers may include, but are not limited to, the following: a record of student attendance and grades; a record of previous infractions; a statement of the facts surrounding the case made by a site administrator; a statement of the facts surrounding the case made by a witness. The CEO or designee may subpoena witnesses as necessary.

The student and his/her advocate prepare their presentation to the expulsion hearing board and, if necessary, subpoena witnesses. The student’s advocate is any person (attorney or non-attorney) of the student’s choice who is willing and able to represent the student at the expulsion hearing.

5. **Process of the Expulsion Hearing**
   a) **Closed Session**
   Aspire shall conduct an Administrative Hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five (5) calendar days prior to the hearing that the hearing be a public meeting. If such request is made, the meeting shall be public unless another student’s privacy rights would be violated.
   
   Whether the expulsion hearing is held in closed or public session, the Administrative Panel will meet in closed session to deliberate and determine whether or not to recommend that the student should be expelled.

   The Administrative Panel shall make the decision for expulsion which may be appealed to Aspire’s Board of Directors in a session closed to the public. The student, parent, or guardians may address the Board prior to their deliberation to appeal the decision. If the Board admits any other person to this closed session (with the exception of the Administrative Panel’s Hearing Officer or the Director of Student Services), the parent/guardian, the student, and the counsel of the student shall also be allowed to attend the closed session. [Education Code 48918(c)]

   b) **Record of Hearing**
A record of the hearing shall be made and may be maintained by any means, including electronic or digital recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. [Education Code 48918(g)]

c) **Subpoenas**
Before commencing a student expulsion hearing, the CEO or designee may issue subpoenas, at the request of either the student or the CEO or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. [Education Code 48918(i)]

Any objection raised by the student or the CEO or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding.

If the Board determines that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration.

d) **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. Relevant evidence of any kind may be admitted and given probative effect if it is the kind upon which reasonable persons are accustomed to rely.

Hearsay is an acceptable form of evidence and is admissible. In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record. [Education Code 48918(f) and (h)] Sworn Declarations are considered as witness testimony and are not considered Hearsay.

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

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

If the Administrative Panel decides not to expel, the pupil shall immediately be returned to his/her educational program. The Administrative Panel’s decision not to recommend expulsion shall be final.

**e) Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offences**

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

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

2. Aspire will 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 Hearing Officer, 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 Hearing Officer may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.

5. The Hearing Officer 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 Hearing Officer from removing a support person whom the Hearing Officer finds is disrupting the hearing. The
Hearing Officer may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.

7. If one or both of the support persons is also a witness, the School must present evidence that the witness’ presence is both desired by the witness and will be helpful to the School. The Hearing Officer shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.

9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are not alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing by means of closed-circuit television.

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

6. **Determination of Expulsion**
   Within three school days after the hearing, the Discipline Review Board shall determine whether to expel the pupil. If the Discipline Review Board decides in favor of expulsion, findings of fact in support of the decision shall be prepared. The decision of the Administrative Panel shall be in the form of written findings of fact and written findings.
The Board's decision on whether to expel a student shall be made within forty (40) school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. [Education Code 48918(a)]

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within Aspire. For a student expelled for an act listed under "Mandatory Expulsion" above, this date shall be one calendar year from the date of the expulsion.

7. Written Notice to Expel
The CEO or designee following a decision of the Discipline Review Board to expel shall send written notice of the decision to expel, including the Board’s adopted findings of fact, to the student or parent/guardian. This notice shall also include the following:
- Notice of the specific offense committed by the student
- Term of expulsion
- Notice of the student’s or parent/guardian’s obligation to inform any new district in which the student seeks to enroll of the student’s status with Aspire Public Schools.

The CEO or designee shall send a copy of the written notice of the decision to expel the student’s district of residence. This notice shall include the following:
- The student’s name
- The specific expellable offense committed by the student
- Term of expulsion

Expelled Students/ Alternative Education
In the event of a decision to expel a student from SCHOOL, the School will work cooperatively with the district of residence, county, and/or private schools to assist with the appropriate educational placement of the student who has been expelled. Any incident of violent and/or serious student behavior shall be communicated to the district/school to which the student matriculates.

8. Appeal of an Expulsion
Parents and/or guardians will be notified in advance of the suspension or expulsion of a student and can appeal a student’s suspension or expulsion. Expulsion of a student will be recommended by the Principal and must be decided by the Aspire Administrative Panel.

Parents and/or guardians may appeal an expulsion decision within five working days of receiving written notice by providing written notification to Aspire’s CEO or the CEO’s designee. The student may not return to the school during the period of time while the expulsion appeal is pending. The Charter School will provide independent study during this period to support the student in achieving their educational goals. The appeal hearing shall take place within 10 working days of receipt of the appeal notification by Aspire. Aspire’s Board of Directors
will hold the expulsion appeal hearing. The decision of the Board of Directors regarding expulsion appeals shall be final.

9. Rehabilitation Plans
Students who are expelled from the Aspire Public Schools 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 (1) year from the date of expulsion when the pupil may reapply to Aspire Public Schools for readmission. If readmitted, placement is made by the CEO or designee within the Aspire network of schools.

10. Readmission
The decision to readmit a pupil or to admit a previously expelled pupil from another school, school district or Charter School shall be in the sole discretion of the Board. Readmission procedures shall be as follows:

a) Upon written request from the pupil and parent/guardian no later than a full year from the date of expulsion, the Aspire shall consider readmission of the student. (Education Code 48916)

b) The CEO or designee shall hold a conference with the parent/guardian and the student. At the conference the student’s rehabilitation shall be reviewed. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.

c) The CEO or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session.

d) If the readmission is granted, the CEO or designee shall notify the student and parent/guardian of the Board’s decision regarding readmission.

e) The Board may deny readmission if it finds that the student has not satisfactorily demonstrated rehabilitation or that the student continues to pose a danger to campus safety or to other Aspire students or employees. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program.

Two months prior to the expiration of the student’s expulsion term, parents will be contacted to determine whether they wish to re-enroll the student at the school. One month prior to the expiration of the expulsion term, the student should provide evidence that the expulsion conditions for readmission have been met. If the student is able to provide evidence of meeting the conditions of the expulsion one month prior to the expulsion term expiration, placement is guaranteed at the school from which the student was expelled.

11. Expelled Students/Alternative Education
In the event of a decision to expel a student from Charter School, the School will work cooperatively with the district of residence, county, and/or private schools
to assist with the appropriate educational placement of the student who has been expelled. Any incident of violent and/or serious student behavior shall be communicated to the district/school to which the student matriculates.

12. Disciplinary Records
The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student’s mandatory cumulative record and sent to any school in which the student subsequently enrolls. (Education Code 48900.8, 48918(k))

The CEO or designee shall, within five working days, honor any district’s request for information about an expulsion. (Education Code 48915.1)

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

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

Aspire-JCA shall be responsible for the appropriate interim placement of students during and pending the completion of the Charter School’s student expulsion process.

Aspire-JCA will implement operational and procedural guidelines ensuring federal and state laws and regulations regarding the discipline of students with disabilities are met. Charter Schools will also ensure staff is knowledgeable about and complies with the District’s Discipline Foundation Policy. If the student receives or is eligible for special education, the Charter School shall identify and provide special education programs and services at the appropriate interim educational placement, pending the completion of the expulsion process, to be coordinated with the LAUSD Special Education Service Center.

Aspire-JCA shall document the alternatives to suspension and expulsion the Charter School utilizes with students who are truant, tardy, or otherwise absent from compulsory school activities.

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

- pupil’s last known address
- a copy of the cumulative record
- transcript of grades or report card
- health information
-documentation of the expulsion proceeding, including specific facts supporting the expulsion and documentation that the Charter School’s policies and procedures were followed

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

Outcome Data
Aspire- JCA shall maintain all data involving placement, tracking, and monitoring of student suspensions, expulsions, and reinstatements, and make such outcome data readily available to the District upon request.

Rehabilitation Plans
Pupils who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the Charter School’s governing board at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. Terms of expulsion should be reasonable and fair with the weight of the expelling offense taken into consideration when determining the length of expulsion. Therefore, the rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the pupil may reapply to the Charter School for readmission.

Readmission
The Charter School’s governing board shall adopt rules establishing a procedure for the filing and processing of requests for readmission and the process for the required review of all expelled pupils for readmission. Upon completion of the readmission process, the Charter School’s governing board shall readmit the pupil, unless the Charter School’s governing board makes a finding that the pupil has not met the conditions of the rehabilitation plan or continues to pose a danger to campus safety. A description of the procedure shall be made available to the pupil and the pupil’s parent or guardian at the time the expulsion order is entered and the decision of the governing board, including any related findings, must be provided to the pupil and the pupil’s parent/guardian within a reasonable time.
**REINSTATEMENT**
The Charter School’s governing board shall adopt rules establishing a procedure for processing reinstatements, including the review of documents regarding the rehabilitation plan. The Charter School is responsible for reinstating the student upon the conclusion of the expulsion period in a timely manner.

**SPECIAL EDUCATION STUDENTS**
In the case of a student who has an Individualized Education Program (“IEP”), or a student who has a 504 Plan, the Charter School will ensure that it follows the correct disciplinary procedures to comply with the mandates of state and federal laws, including IDEA and Section 504 of the Rehabilitation Plan of 1973. As set forth in the MOU regarding special education between the District and the Charter School an IEP team, including a District representative, will meet to conduct a manifestation determination and to discuss alternative placement utilizing the District’s Policies and Procedures Manual. Prior to recommending expulsion for a student with a 504 Plan, the Charter School’s administrator will convene a Link Determination meeting to ask the following two questions:

A. Was the misconduct caused by, or directly and substantially related to the student’s disability?
B. Was the misconduct a direct result of the Charter School’s failure to implement 504?

**GUN FREE SCHOOLS ACT**
The Charter School shall comply with the federal Gun Free Schools Act.
Element 11: Employee Retirement System

The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.

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

All employees of Aspire who qualify for membership in STRS or PERS shall be covered under the appropriate system. Employees will contribute at the rate established by STRS or PERS. The Payroll/Benefits Manager of Aspire will ensure that appropriate arrangements for the coverage have been made. Aspire will make all employer contributions as required. Aspire will also make contributions for workers' compensation insurance, unemployment insurance and any other payroll obligations of an employer.

Aspire has approximately 1,700 active employees working in 36 locations. Aspire uses a cloud-based HR management and payroll system called Ultipro. All employees are flagged in the Ultipro system as being eligible for STRS, PERS or FICA/Social Security. Social security payments are remitted to the IRS through routine deposits with each bi-monthly payroll. Payments to STRS or PERS are made through the authorizer and then forwarded on to STRS/PERS.
Element 12: Attendance Alternatives

The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools...

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

Aspire is a “school of choice” and recognizes that pupil attendance is voluntary and the Aspire Board of Directors shall not require any pupil to attend an Aspire school. Students who opt not to attend the School may attend other district schools in accordance with existing enrollment and transfer policies of their district or county of residence. The parent or guardian of each student enrolled in the charter school will be notified that their student shall have no right to admission in a particular school of any local educational agency (or program of any local educational agency) as a consequence of enrollment in the School, except to the extent that such a right is extended by the local educational agency.

“Pupils who choose not to attend Aspire- JCA may choose to attend other public schools in their district of residence or pursue an interdistrict-transfer in accordance with existing enrollment and transfer policies of the District.”
Element 13: Rights of District Employees

A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.

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

The right to leave the District and take employment at the School, as well as the right to return to the District for School employees who were previously District employees, will be as specified in District policies, procedures or collective bargaining agreements addressing this issue with respect to charter schools operated as nonprofit public benefit corporations under Education Code §47604. The rights of employees to leave another LEA or another organization will be as specified in their previous LEA or organization.

Leave and return rights for union-represented employees who accept employment with the Aspire-JCA will be administered in accordance with applicable collective bargaining agreements between the employee’s union and the District and also in accordance with any applicable judicial rulings.”
Element 14: Mandatory Dispute Resolution

The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.

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

Aspire is committed to working with the District in a spirit of cooperation.

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

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

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

To Charter School:  c/o the Principal:
Aspire – Junior Collegiate Academy
6724 S. Alameda Street
Huntington Park, CA 90255

To Director of Charter Schools:  Director of Charter Schools
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017

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

3) If the Dispute cannot be resolved by mutual agreement at the Issue Conference, either party may then request that the Dispute be resolved by mediation. Each party shall bear its own attorneys’ fees, costs and expenses associated with the mediation. The mediator’s fees and the administrative fees of the mediation shall be shared equally among the parties. Mediation proceedings shall commence within 120 days from the date of either party’s request for mediation following the Issue Conference. The parties shall mutually agree upon the selection of a mediator to resolve the Dispute. The mediator may be selected from the approved list of mediators prepared by the American Arbitration Association. Unless the parties mutually agree otherwise, mediation proceedings shall be administered in accordance with the commercial mediation procedures of the American Arbitration Association.

4) If the mediation is not successful, then the parties agree to resolve the Dispute by binding arbitration conducted by a single arbitrator. Unless the parties mutually agree otherwise, arbitration proceedings shall be administered in accordance with the commercial arbitration rules of the American Arbitration Association. The arbitrator must be an active member of the State Bar of California or a retired judge of the state or federal judiciary of California. Each party shall bear its own attorney’s fees, costs and expenses associated with the arbitration. The arbitrator’s fees and the administrative fees of the arbitration shall be shared equally among the parties. However, any party who fails or refuses to submit to arbitration as set forth herein shall bear all attorney’s fees, costs and expenses incurred by such other party in compelling arbitration of any controversy or claim.
Element 15: Exclusive Public School Employer

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

- California Education Code Section 47605(b) (5) (O)
  Aspire is deemed the exclusive public school employer of the employees of Aspire- JCA for the purposes of the Educational Employee Relations Act (EERA)
Element 16: Charter School Closure

A description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.

- California Education Code Section 47604(b) (5) (P)

In the event that the School closes and does not continue operating under this charter or a different charter, the following procedures, which are adapted from the procedures recommended by the California Department of Education (“CDE”), shall be utilized to ensure a final audit of the School to determine the disposition of all assets and liabilities of the School, including plans for disposing any net assets and for the maintenance and transfer of pupil records.

REVOCATION
The District may revoke the Charter if the School commits a breach of any provision set forth in a policy related to Charter Schools adopted by the District Board of Education and/or any provisions set forth in the Charter School Act of 1992. The District may revoke the charter of the School if the District finds, through a showing of substantial evidence, that the Charter School did any of the following:

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

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

CLOSURE ACTION

The decision to close the Charter School either by the Aspire governing Board or by the LAUSD Board of Education, will be documented in a Closure Action. The Closure
Action shall be deemed to have been automatically made when any of the following occur: the charter is revoked or non-renewed by the LAUSD Board of Education and the Charter School fails to win an appeal of that decision; the Charter School board votes to close the Charter School; or the Charter lapses. Any revocation actions must be conducted pursuant to California Education Code.

**Closure Procedures**

The procedures for charter school closure are guided by California Education Code sections 47604.32, 47605, 47605.6, and 47607 as well as California Code of Regulations, Title 5 (5 CCR), sections 11962 and 11962.1. A closed charter school must designate a responsible entity to conduct closure activities and identify how these activities will be funded. The procedures outlined below are based on “Charter School Closure Requirements and Recommendations (Revised 08/2009)” as posted on the California Department of Education website. References to “Charter School” applies to the charter school’s nonprofit corporation and/or governing board.

**Documentation of Closure Action**

The revocation or non-renewal of a charter school must be documented by an official action of the authorizing entity. Notice of a charter school’s closure for any reason must be provided by the authorizing entity to the California Department of Education (CDE). In addition, the charter school must send notice of its closure to:

1. Parents or guardians of students. Written notification to parents/guardians/caregivers of the enrolled students of the School will be issued by School within 72 hours after the determination of a Closure Action and the effective date of closure. A copy of the written notifications to parents is also to be sent to LAUSD within the same time frames.

2. The authorizing entity

3. The county office of education. Written notification to the Los Angeles County Office of Education of the Closure Action shall be made by the School by registered mail within 72 hours of the decision to Closure Action. Charter School shall provide a copy of this correspondence to the ICSD.

4. The special education local plan area in which the school participates. Written notification to the Special Education Local Planning Area (SELPA) in which the Charter School participates of the Closure Action shall be made by the School by registered mail within 72 hours of the decision to Closure Action. Charter School shall provide a copy of this correspondence to the ICSD.

5. The retirement systems in which the school’s employees participate. The Charter School will within fourteen (14) calendar days of closure action contact the State Teachers Retirement System (STRS), Public Employees Retirement System (PERS), and the Los Angeles County office of Education and follow their
procedures for dissolving contracts and reporting. Charter School shall provide a copy of this correspondence to the ICSD.

6. The CDE. Written notification to the California Department of Education of the Closure Action shall be made by the School by registered mail within 72 hours of the decision to Closure Action. Charter School shall provide a copy of this correspondence to the ICSD.

NOTIFICATIONS

Notice must be received by the CDE within ten calendar days of any official action taken by the chartering authority. Notification of all the parties above must include at least the following:

1. The effective date of the closure
2. The name(s) of and contact information for the person(s) handling inquiries regarding the closure
3. The students’ school districts of residence
4. How parents or guardians may obtain copies of student records, including specific information on completed courses and credits that meet graduation requirements

In addition to the four required items above, notification to the CDE must also include:

1. A description of the circumstances of the closure
2. The location of student and personnel records

In addition to the four required items above, notification to parents, guardians, and students should also include:

1. Information on how to transfer the student to an appropriate school
2. A certified packet of student information that includes closure notice, a copy of their child's cumulative record which will include grade reports, discipline records, immunization records, completed coursework, credits that meet graduation requirements, a transcript, and State testing results.
3. Information on student completion of college entrance requirements for all high school students affected by the closure

The charter school shall announce the closure to any school districts that may be responsible for providing education services to the former students of the charter school within 72 hours of the decision to Closure Action. This notice will include a list of returning students and their home schools. Charter school closures should occur at the end of an academic year if it is feasible to maintain a legally compliant program until then.
STUDENT AND SCHOOL RECORDS RETENTION AND TRANSFER

The Charter School shall observe the following in the transfer and maintenance of school and student records:

1. The Charter School will provide the District with original cumulative files and behavior records pursuant to District policy and applicable handbook(s) regarding cumulative records for secondary and elementary schools for all students both active and inactive at the Charter School. Transfer of the complete and organized original student records to the District will occur within seven calendar days of the effective date of closure.

2. The process for transferring student records to the receiving schools shall be in accordance with LAUSD procedures for students moving from one school to another.

3. The Charter School will prepare an electronic master list of all students to the Charter Schools Division. This list will include the student’s identification number, Statewide Student Identifier (SSID), birthdate, grade, full name, address, home school, enrollment date, exit code, exit date, parent/guardian name(s), and phone number(s). If the Charter School closure occurs before the end of the school year, the list should also indicate the name of the school that each student is transferring to, if known. This electronic master list will be delivered in the form of a CD.

4. The original cumulative files should be organized for delivery to the District in two categories: active students and inactive students. The ICSD will coordinate with the Charter School for the delivery and/or pickup of the student records.

5. The Charter School must update all student records in the California Longitudinal Pupil Achievement Data System (CALPADS) prior to closing.

6. The Charter School will provide to the ICSD a copy of student attendance records, teacher gradebooks, school payroll records, and Title I records (if applicable). Submission of personnel records must include any employee records the charter school has. These include, but are not limited to, records related to performance and grievance.

7. All records are to be boxed and labeled by classification of documents and the required duration of storage.”
FINANCIAL CLOSE-OUT

After receiving notification of closure, the CDE will notify the charter school and the authorizing entity if it is aware of any liabilities the charter school owes the state. These may include overpayment of apportionments, unpaid revolving fund loans or grants, or other liabilities. The CDE may ask the county office of education to conduct an audit of the charter school if it has reason to believe that the school received state funding for which it was not eligible.

The Charter school shall ensure completion of an independent final audit within six months after the closure of the school that includes:

1. An accounting of all financial assets. These may include cash and accounts receivable and an inventory of property, equipment, and other items of material value.
2. An accounting of all liabilities. These may include accounts payable or reduction in apportionments due to loans, unpaid staff compensation, audit findings, or other investigations.
3. An assessment of the disposition of any restricted funds received by or due to the charter school.

This audit may serve as the school’s annual audit.

The financial closeout audit of the Charter School will be paid for by the Charter School. This audit will be conducted by a neutral, independent licensed CPA who will employ generally accepted accounting principles. Any liability or debt incurred by the Charter School will be the responsibility of the Charter School and not LAUSD. The Charter School understands and acknowledges that the Charter School will cover the outstanding debts or liabilities of the Charter School. Any unused monies at the time of the audit will be returned to the appropriate funding source. The Charter School understands and acknowledges that only unrestricted funds will be used to pay creditors. Any unused AB 602 funds will be returned to the District SELPA or the SELPA in which the Charter School participates, and other categorical funds will be returned to the source of funds.

The Charter school shall ensure the completion and filing of any annual reports required. This includes:

1. Preliminary budgets
2. Interim financial reports
3. Second interim financial reports
4. Final unaudited reports

These reports must be submitted to the CDE and the authorizing entity in the form required. If the charter school chooses to submit this information before the forms and software are available for the fiscal year, alternative forms can be used if they are approved in advance by the CDE. These reports should be submitted as soon as possible.
after the closure action, but no later than the required deadline for reporting for the fiscal year.

For apportionment of categorical programs, the CDE will count the prior year average daily attendance (ADA) or enrollment data of the closed charter school with the data of the authorizing entity. This practice will occur in the first year after the closure and will continue until CDE data collection processes reflect ADA or enrollment adjustment for all affected LEAs due to the charter closure.

Disposition of Liabilities and Assets

The closeout audit must determine the disposition of all liabilities of the charter school. Charter school closure procedures must also ensure disposal of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed. Such disposal includes, but is not limited to:

1. The return of any donated materials and property according to any conditions set when the donations were accepted.

2. The return of any grant and restricted categorical funds to their source according to the terms of the grant or state and federal law.

3. The submission of final expenditure reports for any entitlement grants and the filing of Final Expenditure Reports and Final Performance Reports, as appropriate.

Net assets of the charter school may be transferred to the authorizing entity. If the Charter School is operated by a nonprofit corporation, and if the corporation does not have any other functions than operation of the Charter School, the corporation will be dissolved according to its bylaws.

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

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

For six (6) calendar months from the Closure Action or until budget allows, whichever comes first, sufficient staff as deemed appropriate by the [Charter School] Board, will maintain employment to take care of all necessary tasks and procedures required for a smooth closing of the school and student transfers.

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

The Charter School shall provide LAUSD within fourteen (14) calendar days of closure action prior written notice of any outstanding payments to staff and the method by which the school will make the payments.
Prior to final closure, the Charter School shall do all of the following on behalf of the school’s employees, and anything else required by applicable law:

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

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

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

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

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

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

Facilities

District-Owned Facilities: If Charter School is using LAUSD facilities as of the date of the submittal of this charter petition or takes occupancy of LAUSD facilities prior to the approval of this charter petition, Charter School shall execute an agreement provided by LAUSD for the use of the LAUSD facilities as a condition of the approval of the charter petition. If at any time after the approval of this charter petition Charter School will occupy and use any LAUSD facilities, Charter School shall execute an agreement provided by LAUSD for the use of LAUSD facilities prior to occupancy and commencing use.

Charter School agrees that occupancy and use of LAUSD facilities shall be in compliance with applicable laws and LAUSD policies for the operation and maintenance of LAUSD facilities and furnishings and equipment. All LAUSD facilities (i.e., schools) will remain subject to those laws applicable to public schools which LAUSD observes.

In the event of an emergency, all LAUSD facilities (i.e., schools) are available for use by the American Red Cross and public agencies as emergency locations which may disrupt or prevent Charter School from conducting its educational programs. If Charter School will share the use of LAUSD facilities with other LAUSD user groups, Charter School agrees it will participate in and observe all LAUSD safety policies (e.g., emergency chain of information, participate in safety drills).
The use agreements provided by LAUSD for LAUSD facilities shall contain terms and conditions addressing issues such as, but not limited to, the following:

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

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

- **Leasing; Licensing.** Use of the LAUSD facilities by any person or entity other than Charter School shall be administered by LAUSD. The parties may agree to an alternative arrangement in the use agreement.

- **Minimum Payments or Charges to be Paid to LAUSD Arising From the Facilities.**
  1. **Pro Rata Share.** LAUSD shall collect and Charter School shall pay a Pro Rata Share for facilities costs as provided in the Charter School Act of 1992 and its regulations. The parties may agree to an alternative arrangement regarding facilities costs in the use agreement; and
  2. **Taxes; Assessments.** Generally, Charter School shall pay any assessment or fee imposed upon or levied on the LAUSD facilities that it is occupying or Charter School’s legal or equitable interest created by the use agreement.

- **Maintenance & Operations Services.** In the event LAUSD agrees to allow Charter School to perform any of the operation and maintenance services, LAUSD shall have the right to inspect the LAUSD facilities and the costs incurred in such inspection shall be paid by Charter School.
  1. **Co-Location.** If Charter School is co-locating or sharing the LAUSD facilities with another user, LAUSD shall provide the operations and maintenance services for the LAUSD facilities and Charter School shall pay the Pro Rata Share. The parties may agree to an alternative arrangement regarding performance of the operations and maintenance services and payment for such in the use agreement.
  2. **Sole Occupant.** If Charter School is a sole occupant of LAUSD facilities, LAUSD shall allow the Charter School, at its sole cost and expense, to provide some operations and maintenance services for the LAUSD facilities in accordance with applicable laws and LAUSD’s policies on operations and maintenance services for facilities and F&E. NOTWITHSTANDING THE FOREGOING, LAUSD shall provide all services for regulatory inspections, which as the owner of the real property is required to submit, and deferred maintenance and Charter School shall
pay LAUSD for the cost and expense of providing those services. The parties may agree to an alternative arrangement regarding performance of the operations and maintenance services and payment for such services in the use agreement.

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

**Facility status:** The charter petitioner must demonstrate control of a facility such as a commitment from the landlord, to ensure that the property is actually available to the charter developer, and that the facility is usable with or without conditions (such as a conditional code permit.) The charter school facility shall comply with all applicable building codes, standards and regulations adopted by the city and/or county agencies responsible for building and safety standards for the city in which the charter school is to be located, and the Americans with Disabilities Act (ADA). Applicable codes and ADA requirements shall also apply to the construction, reconstruction, alteration of or addition to the proposed charter school facility. The Charter School shall implement any corrective actions, orders to comply, or notices issued by the authorized building and safety agency. The Charter School cannot exempt itself from applicable building and zoning codes, ordinances, and ADA requirements. Charter schools are required to adhere to the program accessibility requirements of Federal law (Americans with Disabilities Act and Section 504).

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

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

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

Term of Charter Petition

A charter may be granted pursuant to Sections 47605... for a period not to exceed five years. A charter granted by a school district governing board...may be granted one or more subsequent renewals by that entity. Each renewal shall be for a period of five years. A material revision of the provisions of a charter petition may be made only with the approval of the authority that granted the charter. The authority that granted the charter may inspect or observe any part of the charter school at any time.

- California Education Code Section 47607(a)(1)

The Charter School’s term shall be five (5) calendar years effective July 1, 2013. Aspire reserves the right to begin instruction during any of the five (5) school years covered by this charter, pending the conclusion of the lawsuit filed against the State Board of Education, including appeal. Aspire will not begin instruction after September 30 during any school year (Education Code section 47652(c)) without a waiver from the State Board of Education.

Any amendments to School’s charter may be made by the mutual agreement of the governing board of Aspire and the District. Aspire may present a petition to materially amend the Charter at any time, and the District agrees to respond to such petitions pursuant to the process, criteria and timelines specified in the Charter Schools Act, and in accordance with District policies and practices.

Interpreting the Charter

All terms of the Charter that can be interpreted as within the intent of the California Education Code shall be interpreted in such a manner.

The terms of this charter contract are severable. In the event that any of the provisions are determined to be unenforceable or invalid for any reason, the remainder of the charter shall remain in effect, unless mutually agreed otherwise by Aspire and the District. Aspire and the District agree to resolve issues following the procedures outlined in Element 14.
District Impact Statement

The governing board of a school district shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the school, including, but not limited to, the facilities to be utilized by the school, the manner in which administrative services of the school are to be provided, and potential civil liability effects, if any, upon the school and upon the school district. The petitioner or petitioners shall also be required to provide financial statements that include a proposed first-year operational budget, including start-up costs, and cash-flow and financial projections for the first three years of operation.

- California Education Code Section 47605(g)

Facilities

The School intends to continue operating at its current location at 6724 S. Alameda Street, Huntington Park, California 90255.

Administrative Services

Aspire has an experienced administrative staff that handles a variety of “back office” services like payroll, accounting, and purchasing. Aspire will be responsible for all of its own personnel salary and benefit plans, provisions and costs. In the event that any administrative services are to be provided by the District, the specifics will be agreed to in a Memorandum of Understanding between Aspire and the District.

Potential Civil Liability Effects

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

Pursuant to Education Code Section 47604(c), an entity that grants a charter to a charter school operated by or as a non-profit public benefit corporation shall not be liable for the debts or obligations of the charter school or for claims arising from the performance of acts, errors or omissions by the School if the authority has complied with all oversight responsibilities required by law. The School shall work diligently to assist the District in meeting any and all oversight obligations under the law, including meetings, reporting, or other authorizer-requested protocol to ensure the District shall not be liable for the operation of the School.
The corporate bylaws of Aspire shall provide for indemnification of the Aspire’s Board, officers, agents, and employees, and Aspire will purchase general liability insurance, Board Members and Officer’s insurance, and fidelity bonding to secure against financial risks. Insurance coverage may be made by joint powers authority authorized to conduct business in the State of California and limits will set at commercially reasonable levels. A copy of Aspire’s Evidence of Insurance is attached in Appendix XVIII. The District shall be named as an additional insured and Aspire will institute appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

**Financial Statements**

Attached, in Tab #6e, please find the following documents for the School:

- Budget assumptions
- 3-year budget and cash flow
- 3-year budgeted Profit & Loss Statement

Aspire has been receiving funding pursuant to provisions of the California Education Code as it has opted to be direct-funded. Any funds due to the school that flow through the District shall be forwarded to Aspire in a timely fashion. During the term of this charter petition, Aspire and the District will negotiate in good faith to develop a Memorandum of Understanding that establishes the specific financial and service relationship between the two parties.

Aspire shall provide reports to the District as specified in Element 9.