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LEADERSHIP PUBLIC SCHOOLS

LEADERSHIP PUBLIC SCHOOLS – SAN JOSE

CHARTER

(A Santa Clara County Board of Education Public Charter School)

**Submitted to the Santa Clara County Office of Education for renewal
on October 6, 2006**

**Previous charter approved by the Santa Clara County Office of
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LEADERSHIP PUBLIC SCHOOLS SAN JOSE CHARTER

(A Santa Clara County Board of Education Public Charter School)

INTRODUCTION

Leadership Public Schools, Inc. (“LPS”) is a nonprofit public benefit corporation founded in 2002 by experienced educators and entrepreneurs. LPS opens, operates and sustains quality college-preparatory public charter high schools.

LPS’ mission is to serve diverse and traditionally underserved students by building a network of outstanding small public high schools where we:

- Prepare our students to succeed in college and beyond,
- Develop effective student leaders, and
- Partner with school districts to strengthen both ourselves and other public schools.

In accordance with the California Charter Schools Act of 1992, as amended, (“Charter Schools Act”), LPS hereby submits this petition to renew the charter school for grades 9-12 (“School” or “LPS”) for a second term of five years from the opening of the school.

The Charter Schools Act states:

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;*
- (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).

Further, Education Code section 47605(b) states in pertinent part: "In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged."

LPS will make important contributions to the legislative goals outlined above. By granting this charter petition, the charter authorizer will help fulfill the intent of the Charter Schools Act while providing students in the area with an additional quality educational option.

Founding Group

This charter school was founded by LPS, a group of experienced charter developers, educators, administrators, Board of Directors and partners. LPS' CEO and Founder, Mark Kushner, has over twelve years experience successfully operating California charter schools, and LPS is currently operating five charter schools, including this one. LPS' Board of Directors and Management Team have extensive experience with startup organizations, education (including school design, curriculum development, instructional strategies, assessment and staff development), business, law, facilities development, finance, technology, strategic planning, governmental relations, fundraising, public relations, organizational development, student leadership development, and community development.

For a detailed description of LPS' history, extensive experience, positive media coverage and past success, please see the supplemental materials previously submitted.

LPS' mission, program and team are designed to implement the legislative goals of the Charter Schools Act, including improving pupil learning (particularly for students identified as low achieving), creating new professional opportunities for teachers, and providing expanded public school choice for parents and students.

CHARTER ELEMENTS

The Charter Schools Act provides that a petition must contain reasonably comprehensive descriptions of the elements described in California Education Code Sections 47605(b)(5)(A-P). These sections of the law and the required descriptions are provided below.

ELEMENT A: EDUCATIONAL PROGRAM

Governing Law: A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an “educated person” in the 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).

1. Population To Be Served by the School

LPS aims to serve diverse and traditionally underserved students, with the objective of graduating students who are self-motivated, competent, and lifelong learners, roughly reflecting the racial and ethnic socio-economic background of schools within the Santa Clara County Office of Education (“SCCOE”) and City of San Jose.

“Traditionally underserved students” is defined by the LPS Board as low income students who are eligible for the National School Lunch Program, students from low performing schools as indicated by the California Academic Performance Index (“API”), traditionally underserved students of color, or students who are first generation college.

Our program is also designed to serve English Language Learners and students with Special Education needs. We passionately believe that all students can excel academically despite the daunting challenges many face. Our program identifies and builds on the assets of our students, their parents and their local communities, rather than any perceived deficits.

The means to achieve this diversity and student population that roughly reflects the diversity of the district is described in more detail in Elements G and H below.

2. 21st Century Educated Person

LPS believes that an educated person in the 21st Century:

- Engages in intellectual exploration and discovery, persevering when confronted with complexity and ambiguity.
- Understands and appreciates the central ideas, methodologies and conceptual parameters of intellectual and aesthetic disciplines, including those represented in the California State Standards.
- Utilizes his or her knowledge and talents to effect positive change in the community and the world.
- Communicates clearly and effectively using a variety of techniques.

In addition, as Ernest Boyer states in *Toward a Coherent Curriculum*, being an educated person in the 21st Century:

... means developing one's own aptitudes and interests and discovering the diversity that makes us unique. And it means becoming permanently empowered with language proficiency, general knowledge, social confidence, and moral awareness. It also means discovering the connectedness of things. It means respecting the miracle of life and responding sensitively to the aesthetic. Being truly educated means putting learning in the historical perspective, understanding groups and institutions, having reverence for the natural world, and affirming the dignity of work. And, above all, being an educated person means being guided by values and beliefs and connecting the lessons of the classroom to the realities of life.

LPS is continuing to refine its innovative academic program, based on effective teaching practices, recent research, and the best curriculum available. LPS school design and instructional strategies are described below.

3. How Learning Best Occurs: Effective Instructional Strategies and Small School Design

a. Effective Small School Design

The students we seek to serve learn best in a small school setting. Research shows that small schools allow students and teachers to develop intensive, long-term relationships that enable better conditions for teaching and learning. LPS currently enrolls approximately 230 students in grades 9-11 and plans to eventually enroll approximately 450-500 in grades 9-12. Based on research, best practices, and the lessons learned from over twelve years of experience with charter high schools, our small school design is specifically geared to enable diverse and traditionally underserved students to succeed in an academically challenging environment.

As discussed in more detail below, our vision of effective schools is based on our **six pillars** of effective school design:

1. High Expectations: Challenging Academics and Graduation Requirements for All Students
2. Significant Support (including for English Language Learners and Special Education Students)
3. Student Leadership Development
4. Talented Staff Sustained by Extensive Professional Development
5. Family and Community Involvement
6. Focus on Results

Each of these areas will be discussed in more detail.

Our school design is informed and guided by research, including: Beclmer, W. (1983), *Breaking Ranks II* (2004), Cotton, K. (1996), DuFour, R., Eaker, R. & Dufour, R. (2005), Fine, M. & Somerville, J.I. (1998), Fowler, W.J. & Herbert, J. (1991), Goodlad, J.I. (1984), Howley, C.V. & Bickel, R. (2000), Marzano, R.J. (2000), Ouchi, W.G. (2003), Raywid, M.A. (1998), Roberts, S.M. & Pruitt, E.Z. (2003), Sizer, T. (1985).

PILLAR #1: High Expectations: Challenging Academics and Graduation Requirements for All Students

High academic expectations are reflected in our adoption of the state standards, demanding graduation requirements, thoughtful, challenging and engaging curricula, and effective, student-centered instructional strategies.

Academic Standards

LPS adopts the state standards as our curriculum framework for all our students, and will from time to time develop additional LPS standards.

All LPS students must participate in our college preparatory program; no non-college bound track exists. All LPS graduates are expected to meet the School's standards and graduation requirements, although some may take additional time to meet them, and others, such as English language learners and Special Education students, may require additional support, accommodations and/or modifications, as discussed below.

Graduation Requirements

LPS' current graduation requirements, subject to further revision and improvement, meet or exceed the University of California "A-G" admissions course requirements:

UC Group	Subject Area	Required Year-long Courses	
		UC/CSU	LPS
A	English	4	4
B	Mathematics	3	3
C	History/Social Science	2	3
D	Laboratory Science	2	2
E	Language other than English	2	2
F	Visual and Performing Arts	1	1
G	Elective	1	1
	Leadership	0	4
	Totals:	15	20

This list of graduation requirements should not be confused with course offerings. The School offers more courses than those required for graduation. The School may also require students to demonstrate their performance through portfolios and exhibitions. Students may fulfill course requirements through coursework at the School or through an accredited and LPS-approved coursework on-line program (e.g., University of California Online Program) or at a local community college.

Academic Courses

As in most California high schools whose courses and graduation requirements are based on the University of California admissions requirements and California State Standards, the majority of the courses and areas covered are already largely dictated.

However, LPS takes these required courses and adopted state standards, and using backwards design planning, chooses texts and builds a curriculum that is aligned and effective with our main instructional strategies, listed below. Courses are designed to help LPS meet the pupil outcomes in Elements B and C of the charter. These courses, including our Leadership Program, are also designed to prepare students for both life and the world of work, as well as to encourage them to think critically and creatively. We trust that the students will have some fun too. (Because actual materials and organizing themes may vary from year to year, it is not appropriate to include the details of these courses in an unchanging charter.)

PILLAR #2: Significant Support (including for English Language Learners and Special Education Students)

Personal attention to individual students is a cornerstone of our School. Research demonstrates that most students learn best in a nurturing, supportive environment where they are known, treated as individuals, and their backgrounds are honored. This design is intended to promote sustained student relationships with adults and to support all learners, including English language learners and Special Education students, and includes the following elements:

- **Small Learning Community:** The School will have a maximum of 500 students.
- **Small Classes:** LPS aims to have a student-teacher ratio of no more than 21 to 1, an average class size of 25 and a maximum class size of 30 students.
- **Advisors:** Each student will be assigned an advisor—who will ideally work with the student throughout his or her four years at the school. Advisors meet with their students several times per week, supporting their academic aspirations, shepherding them through their high school experience, and assisting them in their application to and transition into college. Advisors also communicate frequently with students' families, supporting their commitment to school and assisting with home-school relations. Advisories will have a low student-teacher ratio of approximately 17 to 1.
- **Academic Support Program for Students Achieving Below Grade Level:** We know that high expectations must be matched with considerable support; this is especially important since many incoming students are particularly weak in reading and mathematics. How will we get them to college in four years? Our research-based approach is to keep our students in college-level courses, but to supplement this with numerous support systems specifically tailored for our target population. These include:
 - Supplemental Academic Support: Reading and Math and English-language courses offered before and/or after school.
 - Academic Literacy: A 9th grade course that supports the work of the core teachers by reinforcing discipline-specific material, developing study skills and providing differentiated opportunities for intervention. This course may be modified.
 - Office Hours: After-school sessions with teachers, required for low-achieving students.
 - Student Study Teams: LPS may utilize a Student Study Team process when appropriate for a student's academic concern. A student can be referred to a Student Study Team to share perceptions and plan strategies for resolution. The Principal invites members of the Student Study Team who are connected with that student to provide information about the student's strengths, concerns and prior attempted strategies. Once concerns are synthesized, strategies to deal with the concerns are brainstormed, and the Team chooses the best strategies to implement, which may include referral of a student for assessment under Section 504 of the Rehabilitation Act ("Section 504") or the Individuals with Disabilities Education Improvement Act of 2004 ("IDEA"). The Team assigns the individuals responsible for the resulting plan, and the plan is reviewed regularly to evaluate its success. After implementation of a Student Study

Team Plan and follow-up, if concerns continue, revisions to the plan may be necessary or the Team may deem it necessary to refer a student for possible assessment under Section 504 or the IDEA. Special Education and Section 504 are discussed in more detail below.

- **Counseling Programs:** LPS will have strong college counseling program, to address early any barriers to learning and to emphasize the expectation of college attendance and of setting ambitious life goals.

PILLAR #3: Leadership Development

At its core, Leadership starts with a mindset, a proclivity to take the initiative, to assume responsibility, to take steps to influence others.

Jerome T. Murphy, Former Dean
Harvard Graduate School of Education

Leadership Program

Our innovative Leadership Program is designed to fill society's need for well-educated individuals who have both the desire and the ability to help themselves and their community. The four-year Leadership Program is designed to inculcate the knowledge, skills and attitudes that are necessary to exercise leadership effectively.

The current centerpiece of our Leadership Program is a four-year Leadership Advisory class designed to teach students the knowledge, skills and attitudes that are necessary to exercise leadership effectively. The program starts with the freshman Leadership Retreat that provides new students with the chance to get to know their fellow students from many different middle schools, bond with teachers, gain confidence and internalize LPS' mission. Starting with this retreat, the program first helps students be aware of their own strengths, weaknesses, goals and aspirations. Only after they know themselves are they able to effectively reach out to others. The material in these classes may be delivered in other ways in the future, for example, in a separate leadership department or infused in other classes.

The Leadership Program is designed to teach students practical presentation, meeting facilitation and action planning skills. This enables students to communicate clearly, and to organize themselves efficiently. The Leadership Program is also coordinated with the larger school curriculum, employing the distinct perspectives of our English, History, Math, Science, and Spanish courses to enlarge our view of leadership.

Other Leadership Program Components

As the program develops and evolves, there will be numerous other opportunities at LPS to grow and learn about the exercise of leadership. Students will be encouraged to help assist in the administration of many school programs, including our Ambassador program, student recruiting and all-school meetings. Other Leadership Programs components may include, among other things, community service, Week Without Walls,

retreats with outdoor education components to develop teamwork, and various clubs. Week Without Walls is a time when we suspend our normal schedule and students participate in alternative and creative courses taught in small groups. Many of the courses are focused on our school-wide outcomes of leadership.

We encourage students, adults and community members to assist us in our leadership adventure. True leadership is much more than formulating a vision and implementing it. It means encouraging people to take control of their own lives and helping them to find their own solutions, rather than attempting to provide them with answers. We believe all individuals, especially educationally under-served students, can create positive change in many ways, contexts and places. LPS will be a training ground for tomorrow's agents of positive change.

PILLAR #4: Talented Staff Supported by Extensive Professional Development

The best teachers are models of passionate learners.

Dennis Collins, Former President
The James Irvine Foundation

Quality teachers matter. LPS will hire a faculty composed of well-qualified, legally compliant teachers who believe in our mission and vision. They must make content accessible, understand the needs of diverse learners and support the learning process.

A description of LPS' required teaching qualifications and professional development is described in more detail in Element E, as required by California Education Section 47605.

The required teaching qualifications emphasize academic expertise in a chosen field, experience with urban youth in a classroom, collegiality and appropriate credentials. From experience, we have learned that collegiality is particularly important in new small schools, as the community builds a supportive culture. Finally, LPS' professional development program includes, among other things, data analysis, joint planning, time for collaboration, training in effective instructional strategies, and a focus on teaching and learning.

PILLAR #5: Family and Community Involvement

Our experience, supported by research, is that family involvement is an important factor contributing to student success. Accordingly, LPS strives to involve families and the community in our schools. The model features three elements:

- Outreach meetings to families, held in their own neighborhoods;
- Working with families on how to support their children academically; and

- Participation in school decision-making through a Parent/Guardian Association, a School Advisory Council, and having a parent representative on the LPS Board of Trustees.

Our involvement of families and communities is informed and guided by research, including: Ballen, J. & Moles, O. (1994), Becher, R. (1984), Cotton, K. & Wikelund, K.R. (2001), Delgado-Gaitan, C. (1992), Henderson, A.T. & Berla, N. (1994), Hoover-Dempsey, K.V. & Sandler, H.M. (1995), Patrikakou, E.N., Weisberg, R.P., Manning, J.B., Walberg, H.J. & Redding, S. (2005).

LPS' efforts to involve families are delineated in more detail in Element D, as required by California Education Code Section 47605.

PILLAR #6: Focus on Results

LPS relentlessly focuses on high student performance, measuring results on standardized tests and other reliable indicators, and using this data to improve teaching and learning. Students, parents, and staff create and reinforce a culture of achievement. We elaborate on this further in Element B and C of this charter, as well as in the supplemental materials previously submitted.

b. Effective Instructional Strategies

Effective instructional strategies enable students to think critically and creatively. Recognizing that students learn in different ways, our teachers will use a variety of research-based instructional strategies to ensure that all students learn effectively. We believe that students learn best when:

The Climate...

- Is organized around student learning.
- Is safe.
- Reflects clear expectations of behavior.
- Nourishes flexible, diverse and adaptive learning communities.

The Students...

- Take an active role through inquiry, analysis, problem solving and discovery.
- Construct meaning from information and experience.
- Connect new information to existing knowledge.
- Apply and transfer knowledge.
- Reflect on their learning.
- Employ a repertoire of thinking and reasoning strategies.

The Tasks Are...

- Challenging.
- Developmentally appropriate.
- Interesting.
- Relevant.

- Varied.

Students and teachers at LPS engage in a range of endeavors in the pursuit of understanding. The specific instructional techniques employed will vary depending upon the nature of the material. While we recognize that there are several possible routes toward the same learning outcome, we preferentially choose approaches that are more effective.

The effective strategies we draw upon include, among others:

- Cooperative learning and group investigations,
- Inquiry and guided problem solving,
- Direct instruction/lectures, and
- Experiential learning (such as Week Without Walls).

Our approach to instruction is informed and guided by research, including: Lambert, N.M. & McCombs, B.L. (1998), Marzano, R.J., Pickering, D.J. & Pollock, J.E. (2001), National Research Council and the Institute of Medicine (2004), Schmoker, M. (2004), Stone, R. (2002), Wagner, T. (2003), Wiggins, G. (1998), Wiggins G. & McTighe, J. (2005).

LPS' professional development program and teacher peer coaching program are designed to support the effectiveness of these instructional strategies.

4. Plan For English Language Learners

LPS is committed to the success of its English language learners ("ELLs"). Teachers at LPS will work collaboratively to provide ELLs access to LPS' rigorous curriculum as well as to academic English language development. Our vision rests on a body of research that challenges traditional ways of construing ELLs as requiring a lower-level curriculum, and enables the raising of expectations of achievement through a curriculum rich in high intellectual challenge and high support tasks.

LPS plans to hire teachers who have the skills and expertise to accelerate ELLs' academic and linguistic development, and may provide additional compensation to teachers with these skills. To accomplish this mission, teachers will be helped to utilize specific instructional strategies to develop initial communicative competence in English and the development of disciplinary academic registers in their second language. Inclusion of primary language support and sheltered instruction will be utilized, where appropriate, to facilitate student engagement and thus guarantee full participation in class.

The School's small size and low student-teacher ratio allows for more focused instruction for ELLs and for more opportunities for intensive interventions where appropriate, including increased opportunities for varied types of grouping. LPS will follow all applicable laws related to the testing and service requirements for ELL students.

5. **Special Education, Section 504, and Americans With Disabilities Act**

General

LPS will not discriminate in any way on the basis of disability or special needs of any kind. LPS shall comply with the Individuals with Disabilities Education Improvement Act of 2004 ("IDEA"), Section 504 of the Rehabilitation Act ("Section 504"), the Americans with Disabilities Act ("ADA"), and all other state and federal laws governing special needs students.

As described above, the School shall utilize its Student Study Team process to guide referrals of students for evaluation under Section 504 or the IDEA.

Special Education Services for Students under IDEA

As allowed by law, LPS at its option may elect to participate and function as a public school of the District or County for purposes of special education, pursuant to Education Code Section 47641. In this case, LPS and the charter authorizer negotiate a Memorandum of Understanding ("MOU") governing the roles and responsibilities of each party, to ensure that the needs of all students with disabilities are met. Under the MOU, LPS will agree to pay its pro rata share of the charter authorizer's special education encroachment, and the charter authorizer shall retain state and federal special education funds attributable to the School's enrollment.

Pursuant to Education Code Section 47641(a) and 56207, LPS also retains the right to apply to a SELPA to become an independent Local Educational Agency ("LEA") for special education purposes, or to participate in charter school consortia, Joint Power Authorities ("JPA's"), SELPA's or sub-SELPA's created to serve special education students, as long as such arrangements meet all state and federal legal requirements pertaining to special education. In this case, LPS shall, in partnership with the relevant SELPA(s) and LEA(s) bear full responsibility for meeting the needs of special education students, working cooperatively with the SELPA to which it belongs, and providing services through a combination of internal staff, third-party service providers, or other arrangements. If LPS elects this option and is designated as an LEA for special education purposes, all special education funding attributable to LPS' students will flow directly to LPS pursuant to the SELPA's budget allocation plan, and LPS will not pay a portion of the charter authorizer's special education encroachment.

Under either of the two options mentioned above, LPS will seek to maintain open communications between LPS and the SELPA and/or charter authorizer to ensure that students with exceptional needs are identified and that their needs are evaluated and served in compliance with all applicable laws.

Section 504 and Americans with Disabilities Act ("ADA")

LPS shall be solely responsible for compliance with Section 504.

LPS will adopt a policy which outlines the requirements for identifying and serving students with a 504 accommodation plan. LPS 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 such as learning is eligible for accommodation by the School.

A 504 team will be assembled by the Principal or other designee and shall include qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options and the legal requirements for least restrictive environment. The 504 team will review the student's existing records, including academic, social and behavioral records and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEA, 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 will consider the following information in its evaluation:

- a. Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.
- b. Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligent quotient.
- c. Tests are selected and administered so as 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 noticed in writing to the parent or guardian of the student in their primary language along with the procedural safeguards available to them. If during the evaluation, the 504 team obtains information indicating possible eligibility of the student for special education per the IDEA, a referral for special education assessment 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 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 LPS' professional staff. The parent or guardian shall be invited to participate in 504 team meetings where program modifications for the

student will be determined and shall be given an opportunity to examine in advance all relevant records.

The 504 Plan shall describe the Section 504 disability and any program modification that may be necessary. In considering the 504 Plan, a student with a disability requiring program modification shall be placed in the regular program of the School along with those students who are not disabled to the extent appropriate to the individual needs of the student with a disability.

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

The School will operate its program in compliance with the Americans with Disabilities Act ("ADA"). With respect to facilities, the East Side Union High School District may be responsible for compliance with ADA under applicable law if the School occupies a facility owned by the school district (e.g., under Proposition 39), and such responsibility is generally outlined in an MOU or facilities use agreement between LPS and the East Side Union High School District.

6. Transfer of Courses / College Entrance Requirements

Governing Law: If the proposed school will serve high school pupils, a description of how the Charter School will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the Charter School that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the "A" to "G" admissions criteria may be considered to meet college entrance requirements.

California Education Code Section 47605(b)(5)(A)(ii).

Parents will be notified of the acceptability of credit for transferring into or out of the School.

- **Parent Notification Regarding Course Eligibility for College**
As discussed in Element A, the School's graduation requirements are based on the University of California "A-G" requirements. LPS' courses either have received approval or will be submitted for approval by the University of California. The parents and students at the School will be notified periodically via the LPS

website, school materials and/or mailed letters of both the prospective course eligibility for the University of California and the courses as they are approved.

- Parent Notification Regarding Credit Transferability
Students seeking to transfer into the School will be notified in person or via email or a mailed letter of the prospective credit transferability. LPS proposes the following initial plan for credit transferability for students transferring to the School:

Course at Former School	Credit Granted at LPS
A grade of C or higher in UC approved course at other school.	Full credit at the School.
A grade of C or higher in non-UC approved course at other school.	Full course credit upon LPS' review of the course description and determination that the course is comparable with the School's courses.
A grade of D+ or lower in any course at other school.	No course credit unless LPS determines the work performed meets the minimum proficiency and content requirements of LPS' courses.

It is important to note that even if courses from other schools are given full course credit at LPS, students must still meet the School's graduation requirements even if these are higher than the previous school. Students can apply for waivers from the LPS on a case by case basis.

It is expected that the local schools will give full course credit to University of California approved courses and will give due consideration to elective courses and other courses that are offered at the School but are not part of the School's graduation requirements or approved by the University of California. Parents will be notified of these matters via parent meetings, letters or emails.

ELEMENT B: MEASURABLE PUPIL OUTCOMES

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

California Education Code 47605(b)(5)(B).

LPS and the charter authorizer agree to measure the success by the following pupil outcomes:

1. A positive ranking on the California Academic Performance Similar Schools Index by the fifth year of the charter using the School District high school rankings as a norm.

Benchmark: At least 4 or higher on the California Academic Performance Similar Schools Index by the fifth year of the charter.

2. A high student attendance rate using the School District high school rankings as a norm.

Benchmark: At least 90% attendance at the School.

3. A low dropout rate using the School District rate as a norm. Dropouts are defined as those students who were enrolled in the School, left the school before graduation, and did not enroll in another school or institution of learning.

Benchmark: Less than 2% annual dropout rate at the School.

All students will be assessed in these areas, including special education students, English language learners and students who are underperforming. Special education students will receive all legally required accommodations and those required in their Individual Education Plans ("IEPs"), described in detail under Element A (above).

In addition, LPS shall comply with all applicable federal and state assessment and accountability laws. This shall include but not be limited to NCLB.

ELEMENT C: ASSESSMENT OF MEASURABLE PUPIL OUTCOMES

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

California Education Code 47605(b)(5)(C).

The Measurable Pupil Outcomes listed in Element B will be measured in the following ways:

Pupil Outcome Goals	Assessment
1. A high ranking on the California Academic Performance Index Similar Schools Rank by the fifth year of the charter using the School District high schools rankings as a norm.	Compare the School's California Academic Performance Index Similar School's rank to the School District high school and feeder school rankings. Benchmark: 4 out of 10 by Year 5
2. A high attendance rate using the School District high schools as a norm.	Compare the School's annual attendance rate to School District's high school attendance rate. Benchmark: At least 90% attendance at the School.
3. A low dropout rate using the School District high schools as a norm. Dropouts are defined as those students who were enrolled in the School, left the school before graduation and did not enroll in another school or institution of learning.	Compare the School's dropout rate as defined in Pupil Outcome Goals to School District's high school dropout rate. Benchmark: Less than 2% annual dropout rate at the School.

ELEMENT D: LEGAL ISSUES, GOVERNANCE & PARENTAL INVOLVEMENT

Governing Law: 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 47605(b)(5)(D).

Legal

LPS is a duly constituted California nonprofit public benefit corporation formed and organized in accordance with the California Nonprofit Public Benefit Corporations Law. As allowed by law, LPS will hold the proposed charter and operate the School as it does other charter schools. The LPS Board of Directors holds ultimate authority for the School operations and will be responsible for any potential liability of the School. LPS is the School and there is no separate organizational entity operating or constituting the School. For example, all school employees are employees of LPS as one organization.

Notwithstanding this one organizational structure, LPS will continue its nonprofit corporate existence even if this charter is revoked.

A copy of LPS' Articles of Incorporation, Bylaws and IRS 501(c)(3) Determination Letter are included in the supplemental materials previously submitted.

LPS shall operate autonomously from the charter authorizer, with the exception of the supervisory oversight and, depending on the charter authorizer and SELPA status of the school, possibly special education services as allowed by statute. Pursuant to the Education Code Section 47604(c), the charter authorizer shall not be liable for the debts and obligations of the School operated as a California non-profit benefit corporation or for claims arising from the performance of acts, errors, or omissions by the School as long as the charter authorizer has complied with all oversight responsibilities required by law.

The School will be nonsectarian in its programs, admissions policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any student on the basis of race, ethnicity, national origin, gender or disability.

LPS will comply with all applicable federal, state and local laws, including the applicable sections of the Ralph M. Brown Act, the Political Reform Act, and the California Public Records Act.

LPS will retain its own legal counsel when necessary. It will purchase and maintain as necessary appropriate levels of general liability and other insurance, and name the charter authorizer as an additional insured. LPS is currently insured by ASCIP (The Alliance of Schools for Cooperative Insurance Programs), which insures many school districts in California.

LPS shall be responsible for implementing the Charter Schools Act and any other applicable laws in a good faith manner, and to cooperatively pursue any necessary waivers or approvals (e.g., any California State Board of Education requirements or the School's grant applications needing a Local Educational Agency signature) necessary to implement the charter or seeking appropriate funding.

Governance

The School will be governed by a Board of Directors ("LPS Board of Directors" or "LPS Board of Trustees") whose members have a legal fiduciary responsibility for the well-being of the organization and the School.

This Board of Directors is composed of a broad cross-section of professionals with the skills necessary to appropriately oversee the operation of the organization. These members have, among other things, experience in education, business, technology, facilities, leadership development and organizational development. Biographies of the LPS Board Members are included in the supplemental materials submitted with this charter renewal petition.

Current Board members include Scott Pearson (Board Chair, and former AOL Executive), Judy Wade (Board Vice Chair, and Executive Director of Democracy

Alliance), Sheryl Sandberg (Board Treasurer, and Vice President of Global Online Sales and Operations at Google, Inc.), Mark Kushner (Ex Officio Member due to his role as CEO of the nonprofit organization), Helen Bellamy (LPS Parent Member), Richard Cohn (Former Executive, Charles Schwab & Co.), Jeffrey Faucette, Esq. (Partner, Howard Rice Nemerovski Canady Falk & Rabkin), Laura Fisher (active in community affairs), Kandle Fraser (LPS Teacher Member), Heather Hiles (Partner & National Director, IFF Advisors, LLC), Beth Hollenberg (Executive Vice President of Operations, Score!), Joan Lonergan (Head of School, Castilleja School), Xochilt Ramos-Lira (LPS Student Member), Deborah Stipek (Dean, Stanford University Graduate School of Education), Guadalupe Valdés (Professor, Stanford University Graduate School of Education), and Joanne Weiss (Chief Operating Officer, NewSchools Venture Fund). LPS Bylaws provide for a teacher member, parent member, and student member on the Board of Directors.

The method of Board election, terms and replacement are all addressed in detail in the LPS Board of Directors Bylaws. Director terms are three years and are staggered. Vacancies are filled by a nominating committee, and approval requires a majority vote by the Board of Directors as required under the law. LPS agrees to provide copies of any changes to the Bylaws to the charter authorizer.

As further outlined in the Board's bylaws, the Board of Directors will be responsible for:

- Upholding the mission of the LPS,
- The general policies of the LPS,
- Approving and monitoring of the School's annual budget,
- Receipt of funds for the operation of the School in accordance with the charter school laws,
- Solicitation and receipt of grants and donations consistent with the mission of the LPS,
- Overseeing the sound operation of a hiring system,
- Approving LPS' personnel policies and monitoring the implementation of these policies by the CEO, Principal or other designee, and
- Any other responsibilities provided for in the California Corporations Code, the Articles of Incorporation, Bylaws or this charter necessary to ensure the proper operation of the School.

The LPS Board of Directors may initiate and carry out any program or activity that is not in conflict with or inconsistent with any law and which is not in conflict with the purposes for which charter schools are established. The Board of Directors may execute any powers delegated to it by law, and shall discharge any duty imposed by law upon it and may delegate to an employee of the School any of those duties. The Board, however, retains ultimate responsibility over the performance of those powers or duties so delegated.

Responsibility of LPS Management

To the extent allowable by law, the Board of Directors may delegate the implementation of its duties to the employees of the organization or other responsible parties.

At the current time, consistent with best practice, the LPS Board of Directors oversees operations but delegates day-to-day authority to the Chief Executive Officer of LPS, who is responsible for the day-to-day operations but may delegate certain responsibilities to other staff, including the Chief Operating Officer, the Vice President for Curriculum and Instruction, the Vice President for Human Resources, their staff, other administrators, and to the Principal at the School.

The Principal may delegate his or her responsibilities further to other school site staff such as the Dean, counselors, office manager, academic department chairs and/or teachers. Within the context of the LPS Board policies as outlined in the LPS Operations Guide, current school responsibilities include hiring, curriculum, student discipline up to suspension, and discretionary budget management.

The Principal is the senior authority at the school site but the final management authority resides with the Chief Executive Officer and the ultimate overall organizational authority resides in the LPS Board of Directors, as indicated above. This is separate from the oversight responsibilities of the charter authorizer under the Charter Schools Act.

Parental Involvement in Governance and Operation of School

Parents are included in the governance and operation of the school by the creation of an active Parent/Guardian Association, parent membership on the School Advisory Council (“SAC”) and representation on the LPS Board of Directors. Communications include website updates, Parent/Guardian Newsletters, monthly Parent/Guardian Association meetings, parent-teacher conferences, volunteer opportunities, fundraising, and school surveys, among other things.

All LPS parents are automatically members of the Parent/Guardian Association. The Parent/Guardian Association will serve as a means for parents to support the School and the education of their children, learn more about School activities and needs, and be more involved with the governance and operations of the school by serving as a forum for voicing their concerns and suggestions about both day to day operations and overall policy. Translators are provided when needed. The Parent/Guardian Association is also encouraged to utilize the Parent Representative on the LPS Board of Directors for involvement in broader School policy issues.

In addition, parents are also involved with the governance and operation of the School via a School Advisory Council (“SAC”), much like a school site council that is required for noncharter public schools. The SAC is comprised of representatives of all School constituencies, including parents, students, teachers and administrators. The SAC will participate in reviewing and proposing school and LPS policies, soliciting the views of all their respective constituencies, sharing in the efforts to improve the school and engaging the support of the community. The SAC is valuable governance advisory body for the Principal. Except for those responsibilities legally delegated or, as mentioned above, all formal and legal governance responsibility for LPS resides with the LPS Board of Directors

LPS is committed to working with parents to address parent concerns. Parents will be encouraged to share their ideas and concerns with LPS throughout the school year, both

directly and via the Parent/Guardian Association, SAC and Parent Representative on the LPS Board of Directors.

ELEMENT E: EMPLOYEE QUALIFICATIONS

Governing Law: The qualifications to be met by individuals to be employed by the school.

California Education Code 47605(b)(5)(E).

LPS will recruit professional, effective and qualified personnel to serve in administrative, instructional support and non-instructional support capacities. All of the School's employees play a key role in creating a positive school culture and effective learning environment.

LPS will conduct fingerprint background checks and TB testing on all employees, and all teachers and staff will meet the legal requirements for employment, including applicable credentialing requirements.

Administrator and Support Staff Qualifications

Administrators at the School at full size may include a Principal, Dean of Student Life, Counselor, full or part-time College Counselor, full or part-time Technology Coordinator, and an Office Manager.

The Principal is the key person at the School responsible for supervising the teachers and non-instructional staff at the school and shall be responsible for helping the School students achieve outcomes as outlined in the Educational Program.

The current required qualifications for a LPS Principal include proven effectiveness in the following areas:

- Instructional Leadership (using data to improve teaching and learning, coaching teachers, implementing curriculum and assessments, and planning outstanding professional development for staff with LPS support),
- General administration (overseeing the daily running of the school, addressing discipline/behavior issues with the Dean of Student Life, overseeing student support programs, scheduling, managing budgets, coordinating with the home office and strategic planning),
- Human Resources (recruiting, building and managing an outstanding faculty team), and
- Community Relations (building relationships with families and local institutions, partnering with the District, coordinating public relations and fundraising).

Additional qualifications currently include:

- At least a B.A. Degree with a Masters or Doctoral Degree preferred,

- A relentless drive to attain results and an unwavering belief that our students can achieve high levels of performance,
- At least 2 years of educational administrative experience, preferably as a principal or vice principal of an urban high school,
- At least 3 or more years of experience teaching in an urban district,
- Team player,
- Ability to speak Spanish for LPS schools with predominantly Latino/a populations preferred,
- Comfortable with a start-up environment, and
- A commitment to both excellence and equity.

Teacher Qualifications (Including California Credentialing and NCLB Compliance)

LPS hires the finest teachers available who are committed to our mission.

The most important qualifications for LPS teachers are: (1) expertise in his or her discipline, (2) demonstrable effectiveness in teaching urban youth, (3) being collegial and a team player, (4) willingness to take responsibility for the school as a whole, and (5) possessing an appropriate teacher credential as required by law. Core courses at LPS are defined as English, History/Social Studies, Math, and Science.

LPS shall comply with California Education Code Section 47605(I), which states in pertinent part:

Teachers in charter schools shall be required to hold a Commission on Teacher Credentialing certificate, permit or other document equivalent to that which a teacher in other public schools would be required to hold. These documents shall be maintained on file at the charter school and shall be subject to periodic inspection by chartering authority. It is the intent of the Legislature that charter schools be given flexibility with regard to non-core, non-college preparatory courses.

Professional Development

LPS believes that it is possible to attract and retain talented teachers by sharing an exciting vision committed to excellence and creating a professional environment where staff can learn and grow along with their students. To that end, LPS invests heavily in professional development for our staff. All teachers participate in approximately 15 days of staff development per year including approximately:

- 8 days of summer training to become fluent with our culture and program.
- 5 days of staff development interspersed throughout the academic year.
- 2 days of training at the end of the school year, to evaluate school progress and set goals for the upcoming year.

There are also weekly meetings focusing on teaching and learning, and time set aside for teacher collaboration.

ELEMENT F: HEALTH & SAFETY PROCEDURES

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

California Education Code 47605(b)(5)(F).

The School shall comply with all provisions and procedures of Education Code 44237 regarding Fingerprints and Criminal Records Summary. Each new employee having contact with minor students and 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.

If required by federal or state law, the school will provide screening for student vision, hearing and scoliosis, and students will show the required proof of immunization. The School will maintain records of legally required tests and immunizations of students and/or staff.

Leadership is committed to providing a safe school environment and has provided the County Board with a draft School Safety Plan that addresses earthquakes, fire, floods, shootings, and electricity loss.

The School will develop and use further health, safety and risk management guidelines in consultation with its insurance carriers and risk management experts as well as the County Board. In addition, the School will comply with all building codes, including the Americans with Disabilities Act (ADA).

ELEMENT G: MEANS TO ACHIEVE RACIAL & ETHNIC BALANCE OF DISTRICT

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

California Education Code 47605(b)(5)(G).

Consistent with the intent of the charter law, LPS will strive to ensure that the student population at the school roughly represents the population of East San Jose with outreach and monitoring efforts that may include, among other things:

- A multi-part enrollment process and lottery as described below,
- Access to School District middle schools to make presentations and provide orientation material to the same extent as other district high schools,
- Outreach through presentations at community organizations, independent schools, faith-based organizations, and local youth organizations,
- Collaboration with community-based organizations to support outreach efforts,

- Use of brochures, newsletters, TV/Radio public service announcements, print and non-print media for outreach communications, and
- Distribution of materials in languages in English and Spanish, and other frequently spoken languages as advised by the District.

LPS has extensive experience successfully reaching the students desired in multiple other charter schools.

ELEMENT H: ENROLLMENT REQUIREMENTS

Governing Law: Admission requirements, if applicable.

California Education Code 47605(b)(5)(H).

The following admission requirements are intended to create informed applicants who want to attend the School and are committed to the School program: (1) attendance at an enrollment information session or participation in a home visit by LPS staff; (2) completing a written application; and (3) as allowable for charter schools, having a parent and/or guardian sign the application which includes a commitment to support the School with a minimum amount of volunteer hours (in the interest of equity, many opportunities shall be made to families to fulfill volunteer requirements and alternative arrangements will be made if an adult is unavailable or if a family cannot meet the hours requirements). These requirements will be adapted as necessary to accommodate those with exceptional needs or for whom English is not a primary language.

LPS is committed to maintaining a diverse student body. To attain our vision of a racially and economically diverse student population, including traditionally underserved students, English Learners and Special Education students, we use a multi-part enrollment process and lottery designed to reach out to inner-city families and enable the School to have a balanced and diverse student body.

First, as indicated in Element G above and in the updated Enrollment Plan, we will exert considerable effort recruiting students from urban middle schools and community student programs.

Admission shall be open to any California resident who wishes to attend the School, including Special Education students and English language learners. If the number of students interested in attending the School exceeds the School's capacity, enrollment for those grade levels shall be determined by a public random drawing ("lottery") as required by law.

Preferences in the lottery shall be given in the following order:

1. Siblings of enrolled students (not applicable the first year).
2. Children of LPS staff.
3. Students who reside within East Side Union High School District.
4. Students who reside within Santa Clara County, but outside of the East Side Union High School District

A waiting list of applicants at each grade level shall be maintained to fill vacancies that occur during the school year. LPS may also add enrollment preferences specifically required by charter school facility subsidy programs such as SB 740 and state bond programs (e.g., preferences for specific attendance areas).

As indicated previously, the School will be nonsectarian in its programs, admissions policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any student on the basis of race, ethnicity, national origin, gender or disability.

Subject to further refinement and adjustment, the timeline for student enrollment applications shall be:

October through March

Extensive student outreach as provided in outreach plan included in supplementary information.

April

Deadline for student applications

Student enrollment determined (per public random drawing if more students apply than school capacity at any grade level).

Wait list created in the order drawn in lottery.

Students notified of enrollment/wait list status.

April through August

Students accept/reject enrollment.

Additional lotteries conducted as needed if waiting list is exhausted.

Incoming Class is finalized.

Orientation Letters sent regarding Leadership Retreat dates and School policies.

Welcoming letter sent to families introducing Advisor and details regarding LPS retreats.

Pre-opening Parent Association get-together.

School Opening.

ELEMENT I: AUDIT, FISCAL ISSUES & MEMORANDUM OF UNDERSTANDING

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

California Education Code 47605(b)(5)(l).

Annual Audit

An annual independent financial audit will be conducted by a certified public accountant with education finance experience, and will use generally accepted accounting principles. The Treasurer and/or Chief Operating Officer of LPS will be responsible for

contracting and overseeing the independent audit, and LPS will provide the audit report to the charter authorizer, State Controller, the County Office of Education, the State Superintendent of Public Instruction, the California Department of Education, and the California State Board of Education by December 15 of the following school year. LPS' Treasurer, Chief Operating Officer or other designee will resolve audit exceptions and deficiencies to the satisfaction of the Charter Authorizer in a timely fashion, with the goal of resolving any audit issues within three months of the auditor's final report or as otherwise agreed upon by the charter authorizer and Charter School. Disputes regarding the resolution of audit exceptions and deficiencies shall be resolved in accordance with the dispute resolution provisions discussed below.

Fiscal Issues

LPS will develop and the LPS Board of Directors will approve balanced budgets prior to each fiscal year. Annual budgets will contain adequate reserves and will be submitted to the charter authorizer, County Office of Education, and any other entities as required by law.

LPS may receive funding in accordance with Education Code, Charter Schools Act and other appropriate laws, and will opt to receive funding directly from the State. These funds may include, but are not limited to, general purpose block grant, in lieu of economic impact aid; the California State Lottery; state supplemental hourly instruction funding; categorical block and non-block grants; class size reduction funds if applicable; charter school funding from the California Department of Education, the federal government or other sources; and any other available or mutually agreeable sources of funding for programs. LPS expects that any funds received by the charter authorizer and due to the school will be forwarded to LPS in a timely fashion.

Financial Reporting

The Charter School shall provide reports to the County Office of Education as follows, and may provide additional fiscal reports as requested by the County Office of Education:

1. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement.
2. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on or before December 15, a copy of the Charter School's annual, independent financial audit report for the preceding fiscal year shall be delivered to the District, State Controller, State Department of Education and County Superintendent of Schools.
3. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
4. By September 15, a final unaudited report for the full prior year. The report submitted to the County Office of Education shall include an annual statement of all the Charter School's receipts and expenditures for the preceding fiscal year.

Memorandum of Understanding

LPS agrees to negotiate in good faith to develop a Memorandum of Understanding that establishes the specific financial and service relationship between the parties. LPS hopes that this Memorandum of Understanding will accomplish the following, among other things:

- Address funds transfer and fiscal oversight procedures,
- Transfer of course credits for the School's classes,
- Address enrollment outreach efforts (e.g., access to middle schools),
- Enable the School and SELPA to jointly and cooperatively address the needs of special needs students and share in the costs and revenues associated with serving such students. LPS reserves the right to apply as an independent Local Educational Agency ("LEA") for Special Education purposes in a SELPA and/or to participate in possible future charter school Joint Power Authorities ("JPA's"), charter SELPA's, or charter sub-SELPA's created to serve Special Education students in charter schools,
- Indicate the charter authorizer services, if any, and opportunities that will require a fee, and
- Enable the efficient and fair resolution of disagreements or disputes between LPS and the charter authorizer.

As required by law, LPS anticipates that the charter authorizer will provide and/or perform the supervisory oversight tasks and duties specified and/or necessitated for the implementation of this charter for a fee representing documented actual costs that will not exceed one percent of the general purpose block grant and categorical block grant funds of the School, unless the charter authorizer provides a substantially rent-free facility. In that case, under the Charter School Act, the charter authorizer can charge up to three percent of the general purpose block grant and categorical block grant funds representing documented actual costs of supervisory oversight.

ELEMENT J: PUPIL SUSPENSION AND EXPULSION

Governing Law: The procedures by which pupils can be suspended or expelled.

California Education Code 47605(b)(5)(J).

The procedures for suspension and expulsion will include appropriate due process, will be specific and clear and will be compliant with state and federal laws governing discipline of special needs students. The bottom-line purpose of the suspension and expulsion procedures will be to ensure a safe and effective learning environment. Informed by district processes and best practice, specific suspension and expulsion procedures will be revised from time to time.

The current suspension and expulsion procedures, subject to LPS Board approval and revision in the future to ensure policies are up-to-date with current law and as necessary based upon the School's practical needs, was included in the supplemental materials

previously submitted. In the case of the recommendation for involuntary transfer of a student identified under the Individuals with Disabilities Education Improvement Act or for whom there is a basis of knowledge by the LPS of qualification under the same, LPS shall work cooperatively with the County Office of Education and/or SELPA to provide any information necessary to conduct a manifestation determination or other necessary assessment and shall not move forward with an involuntary transfer without County Office of Education review and approval. LPS shall cooperate with the County Office of Education and SELPA in ensuring that a free appropriate public education is offered to expelled pupils who qualify for special education and related services under the Individuals with Disabilities Education Improvement Act in the same manner as any other school of the County Office of Education.

Students who are involuntarily transferred or expelled from LPS shall be responsible for seeking alternative enrollment. LPS believes that a student seeking enrollment in a County Office of Education school will be considered for enrollment under County Office of Education policies and procedures related to the re-enrollment of involuntary transfers or expelled pupils. LPS will account for suspended or expelled students in its average daily attendance accounting as provided by law.

ELEMENT K: RETIREMENT SYSTEM

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

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

Retirement benefits are the responsibility of LPS. Employees of LPS will have access to retirement plans according to the policies established by the LPS Board of Directors and applicable law.

Employees of LPS who qualify for membership may participate in the California State Teachers Retirement system ("STRS"). LPS will implement all applicable STRS policies and procedures, including policies regarding mandatory and permissive membership in STRS for eligible school staff. Employees who participate in STRS are exempted from participating in federal social security.

LPS offers the LPS 401(a) Retirement Plan ("401a Plan") to all employees who do not participate in STRS; generally all administrative and classified staff will participate in the 401a Plan. The IRS has issued a determination letter confirming that LPS' 401a Plan serves as a qualified alternative to federal social security. Therefore, participants in the 401a Plan are exempted from participating in federal social security.

All employees who are not members of STRS, the 401a Plan, or another alternative qualified retirement plan must and will contribute to the federal social security system to the extent required by federal law.

LPS will make all employer contributions as required by STRS, the 401a Plan, and the federal social security laws. LPS will also make contributions for workers' compensation insurance, unemployment insurance and any other payroll obligations of an employer.

LPS retains the option to elect to allow eligible school faculty and staff to participate in the Public Employees Retirement System (“PERS”) or an alternative qualified retirement system in the future.

ELEMENT L: ATTENDANCE ALTERNATIVES

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

California Education Code 47605(b)(5)(L).

Students who opt not to attend the School may attend other public schools either within the district of residence in accordance with school district of residence policy or another district school as pursued through an inter-district transfer request in accordance with the existing enrollment and transfer policies of the district of residence and receiving district and/or county of residence.

ELEMENT M: RIGHT TO RETURN AS DISTRICT EMPLOYEE

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

California Education Code 47605(b)(5)(M).

Certificated employees who were employed by the County Superintendent prior to employment at the School shall NOT be guaranteed return rights unless they are negotiated by the staff with SCCOE and/or the collective bargaining unit.

ELEMENT N: DISPUTE RESOLUTION PROCEDURES

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

California Education Code 47605(b)(5)(N).

Leadership is committed to partnering with the Santa Clara County Office of Education in the spirit of cooperation and mutual benefit. LPS believes that the School will have an opportunity to present its position before any action is taken regarding a dispute, and that every effort to resolve the issue amicably will be given before any conditions are given or potential charter revocation actions are taken. LPS believes that the County Board of Education and/or County Superintendent will agree to inform the CEO of LPS and the Principal of the School if they are contacted regarding a conflict at the School and to refer the involved parties to the School's Community Complaint Procedures. Matters unable to be resolved by the County Superintendent or designee and Leadership will be resolved as agreed to in a Memorandum of Understanding.

ELEMENT O: EXCLUSIVE EMPLOYER

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

California Education Code 47605(b)(5)(O).

For the purposes of the Educational Employment Relations Act, and to the extent not superceded by federal labor law, Leadership Public Schools, Inc. in its operation of the School shall be deemed the exclusive employer of the employees of the School.

ELEMENT P: SCHOOL CLOSURE

Governing Law: A description of the procedures to be used if the charter school closes.

Education Code Section 47605(b)(5)(P).

School Close-Out Process

LPS does not intend to close this School. However, in the interest of planning for contingencies, the following outlines a school close-out process that has been reviewed and approved by the Advisory Commission on Charter Schools and the State Board of Education in other LPS charters.

Documentation of Closure Action

The decision to close the School, for any reason, will be documented by an official action of the LPS Board. The action will identify the reason for the school's closure.

If it is feasible to do so while still maintaining a viable and appropriate educational program, charter school closures will occur at the end of an academic year. Mid-year school closures should be avoided if at all possible, and the charter school and charter authorizer should work together to ensure that an appropriate, viable, and legally compliant education program continues until the end of the school year.

LPS will provide notice to the charter authorizer, parents, teachers and community of any consideration for Board action of school closure of at least nine months unless unfeasible due to exigent circumstances.

Notification to the California Department of Education, County Office of Education and State Board of Education

LPS will send a notice of the school closure to the local District, County Office of Education, Charter Schools Unit at the California Department of Education, and the State Board of Education. The notification will include the following information:

- a. Charter school name, charter number, and CDS code
- b. Date of closure action
- c. Effective date of the closure, if different

Reason for the closure (Specify revoked, not renewed or other reason)

Notification to Parents and Students

Parents and students of the School will be notified as soon as possible when it appears that school closure will be imminent. The notification will include information on assistance in transferring the student to another appropriate school and a process for the transfer of all student records.

Parents will be provided with a packet of student information that may include the closure notice, grade reports, discipline records, immunization records, completed courses and credits that meet graduation requirements and college entrance requirements, etc. This will facilitate transfer to another school.

Notification to Receiving Districts

LPS will notify any school district that may be responsible for providing education services to the former students of the School so that the receiving district(s) are prepared to assist in facilitating student transfers.

In addition, LPS will notify the charter school associations and the California Department of Education for assistance in placing the School's students.

Student and School Records Retention and Transfer

LPS will establish a process for the transfer of student records to the students' district of enrollment eligibility or other school to which the student will transfer. LPS will assist parents in the transfer of the students to other appropriate schools and facilitate the transfer of all student records. LPS believes that in a Memorandum of Understanding, the authorizing entity and the charter school will agree to a plan for the maintenance and transfer of student records which may allow the authorizing entity to accept charter school records in the event the charter school is unable to meet this responsibility. The plan will include provisions for the authorizing entity to maintain all school records, including financial and attendance records, for a period of time as required by law.

Financial Close-Out

LPS will commence an independent audit of the School as soon as practicable, or at least within 60 days after the closure of the school. This may coincide with the regular required annual audit of the school. The purpose of the audit is to determine the net assets or net liabilities of the School. The assessment should include an accounting of all the School's assets, including cash and accounts receivable and an inventory of property, equipment and supplies. It will also include an accounting of the school's liabilities including any accounts receivable, which may include reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation. The audit will also assess the disposition of any restricted funds received by or due to the School. The cost of the audit may be considered a liability of the School.

In addition to a final audit, LPS will submit any required year-end financial reports to the CDE and the authorizing entity and the County Superintendent of Schools in the form and time frame required. These reports will be submitted as soon as possible after the closure action, but no later than the required deadline for reporting for the fiscal year.

Dissolution of Assets

Upon completion of the closeout audit, LPS will develop a plan for the repayment of any liabilities.

If needed, and to the extent feasible, any assets of the School will be liquidated to pay off any outstanding liabilities, and appropriate unearned state funds, if any, will be returned.

Any remaining School assets after satisfaction of liability and return of appropriate state funds shall remain the property of LPS. Upon closure of LPS, assets will be distributed as required by law and the LPS Articles of Incorporation.

CHARTER RELATED ISSUES

Term of Charter

The term of this charter shall commence on July 1, 2007 and expire five years later on June 30, 2012.

Material Revision

Any material revisions to the School's charter shall only be made by mutual agreement of the LPS Board of Directors and the charter authorizer. In accordance with Education Code Section 47607, LPS may present a petition for a material revision of the charter at any time, and LPS believes that the charter authorizer will agree to respond to such petitions pursuant to the applicable process, criteria and timelines specified in Education Code Section 47605 or its successors. The charter requirement for teacher and/or parent signatures is not required for renewal of a charter.

Severability and Interpretation of the Charter

If any clause of the Charter is found to be invalid for any reason, all other clauses remain in effect.

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.

Any element of the Charter that, through legislation or legal ruling, is deemed to be outside the language or intent of the California Education Code or other applicable law should be removed from the charter. Such a situation would not result in the revocation of the Charter. The remaining provisions of the Charter shall remain in place.

Notice

Unless changed by written notice to the charter authorizer, all notices to LPS shall be sent to:

Mark Kushner, CEO
Leadership Public Schools
2601 Mission Street, 9th Floor
San Francisco, CA 94110