



# Charter Petition Alpha Middle School 2

For a Term of July 1, 2014 – June 30, 2019

Submitted to the Alum Rock Union Elementary School District  
May 2013

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The Alpha 2 Middle School Charter has been created in the format encouraged by the California State Board of Education in its adopted “Model Application for Charter Schools” and goes beyond the legal requirements of Education Code Section 47605. The California SBE Model Application format ensures that charter petitioners cover all of the minimum elements required by law in a systematic way. This “Table of Contents of Legal Requirements” is presented to assist the Reviewer in establishing that all requirements of law have been met.

	<b><u>Element</u></b>	<b><u>Statutory Reference</u></b>	<b><u>Page</u></b>
1.	<b>Description of the educational program of the school, including what it means to be an “educated person” in the 21st century and how learning best occurs.</b>	E.C. § 47605(b)(5)(A)	13
2.	<b>Measurable pupil outcomes</b>	E.C. § 47605(b)(5)(B)	42
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<b>10.</b>	<b>Pupil suspension and expulsion procedures</b>	E.C. § 47605(b)(5)(J)	65
<b>11.</b>	<b>Manner for covering staff members through the State Teachers' Retirement System, the Public Employees' Retirement System or social security</b>	E.C. § 47605(b)(5)(K)	58
<b>12.</b>	<b>Attendance alternatives for pupils residing in the district who choose not to attend the charter school</b>	E.C. § 47605(b)(5)(L)	67
<b>13.</b>	<b>Employee rights to return</b>	E.C. § 47605(b)(5)(M)	58
<b>14.</b>	<b>Dispute resolution procedure for school-authorizer issues related to the charter.</b>	E.C. § 47605(b)(5)(N)	62
<b>15.</b>	<b>Statement regarding exclusive employer status of the school</b>	E.C. § 47605(b)(5)(O)	58
<b>16.</b>	<b>Procedures for school closure</b>	E.C. § 47605(b)(5)(P)	71

## CHARTER SCHOOL INTENT AND CHARTER REQUIREMENTS

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It is the intent of the California Legislature, in enacting the Charter Schools Act of 1992, 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)

In reviewing petitions for the establishment of charter schools, 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.

## AFFIRMATIONS AND ASSURANCES

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As the authorized lead petitioner, I, John Glover, hereby certify that the information submitted in this application for a charter for the creation of the California public charter school Alpha Middle School 2 (“Alpha”) located within the boundaries of the Alum Rock Union Elementary School District (“District”) is true to the best of my knowledge and belief; I also certify that this application does not constitute the conversion of a private school to the status of a public charter school; and further, I understand that if awarded the charter, Alpha will follow any and all other federal, state, and local laws and regulations that apply to Alpha including but not limited to:

- Alpha shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]
- Alpha employees shall be employees of Alpha Public Schools, a California nonprofit, public benefit corporation. Alpha Public Schools shall operate Alpha and shall be deemed the exclusive public school employer of the employees of Alpha for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605 (b)(5)(O)]
- Alpha shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- Alpha shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]
- Alpha shall admit all students who wish to attend Alpha, and who submit a timely application, unless Alpha receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random lottery process with preferences as required by Education Code Section 47605(d)(2). Except as provided in Education Code Section 47605(d)(2), admission to Alpha shall not be determined according to the place of residence of the student or his or her parents within the State. In the case of a public random drawing, the District shall make reasonable efforts to accommodate the growth of the charter and shall not take action to impede the charter school from expanding enrollment to meet pupil demand as required by Education Code Section 47605(d)(2) [Ref. Education Code Section 47605(d)(2)(A)-(C)]
- Alpha shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, gender expression, gender identity, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code

or association with an individual who has any of the aforementioned characteristics).  
[Ref. Education Code Section 47605(d)(1)]

- Alpha shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1974, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities in Education Improvement Act of 2004.
- Alpha shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
- Alpha shall ensure that teachers in Alpha hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers. [Ref. California Education Code Section 47605(l)]
- Alpha shall at all times maintain all necessary and appropriate insurance coverage.
- Alpha shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D)
- If a pupil is expelled or leaves Alpha without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. This paragraph applies only to pupils subject to compulsory full-time education pursuant to Education Code Section 48200. [Ref. California Education Code Section 47605(d)(3)]
- Alpha shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. California Education Code Section 47612.5(a)]
- Alpha shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs. [Ref. California Education Code Section 47605(c)]
- Alpha shall comply with any jurisdictional limitations to location of its facility. [Ref. California Education Code Section 47605 and 47605.1]
- Alpha shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. California Education Code Section 48000 and 47612]
- Alpha shall comply with all applicable portions of the No Child Left Behind Act.



- Alpha shall comply with the Public Records Act.
- Alpha shall comply with the Family Educational Rights and Privacy Act.
- Alpha shall meet or exceed the legally required minimum of school days [Ref. Title 5 California Code of Regulations Section 11960.].

As the authorized representative of the applicant, I hereby certify that the information submitted in this application for a charter for Alpha to be located in the boundaries of the District is true to the best of my knowledge and belief; I further understand that if awarded a charter, the school will comply with all assurances listed above.

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John Glover

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Date

Lead Petitioner for Alpha Middle School 2

## INTRODUCTION

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In the last year, it has been a privilege to work with Alum Rock students and to partner with the District in the opening and operation of Alpha: Blanca Alvarado Middle School. Alpha's students have made tremendous progress. The school has learned a great deal about how to better personalize instruction for students, to effectively utilize technology in the classroom, and to leverage data to increase students' sense of ownership and investment in their education.

Alpha Public Schools admires and honors the work of the Alum Rock Union Elementary School District, and seeks to contribute and collaborate to achieve the city of San Jose's commendable goal of eliminating the achievement gap by 2020 by bringing Alpha Middle School 2 to Alum Rock. Therefore, with the support and encouragement of ARUSD parents, community members, and educators, this group of petitioners respectfully submits a charter petition for a new middle school named Alpha Middle School 2 for the district's consideration.

We are eager and excited to continue contributing to the Alum Rock Union Elementary School District's commitment to high expectations of achievement by delivering effective instruction that leads to outstanding student performance. Alpha firmly believes that through continued innovation and partnership, its schools can fulfill the intended promise of charter schools: providing high quality education to its students while serving as labs for innovative practices that are shared with others.

Thank you for your consideration.

The Petitioners for Alpha Middle School 2

## HISTORY AND ACCOMPLISHMENTS

In 2012, Alpha Public Schools opened its first school, Alpha: Blanca Alvarado Middle School, on the Slonaker campus. Driven by the urgent needs of middle school families and born out of a process that included petitioners, local families, and community leaders in San Jose, petitioners conducted research around the need for a charter school program like Alpha: Blanca Alvarado Middle School and collected signatures from parents meaningfully interested in enrolling their children in the proposed school. Alpha's petition was approved by the Alum Rock Union Elementary School District in 2012, the first charter to receive local district approval since 2004.

Over the past year, students at Alpha: Blanca Alvarado Middle School have made significant gains. Throughout the first year, Alpha has maintained a robust waiting list, demonstrating that there is additional need for strong middle school options in Alum Rock. For the 2013-2014 school year, Alpha: Blanca Alvarado Middle School accepted 293 applications for 200 spaces.

### Student Demographics

African American	1%
American Indian/Alaskan Native	0%
Asian/Pacific Islander	8%
Caucasian	0%
Hispanic or Latino	90%
Economically Disadvantaged	89%
English Learners	43%
Special Education	12%

### Academic Performance

As demonstrated in the chart below, Alpha: Blanca Alvarado Middle School students have made tremendous gains in the past ten months. Students took the NWEA MAP assessment three times throughout the past ten months, and will take it a fourth time in June. The NWEA assessment system establishes growth projections for students, based on normative data, and the table below illustrates our students' growth from fall to winter.

#### **Percentage of students who met or exceeded their fall to winter growth projections:**

	TARGET	ACTUAL
MATH	62%	63%
READING	55%	62%

This represents the growth of a typical student. The average/typical school would expect to see 50% of students meeting or exceeding the target. Alpha is significantly outpacing the typical school. In addition, Alpha students on average have made significant progress, in some cases two grade levels worth of growth, as is reflected in the table below.

**Alpha: Blanca Alvarado Middle School 2012-2013 NWEA MAP Administration**

	Fall Mean RIT Score	Grade Level Equivalent	Winter Mean RIT Score	Grade Level Equivalent
6 <sup>th</sup> Grade Math	215.2	5 <sup>th</sup> grade	223.3	6 <sup>th</sup> grade
6 <sup>th</sup> Grade Reading	205.7	4 <sup>th</sup> grade	213.5	6 <sup>th</sup> grade
7 <sup>th</sup> Grade Math	217.6	5 <sup>th</sup> grade	224.9	6 <sup>th</sup> grade
7 <sup>th</sup> Grade Reading	204.9	4 <sup>th</sup> grade	212.6	6 <sup>th</sup> grade

**Fall to Winter Growth: Alpha: Blanca Alvarado Middle School Compared to Typical Student**

	Alpha Growth	National Growth
6 <sup>th</sup> Grade Math	8.1 points	3.2 points
6 <sup>th</sup> Grade Reading	7.8 points	2 points
7 <sup>th</sup> Grade Math	7.3 points	2.6 points
7 <sup>th</sup> Grade Reading	7.7 points	1.9 points

In addition to NWEA MAP data, all Alpha staff analyze data weekly through a shared dashboard. The dashboard contains important data on student attendance and performance on all of our online content, as well as standards mastery for the week. Following is data current as of May 1, 2013.

DATA SOURCE	SCHOOLWIDE AVERAGE
Achieve 3000: Weekly Activities Completed	14,247
Accelerated Reader: Number of Words Read	93,263,317
Weekly Attendance	97.38%

Alpha students have also focused on improving their community and developed a sense of ownership and responsibility through activities like a student government-sponsored food drive and a Saturday morning service learning opportunity during which students, staff, and families cleaned up garbage around Lake Cunningham. Students have also taken pride in ensuring the campus stays clean and in good condition by picking up garbage, sweeping and cleaning the lunchroom and classrooms, and taking out their class' garbage and recycling.

Since Alpha opened its first school in the fall of 2012, parents have volunteered in many ways at the school: helping with the school's ribbon cutting ceremony and other events, participating in parent leadership groups, attending community meetings, helping classroom teachers with grading and classroom culture, monitoring breakfast and lunch, and doing light office work. During this time, they have logged over 2600 hours of volunteering.

## I. EDUCATIONAL PHILOSOPHY AND PROGRAM

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*A description of the school's educational program, 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).*

### **Mission Statement**

The mission of Alpha Middle School 2 ("Alpha") is to provide children from high-poverty communities an education that effectively develops the academic skills and competencies of character to overcome the achievement gap, graduate from college, and become self-reliant and productive leaders.

### **Vision Statement**

Alpha Middle School 2 will eliminate the achievement gap by inspiring thousands of children from traditionally underserved communities to become self-motivated, competent, and lifelong learners who graduate from college and serve as leaders and role models for their families and communities.

### **Mission and Vision Alignment with Anticipated Student Population**

The mission and vision of Alpha Middle School 2 are intentionally aligned with the needs of its target student population. Alpha Middle School 2 will provide the rigor, structure, and support needed to guide students to academic success. Alpha will provide an excellent educational program that rests on best practices, quality professional development, and an instructional framework that allows for a strong match between learning needs and teaching methods through differentiation.

Students from the communities Alpha will serve enter middle school with a wide range of abilities and experiences. Alpha will provide the structure, support, and individualization needed to ensure that all students have the opportunity to master grade-level standards and achieve academic success.

### **Educational Philosophy**

The educational philosophy of Alpha Middle School 2 is based on the growing body of research which decisively shows that the achievement gap for traditionally underserved students – mostly low-income children of color – can be bridged if the school community focuses its attention on several key tasks. Though successful schools are often innovative, and no two successful schools are the same, there are common traits which are shared by most high-achieving schools.

As articulated in projects like “Dispelling the Myth,” a program initiated by the Education Trust (Appendix B), a national education advocacy organization dedicated to eliminating the achievement gap and publications like, “Needles in a Haystack” (Appendix C), successful urban schools share several common strategies. Alpha incorporates these strategies into its core educational philosophy.

Alpha Middle School 2 believes that successful schools share these common traits:

- Use state and common core standards extensively to design comprehensive curriculum and instruction, assess student work, and evaluate teachers
- Increase instructional time in reading and math in order to help students meet standards
- Support professional development focused on changing instructional practice
- Create a culture of data-driven instruction that includes assessment, analysis, and action, to monitor individual student progress and provide extra support to students as soon as it is needed
- Create a culture of data-driven students and families who are educated about the various assessments used to gather student achievement data and what this data means with respect to students’ performance
- Attract and effectively retain high-quality teachers and leaders, and implement accountability systems that have real consequences for adults in the school
- Set high expectations for all students, teachers, and staff
- Keep a laser-like focus on student achievement
- Maintain a structured and supportive learning environment where students can learn and teachers can teach
- Build strong, positive relationships between school, family, and community
- Provide opportunities to empower parents as leaders in their community

### **Description of Target Population – Whom the School is Attempting to Educate**

At full enrollment, Alpha Middle School 2 will serve 442 students in grades six through eight. In its first year, 2014-2015, Alpha will serve five classes of sixth grade (a total, first-year enrollment of 170 students). In its second year, Alpha will serve five classes of sixth grade and four classes of seventh grade. In subsequent years, Alpha expects to serve five classes of students in grades six and four classes in grades seven through eight. Historically, Alpha has found that most attrition occurs between the sixth and seventh grades, and that this is also the grade transition with the highest number of students not promoted to the next grade level, which is why Alpha has more sixth grade classes than seventh and eighth grade classes. Alpha also understands that a small percentage of families may move during the school year. Alpha plans to enroll additional students at each grade level to maintain the enrollment levels described above.

Alpha is designed to serve students who are, or may be at risk of achieving below basic proficiency on state exams, and whose families are seeking an alternative to the current educational system and desire a proven educational approach, which emphasizes high academic achievement for all students. Alpha Middle School 2's target student population will generally reflect that of the community currently served by Alum Rock Union Elementary School District's middle schools. By the completion of 5<sup>th</sup> grade, according to 2012 STAR data, 65% of Alum Rock students tested at or above grade level in mathematics, and 52% were at or above grade level in language arts. By the completion of 6<sup>th</sup> grade, proficiency levels dropped to 43% for math and 50% for language arts. By the end of 8<sup>th</sup> grade, nearly six of ten students in ARUSD were testing below grade level in math. To master the fundamental literacy and numeracy skills needed for high school, and to be prepared for the rigors of college, incoming students will require rapid acceleration. Alpha Middle School 2 intends to enroll a diverse student population of Hispanic, Asian, Filipino, and other subgroups, including a substantial number of English Learners, students with disabilities, and Socio-economically disadvantaged students.

As required by law, the School will conduct outreach to recruit a student body that is reflective of the school-age population of ARUSD. The school's demographic profile is expected to correspond broadly with those of Clyde L. Fischer Middle School, as follows:

<b>Subgroup</b>	<b>Percentage</b>
African American	< 5%
American Indian/Alaska Native	< 5%
Asian	7%
Filipino	< 5%
Hispanic or Latino	86%
Pacific Islander	< 5%
White	< 5%
Economically Disadvantaged*	82%
English Learners*	44%
Special Education	10%

\*2011-12 data

While it is not anticipated that all Alpha Middle School 2 students will reside in ARUSD, the demographic profiles above are expected to be generally consistent with the School's enrollment. (The demographic data in the table above was taken from the California Department of Education's DataQuest for the 2012-13 school year.)

### **What it Means to be an Educated Person in the 21<sup>st</sup> Century**

An educated person in the 21<sup>st</sup> century must possess the knowledge, skill, and strength of character to succeed in school and to become a self-reliant and contributing member of society. The goal of Alpha is support children as they work to become self-motivated, competent, and lifelong learners.

Alpha believes that an educated person in the 21<sup>st</sup> Century should possess the academic skills and competencies of character listed below. Alpha will work diligently to impart these skills and support the development of these competencies by the time that a student has completed middle school.

#### *Academic Skills*

- Students will read at or above grade level
- Students will develop both computational abilities and a conceptual understanding of math
- Students will be curious about the world around them, leading them to become inquisitive and self-motivated, life-long learners
- Students will communicate effectively through excellent listening, speaking, writing, and multi-lingual skills
- Students will possess creative, logical, and critical thinking skills enhanced through art, science, and technology
- Students will use technology as a tool for learning and communication
- Students will have confidence in adapting to new situations and be receptive to learning
- Students will be eager to synthesize and act upon new information
- Students will find, select, evaluate, organize, and use information from various sources and disciplines of thought. They will be able to make logical connections among them

#### *Competencies of Character*

- Students understand that every action has a consequence, and they accept responsibility for their personal decisions and actions
- Students respect themselves, their classmates, their school, and their community at all times
- Students develop self-confidence and self-esteem by setting challenging goals and by working hard to achieve those goals
- Students are willing to take risks and to persevere when they encounter obstacles or failure
- Students learn the value of discipline and concentration
- Students work successfully both cooperatively and independently
- Students learn to embrace healthy competition
- Students do not lie, cheat, steal, or tolerate those who do

#### **How Learning Best Occurs**

Alpha believes that learning best occurs when students are taught a comprehensive curriculum through innovative instructional design that promotes learning in a challenging and exciting way. Socio-economically disadvantaged students who have a strong academic foundation are more likely to succeed in school and life. The key to a successful middle school is strong administrative leadership, excellent teachers who know their students well, and a structured learning environment that focuses on hard work and academics and encourages positive interaction and support with informed family and community.



*Learning Best Occurs when there are School-wide Expectations of High Achievement for the Entire School Community: Students, Teachers, Staff, and Families*

All members of the Alpha school community will work together to ensure that every student acquires the academic skills and competencies of character needed to succeed in high school and in college. Alpha students, teachers, and staff will work together to meet the goal of ensuring every student performs above grade level, demonstrating proficiency in math, language arts, history, and science by the time they graduate from 8<sup>th</sup> grade. Individualized Learning Plans for students, regular classroom observations by school leaders, annual reviews of school leaders by an independent board of directors, and monthly parent organization meetings will ensure that these high expectations are coupled with an equally rigorous accountability system for all stakeholders.

*Learning Best Occurs within a Culture of Data-Driven Instruction, Where there is an Unyielding Focus on Student Achievement*

Alpha will utilize challenging interim assessments and other metrics to provide meaningful data that indicates the level of student mastery of grade-level standards. In addition to state-mandated, end-of-year tests, students will complete standard-aligned, NWEA MAP assessments four times per year. These computer adaptive tests measure growth in reading, language use, and mathematics and provide all stakeholders with meaningful information about student progress. School created interim, formative and summative assessments; projects, homework, and other forms of formal and informal assessments will be used to monitor student-level and school-wide performance on a daily, weekly, and monthly basis. See the attached sample school calendar (Appendix D), which includes professional development days dedicated to the analysis and interpretation of student data every six weeks. Too often schools accumulate data but fail to have a plan for analysis and action. These regularly scheduled “data days” will allow for professional development that focuses on effective uses of data, data analysis, Individual Learning Plan development and modification, and the development of grade-level and school-wide action plans based on student performance data. (See Appendix F1 for a Data Analysis Tool) Students, families, teachers, and leaders will carefully analyze these and other data to identify the causes of academic strengths and weaknesses. Teachers, through collaboration and consultation with one another and with instructional leaders, will modify instruction based on the analysis of student data, effectively individualizing instruction for each student. The school community will embrace a culture of data-driven instruction.

*Learning Best Occurs When a Comprehensive Curriculum, Aligned to State Standards is Individualized*

Alpha believes that individualization should be a core component of all twenty-first century schools. Alpha schools will implement a full Response to Intervention (RtI) model, providing three levels of intervention for students in need of additional assistance. A general overview of the Response to Intervention model that Alpha will implement can be found in Appendix F. A sample Individualized Learning Plan (ILP) template can be found in Appendix G.

Initial Student Study Team Meetings are scheduled for students in need of additional support within the first several months of school and/or on an ongoing basis throughout the year. The SST process enables the family, teacher, student, administrative team, and/or other support providers to work together to construct a differentiated learning and/or behavior plan to address the student's needs and areas of growth. Follow up SSTs are scheduled for the SST team to check on progress towards the goals identified in the SST and/or to reflect/review data on the viability of the strategies implemented as a result of the SST.

The first level of intervention is in the classroom, where teachers differentiate instruction to deliver more individualized objectives throughout the day. Teachers and staff will monitor student behavior and academic performance daily. In addition, as articulated in the section above, a myriad of metrics will be used to monitor the progress of all students every six weeks, and results will be analyzed to identify students who are failing to make adequate progress towards mastery of the core, standards-based curriculum. This data analysis is the foundation for the differentiated instruction delivered in Level 1 of intervention. Every student will work with his or her teacher to create an Individualized Learning Plan (ILP), which specifies areas of strength and weakness and explicit classroom modifications, areas to target in our computer-based activities and specific goals and methods for learning coaches working in the After School Academy (discussed below). Teachers will create ILPs during "data days" and during prep periods. Students will review ILPs with teachers during academic enrichment, After School Academy, or at other times outside of core instructional activities. During these meetings, teachers will support students in reflecting on their progress over the last eight weeks and setting specific, measurable, attainable, realistic, and timely (S.M.A.R.T) goals to improve their performance. Families will always participate in the review of ILPs; depending on student performance and student behavior, parent-teacher conferences may be a required part of the ILP process.

The second level of intervention occurs in our After School Academy. Alpha's After School Academy is an after-school program that focuses on providing low-achieving students the support necessary to ensure rapid progress towards the mastery of core academic standards. The school will employ learning coaches to work with students in small groups (no more than 12:1 student-coach ratio), will implement appropriate computer-based activities, and will provide access to a leveled library and reading comprehension / language acquisition activities. Learning coaches will not be credentialed teachers, but will meet all Alpha policies for non-core staff, will receive professional development in effective differentiation, and will communicate regularly with classroom teachers (at least weekly) to ensure that proper modifications are made based on student progress. The principal will monitor and facilitate this process and continuously monitor the effectiveness of coaches. Whenever possible, learning coaches will provide small-group intervention with students whose ILPs indicate similar instructional needs. For example, there may be one or two sixth grade students in each class that have not yet mastered long division. MAP and other assessments will identify this gap. Learning coaches will work on this specific weakness, with only the students who have not yet mastered the skill. This targeted approach to supplemental instruction will ensure more rapid progress for all students in the After School Academy.

If classroom modifications and ILP strategies fail to help a student make adequate progress, the student enters Level 3 of the RtI process. In addition to continuing Level 2 activities, these students will meet weekly with their classroom teachers, 1:1, during academic enrichment. These meetings will serve as an opportunity for progress monitoring, but also for individualized tutoring and instruction. Another core activity at Level 3 is small group intervention during the regular school day in the form of small group pull-outs organized by full-time learning coaches, based on MAP and mastery data. Students who do not demonstrate mastery on exit tickets will be groups for reteaching by learning coaches during the academic enrichment portion of the day. The groups may be fluid, in that certain students will come and go based on data, but the lowest scoring students on the most recent MAP assessment will participate regularly in the group, being pulled-out up to four times per week. By continually monitoring and modifying (as needed) each student's program, the teacher is able to design an effective, individualized instructional program. As part of weekly staff meetings, Alpha principals will receive updates on all students in Level 3. These weekly meetings (as well as input from families) will help determine whether or not further intervention, including the convening of at Student Success Team, is necessary.

*Learning Best Occurs in a Structured and Supportive Learning Environment Where Students Can Learn and Teachers Can Teach*

Alpha staff understands that adolescence is a special time in a student's life that can present a variety of unique scenarios with respect to behavior. Alpha will set clear expectations for student behavior in the Family Handbook (See Appendix H). Just as Alpha's full Response to Intervention model provides differentiated interventions with respect to academics, Alpha will implement a tiered discipline policy that ensures students respect themselves, others, and the school, but provides for an appropriate measure of self-regulation and personal responsibility. Students are expected to work hard and to take pride in the product of their work. Students who fail to meet these expectations will be subject to the school's discipline policy, which is also outlined in the Family Handbook. Families receive this handbook with the registration packet. The school's discipline policy will also be communicated during orientation and in the classroom during the first day of school.

Fair and consistent application of the school's discipline policy creates a school culture where appropriate behavior and exceptional student work are the norm. This allows teachers to teach and students to learn and explore in a safe and supportive environment. For students who continuously struggle with behavior challenges, the school's tiered discipline policy will be followed and students will be supported as they learn to modify their behavior.

*Learning Best Occurs in Schools that Effectively Hire and Retain the Highest-Quality Teachers and Leaders*

Alpha is constructed to combat the enormous turnover among new teachers and leaders that plagues our public schools. It is estimated that 50% of new teachers leave the profession within five years. (Ingersoll, 2001) We believe that teachers and leaders need career paths that reward their successes with more responsibility, greater compensation, or both. Alpha will

create a career ladder for teachers and leaders that recognize student performance as a primary factor in advancement. This will improve employee retention, succession planning, and career development. (CA State Dept. of Employee Development, 2003). By providing exceptional teachers with opportunities to advance professionally (as either teachers or leaders), providing effective professional development for all employees, and fostering the supporting conditions that empower and support faculty and staff, Alpha will lower attrition rates.

### *Learning Best Occurs in Schools that Foster a Positive Relationship between School, Family and Community*

The most important relationships that occur in a school are between teachers and students. Alpha will facilitate productive teacher-student relationships by minimizing the number of different teachers each student sees during a given academic term. At sixth grade, classes will be self-contained, with each teacher responsible for instruction in math, English, history, and science. This will ease the transition between elementary and middle school while still ensuring high quality instruction for all incoming students. At seventh and eighth grade, classes will be cored, and each student will have two teachers, one for math/science and one for English/history. Seventh grade teachers will loop with their students the following year, teaching the same students in eighth grade, maintaining the school's focus on strong relationships.

Positive relationships between students and teachers have positive academic effects. Close relationships with teachers lead to higher levels of student engagement and achievement (Pianta, 1999). In an article entitled *Relationships Matter*, Deborah Stipek reports that adolescents "work harder for teachers who treat them as individuals and express interest in their personal lives outside school" (Stipek, 2006). By building positive relationships with students, educators can provide the motivation, initiative, and engagement, which are essential for success. (Pianta, Stuhlman, & Hamre, 2002) At sixth grade, in self-contained classrooms, a single teacher will be responsible for delivering all core content, developing and monitoring ILPs, communicating with families, directing and monitoring After School Academy activities, and modifying instruction based on analysis of student data. This allows for the development of a family culture in each classroom, where caring and involved teachers set high expectations and hold students accountable for meeting them. At seventh grade, students are maturing and there are two primary adults playing a role in a student's life at school. These two teachers collaborate around the ILP process, family communication, and other activities in which the student is engaged. Students are assigned to one of their two teachers as an advisee, and this teacher will continue to provide a single point of contact for families. Providing a single point of contact is of significant benefit to families, who develop a relationship with one teacher who provides specific information about a child's performance in each core area, and can also provide an overview of both academic growth and character development. Transitioning students from a self-contained classroom to a cored classroom is a scaffolded and responsible way to help students move from the structure of elementary school to the freedoms of high school.

Alpha will encourage parent involvement at many levels and will support and empower parent leaders and volunteers, but will never force parents to choose between volunteering at the school and supporting their families. Alpha will encourage all families to help improve the academic outcomes for their children, e.g. providing a quiet place for students to do homework or making sure that students get enough rest. In these ways, even families that cannot participate more directly can still have a positive impact. The school principal will meet with parent leaders and attend community meetings, and will provide parents, families, and other members of the community opportunities to participate in the life of the school. Alpha Middle School 2 recognizes that the community supported the development of the school, and it will work hard to be a positive and productive member of the community.

### *Learning Best Occurs When Students Have Extra Time to Practice*

As discussed above, Alpha's After School Academy is an after-school program that focuses on providing low-achieving students the support necessary to ensure rapid progress towards the mastery of core academic standards. Students whose ILPs prescribe participation in the Academy will be required to attend for two and a half hours each day, Monday through Thursday, and five hours on Fridays. At least 25% of students will attend the Academy on any given school day, depending upon academic performance and ILP goals and recommendations. The After School Academy will include computer labs and libraries, which will be set-up to be conducive to both independent and small group learning. The libraries will contain leveled books where students can read independently at the top of their independent reading level, as well as at computers running a learning management system that allows students to access instruction at exactly their current level of understanding.

According to a 2007 report published by the Nellie Mae Education Foundation (See Appendix E) researchers have found that, "Children in all socioeconomic groups are learning at the same rate, at least when it comes to basic skills, during the school year, and that nearly all the differences in achievement between poor and middle-class children are rooted in the inequities that young people experience outside the schoolhouse door: namely, before they begin kindergarten, and once in school, during out-of-school time. These inequities are especially pronounced during the summer months, when middle-class children continue to learn or hold steady in reading and language skills, while poor children lose knowledge and skills." To help level the playing field, Alpha will host three weeks of summer school for all students, where students will begin to acclimate to the culture of high expectations, review key concepts and standards from their previous grade, and begin to master content from the grade they will be entering. Alpha will also hold monthly Saturday school for students who have been absent from school or who require additional support to ensure academic success.

### **Curriculum and Instructional Design**

The academic program at Alpha is a fully inclusive, site-based curriculum that puts all students on track for academic proficiency and eventual college and career success. The school's curriculum framework is developed for the 6<sup>th</sup>-8<sup>th</sup> grade with the explicit purpose of helping all students become college and career ready by graduation, despite the wide range of

achievement levels of entering 6<sup>th</sup> grade students. The school model integrates curricular and instructional practices proven most effective with the target population. All teaching and learning is directed toward student mastery of California/Common Core Standards, as well as key college-prep skills, learning strategies and work habits crucial for long-term academic success.

Students will move through an age-appropriate curriculum for English-Language Arts, Mathematics, History-Social Science, and Science at each grade level. Students will also receive instruction in Visual/Performing Arts, Foreign Language, and Physical Education. The extended daily and yearly schedule will allow students to master both the academic skills and competencies of character needed to become lifelong learners and successful college students. Students will be expected to attend school daily and follow a prescribed schedule, with core instruction taking place between 8:30 AM and 3:30 PM and the After School Academy between 3:30 PM and 6:00 PM. With more time, teachers will be able to delve into topics more deeply to ensure student mastery. See the sample bell schedule in Appendix I and curriculum information in Appendix J for more detail.

Alpha will provide 195 days of instruction, fifteen days more than traditional public schools provide, and twenty more than the legal minimum applicable for charter schools. Summer school, a modified version of year-round schooling, enhances continuous learning. Reports from the California State Department of Education show that standardized reading test scores increased 19.3% for year-round grade school students and that a greater number of year-round students met state score objectives than those on traditional schedules (United States Department of Education, 1992). Research is clear that more instructional time enhances learning and reduces the opportunities to “forget” what has been learned. Students in Asia attend school many more days per year than U.S. students: 243 days in Japan and 220 days in South Korea; in China, students typically attend academic programs during any breaks in the school year. All three of these nations scored well above the United States in OECD’s most recent international student assessment rankings (2009). In addition to extending the school year, Alpha will focus on excellent student attendance of at least 97% in the first five years.

The environment will be small and personalized. Research shows that small schools allow students and teachers to develop more intensive, long-term relationships that enable better conditions for teaching and learning. Alpha will provide these opportunities to its students and faculty through its small size (442 students). In addition, Alpha will facilitate productive teacher-student relationships by minimizing the number of different students each teacher sees during a given academic term. Classes will be either self-contained, with each teacher responsible for instruction in math, English, history, and science, or will be cored. This small school model will help to support larger class sizes without negatively impacting student performance. Research on the relationship between class size and student performance supports this approach, as evidenced in Caroline Hoxby’s article, “The Effects of Class Size on Student Achievement: New Evidence from Population Variation.” All Alpha classroom teachers must be capable of teaching each of the core classes for which they are responsible, well. To ensure this, Alpha will screen teachers for subject matter competency in the hiring process, ensure that all classroom teachers hold the appropriate credentials, provide professional

development that supports instruction across multiple disciplines, and mandate teacher collaboration among teachers with expertise in different subject matters.

Alpha is a cohort model, which means that all students of the same grade level will take the same course in English, history, math and science each year. Alpha will use a variety of supports and pedagogical strategies, as outlined in the following section, to make certain that all students in the target population can successfully access the curriculum. All students will take Algebra 1 in 8<sup>th</sup> grade, unless otherwise indicated in a student's IEP, to ensure they have the fundamental math skills needed for a college-preparatory, high school curriculum. We believe that with the appropriate supports, all students can be successful in an Algebra course.

The faculty will consist of highly qualified teachers who are well supported by the school's administrative staff and through targeted professional development. Teachers will hold appropriate teaching certifications. Professional development, teacher planning time, and other opportunities for collaboration will be scheduled on a regular and on-going basis to support teachers throughout their career. In establishing a professional teaching environment, Alpha will ensure collaborative planning time for teachers to design interdisciplinary curricula, so that students will be able to make connections across the subjects, and thereby deepen their conceptual understanding of content. At Alpha: Blanca Alvarado Middle School, the entire staff meets for 3 hours on Friday afternoons, students' early release day, for professional development. This model has proven extremely effective and will be replicated at Alpha Middle School 2.

The following curriculum provides the foundation for Alpha to meet State Content Standards<sup>1</sup>:

a) English: structured around Novel Study Units and the *College Board's Springboard*, a pre-AP curriculum. See Appendix J for Springboard materials. Alpha teachers will:

- teach reading and language arts as central to all academic subjects and as a means for obtaining and communicating information.
- teach the fundamentals of spelling and grammar.
- teach students the necessary skills for researching information, taking notes, organizing ideas, developing an outline, using the dictionary, editing and revising.
- teach oral communication skills through group discussions and classroom presentations.
- teach the mechanics of expository writing, creative writing, poetry, journalism, business communication, and scientific writing.

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<sup>1</sup>The Charter School recognizes that full implementation of the Common Core State Standards must be accomplished by the 2014-15 school year. The Charter School will adhere to the Common Core State Standards and the required implementation timeline. All references in the charter to adherence with the California State Content Standards will become adherence to the Common Core State Standards, in alignment with directives from the California Department of Education regarding implementation. For an overview of our expected timeline for Common Core Standards implementation, please see Appendix J1.

b) Mathematics: structured around the state standards for each level, utilizing state-approved curriculum. Alpha teachers will:

- cover the grade level curricular content specified in *Mathematics Content Standards for California Public Schools: Kindergarten through Grade Twelve* (California Department of Education, 1999).
- teach content and learning experiences in mathematics that allow students to develop the skills, knowledge, and attitudes necessary to meet the measurable student outcomes for critical thinking and core academics as listed in Table I on page 16.
- teach fluency with traditional (abstract) mathematical concepts, statistics, and computation skills.
- teach mathematics with scientific quantification to emphasize the relationships between math, science, and technology.

c) Science: structured around the state standards for each grade level utilizing state-approved curriculum. Alpha teachers will:

- present an effective science curriculum using the grade level, instructional strategies and assessment guidelines outlined in *Science Framework for California Public Schools: Kindergarten through Grade Twelve* (California Department of Education, 2004).
- teach content and learning experiences in science that allow students to develop the skills, knowledge, and attitudes necessary to meet the measurable student outcomes for critical thinking and core academics listed in Table I on page 16.
- provide a science program that combines the core sciences of biology, physics, and chemistry.
- teach students to use the scientific method to identify a problem and pose relevant questions, state a hypothesis, conduct an experiment, understand the variables, analyze the data, and reach a conclusion or solution that serves as the hypothesis for the next round of inquiry.

d) History and Social Studies: structured around the state standards for each grade level utilizing state-approved curriculum. Alpha teachers will

- present an effective history and social-science curriculum using the grade-level considerations, instructional strategies, and assessment guidelines outlined in *History-Social Science Framework for California Public Schools: Kindergarten through Grade Twelve* (California Department of Education, 2005).
- teach content in history and social science that allows students to develop the skills, knowledge, and attitudes necessary to meet the measurable student outcomes for core academics listed in Table I on page 16.
- teach students a global perspective of history and social science by studying other nations.
- teach culture of societies, both ancient and modern, through archaeology, anthropology, history, and geography.



e) Foreign Languages: structured around the state standards for appropriate grade levels.

Alpha teachers will:

- teach world languages curriculum using the grade level considerations, instructional strategies, and assessment guidelines outlined in *Foreign Language Curriculum Framework K-12* (California Department of Education, 2001).
- teach content and learning experiences in world languages that allow students to develop the skills, knowledge, and attitudes necessary to meet measurable student outcomes for critical thinking and core academics.
- Provide access to computer-based Spanish content through Rosetta Stone in grades 6-8.
- teach Spanish as the foreign language beginning in grade 8, either through teacher-led instruction or using appropriate online curriculum.
- Teach an integrated approach in which reading and the language arts facilitate and reinforce language fluency in Spanish.

f) Visual and Performing Arts: structured around the state standards for each grade level. Alpha teachers will:

- provide an effective visual and performing arts curriculum using the grade-level considerations, the instructional strategies, and assessment guidelines outlined in *Visual and Performing Arts Framework for California Public Schools: Kindergarten through Grade Twelve* (California Department of Education, 2003).
- teach content and learning experiences in the visual and performing arts that allow students to develop the skills, knowledge, and attitudes necessary to meet the measurable student outcomes for critical thinking and core academics.
- teach content by embedding curriculum in other core classes, promoting project based learning that encourages visual and performing arts component, and through weekly (Friday) arts programs which may include music, painting/drawing, dance, and drama.

g) Physical Education and Health: structured around the state standards for each grade level.

Alpha teachers will:

- teach the grade level curricular content specified in *Challenge Standards for Student Success: Physical Education* (California Department of Education, 1998) and *Moving into the Future: National Standards for Physical Education: A Guide to Content and Assessment* (National Association for Sport and Physical Education, 1995).
- teach the grade level curricular content specified in *Challenge Standards for Student Success: Health Education* (California Department of Education, 1998).
- provide a physical education program that offers both individual and team sports, during physical education class, which may include basketball, cross

country, soccer, and other physical activities that promote fitness, teamwork, and individual abilities.

Revisions to the list of courses offered by the school will be made based on a continuous improvement process that involves analyzing student performance data and educational trends to determine how the curriculum can best meet the needs of the student population and align with the mission of the school.

Please see curriculum information for the core subjects of language arts, mathematics, science, and history in grade 6, located in Appendix J.

### **Pedagogy (Teaching Methods)**

Alpha recognizes that there is no single pedagogical strategy that is best for all students at all times. Therefore, Alpha will employ a range of pedagogical strategies that are researched-based and considered “best practices” in other academically high-performing schools. This variety of instructional methods will provide opportunities for all students to learn academic content at high levels of conceptual understanding.

- Instruction will be differentiated. Alpha will implement a full Response to Intervention model, providing three levels of intervention for students in need of additional assistance. The first level of intervention is in the classroom, where teachers differentiate instruction to deliver more individualized objectives throughout the day.
- Instruction will be delivered directly from the teacher, the same approach most commonly used in the nation’s top colleges and universities. Research by Kirschner, Sweller, and Clark indicates evidence from controlled studies “uniformly supports direct, strong instructional guidance rather than constructivist-based minimal guidance.” (2006) Alpha’s goal is to begin preparing students for the rigors of high school and college. To ensure that students develop the skills required to succeed in a lecture-based system, the curriculum will be delivered through direct instruction when appropriate, and students will work to develop their note-taking, recall, and response skills. Students will be scaffolded from direct instruction through guided practice and then ultimately independent practice.
- Instruction will be project-based. The use of in-depth and rigorous classroom projects will facilitate learning and assess student competence. Students will use technology and inquiry to respond to a complex issue, problem or challenge. Projects will link the curriculum content with current events, primary sources, scientific investigation, and students’ experiences while also allowing classroom teachers to teach and assess visual arts standards, which will be integrated into many projects. Most important, project-based instruction will allow students to develop the strong communication, leadership, and teamwork skills necessary to succeed in college and the global economy.

- Instruction will be integrated with technology. Technology will be used as a tool throughout a student’s experience at Alpha to provide each student with access to information stored around the world, to facilitate communication and collaboration on projects with other students, and as another vehicle through which a student can express his or her knowledge and understanding of content. Instruction properly integrated with technology will allow more individualized and differentiated delivery of the curriculum.

Computer-based activities will allow motivated, high-achieving students to move through more challenging material at their own pace. Additionally, it will help to diagnose and remediate learning gaps for low-achieving students. These activities will employ computer-based curricula that is either purchased off-the-shelf or developed by teachers using open-source resources. Computer-based learning is a powerful way of engaging today’s students who have a natural affinity to technology. Computer-based curricula provide an additional tool for teachers to differentiate their instruction. Students are able to move at their own pace, moving faster through material they understand and repeating the more difficult sections. In addition, the multi-media capabilities of online programs enable students to visually interact with abstract concepts that are often difficult to understand when presented in traditional textbooks or lectures.

The availability of online curricula and learning resources has grown tremendously over the last several years. Alpha continuously outreaches and engages the technology community so richly found in our geographic area. Alpha is currently in the process of evaluating and choosing the computer-based content for the school, in addition to the programs currently in use by Alpha: Blanca Alvarado Middle School, with which we have had success in improving student performance. Our criteria for selection are that the programs:

- a. adhere to state/national content standards
- b. provide rich, interactive, and engaging materials and activities for students
- c. provide a sufficient number and variety of lessons and materials for teachers to be able to differentiate their instruction
- d. allow teachers to customize lessons
- e. include embedded assessments
- f. enable students to be largely self-directed as they progress through the course. (Ideally the programs would have an “adaptive” capacity that automatically changes the difficulty level of the material based on the student’s performance.)

### **Materials and Technology**

The materials used by Alpha Middle School 2’s teachers will be selected in accordance with the guidelines and recommendations provided by the California Department of Education.

The materials Alpha will use are necessary to support the college-preparatory program and include:

- Textbooks
- Computers and Projection Devices
- Software Programs
- Laboratory Science Materials
- Test Preparation Guides
- Internet Connectivity
- Research and Reading Library Materials
- Math Manipulatives
- Maps and Atlases
- Dictionaries and Thesauruses
- Televisions, VCRs and DVD Players
- California Physical Fitness Test Equipment

### **Special Populations**

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

At Alpha, low-achieving students are defined as those who perform at or below a basic level on California State Standards Exams, those who earn one or more grades of “C-” or lower per grading period, or those who score below proficiency level on interim benchmark assessments. Students designated as low-achieving may or may not qualify for special education services (as discussed below).

Low-achieving students benefit from learning experiences that have clear and high expectations combined with a supportive learning environment. Additionally, low-achieving and at-risk students benefit greatly from placement in a classroom with students who achieve at different levels. Low-achieving students are thoroughly integrated into the entire student body at the school and participate fully in all aspects of the curriculum. Lastly, as discussed in a previous section, Alpha schools will implement a full Response to Intervention (RtI) model, providing three levels of intervention for students in need of additional assistance.

The following list provides examples of the methods by which Alpha will serve its low-achieving/at-risk students:

- Academic Enrichment Period – Each school day includes an academic enrichment period. Teachers use formal and informal assessment data to determine appropriate activities and resources for each student. During this time, low-achieving students may receive small group or individual instruction from their teacher, or a learning coach, partner with high-achieving students for peer tutoring, or participate in computer-based activities designed to build proficiency.

- After School Academy – Alpha will operate the Academy from 3-6 pm, Monday – Thursday, and 1-6 pm on Fridays. As outlined in a previous section, learning coaches will provide intervention to low-achieving students. The focus of the Academy will be providing low-achieving students the support necessary to ensure rapid progress towards the mastery of core academic standards.
- Individualized Learning Plans – An Individualized Learning Plan (ILP) that specifies areas of strength and weakness and explicit classroom modifications, areas to target in computer-based activities and specific goals and methods for learning coaches, will be designed for every student. Teachers will create ILPs during “data days” and during prep periods. Students will review ILPs with teachers during academic enrichment, After School Academy, or at other times outside of core instructional activities. During these meetings, teachers will support students in reflecting on their progress over the last six weeks and setting specific, measurable, attainable, realistic, and timely (S.M.A.R.T) goals to improve their performance. Families will also participate in the review of ILPs; depending on student performance and student behavior, parent-teacher conferences may be a required part of the ILP process. These plans will also ensure that students, families, and school remain aware of continuous improvement and obstacles to progress.
- Saturday School – Each month, Alpha will host Saturday school to provide additional support to low-achieving students and students with excessive absences. Classroom teachers will tailor activities for each low-achieving student based on individual areas of weakness.

### Academically High Achieving Students

At Alpha, academically high-achieving students are those who perform at an “Advanced” level on California State Standards Exams and/or who consistently earn “A” grades in a majority of their courses. The curriculum at Alpha is designed to challenge all students, including high-achieving students. The differentiated curriculum regularly provides high achieving students with opportunities to deepen their study of concepts and subject matter, via specialized projects and assignments.

In addition to ensuring that the needs of high-achieving students are met inside the classrooms, Alpha will take steps to support high-achieving students outside of core instruction. This will include providing access to novels and supplemental literature activities that are appropriate for each student’s reading level. Alpha students may also participate in programs like MathCounts and Techbridge, which will be integrated into academic enrichment periods or implemented after school (Appendix K). In addition, students will have access to more advanced content in computer labs.

Lastly, Alpha will explore partnerships with programs like Johns Hopkins University Center for Talented Youth (CTY) so that academically high-achieving students can take college courses at local universities, including Stanford and the University of California campuses (Appendix K).

Scholarships for socio-economically disadvantaged students help pay for the costs related to the courses.

## English Learners

### *Overview*

Alpha will meet all applicable legal requirements for English Learners 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 (FEP) status, monitoring and evaluating program effectiveness, and standardized testing requirements. Alpha will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents.

### *Home Language Survey*

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

### *CELDT Testing*

All students who indicate that their home language is other than English will be CELDT tested within thirty days of initial enrollment and at least annually thereafter between July 1st and October 31st until re-designated as FEP. This 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.

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

### *Reclassification Procedures*

The reclassification process occurs annually in the fall of each year. It is initiated and conducted by the site administration. The re-designation of newly enrolled EL students may take place throughout the year.

In order to be reclassified, students will meet all the following criteria:

1. Achieve a scaled score of "5" on the overall score of the CELDT test, with a score of 4 or 5 in each of the sub-categories (Speaking, Reading, Listening, and Writing).

2. Achieve a score of Proficient or Advanced on the ELA section of the California State Standards Test (CST or CMA).
3. Achieve a grade of A or B on their Alpha report cards for both semesters of the school year.

The decision to reclassify based on this criteria is made by a member of the school administration. The Principal, Classroom Teacher, Parent, and Student will all be notified.

### *Strategies for English Language Learner Instruction and Intervention*

Academically, Alpha will primarily meet the needs of its EL students through an inclusion model in which all students are instructed in English by subject area teachers who are specially trained in methods and strategies that promote rapid acquisition of English as well as academic knowledge in core subjects, e.g., using non-verbal and context clues to provide meaning for instruction, pre-teaching background knowledge and key vocabulary, and increasing interaction for EL students while creating a classroom climate that allows students to be comfortable taking risks. In addition, like all students at Alpha, all EL students will be held to clearly-articulated high expectations, provided access to the school's rigorous curriculum, and offered personalized support as needed. Though EL students may not be characterized as low-achieving, EL students will be provided access to and benefit from the same resources outlined above for low-achieving students. These include academic enrichment period activities to improve literacy and language development, Saturday school, and After School Academy.

English Learners will be expected to meet school and state standards in all academic and non-academic areas of the instructional program. At Alpha, we believe that holding EL students to such high expectations will ensure that every student at our school is challenged to reach his or her highest potential.

In order to make sure that all English Learners have the ability to meet these expectations, all teachers at Alpha utilize pedagogical strategies that "shelter" and "scaffold" both content and skills in each discipline. These strategies may include the front-loading of language for content, language development focused on academic vocabulary, and the use of inquiry-based learning, heterogeneous cooperative grouping, culturally relevant pedagogy, and contrastive analysis.

English Learners will be enrolled in regular classes and will receive supplementary instruction to learn English. The goal is high-quality instructional programs and services for English Learners that will allow them to achieve the same challenging academic and graduation standards as English-speaking students. Listening, speaking, reading, and writing skills will be assessed daily through formal and informal assessments, class discussions, and small group workshops during academic enrichment periods and the After School Academy. Alpha's English Learners will be prepared with the skills in English and mathematics to meet California State Standards.

Alpha uses a variety of assessment tools, including those discussed above, to diagnose the needs of our English Learners (EL). Based on the CELDT, as well as the range of assessments administered to all Alpha students, students in need of additional support and/or challenge-

including EL students- are identified for differentiated instructional, acceleration, and/or support services.

### *Specific Strategies for EL Students*

Alpha Public Schools uses and will continue to strengthen its use of effective, research-based instructional strategies to support our EL students. Specifically, this includes the following:

- Sheltered Instruction. Using sheltered instruction, teachers enable EL students to access grade level content and concepts as they continue to improve their language proficiency. This instructional approach integrates language and content while also infusing socio-cultural awareness. Teaching and learning is appropriately scaffolded to aid comprehension of content and objectives by adjusting delivery of instruction, modifying tasks, and providing students with appropriate background information and experiences.
- Sheltered English Observation Protocol (SIOP). To effectively support all EL students at Alpha and strengthen our teachers' knowledge and skills in effectively meeting their needs, Alpha has begun to integrate the SIOP Model into our existing professional development and planning processes. Using this model, lessons will be evaluated to ensure they include three critical components: (1) preparation (determining content objectives, selecting concepts and vocabulary, and assembling supplementary materials to contextualize lessons for EL students); (2) instruction (using strategies such as activating and connecting background experiences and prior learning, modulating teacher speech, emphasizing vocabulary development, using multi-modal techniques, promoting higher-order thinking skills, grouping students appropriately for language and content development, and providing hands-on materials and experiences); and (3) review/assessment (conducting informal assessment of student comprehension and learning of lesson objectives).
- Guided Language Acquisition Design (GLAD). GLAD strategies are used within instruction to support our EL population. These strategies include: (1) holding high expectations and standards for all EL students and providing authentic opportunities for use of academic language; (2) utilizing and integrating metacognitive strategies such as activating prior knowledge, charting, clustering, graphic organizers, "think alouds"; (3) utilizing and integrating second language acquisition methods such as including a student set purpose for learning, inclusion of cooperative activities and problem-solving, and use of flexible grouping; (4) emphasizing reading and writing to, with, and by students such as conferencing and maintaining a language functional environment; (5) providing active participation in all components of a curricular unit; (6) fostering respect, identify, and voice; and (7) a use of ongoing assessment and evaluation to provide reflection on what has been learned, how it was learned, and what will be done with the information.
- ELL students receive additional in-class support in mathematics through the use of a variety of differentiated instruction strategies, including strategies designed to support



language acquisition such as GLAD techniques, explicit vocabulary support/instruction, and/or other appropriate language acquisition strategies.

- ELL students who demonstrate difficulty with reading according to the NWEA MAP or our QRI-5 data are grouped according to their instructional reading level and are provided small group guided reading instruction related to their areas of need. For reading groups that include English Language Learners, teachers employ additional instructional strategies, such as GLAD techniques, explicit vocabulary support and instruction, and/or other appropriate language acquisition strategies. In addition, teachers work with each student in order to assist him/her in selecting independent reading material that is appropriate for each student's independent reading level.

### *Staffing*

Alpha Public Schools is committed to hiring an instructional staff that can meet the needs of all students, including English Learners, by prioritizing the hiring of teachers who have already obtained CLAD certification. Alpha teachers will be supported in their ongoing growth and professional development in serving EL students through professional development training and other resources to support the use of best practices to support the academic acceleration of our English Learner population.

Alpha Public Schools complies with all applicable federal law in regard to services and the education of English Learner students. Alpha Public Schools has developed and implemented policies and procedures for the provision of services to EL students in accordance with guidelines published by the Office of Civil Rights of the U.S. Department of Education. At a minimum, these policies and procedures shall ensure the following:

- Identify students who need assistance (through CELDT and a Home Language Survey);
- Implement the Alpha program which, based on research by experts in the field, has a reasonable chance for success;
- Ensure that necessary staff, curricular materials, and facilities are in place and properly used;
- Apply appropriate evaluation standards, including program exit criteria for measuring the progress of students; assess the success of the program and modify it where needed.

### **Special Education**

#### *Overview*

The following provisions govern the application of special education to Alpha students:

- It is understood that all children will have access to Alpha and no student shall be denied admission due to disability.

- Alpha shall comply with the Individuals with Disabilities in Education Improvement Act of 2004 (“IDEIA” or “IDEA”), Section 504 of the Rehabilitation Act (“Section 504”) and the Americans with Disabilities (“ADA”).
- Alpha shall be solely responsible for compliance with Section 504 and the ADA.
- Alpha agrees to implement a Student Study Team Process, a regular education function which shall monitor and guide referrals for Section 504 and special education services.
- Alpha intends to be an LEA and a member of a Special Education Local Plan Area (“SELPA”) for provision of special education services pursuant to Education Code Section 47641(a). Alpha shall seek the District’s support in the provision of data or information in Alpha’s pursuit of membership in a SELPA as an LEA. Once an LEA, and a member of a SELPA, the Charter School shall be solely responsible for compliance with the IDEIA.
- Until such time as a SELPA grants Alpha membership in the SELPA as an LEA, Alpha shall be deemed a public school of the District that granted the charter pursuant to Education Code Section 47641(b) and shall work jointly with the District to ensure full compliance with the IDEIA.

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

Alpha 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 Alpha. Any student, who has an objectively identified disability that 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, as appropriate, shall include the parent/guardian, the student 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 that 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, the 504 team will make a referral for assessment under the IDEIA. 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. The 504 plan can be found in Appendix L.

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

#### *Services for Students under the IDEIA*

The following provisions are meant to summarize Alpha's understanding of the manner in which special education instruction and related services shall be provided by Alpha and the District if at any point Alpha exists as a public school of the District. The following language reflects the "industry standard" arrangement between a school district and a charter school and aligns with State and Federal law, which requires that students in charter schools receive special education and related services in the same manner as any other student in the District. The language that follows is not meant to unilaterally bind the District, or to preclude alternative arrangements between the District and Alpha as agreed upon in a Memorandum of Understanding ("MOU").

As a public school of the District, solely for purposes of providing special education and related services under the IDEIA pursuant to Education Code Section 47641(b), in accordance with Education Code Section 47646 and 20 U.S.C. 1413, Alpha seeks services from the District for special education students enrolled in Alpha in the same manner as is provided to students in other District schools. Alpha will follow the District and SELPA policies and procedures, and shall utilize SELPA forms provided by the District in seeking out and identifying and serving students who may qualify for special education programs and services and for responding to record requests and maintaining the confidentiality of pupil records. Alpha will comply with District protocol as to the delineation of duties between the District central office and the local school site in providing special education instruction and related services to identified pupils. Alpha will participate in an annual meeting, as arranged by the District, between Alpha and the District to review special education policies, procedures, protocols, and forms of the District and the SELPA and District protocol, to ensure that Alpha and the District have an ongoing mutual understanding of District protocol and will facilitate ongoing compliance.

Alpha acknowledges the importance of cooperating with the District so that the District can provide special education services to Alpha students. Alpha agrees to promptly respond to all District inquiries, to comply with reasonable District directives, and to allow the District access to Alpha's students, staff, facilities, equipment and records as required to fulfill all District obligations under this Agreement or imposed by law. Alpha believes that the allocation of responsibility for the provision of services (including but not limited to referral, identification, assessment, case management, Individualized Education Plan ("IEP") development, modification and implementation) shall be divided in a manner consistent with their allocation between the District and its school sites. Alpha expects, whenever possible, that the District will provide special education services to students outside the hours that Alpha administers its core curriculum so that students receiving special education services have the same opportunity as all other students to master core content.

#### *IDEIA Staffing*

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

It is Alpha's understanding that the District will be responsible for the hiring, training, and employment of site staff necessary to provide special education services to its students, including, without limitation, special education teachers, paraprofessionals, translators, and resource specialists unless the District directs Alpha that current District practice is for the individual school sites to hire site special education staff or the District and Alpha agree that Alpha must hire on-site special education staff. In that instance, Alpha shall ensure that all special education staff hired by Alpha is qualified pursuant to District and SELPA policies, as well as meet all legal requirements. The District may review the qualifications of all special education staff hired by Alpha (with the agreement of the District) and may require pre-approval by the District of all hires to ensure consistency with District and SELPA policies. The

District shall be responsible for the hiring, training, and employment of itinerant staff necessary to provide special education services to Alpha students, including, without limitation, speech therapists, occupational therapists, behavioral therapists, and psychologists.

#### *IDEIA Notification and Coordination*

Alpha shall promptly notify the District of all requests it receives for assessment, services, complaints, IEP meetings, reimbursement, compensatory education, mediation, and/or due process whether these requests are verbal or in writing.

Alpha shall follow District policies as they apply to all District schools for notifying District personnel regarding the discipline of special education students to ensure District pre-approval prior to imposing a suspension or expulsion. Alpha shall assist in the coordination of any communications and immediately act according to District and SELPA policies relating to disciplining special education students.

#### *IDEIA Identification and Referral*

Alpha shall have the responsibility to identify, refer, and work cooperatively in locating students who have or may have exceptional needs that qualify them to receive special education services. Alpha will implement District and SELPA policies and procedures to ensure timely identification and referral of students who have, or may have, such exceptional needs. A pupil shall be referred by Alpha for special education only after the resources of the regular education program have been considered, and where appropriate, utilized. This includes Alpha's Response to Intervention framework, outlined in a previous section.

It is Alpha's understanding that the District shall provide Alpha with any assistance that it generally provides District schools in the identification and referral processes, and will ensure that Alpha is provided with notification and relevant files of all students who have an existing IEP and who are transferring to Alpha from a District school. The District shall have access to Alpha student records and information in order to serve all of Alpha's students' special needs.

#### *IDEIA Assessments*

The term "assessments" shall have the same meaning as the term "evaluation" in the IDEIA, as provided in Section 1414, Title 20 of the United States Code. The District will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with the District's general practice, procedure and applicable law. Alpha shall work in collaboration with the District to obtain parent/guardian consent to assess Alpha's students. Alpha shall not conduct special education assessments unless directed by the District.

#### *IDEIA IEP Meetings*

In accordance with the role of the District and the District school sites, the District shall arrange and notice the necessary IEP meetings. IEP team membership shall be in compliance with state

and federal law. Alpha shall be responsible for having the following individuals in attendance at the IEP meetings or as otherwise agreed upon by the District and Alpha: the Principal and/or Alpha designated representative with appropriate administrative authority as required by the IDEIA; the student's special education teacher (if Alpha employee as opposed to District employee); the student's general education teacher if the student is or may be in a regular education classroom; the student, if appropriate; and other Alpha representatives who are knowledgeable about the regular education program at Alpha and/or about the student. It is Alpha's understanding that the District shall arrange for the attendance or participation of all other necessary staff that may include, but are not limited to, an appropriate administrator to comply with the requirements of the IDEIA, a speech therapist, psychologist, resource specialist, and behavior specialist; and shall document the IEP meeting and provide the notice of parental rights.

#### *IDEIA IEP Development*

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

#### *IDEIA IEP Implementation*

Pursuant to District policy and how the District operates special education at all other public schools in the District, the District shall be responsible for all school site implementation of the IEP, but Alpha classroom teachers will implement IEPs, pursuant to District and SELPA policies in the same manner as any other school of the District. The District and Charter School will need to be jointly involved in all aspects of the special education program, with the District holding ultimate authority over implementation and supervision of services. As part of this responsibility, Alpha shall provide the District and the parents with timely reports on the student's progress as provided in the student's IEP, and at least quarterly or as frequently as progress reports are provided for Alpha's non-special education students, whichever is more.

#### *IDEIA Interim and Initial Placements of New Alpha Students*

For students who enroll in Alpha from another school district outside of the SELPA with a current IEP, the District and Alpha shall conduct an IEP meeting within thirty days. Prior to such meeting and pending agreement on a new IEP, the District and Alpha shall implement the existing IEP at Alpha, to the extent practicable or as otherwise agreed between the District and parent/guardian.

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

The District shall be solely responsible for selecting, contracting with, and overseeing all non-public schools and non-public agencies used to serve special education students. Alpha shall not

hire, request services from, or pay any non-public school or agency to provide education or services to special education students without the prior written approval of the District, with the exception of those also made available to other Alpha students. Alpha shall immediately notify the District of all parental requests for services from non-public schools or agencies, unilateral placements, and/or requests for reimbursement.

#### *IDEIA Non-Discrimination*

It is understood and agreed that all children will have access to Alpha and no student shall be denied admission to, nor counseled out of, Alpha due to the nature, extent, or severity of his/her disability or due to the student's request for, or actual need for, special education services.

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

Alpha shall follow District policies as they apply to all District schools for responding to parental concerns or complaints related to special education services. Alpha shall instruct parents/guardians to raise concerns regarding special education services, related services and rights to the District unless otherwise directed by the District. Alpha shall immediately notify the District of any concerns raised by parents.

The District's designated representative, in consultation with Alpha's designated representative, shall investigate as necessary, respond to, and address the parent/guardian concern or complaint. Alpha shall allow the District appropriate access to conduct such an investigation.

Alpha and the District shall timely notify the other of any meetings scheduled with parents/guardians or their representatives to address the parent/guardian concerns or complaints so that a representative of each entity may attend. The District, as the LEA, shall be ultimately responsible for determining how to respond to parent concerns or complaints, and Alpha shall comply with the District's decision.

Alpha and the District shall cooperate in responding to any complaint to or investigation by the California Department of Education, the United States Department of Education, Office of Civil Rights or any other agency, and shall provide timely notice to the other upon receipt of such a complaint or request for investigation.

#### *IDEIA Due Process Hearings*

The District may initiate a due process hearing or request for mediation with respect to a student enrolled in Alpha if the District determines such action is legally necessary or advisable. Alpha agrees to cooperate fully with the District in such a proceeding. In the event that the parents/guardians file for a due process hearing, or request mediation, the District and Alpha shall work together to defend the case. In the event that the District determines that legal

representation is needed, Alpha agrees that it shall be jointly represented by legal counsel of the District's choosing.

As all costs will be borne by the District, Alpha understands that the District shall have sole discretion to settle any matter in mediation or due process. The District shall also have sole discretion to file an appeal from a due process hearing or take other legal action involving any Alpha student necessary to protect its rights.

#### *IDEIA SELPA Representation*

It is Alpha's understanding that the District shall represent Alpha at all SELPA meetings and report to Alpha of SELPA activities in the same manner as is reported to all schools within the District.

#### *IDEIA Funding*

Alpha understands that it will enter into a MOU with the District regarding Special Education funding, and cannot at this time unilaterally dictate the funding relationship between the District and Alpha. Alpha anticipates, without binding the District to Alpha, that based upon State and Federal law, the fiscal relationship could be summarized as follows:

The District shall retain all state and federal special education funding allocated for Alpha students though the SELPA Annual Budget Plan, and shall be entitled to count Alpha students as its own for all such purposes.

The Parties acknowledge that the District may be required to pay for or provide Alpha students with placements at locations other than at Alpha's school site in order to provide them with a free appropriate public education. Such placements could include, without limitation, programs or services in other District schools, in other public school districts within the SELPA, in a County Office of Education program, in a non-public school, at home, at a hospital, or in a residential program. When such programs and/or services are provided at District expense, the District shall be entitled to receive from Alpha the pro rata share of all funding received for such student, including, without limitation, all ADA funds, based on the number of instructional days or minutes per day that the student is not at Alpha site.

Alpha shall contribute its fair share to offset special education's encroachment upon the District's general fund. Accordingly, Alpha shall pay to the District a pro-rata share of the District's unfunded special education costs ("Encroachment"). At the end of each fiscal year, the District shall invoice Alpha for Alpha's pro-rata share of the District-wide Encroachment for that year as calculated by the total unfunded special education costs of the District (including those costs attributable to Alpha) divided by the total number of District ADA (including Alpha students), and multiplied by the total number of Alpha ADA. Alpha ADA shall include all Alpha students, regardless of home district.



## **Services for Students under the IDEIA when Alpha Becomes an LEA and Member of SELPA**

Alpha: Blanca Alvarado Middle School is a member of the Eldorado County Office of Education Charter SELPA. As stated above, Alpha intends to apply for SELPA membership for Alpha 2. Upon approval as a member of the SELPA, Alpha shall be solely responsible and liable for providing special education services under the Individuals with Disabilities Education Improvement Act (“IDEIA”) (20 U.S.C. 1400, et seq.) with respect to eligible students. All obligations of the District recited above with respect to identifying, assessing, and serving special education students will default to Alpha. Alpha shall comply with all applicable State and Federal special education laws and the SELPA Local Plan and policies and procedures. As an LEA, Alpha shall receive its State and Federal special education funds directly from the SELPA in accordance with the SELPA local allocation plan and shall utilize those funds to provide special education instruction and related services to eligible pupils. As an LEA, Alpha shall be solely responsible for all special education costs that exceed State and Federal special education revenue, and shall participate in the SELPA governance and SELPA-wide benefits in accordance with the Local Plan and SELPA policies and procedures.

## II. MEASURABLE STUDENT OUTCOMES AND OTHER USES OF DATA

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*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. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. California Education Code Section 47605(b)(5)(B)*

*The method by which pupil progress in meeting those pupil outcomes is measured. California Education Code Section 47605(b)(5)(C)*

### **Measurable Student Outcomes**

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

*Academic Achievers* who:

1. produce quality work across the curriculum
2. are proficient readers
3. compute and solve advanced math problems
4. are knowledgeable about educational pathways and career choices
5. are equipped with the necessary skills to succeed in high school

*Effective Communicators* who:

1. demonstrate excellent listening, speaking, writing, and multi-lingual skills
2. collaborate, work effectively, and manage interpersonal relationships within diverse groups
3. read and respond accurately and analytically to text questions
4. possess the academic vocabulary, confidence, and etiquette to thrive in the professional world

*Critical Thinkers* who:

1. know how to access information and integrate knowledge
2. identify and use resources effectively to gather, communicate, and evaluate information
3. demonstrate creative, logical, and critical thinking skills enhanced through art, science, and technology
4. are eager to synthesize and act upon new information
5. find, select, evaluate, organize, and use information from various sources and disciplines of thought, so that they are able to make logical, interdisciplinary connections

*Life-long Learners who:*

1. are curious about the world around them, leading them to be inquisitive and self-motivated
2. have confidence in adapting to a wide array of professional and cultural settings
3. are goal-oriented, understand the importance of hard work and continual goal setting
4. comprehend and use technology as a tool for learning and communication
5. are willing to take risks and to persevere when they encounter obstacles or failure

*Socially Responsible Citizens who:*

1. are aware and understand the relevance of different cultures in society
2. respect themselves, their classmates, their school, their families and their community at all times
3. understand that actions have consequences, and who demonstrate personal responsibility and integrity
4. value discipline, concentration, and healthy competition

Alpha will use the following clearly articulated measurable student outcomes to determine success:

<b>Measurable Outcomes</b>	<b>Local Formative Metric</b>	<b>Statewide Summative Metric</b>
Attendance Rate $\geq$ 96%	Daily attendance reporting via Student management System	Calculated ADA rate
Academic Performance Index (API) Score will exceed 800	Not applicable locally	Year 1 API $\geq$ 800 Year 2 API $\geq$ 825 Year 3+ API $\geq$ 850
Meet or exceed AYP targets	Bi-monthly interim assessments	AYP Report
80% of students make at least one level of advancement in language proficiency, annually for ELs	Formal and informal classroom assessments and bi-monthly interim assessments	CELDT Individual Student Score Reports
70% of students demonstrate mastery of grade-level standards at the “Proficient” level or better in all core subjects by the time they	Northwest Evaluation Association (NWEA) assessment administered four times per year, pre-post diagnostic assessments,	CST Scores meet the targets outlined in the chart below

graduate	curriculum embedded benchmark assessments aligned to standards, informal classroom based assessments	
> 80% of students demonstrate at least one year of growth towards grade-level proficiency on standards in the areas of language arts, math, science, and social studies	Northwest Evaluation Association (NWEA) assessment administered four times per year, pre-post diagnostic assessments, curriculum embedded benchmark assessments aligned to standards, informal classroom based assessments	State assessments are not currently as precise in calculating student gains as NWEA but can be used to show quintile growth.

<b>CST Target Proficiency Levels</b>		
<i>Course of Study</i>	<i>School Year</i>	<i>% Students Proficient or Above</i>
Mathematics and Language Arts	2014-2015	50%
	2015-2016	55%
	2016-2017	60%
	2017-2018	65%
	2018-2019	70%
Science and Social Studies	2014-2015	N/A
	2015-2016	45%
	2016-2017	50%
	2017-2018	55%
	2018-2019	60%

The CST target proficiency levels above align with Alpha's API goals.

**Academic Performance Index**

Alpha will meet or exceed the school’s annual Academic Performance Index (API) growth target in all years of operation. In addition, Alpha will meet or exceed Adequate Yearly Progress (AYP). Alpha will incorporate the Content Standards for California Schools in the curriculum. Alpha will update to all amended standards and will continue to incorporate them in the curriculum to enhance student performance.

**Methods of Assessment**

Alpha will use a variety of assessment tools that are appropriate for the grade level, subject matter, skills, knowledge, and attitudes being assessed. Alpha will use objective means of assessment that are frequent and sufficiently detailed to determine whether students are making satisfactory progress.

<b><u>Assessments, Annually</u></b>	<b><u>Assessments, Each Trimester</u></b>	<b><u>Assessments, Ongoing</u></b>
<ul style="list-style-type: none"> <li>• California State Standards Exams</li> <li>• California English Language Development Test</li> <li>• 7<sup>th</sup> Grade Test of Physical Fitness</li> <li>• Cumulative Final and Diagnostic Exams</li> </ul>	<ul style="list-style-type: none"> <li>• Progress in coursework, including tests, quizzes, projects, homework, participation and other formal and informal assessments</li> <li>• Progress toward achieving Individual Learning Plan (ILP) goals</li> <li>• Progress toward achieving Individual Education Plan (IEP) goals</li> <li>• NWEA MAP assessments</li> </ul>	<ul style="list-style-type: none"> <li>• Daily Exit Tickets</li> <li>• Curriculum embedded interim standards-aligned assessments</li> <li>• Assessments via Mastery Connect</li> <li>• Provider assessments including those from Achieve3000 and Accelerated Reader</li> <li>• Benchmark Assessments via IlluminatED</li> <li>• Informal classroom-based assessments</li> <li>• Experiment design</li> <li>• Homework</li> <li>• Student behavior/display of competencies of character</li> <li>• Research projects</li> <li>• Revision process</li> </ul>

		<ul style="list-style-type: none"> <li>• Class discussion</li> <li>• Essays</li> <li>• Lab reports</li> </ul>
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### **Use and Reporting of Data**

The primary tool to be used for capturing student data is IlluminatED, a database designed specifically for school use. This system has the capability to record results for the tools described in the previous section and to aid in the analysis and reporting of data.

#### *Collection*

- Standardized assessment results are all available electronically and are uploaded by the Principal or his/her designee.
- All results from assessments given at school are inputted by faculty members.
- All information pertaining to student goals is inputted by faculty members or RSP teachers.

#### *Analysis*

- Individual students, their families, and faculty members will analyze each student’s individual performance as part of their ILP discussions and through regular report cards
- The school faculty will analyze data from all of the tools listed for individual students as well as school-wide, at least 4 times per year.
- The Board will review the data, and the faculty’s analysis of it, at least 2 times per year.

#### *Reporting*

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

#### *Continuous Improvement*

Alpha is committed to using student performance data to refine and improve the educational program. As outlined above, Alpha teachers, leaders, and staff will participate in bi-monthly professional development days dedicated to the analysis and interpretation of student data every eight weeks. Too often schools accumulate data but fail to have a plan for analysis and action. These regularly scheduled “data days” will allow for professional development that

focuses on effective uses of data, data analysis, Individual Learning Plan development, and the development of school-wide action plans based on student performance data. Students, families, teachers, and leaders will carefully analyze these and other data to identify the causes of academic strengths and weaknesses. Teachers, through collaboration and consultation with one another and with instructional leaders, will modify instruction based on the analysis of student data, effectively individualizing instruction for each student. The school community will embrace a culture of data-driven instruction. NWEA MAP assessments provide detailed, actionable data about student performance. MAP questions adapt to a student's responses; as they take the test and answer a question correctly, the test presents a more challenging item. If a student misses a question, MAP provides a simpler item. In this way, the test narrows in on a student's learning level. MAP provides normative data, based on samples of at least 20,000 students per grade level. NWEA provides growth targets for students and allows teachers to analyze student growth in discrete areas within content areas, providing a powerful tool for reteaching and extended learning.

#### *District Visitation/Inspection*

Alpha will comply with a District requested visitation process to enable the District to gather information needed to validate the school's performance and compliance with the terms of this charter. Additionally, Alpha agrees to and submits to the right of the District to make random visits and inspections or observations in order to carry out its statutorily required oversight in accordance with Educational Code Section 47607.

#### *Response to Inquiries*

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

#### *Public Record*

Alpha acknowledges that pursuant to Article XVI section 8.5(e) of the California Constitution, sections 2(e), 6, and 8 of Proposition 98, and sections 33126.1(b), 35256(c), and 35258 of the Education Code require schools, including Alpha to provide certain information in certain formats in certain ways to the general public and specifically to parents of students at Alpha and of the District. Alpha further acknowledges that it has the obligation to provide all of such information to the District that is required by these referenced authorities in a timely manner so that the District may meet its obligations under those authorities as well. To the extent that there is information that the District has, but that Alpha does not have that Alpha needs in order to meet its obligations, the District shall provide the same to Alpha in a reasonably timely manner upon request.

### *Parent Complaints*

Alpha will establish both a Uniform Complaint Policy that addresses complaints alleging discrimination or violations of law and a Local Complaint Policy that addresses complaints regarding other areas. Alpha will not, at any time, refer complaints to the District.

The complaint procedures will include clear information with respect to the response timeline of the school, whether the school's response will be in writing, the party identified to respond to complaints, the party identified and charged with making final decisions regarding complaints, and whether the final decision will be issued in writing. The procedures will also identify an ombudsperson for situations in which the school leader is the subject of the complaint. The complaint procedures will be clearly articulated in the Family Handbook and will be available in the school's office and on its website.

Alpha 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 Alpha alleging its noncompliance with these laws or alleging any actions which would be prohibited by these laws. Alpha will notify all its students and employees of the name, office address, and telephone number of the designated employee or employees.

Alpha 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.

Alpha 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.



### III. GOVERNANCE STRUCTURE

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*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)(E)*

#### **Legal Status**

Alpha Public Schools has constituted itself as a California non-profit public benefit corporation pursuant to California law that has 501(c)(3) tax exempt status, as Alpha Public Schools, Inc.

Alpha Middle School 2 will be operated by Alpha Public Schools in accordance with Education Code Section 47604(a). Alpha shall be governed pursuant to the corporate bylaws adopted by the Board of Directors of Alpha Public Schools, which shall be consistent with the terms of this charter, the Charter Schools Act, and all other applicable laws. Alpha Public Schools' Articles of Incorporation, approved by-laws, 501(c)3 tax exempt letter, and other related documents are included in Appendix M.

Alpha shall operate autonomously from the Alum Rock Union Elementary School District with the exception of supervisory oversight as required by statute. Pursuant to Education Code Section 47604(c), the Alum Rock Union Elementary School District shall not be liable for the debts and obligations of The Coalition for Better Public Schools or Alpha, operated as a California non-profit, public benefit corporation or for claims arising out of the performance of acts, errors or omissions by the school, as long as the Alum Rock Union Elementary School District has complied with all oversight responsibilities required by law.

#### **Board of Directors**

Alpha Public Schools is governed by a Board of Directors (hereinafter "the Board"). The Board shall be ultimately responsible for the operation and activities of the school. The Board shall be governed in its operations and its actions by the corporate bylaws of the organization that shall be consistent with the charter, the Charter Schools Act and all other applicable laws. The primary methods for executing their responsibilities are to create, adopt and monitor a long-term strategic plan and associated budget, and to employ and evaluate the CEO.

In accordance with the Alpha Public Schools bylaws, the Board consists of at least three members and should not exceed eleven members. Each Board member will serve a three-year term. Terms will be staggered to ensure that at any given time no more than one third of the members have less than one year of experience on the board. All members of the board will participate in annual training, which will cover – at a minimum – conflicts of interest and the Brown Act. In addition, new Board members will be partnered with experienced ones in order to further the new Board members' effectiveness. Board members may not serve more than two consecutive terms.

Board members' terms will expire according to the Board of Directors with Term Expiration Dates chart, included below. Board members shall have experience in one or more areas critical to charter schools success: education, school administration, school finance, corporate structure, accounting, legal compliance, leadership or fundraising.

<b>Member</b>	<b>Position</b>	<b>Term Expiration Date</b>
Cindy Avitia	Vice-President	June 15, 2014
Dick Garrett	Treasurer	September 15, 2015
Preston Smith	Director	September 1, 2015
Mary Stephens	Secretary	September 1, 2015
Tim Ranzetta	President	June 15, 2014

**Summary of Necessary Background Critical to Charter School Success**

	<b>Curriculum</b>	<b>Instruction</b>	<b>Assessment</b>	<b>Finance</b>	<b>Facilities</b>	<b>Business Management</b>	<b>Organization</b>	<b>Governance</b>	<b>Administration</b>
<b>Ms. Avitia</b>									
<b>Mr. Garrett</b>									
<b>Mr. Ranzetta</b>									
<b>Ms. Stephens</b>									
<b>Mr. Smith</b>									

## **Board and Responsibilities:**

The Board will meet on a regular basis. The responsibilities of the Board include but are not limited to:

- Uphold the mission of the School
- Oversee the implementation of the charter
- Approve and monitor the school budget, fiscal reports, and the School's fiscal practices
- Approve contracts and expenses
- Receive and review the yearly independent financial audit
- Approve and monitor the school's facility arrangements and plans
- Oversee and evaluate the CEO
- Hire the Principal upon recommendation of the CEO
- Hire Alpha employees upon recommendation of the CEO
- Employee action upon recommendation of the CEO
- Approve Board Policies

The Board will comply with all federal, state and local laws that are applicable to independent public charter schools, including but not limited to the Brown Act and the Political Reform Act. Alpha Public Schools has adopted a conflicts code, which is included in Appendix N. The organization will retain its own legal counsel when necessary, and will purchase and maintain, as necessary, general liability, officers and directors', property, workers' compensation, and unemployment insurance policies.

Alpha Public Schools may initiate and carry out any program or activity, or may otherwise act in any manner which is not in conflict with or inconsistent with, or preempted by any law and which is not in conflict with the purposes for which charter schools are established.

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

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

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

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 Alpha Public Schools Board of Directors oversees operations but delegates day-to-day authority to the Chief Executive Officer, who is responsible for the day-to-day operations but may delegate certain responsibilities to other staff, including the Principal at the School. The Principal may delegate his or her responsibilities further to other school site staff such as the Assistant Principal, office manager, and/or teachers.

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 Board of Directors, as indicated above. This is separate from the oversight responsibilities of the charter authorizer under the Charter Schools Act.

### **Principal**

The Principal will work full-time within the school and will communicate with and report directly to the Chief Executive Officer. The Principal is the instructional leader and key person at the School responsible for supervising the teachers and non-instructional staff at the school. The Principal is responsible for guiding the School student achievement outcomes as outlined in the Educational Program.

The responsibilities of the Principal or his/her designee may include, but are not limited to, the following:

- Attend District Administrative meetings as necessary and stay in direct contact with the District regarding changes, progress, etc.
- Assist CEO in developing Board meeting agendas in conjunction with the Board president in compliance with the Brown Act.
- Supervise all employees of the School.
- Provide timely performance evaluations of all School employees.
- Provide comments and recommendations regarding policies presented by others to the Board.
- Communicate with School legal counsel and any outside consultants.
- Stay abreast of school laws and regulations.
- Participate in the dispute resolution procedure and the complaint procedure when necessary.
- Establish and execute enrollment procedures.
- Develop and administer the budget in accordance with generally accepted accounting principles.
- Provide assistance and coordination to the faculty in the development of curriculum.
- Oversee parent/student/teacher relations.
- Attend IEP meetings when necessary.
- Supervise student disciplinary matters.

- Coordinate the administration of Standardized Testing.
- Plan and coordinate student orientation.
- Attend Charter Board meetings and attend as necessary any District Board of Education meetings as the charter representative.
- Establish procedures designed to carry out Charter Board policies.

### **Board Committees**

The Board will appoint one or more committees, comprised of faculty, parents, community members or other members of the public with varying areas of expertise. The purpose of a committee is to provide advice, expertise and resources as necessary related to charter schools, finances, facilities, and other areas relevant to the success of the school. The Board of Directors will select the committees.

### **Parent Participation**

As the school is being established to serve the needs of the students, it is imperative that families be actively involved. Alpha will work with families to form a Parent Council which will be established to facilitate communication between all members of the organization and to bring needed human resources to help meet the goals and objectives of the school. This group will be facilitated by People Acting in Community Together (PACT) and will meet monthly. The school principal and his or her designee will actively participate in Alpha's Parent Council. The Principal of the school will meet every other month with the Chairperson of the Parent Council, who will bring parent community questions, concerns, and ideas to the school administration. In this way, parents will have direct and regular communication with the school's leadership. Alpha parents will develop their organization based on the needs of their community.

Families will be encouraged to become actively involved in the school and their child's education. Several opportunities for parent involvement exist and include:

- Parents participate in the review, modification, and implementation of students' ILPs.
- Parents are encouraged to attend the several Parent Education Nights held each year. Evenings are planned by the parent organization in conjunction with the school administration. Meetings address such topics as high school and college preparation, school finances, and organizational planning.
- Parents can assist in a variety of on-site and at-home, short-term and ongoing, daytime and evening projects that help improve the school. These activities will be organized and communicated by the Parent Council.
- Parents are invited to all school social functions.
- Parents are asked to complete a parent satisfaction survey each year.
- Alpha Board meetings are open to the public, and parents are encouraged to attend.

## IV. HUMAN RESOURCES

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

### **Qualifications of School Employees**

Alpha will recruit and employ professional, effective, and qualified personnel for all administrative, instructional, and non-instructional support positions. All employees will demonstrate a belief in the mission, program design, instructional philosophy, and curriculum documented in this charter. All employees of the school will be employees of Alpha Public Schools.

In accordance with Education Code 47605(d)(1), Alpha shall be nonsectarian in its employment practices and all other operations. Alpha shall not discriminate against any individual (employee or pupil) on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender expression, gender identity, 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). All employees are expected to possess the personal characteristics, skills, knowledge and experience required by their job description as determined by the school. All employees must comply with the employee processing policies and procedures (to include, but not limited to, fingerprints, criminal records, proof of identity, right to work in the United States, and TB screening).

### **Specific Qualifications for All Staff**

The Board of Directors shall define specific employee minimum qualifications that shall include, but not be limited to, the following:

- Commitment of time, energy, and effort in developing Alpha's program
- Belief in the basic philosophy of emphasizing the core curriculum
- Commitment to working with parents as educational partners
- Strong written and verbal communication skills
- Knowledge of the developmental needs of students
- Awareness of the social, emotional and academic needs of the students
- Ability to plan cooperatively with other staff
- Willingness to continue education through additional courses and training, workshops, seminars and staff development
- Active participation in faculty meetings
- Focus on working closely with the school faculty by providing any information regarding a student's behavior change, attitude and/or classroom performance
- Take a leadership role in some aspect of Alpha's development

## **Administrators**

The Principal at Alpha shall possess leadership abilities and a comprehensive educational vision that is consistent with the school's mission and educational program. In addition, the Principal shall possess skills in hiring and supervising excellent teachers, and, where possible, business experience.

Alpha administrators should have demonstrated at least three years of successful teaching or school leadership experience. Alpha administrators will demonstrate proficiency on the California/Interstate School Leader Licensure Consortium's six Professional Standards for Educational Leaders. Alpha will give preference to administrative candidates who hold a valid California Administrative Services Credential or those who have met the California standard for passage of the School Leaders Licensure Assessment.

### Principal

The Principal will be the instructional leader at the School and will be responsible for helping the School 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 secondary program design
- A record of success in developing teachers
- Entrepreneurial passion

### Office Manager

The School's Office Manager will be 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
- Fluency in Spanish is highly desirable

## **Teachers**

Instructional employees will hold appropriate California teaching certificates or permits issued by the Commission on Teacher Credentialing. Alpha will comply with Section 47605(l), which states:

*“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. It is the intent of the Legislature that charter schools be given flexibility with regard to non-core, non-college preparatory courses.”*

Alpha will retain or employ teaching staff who hold appropriate California teaching certificates, permits, or other documents issued by the Commission on Teacher Credentialing. Additionally, core teachers, as defined by the No Child Left Behind Act (“NCLB”), shall meet the applicable definitions of “highly qualified.”

In addition to the specific qualifications expected of all Alpha staff members, the following qualifications are expected of all teachers:

- Strong instructional leadership
- Responsible for students and their academic success
- Familiarity with or willingness to be trained in Alpha’s curriculum, instructional methodology, and procedural compliance
- Demonstrable effectiveness in teaching, mentoring, and writing
- Commitment to the philosophy of Alpha and its mission
- Recognizing the family as a vital partner in the learning process
- Working flexible schedules in order to accommodate the varying needs and schedules of enrolled students, parents and community
- Deep commitment to student achievement

#### Responsibilities

- Implement curricula and activities to meet academic standards.
- Design and implement assessments that measure progress towards academic standards.
- Use assessment data to refine curriculum and inform instructional practices.
- Participate in collaborative curriculum development, grade-level activities, and school-wide functions.
- Provide consistent rewards and/or consequences for student behavior.
- Be accountable for students’ mastery of academic standards.
- Communicate effectively with students, families, and colleagues.
- Participate in an annual three-week staff orientation and training.

See Appendix O for Teacher Performance Documents, including the Alpha Public Schools Evaluation Rubric.

#### **Learning Coaches**

As part of Alpha’s unique blended model, learning coaches serve an integral role in ensuring students perform exceptionally well at Alpha. Alpha learning coaches have high expectations for all students and work with them individually and in small groups, coaching students on all computer programs and performing targeted individual interventions during school day and during the afterschool program. Learning coaches are very comfortable with technology, skilled at tracking student progress, and value communication with classroom teachers, collaborating



effectively as part of a team. Learning coaches have the option to participate in the *Alpha Residency Program*, whereby individuals who wish to become teachers will have the benefit of spending significant time with students in an interventionist role, receiving meaningful professional development, and being paired with a mentor teacher, while independently pursuing a teaching credential.

Alpha may also employ or retain non-certificated instructional support staff in any case where a prospective staff member has an appropriate mix of subject matter expertise, professional experience, and the demonstrated capacity to work successfully in an instructional support capacity. Instructional support staff will not serve as the teacher of record for individual pupils and may not assign grades or approve student work assignments without the approval of the teacher of record, except in non-core, non-college preparatory courses and activities. All non-instructional staff will possess experience and expertise appropriate for their position as determined by the Principal and Board of Directors.

### **Services Provided Via Contractors**

Alpha will receive service from employees of organizations with which Alpha contracts. Additionally, Alpha will receive financial, human resource, technology, leadership, facilities and professional development services from Alpha Public Schools. Alpha will ensure that the qualifications of the employees of contractors and Alpha Public Schools are consistent with the expectations for Alpha's employees.

### **Professional Development**

Each faculty and staff member will have a Personalized Growth Plan ("PGP"). The plan will be developed by the employee with the input and approval of the Principal and using a template that will be finalized through a collaborative process that includes the school's principal and teachers. The plan will ask the employee to identify a set of professional development goals from seven different areas that have been identified as the strands most pertinent to the success of an Alpha educator. They will include content, curriculum, instruction, assessment, mentoring, leadership, and knowing and understanding learners. The plan will identify the teacher's present level of performance in each strand using a standard rubric. The plan will indicate the teacher's annual goals for growth in one or more strand, how the goals will be measured and what will define success. Additionally, a strategy for achieving the goals will be designed, and subsequently supported by the school and its professional development activities throughout the year.

### **Compensation and Benefits**

*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).*

The financial compensation for school employees will include a base salary that is competitive with like jobs in other local public secondary schools and the opportunity to earn an annual achievement bonus. The achievement bonus will be awarded based upon the employee successfully achieving goals and objectives identified by the Board.

The Principal will oversee the arrangements for retirement coverage for all employees at Alpha. All employees at Alpha will participate in the federal Social Security System. The Alpha Public Schools Board of Directors will have the option to participate in the State Teachers Retirement System (STRS) or Public Employees Retirement System (PERS) or to implement any other retirement plan at its disposal. If Alpha Public Schools chooses to participate in STRS/PERS program, it will work directly with the Santa Clara County Office of Education and STRS/PERS to provide the appropriate payroll information.

Alpha Public Schools will provide mandatory benefits such as workers' compensation, unemployment insurance, Medicare and social security. Alpha Public Schools will provide health, dental, and vision insurance to each qualifying employee at Alpha.

### **Employee Representation**

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

For the purposes of the Educational Employment Relations Act ("EERA"), Alpha Public Schools as the California non-profit public benefit corporation operating Alpha is deemed the exclusive public school employer of the school's employees. Thus, the collective bargaining contracts of local school districts shall not be controlling. Alpha Public Schools recognizes the employees' rights under the EERA provisions to organize for collective bargaining.

Persons employed by the school are not considered employees of the Alum Rock Union Elementary School District for any purposes whatsoever.

### **Rights of School 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).*

All employees at Alpha shall be considered the exclusive employees of Alpha Public Schools and not those of any school district or the Alum Rock Union Elementary School District unless otherwise mutually agreed in writing. No public school district employee shall be required to work at Alpha. Employees of the District who resign from employment to work at Alpha Public Schools and who later wish to return to the District shall be treated the same as any other former District employee seeking reemployment in accordance with District policy, applicable law, and applicable bargaining agreements.

Alpha Public Schools shall not have any authority to confer any rights to return on District employees. Sick or vacation leave or years of service credit at the Alum Rock Union Elementary School District or any school district shall not be transferred to Alpha.

A former employee of any school district shall have the following rights:

- Any rights upon leaving the employment of a local education agency to work in the charter school that the local education agency may specify.
- Any rights of return to employment in a local education agency after employment in the charter school as the local education agency may specify.
- Any other applicable rights upon leaving employment to work in the charter school that are outlined in law.

### **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).*

A healthy and safe environment is imperative to productive teaching and learning. Alpha will adopt and implement a comprehensive set of health, safety, and risk management policies. These policies will be developed in consultation with Alpha's insurance carriers. These policies will be reviewed and updated as required in response to any change in conditions or operations that may affect the health and safety of students and staff. The policies will be incorporated as appropriate into the Family and the Employee handbooks. The Board has adopted a set of Health and Safety Policies. The policies are contained in Appendix P. The policies will be tailored to the unique facility needs and submitted to the District no later than 90 days prior to operation.

The following summarizes the health and safety policies of Alpha:

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

Employees and contractors at Alpha will be required to submit to a criminal background check and furnish a criminal record summary as required by Ed. Code 44237 and 45125.1. New employees must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Principal of the school shall monitor compliance with this policy and report to the Board of Directors on a quarterly basis. The Board President shall monitor the fingerprinting and background clearance of the Principal. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

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

All classified and certificated staff will be mandated child abuse reporters and will follow all applicable reporting laws.

### ***TB Testing***

Alpha will follow the requirement of Education Code Section 49406 in requiring tuberculosis testing of all employees.

### ***Immunizations***

Alpha will adhere to all law related to legally required immunizations for entering students pursuant to Health and Safety Code Section 120325-120375, and Title 17, California Code of Regulations Section 6000-6075.

### ***CPR /First Aid Training***

Alpha will provide CPR and First Aid training to all employees, annually.

### ***Medication in School***

Alpha will adhere to Education Code Section 49423 regarding administration of medication in school.

### ***Vision/Hearing/Scoliosis***

Alpha shall adhere to Education Code Section 49450 et. seq. as applicable to the grade levels served by the School.

### ***Diabetes***

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

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

5. A description of the different types of diabetes screening tests available.

### ***Emergency Preparedness***

Alpha shall adhere to an Emergency Preparedness Plan drafted specifically to the needs of the school site in conjunction with law enforcement and the Fire Marshall, as appropriate. This plan shall include but not be limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations. If assuming a facility used prior as a school site, any existing emergency preparedness plan for the school site shall be used as a starting basis for updating Alpha's plan.

### ***Blood Borne Pathogens***

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

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

### ***Facility Safety***

Alpha shall comply with Education Code Section 47610 by utilizing facilities that are compliant with the California Building Standards Code. The School agrees to maintain visitor policies, 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 School shall conduct fire drills at in accordance with Title 5 California Code of Regulations Section 550.

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

Alpha shall maintain a drug and alcohol and smoke free environment.

### ***Integrated Complaint and Investigation Procedure***

The Board of Directors has adopted a comprehensive complaint and investigation procedure to centralize all complaints and concerns coming into Alpha. These procedures can be found in Appendix M1.

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

Alpha 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. Alpha Public Schools has adopted 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). Misconduct of this nature is very serious and will be addressed in accordance with the Charter School policy included in the Employee Handbook, which can be found in .

### ***Procedures***

Alpha Public Schools on behalf of Alpha adopted procedures to implement the policy statements listed above.

### **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)*

### ***Intent***

The intent of this dispute resolution process is to (1) resolve disputes within the school pursuant to the school's policies, (2) minimize the oversight burden on the District, (3) ensure a fair and timely resolution to disputes, and (4) frame a charter oversight and renewal process and timeline so as to avoid disputes regarding oversight and renewal matters. Alpha understands that agreement to a dispute resolution process must be bilateral and that Alpha cannot unilaterally bind the District to a specific procedure. As such, the following represents Alpha's proposed process for resolving disputes between the District and Alpha. Alpha agrees that this process may be revised as agreed upon by the District and Charter School in a mutually agreed upon MOU.

### ***Public Comments***

The staff and Board and Alum Rock Union Elementary School District agree to attempt to resolve all disputes regarding this charter pursuant to the terms of this section. Both shall refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.

### ***Disputes Arising from within Alpha***

Disputes arising from within Alpha, including all disputes among and between students, staff, parents, volunteers, advisors, partner organizations, and governing board members of the school, shall be resolved pursuant to policies and processes developed by the School. The Alum Rock Union School District shall not intervene in any such internal disputes without the consent of the Board of Directors and shall refer any complaints or reports regarding such disputes to the Board of Directors or the Principal for resolution in keeping with Alpha's policies. The District agrees not to intervene or become involved in the dispute unless the dispute has given the District reasonable cause to believe that a violation of the material provisions of the charter

or related laws or agreements has occurred, or unless the Board of Directors has requested the District to intervene in the dispute.

### ***Disputes between Alpha and the Alum Rock Union Elementary School District***

Alpha and the District will always attempt to resolve any disputes between them amicably and reasonably without resorting to formal procedures.

- **Actions That Could Lead to Revocation: Charter School Due Process** – In the event that the District determines that Alpha has engaged in an act that could lead to revocation of the charter, the District and Alpha shall have a face to face meeting within 10 days of the Superintendent’s and/or designee’s determination that a violation has occurred. Present in the face-to-face meeting shall be at least the Superintendent of the District or designee and Alpha’s Principal. If after such meeting, the District Board determines that a violation has occurred which requires a cure, the District Board may act to send a formal written notification to Alpha outlining the alleged violation and demanding the violation be cured in accordance with Education Code Section 47607 and its implementing regulations. Alpha shall have a reasonable amount of time after the date such formal written notice was sent to cure the violation. If the violation cannot be cured within the time period specified by the District, the parties may agree to another predetermined time to commence to cure and diligently prosecute the cure to completion. Thereafter, if necessary, revocation of the charter may be commenced by the District Board of Education in accordance with Education Code Section 47607 and its implementing regulations.
- **Disputes not Leading to Revocation: Dispute Resolution** – In the event that Alpha and the Alum Rock Union Elementary School District have disputes regarding the terms of this charter or any other issue regarding Alpha and the District’s relationship, both parties agree to follow the process outlined below.
  - a. In the event of a dispute between Alpha and the School District, the staff and Board of Directors of Alpha and the District administration agree to first frame the issue in written format and refer the issue to the Superintendent of the School District and the Principal of Alpha. The party initiating the dispute resolution process shall prepare and send to the other party a notice of dispute that shall include the following information: (1) the name, addresses and phone numbers of designated representatives of the party; (2) a statement of the facts of the dispute, including information regarding the parties attempts to resolve the dispute; (3) the specific sections of the charter, memorandum of understanding, law etc. that are in dispute; and (4) the specific resolution sought by the party. Within ten days from receipt of the notice of dispute the representatives from Alpha shall meet with representatives from the District in an informal setting to try to resolve the dispute.

- b. If the informal meeting fails to resolve the dispute the party initiating the dispute resolution process shall notify the other party (the responding party) in writing that it intends to proceed to mediation of the dispute and shall request the State Mediation and Conciliation Service to appoint a mediator within seven days to assist the parties in resolving the dispute. The initiating party shall request appointment of a mediator who is available to meet as soon as possible but not later than 45 days after receipt of the request for appointment. If the State Mediation and Conciliations Service is not available the parties shall mutually agree upon a mediator. The party initiating the dispute shall forward a copy of the notice of the dispute to the appointed mediator. The responding party shall file a written response with the mediator and serve a copy on the initiating party within seven days of the first scheduled mediation. The mediation procedure shall be entirely informal in nature; however, copies of exhibits upon which either party bases its case shall be shared with the other party at least five (5) business days before the mediation. The relevant facts should be elicited in a narrative fashion to the extent possible, rather than through examination and cross-examination of witnesses. The rules of evidence will not apply and no record of the proceedings will be made. If an agreement is reached, the agreement shall be reduced to writing and shall be signed by the District and Alpha. If the District and Alpha fail to meet within the specified time line, have not reached an agreement within 15 days from the first meeting held by the mediator, or if the mediator declares the parties at impasse, either party may terminate mediation and may pursue its dispute as otherwise allowed by law.
- c. All costs of the mediation, including but not limited to, the mediators' fees, per diem, travel, and subsistence expenses, and the costs, if any, of the location for mediation, shall be borne equally by the District and Alpha.
- d. All timelines and procedures for mediation as described herein may be revised by mutual agreement.

This dispute resolution procedure shall not apply to any request for equitable or injunctive relief prior to the mediation to preserve the status quo pending the completion of that process. Except for such an action to obtain equitable or injunctive relief, neither party may commence a civil action with respect to the matters submitted to dispute resolution until that process is complete.



## V. STUDENT ADMISSIONS, ATTENDANCE, AND SUSPENSION / EXPULSION POLICIES

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*Governing Law - Admission Requirements, if applicable—California Education Code Section 47605(b)(5)(H)*

### **Overview**

The Board of Directors shall determine all policies, processes, and procedures governing application, admission, and enrollment at Alpha. All students attending Alpha must follow the application, admission, and enrollment policies of the school. The application packet for admission to Alpha shall include information that allows students and parents to be informed about the school's operation as a charter school, its educational programs, the academic and behavioral expectations of students, and the rights and responsibilities of students and parents who wish to become part of the School. The application packet shall include:

- An enrollment guide outlining the enrollment process at Alpha
- Registration form which requests basic information about the prospective student
- Alpha Family Handbook

The Board shall have the sole authority to determine the size and grade-level breakdown of the student body at Alpha. The determination of school capacity shall be based on, among other things, the school's academic program, the school's fiscal viability, the educational needs of currently enrolled students, the capacity of the school site, and the level of interest shown by students who want to attend the school.

By October 1 of each year, Alpha will notify the District in writing of the application deadline and proposed lottery date. Alpha will ensure that all application materials will reference these dates as well as provide complete information regarding application procedures, key dates, and admissions preferences and requirements consistent with approved charter.

### **Admission Criteria**

Alpha shall be open to all students at the appropriate grade levels who wish to attend within the minimum and maximum age requirements specified in applicable law. Alpha shall be open to all students without regard for the place of residence of students or parents within California except as provided in Education Code Section 47605(d)(2). If oversubscribed by the application deadline, admission to Alpha, except for existing students, shall be determined by a public random drawing in accordance with the preferences given in the next section.

The only enrollment requirement is that students wishing to attend Alpha must follow the school's admission procedures with respect to completing registration forms by the announced deadlines. Application deadlines, which will normally be in the winter for admission the following September, shall be coordinated with local public schools to give students and their parents opportunity to consider the full range of educational opportunities available to them.

There shall be no admission testing or other evaluation required of any applicant. Alpha shall not charge an application fee nor shall it charge tuition [California Education Code Section 47605(d)(1)]. Alpha will neither solicit nor require parent contributions to help fund Alpha's educational programs nor shall it require any monetary contribution as a condition for application, admission, enrollment, or participation in any of the school's required educational activities.

Alpha shall be nonsectarian in its admission and enrollment policies and shall not discriminate against any student on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender expression, gender identity, 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). [Education Code Section 47605(d)(1)].

### **Public Random Drawing and Preferences**

Alpha will annually establish an enrollment window and a deadline by which applications must be submitted. If the number of students who apply to attend Alpha within each grade level by the application deadline exceeds the school's capacity, attendance, except for existing students shall be determined by a public random drawing for each grade level conducted in advance of the start of summer school. During any period of Public Charter School's Grant Program ("PCSGP") funding, the public random drawing shall be handled as a single weighted drawing. In accordance with Education Code Section 47605(d)(2), preference in the public random drawing shall be provided in the following order of descending priority:

1. Siblings of currently enrolled students (During any PCSGP funding, siblings will be considered an "exception" to the single weighted drawing.)
2. Students residing within the boundaries of the District
3. All other students who wish to attend 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 public random drawing. 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 wait-list carry over to the following school year. The order of admission of students at any time during the year shall be based solely on the order of applicants on the admission wait-list. Applications received after the application deadline will be added to the wait-list in the order received.

Alpha and the District mutually agree that the preferences in the public random drawing as listed above are consistent with Education Code Section 47605(d)(2) and applicable federal law and non-regulatory guidance; however, should the preferences require modification in order to meet requirements of the PCSGP, such modifications may be made at the Charter School's discretion without any need to materially revise the charter as long as such modifications are consistent with the law and written notice is provided by the Charter School to the District.

## **Conditions of Enrollment**

Conditions for enrollment at Alpha are communicated in writing to parents throughout the application and enrollment process. The enrollment information guide, registration form, and FAQ are included in Appendix R.

## **Non-Discrimination**

*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)*

Alpha will make attempts to recruit a student population that will be reflective of the school age population of ARUSD. Alpha will engage in a variety of means and strategies to try to achieve a racially and ethnically diverse student population. These strategies will include:

- Enrollment timeline and process that allow for a broad-based recruiting and application process
- Outreach efforts via elementary schools, neighborhood groups, community organizations, churches, and local businesses (See Outreach Plan in Appendix R)
- Each year the School shall review its racial and ethnic balance and these policies to determine which policies and practices are the most effective in achieving a diverse student population

## **Public School 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 Section 47605(b)(5)(L)*

No student shall be required to attend Alpha. Students who opt not to attend Alpha may attend school district of residence schools or pursue an inter-district transfer in accordance with existing enrollment and transfer policies of their district or county of residence. Parents or guardians of each pupil enrolled in Alpha shall be informed that the pupil(s) has no right to admission in a particular school of any local education agency (or program of any local education agency) as a consequence of enrollment in Alpha, except to the extent that such a right is extended by the local education agency.

## **Suspension/Expulsion Procedures**

*Governing Law: The procedures by which pupils can be suspended or expelled—California Education Code Section 47605 (b)(5)(J)*

Alpha will have a comprehensive set of suspension and expulsion policies, which are attached in Appendix S. Additionally, the school will have a schoolwide discipline system, called the STAR System. See a sample STAR System Guide in Appendix T. The discipline system and policies will be printed and distributed as part of Alpha's Family Handbook and will clearly describe the school's expectations regarding attendance, mutual respect, substance abuse, violence, safety, and work habits. Each student and his or her parent or guardian will be required to verify that they have reviewed and understand the policies prior to enrollment. These policies will provide all students with an opportunity for due process and will conform to applicable federal and state law regarding students with exceptional needs.

In the case of students with an IEP, or a student who receives 504 accommodations, Alpha will ensure that it makes the necessary adjustments to comply with the mandates of State and federal laws, including the IDEA and Section 504 of the Rehabilitation Plan of 1973, regarding the discipline of students with disabilities. Prior to recommending expulsion for a Section 504 student or a student with an IEP, Alpha's Principal will convene a manifestation hearing, which will include the IEP team, to determine 1) if the conduct in question was caused by, or had a direct and substantial relationship to the child's disability; or 2) if the conduct in question was the direct result of the LEA's failure to implement the 504 plan or IEP. If it is determined that the student's misconduct was not caused by or had direct and substantial relationship to the child's disability or the conduct in question was not a direct result of the LEA's failure to implement the 504 plan or IEP, the student may be expelled.

## VI. FINANCIAL PLANNING, REPORTING, AND ACCOUNTABILITY

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### **Budgets**

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

Alpha will ensure that it operates using a sound financial model. The five-year budget, cash flow, and budget narrative and assumptions can be found in Appendix U.

The budget demonstrates that when Alpha is fully enrolled with 442 students, there will be no need for private funding. Alpha will operate its basic program on the general purpose entitlement, categorical block grant revenue and Title funding amounts.

### **Financial Reporting**

Alpha has drafted a complete set of fiscal control policies and procedures (Appendix V) for Alpha's operation. Alpha shall comply with all financial reporting requirements of Education Code Section 47604.33 and shall comply fully with Education Code Section 47604.3.

### **Insurance**

Alpha will maintain general liability, workers compensation, and other necessary insurance of the types and in the amounts required for an enterprise of its size and nature for the operation of the school.

Throughout the life of this contract, Alpha shall pay for and maintain in full force and effect with an insurance company or companies admitted by the California Insurance Commissioner to do business in the State of California and rated not less than "A-/VII", very low, in Best Insurance Rating Guide, the following policies of insurance:

1. COMMERCIAL GENERAL LIABILITY insurance, which shall include contractual, products and completed operations, corporal punishment and sexual misconduct and harassment coverage, and bodily injury and property damage liability insurance with combined single limits of not less than \$1,000,000.00 per occurrence.
2. COMMERCIAL GENERAL LIABILITY insurance that shall include coverage for owned and non-owned autos, with bodily injury liability limits not less than \$1,000,000.00 per person, per occurrence and property damage liability limits of not less than \$500,000.00, per occurrence.

3. WORKERS' COMPENSATION INSURANCE, as required by the California Labor Code, with not less than statutory limits.

### **Administrative Services**

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

With the exception of services performed by ARUSD in providing oversight to Alpha as defined by Education Code Section 47604.32, all charter-requested services from ARUSD will be on a pay-for-service basis.

The District may charge for the actual costs of supervisory oversight of Alpha 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 Alpha 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. For purposes of this charter, "revenue of the charter school" means the general-purpose entitlement and categorical block grant, as defined in subdivisions (a) and (b) of Section 47632. Subject to availability, Alpha may request ARUSD services on a pay-for-service basis.

The school reports daily attendance requirements to ARUSD in a format acceptable to the district and state. Required reports regarding daily attendance are completed and submitted to requesting agencies.

All other administrative services will be completed by Alpha employees or through contracted agreements with qualified outside agencies.

### **Facilities**

*Governing Law: The facilities to be utilized by the school. The description of the facilities to be used by the charter school shall specify where the school intends to locate. —California Education Code Section 47605(g).*

Alpha will operate within the boundaries of Alum Rock Union Elementary School District. Alpha wishes to be located on the East side of San Jose, California. A description of Alpha's anticipated facility requirements for the first year of operation is included in Appendix W.

### **Transportation**

The school does not anticipate the need to make arrangements for transportation of the students, except as required by law for students with disabilities in accordance with a student's IEP which shall be handled in accordance with the MOU between the District and Alpha if the school operates as a public school of the District for special education purposes, but solely by

Alpha in accordance with SELPA policy and the IDEIA once Alpha becomes an LEA and a member of the SELPA as intended by this charter.

### **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 independent fiscal audit of the books and records of Alpha will be conducted as required under the Charter Schools Act, section 47605(b)(5)(I) and 47605(m). The books and records of Alpha will be kept in accordance with generally accepted accounting principles, and as required by applicable law and the audit will employ generally accepted accounting procedures. The audit shall be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controllers Guide.

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

It is anticipated that the annual audit will be completed within four months of the close of the fiscal year and that a copy of the auditor's findings will be forwarded to the District, the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. The Principal, along with the audit committee, will review any audit exceptions or deficiencies and meet with the District with regard to resolution of audit exception or deficiencies to the satisfaction of the District and shall report to the Board of Directors of Alpha Public Schools with recommendations. The Board will submit a report to the District describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the District along with an anticipated timeline for the same. Any appeals of audit exceptions will be made to the Education Audit Appeals panel in accordance with applicable law.

The independent fiscal audit of Alpha is public record to be provided to the public upon request.

### **Closure Protocol**

*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 public records. California Education Code Section 47605(b)(5)(P)*

The following procedures shall apply in the event the charter school closes. The following procedures apply regardless of the reason for closure.

Closure of the school shall be documented by official action of the Board of Alpha Public Schools. The action shall identify the reason for closure. The official action will also identify an entity and person or persons responsible for closure-related activities. The Board of Directors will promptly notify parents and students of the School, the District, the Santa Clara County Office of Education, the School's SELPA, the retirement systems in which the School's employees participate and the California Department of Education of the closure as well as the effective date of the closure. This notice will also include the name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure; the pupils' school districts of residence; and the manner in which parents and guardians may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.

The Board shall ensure notification to the parents and students of the school provides information to assist parents and students in locating suitable alternative programs and the manner in which they can obtain a copy of their child(ren)'s student record. This notice shall be provided promptly, within 10 business days following the Board's decision to close the school.

Upon proper notification and request by a new school of attendance, student records will be transferred. During the close out process, all pupil records shall be maintained by the "responsibility entity" designated by the Board. Alpha shall otherwise assist students in transferring to their next school. All transfers of student records shall be made in compliance with the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. §1232g.

Personnel records shall be maintained and transferred in accordance with applicable law by the "responsibility entity" designated by the Board.

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

Alpha will ask the District to store remaining original records of Alpha students. All records of the Alpha shall be transferred to the District upon closure. If the District will not or cannot store the records, Alpha shall work with the County Office of Education to determine a suitable alternative location for storage.

As soon as reasonably practical, Alpha shall prepare final financial records. The school shall also have an independent audit completed within six months after closure. Alpha shall pay for the final audit. The audit shall be prepared by a qualified CPA selected by the school and shall be provided to the District, County Office of Education, and California Department of Education promptly upon completion.



The final audit will include an accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to Alpha.

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

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

On closure, Alpha Public Schools shall remain responsible for satisfaction of all liabilities arising from the operation of the school.

As Alpha Public Schools is organized as a nonprofit public benefit corporation under California law, if Alpha Public Schools will dissolve along with Alpha, the Board shall follow the provisions set forth in the California Corporations Code for the dissolution of a nonprofit public benefit corporation, and shall file all necessary filings with the appropriate state and federal agencies.

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

## VII. IMPACT ON THE CHARTER AUTHORIZER

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

### **Potential Civil Liability Effects**

#### **Intent**

This statement is intended to fulfill the terms of Education Code Section 47605(g) and provides information regarding the proposed operation and potential effects of the Charter School on the District.

#### **Civil Liability**

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

Further, Alpha Public Schools and the District shall enter into a memorandum of understanding, wherein Alpha shall indemnify District for the actions of Alpha under this charter.

The corporate bylaws of Alpha Public Schools shall provide for indemnification of the School's Board, officers, agents, and employees. The School will purchase general liability insurance, Board Members and Officer's insurance, and fidelity bonding to secure against financial risks.

The District shall be named an additional insured on the general liability insurance that Alpha Public Schools maintains for the operation of Alpha.

The Board of Alpha Public Schools will maintain and implement appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

## VIII. CONCLUSION

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By approving this charter, the Alum Rock Union Elementary School District will be fulfilling the intent of the California Legislature.

*Education Code Section 47601. It is the intent of the Legislature, in enacting this part, 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 schoolsite.*
- (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.*

### **Pursuant to Education Code §47605:**

Charter law outlines the criteria governing the approval or denial of charter school petitions. The following excerpt is taken from the Charter Schools Act, Education Code §47605. This excerpt delineates charter approval and denial criteria:

*A school district governing board shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:*

- (1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.*
- (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.*
- (3) The petition does not contain the number of signatures required.*
- (4) The petition does not contain an affirmation of each of the conditions described in Education Code §47605(d).*
- (5) The petition does not contain reasonably comprehensive descriptions of the 16 required charter elements.*

Alpha pledges to work cooperatively with the District to answer any concerns over this document and to present the District with the strongest possible charter proposal requesting a five-year term. Approval of the charter shall be governed by the standards and criteria in Education Code Section 47605.