

ACE Empower

Renewal Charter Petition



Respectfully Submitted to
Santa Clara County Office of Education (SCCOE)
September 18, 2020

For a Requested Charter Term of:
July 1, 2021 – June 30, 2026

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COVER LETTER

September 18, 2020

Santa Clara County Office of Education
1290 Ridder Park Drive
San Jose, CA 95131

Dear Superintendent Dewan, Director Fairley, Associate Director Johnson, and Board of Education,

ACE Empower Academy exists because there are significant numbers of students and families in the Mayfair neighborhood of East San Jose who are struggling. ACE Empower is a middle school that recruits the most disengaged students, and works with them (and their families) until they achieve the skills and personal optimism and confidence to succeed in school and life. This effort is codified in ACE Empower's mission: ***ACE ensures students who are struggling gain the skills and will to succeed in college and beyond.***

This optimism means that teachers and staff at ACE Empower believe that children and families who are not only demographically underrepresented in college, but have a whole array of obstacles between them and academic success, can thrive in school. ACE's focus on building relationships and helping all students see the potential within themselves permeates every aspect of the academic program, staff training, and parent engagement work.

ACE Empower's motto is ***Grow, Everyone, Every Day***, and the motto is the school's expression of its expectation and belief that everyone — not only those who are statistically more likely to succeed — has the capacity to grow and thrive. All work at ACE Empower is founded on a profoundly felt optimism about children, families, and neighborhoods. The ACE Empower culture and academic program is focused on a constant, authentic celebration of incremental progress, both in students' personal demonstration of school and community values as well as their rapid academic growth. At ACE Empower, students develop a fundamental, sturdy sense that their failures will be noticed and addressed, and that their successes will be recognized and rewarded.

The key element of the academic model at ACE Empower is a balance between rigorous standards-based course work and a system of academic and personal supports tailored to the needs of each individual student. This support system takes into account the challenges faced by students who are English Learners, experiencing disability, are from traditionally marginalized

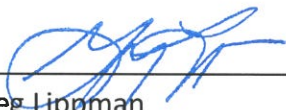
Grow. Everyone. Every Day.

racess and ethnicities, and who need to grow rapidly in order to work their way back toward grade-level proficiency and personal confidence.

Reaching, recruiting and retaining ACE Empower's target students and families takes a comprehensive, "high-touch" community outreach and engagement approach — one that inspires optimism about the possibilities of education and assures parents that their child's individual needs will be met. In order to successfully engage these families, ACE Empower works tirelessly to develop and sustain a deep and authentic connection to the Mayfair community and specifically with its families. ACE Empower's administrators are experienced educators and community leaders who have extensive experience with the ACE target student, and the teaching staff is diverse and includes many teachers and leaders who have personal experience that mirrors the students and families they serve.

On behalf of ACE Empower and the ACE Board of Directors, I submit this petition with gratitude for the opportunity that ACE has been given to serve the students of the Mayfair neighborhood and Santa Clara County. We also submit this in the hope and expectation that ACE can continue to live up to its commitment to its community and help provide a path to success in school for students who will become a model for their families and their neighborhood as they light the way forward for those who will follow in their footsteps.

Sincerely,



Greg Lippman
Chief Executive Officer
ACE Charter Schools

09.18.2020
Date

AFFIRMATIONS AND DECLARATIONS

As the authorized lead petitioner, I, Greg Lippman, hereby certify that the information submitted in this petition for a California public charter school named ACE Empower Academy (“ACE Empower” or the “Charter School”), and to be located within the boundaries of the Alum Rock Union Elementary School District (“ARUSD” or the “District”) is true to the best of my knowledge and belief; I also certify that this petition does not constitute the conversion of a private school to the status of a public charter school; and further, I understand that if awarded a charter renewal, ACE Empower will follow any and all federal, state, and local laws and regulations that apply to ACE Empower, including but not limited to:

- The Charter School shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(d)(1)]
- Ace Charter Schools declares that it shall be deemed the exclusive public school employer of the employees of [INSERT NAME OF CHARTER SCHOOL] for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(c)(6)]
- The Charter School shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(e)(1)]
- The Charter School shall not charge tuition. [Ref. Education Code Section 47605(e)(1)]
- The Charter School shall admit all students who wish to attend the Charter School, unless the Charter School receives a greater number of applications than there are spaces for students, in which case it will hold a public random drawing to determine admission. Except as required by Education Code Section 47605(e)(2), admission to the Charter School shall not be determined according to the place of residence of the student or of that student’s parent or legal guardian within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(e)(2)(B)(i)-(iv). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(e)(2)(C). [Ref. Education Code Section 47605(e)(2)(A)-(C)]
- The Charter School shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other

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

- The Charter School shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities Education Improvement Act of 2004.
- The Charter School shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
- The Charter School shall ensure that teachers in the Charter School hold the Commission on Teacher Credentialing certificate, permit, or other document required for the teacher's certificated assignment. The Charter School may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in the same manner as a governing board of a school district. Teachers employed by charter schools during the 2019–20 school year shall have until July 1, 2025, to obtain the certificate required for the teacher's certificated assignment. [Ref. Education Code Sections 47605(l) and 47605.4(a)]
- The Charter School shall at all times maintain all necessary and appropriate insurance coverage.
- The Charter School shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D).
- If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the Charter School within 30 days if the Charter School demonstrates that the pupil had been enrolled in the Charter School. [Ref. Education Code Section 47605(e)(3)]
- The Charter School may encourage parental involvement, but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the Charter School. [Ref. Education Code Section 47605(n)]
- The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection.

[Ref. Education Code Section 47612.5(a)(2)]

- The Charter School shall, on a regular basis, consult with its parents and teachers regarding the Charter School's educational programs. [Ref. Education Code Section 47605(d)]
- The Charter School shall comply with any applicable jurisdictional limitations to the locations of its facilities. [Ref. Education Code Sections 47605 and 47605.1]
- The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. Education Code Sections 47612(b) and 47610]
- The Charter School shall comply with all applicable portions of the Elementary and Secondary Education Act ("ESEA"), as reauthorized and amended by the Every Student Succeeds Act ("ESSA").
- The Charter School shall comply with the Public Records Act.
- The Charter School shall comply with the Family Educational Rights and Privacy Act.
- The Charter School shall comply with the Ralph M. Brown Act.
- The Charter School shall comply with Government Code Section 1090, et seq., as set forth in Education Code Section 47604.1.
- The Charter School shall comply with the Political Reform Act.
- The Charter School shall meet or exceed the legally required minimum number of school days. [Ref. Title 5 California Code of Regulations Section 11960]



Greg Lippman
Chief Executive Officer
ACE Charter Schools

09.18.2020

Date

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EXECUTIVE SUMMARY

INTRODUCTION

Since it opened in August 2008, ACE Empower has maintained its focus on meeting a community need. ACE Empower came into being in response to urgent advocacy on the part of East San Jose parent leaders for a school specifically designed in the best interest of their students, especially those who were struggling both academically and personally. With those students (and their families) in mind, ACE Empower has always had a clearly defined model focusing on academic growth as well as a culture of optimism and strong relationships that is rooted in the community the school serves, all designed to (in the words of the ACE Mission Statement) **“ensure students who are struggling gain the skills and will to succeed in college and beyond.”**

ACE Empower has achieved the “Middle Track” threshold for charter renewal, as designated by the California Department of Education per Education Code section 47607.2(b)(2). This places it in consideration for a five-year charter renewal – ACE Empower looks forward to serving the community over this potential term, and beyond.¹

TRACK RECORD OF IMPACT AND COMMUNITY CONNECTION

Over the past 12 years and two (2) charter terms, the ACE network and ACE Empower have demonstrated their strong commitment to the students and families of Santa Clara County, and especially those of East San Jose’s Mayfair neighborhood. The educational model and culture are built on the following foundations:

1. **Commitment to Community and Target Student** – ACE Empower holds an unwavering commitment to working with and for its community’s most underserved students and families by establishing a culture of optimism and a college-going trajectory.
2. **Focus on Growth** – The ACE motto is **“Grow. Everyone. Every Day.”** – this applies to the students and the entire ACE organization alike. ACE has been nimble in its response to a changing educational and external landscape – strengthening alignment to the Common Core, bolstering services for English Learners and/or students with special needs, and most recently “flipping the switch” to provide high-quality remote learning immediately after school closure last spring. ACE Empower has a demonstrated commitment to helping students grow through continuous improvement of the school’s programs.

¹ In alignment with the Santa Clara County Office of Education Charter Renewal Matrix, a complete description of the evidence of meeting charter renewal criteria for the Middle Tier is provided in **Element B**.

3. **Strong Organization and Governance** – ACE Empower has the organizational strength to meet its mission and continuously improve its program, with experienced leadership at both the school and central office level. All of the key elements in operations, finances, and governance are in place to ensure that ACE Empower can focus its most important energies on serving students in need.

1. COMMITMENT TO COMMUNITY AND TARGET STUDENT

ACE exists to serve our community’s most underserved students and families by establishing a schoolwide culture of optimism and college-going trajectory for all children. The entire ACE model – community outreach, school culture, and academic program – are aligned to reach and inspire the most underserved families and their children. Everything ACE does – whether it be recruiting new families, hiring and training teachers, or refining its academic program – is driven by the organization’s mission to serve students who have fallen far behind by middle school and families who are marginalized in the existing system.

ACE Empower Target Students and Families

ACE Empower has successfully connected with and recruited students in this neighborhood who almost exclusively come from demographic subgroups that are significantly underrepresented in college. Due to demand for the program it offers, ACE Empower serves these students at a higher rate than found within its home district, the Alum Rock Union Elementary School District (ARUSD) and the neighborhood district middle school, Lee Mathson Middle School (“Mathson”), as well as across both the district and county as a whole.² For example:

- **92% of ACE Empower students are from low-income families, and 98% are Latino**, both of which are higher than ARUSD and vastly higher than County averages
- **63% of ACE Empower students are current English Learners (ELs) and 91% have been classified as English Learners at some point in their academic career**, compared to 38% and 77% respectively at Mathson
- **20% of ACE Empower students are receiving special education services**, as compared to 16% at Mathson, 12% in ARUSD, and 12% county-wide

As is typical of students in underserved subgroups, most ACE Empower students enter ACE significantly below grade level in academic performance. New students entering ACE Empower at the 5th and 6th grade levels have historically taken the NWEA Measures of Academic Progress (MAP) assessment, which provides nationally-normed data vis-a-vis student grade level

² Source for demographic data: www.ed-data.org. For a detailed breakdown of ACE Empower demographics, as well as relevant comparables, please see **Element A, Targeted Student Population**.

proficiency. As seen below in **Figure ES.1**, 2019-20 5th and 6th graders entered either below or far below grade level in their reading proficiency – the gateway to access for all other academic areas – which has been consistent over time with incoming 5th and 6th grade students to ACE.³

Figure ES.1 NWEA Reading Levels Fall 2019

NWEA Reading Levels – Fall 2019		
	Below Grade level	2+ Grades Below Level
Grade 5	70%	22%
Grade 6	57%	32%

Source: NWEA MAP

Partnering with Families

ACE Empower’s demographics, as well as the learning levels of its incoming students, are the result of a concerted, multi-year effort to engage in a transparent and respectful way with the Mayfair community and to listen closely to parents regarding the reasons behind the challenges that their children are facing in their education.

ACE recognizes the crucial role families play in helping their children succeed in school, especially for those children who have had difficulties and enter the complex middle school years with learning gaps. The ACE Empower staffing model includes a full-time Community Outreach Manager as well as several Community Ambassadors who focus solely on ensuring a close, mutually respectful, and supportive relationship between staff and families and ensure that families can work closely and collaboratively with staff and each other.

Next Steps to Advance Commitment to Community and Target Student

ACE Empower is committed to ensuring not only that it serves the Mayfair community, but also has a student population that aligns with similar neighborhood schools within ARUSD as a whole. As a point of comparison, while ACE Empower and Mathson have similar populations of students from low-income families (92% and 93% respectively), the racial and ethnic diversity varies with ACE Empower serving a larger percentage of Latinx students (98%) and Mathson serving less Latinx students (75%) but more Asian (10%) and Filipino (5%) students. ACE Empower is actively working to better reflect this neighborhood composition moving forward, with community engagement efforts including marketing materials in Vietnamese and community outreach in locations that reflect the diverse population of this neighborhood and the district as a whole.

³ All raw data is available for external validation.

Similarly, ACE Empower serves more students with Special Needs overall than both ARUSD and Santa Clara County – and a similar percentage as ARUSD of students who qualify as Moderate-Severe (less than 1%). The higher overall percentage reflects the large group of families in the Mayfair neighborhood who opt for ACE Empower’s inclusion program. In terms of students whose needs are classified as Moderate-Severe – even though ACE rates are similar to ARUSD – a fundamental part of ACE’s community outreach moving forward will be to more deeply and effectively engage with families whose children fall into this category. A focal point in this work for ACE is with students with Autism Spectrum Disorder – while the ARUSD percentage is less than the state average in this area, the ACE Director of Student Services (who specializes in working with this student population) is building an outreach program to engage with and recruit a student population more in line with state and national averages.

2. FOCUS ON GROWTH – HIGHER PERFORMANCE DUE TO PROGRAM IMPROVEMENTS

Over the past three years, ACE Empower has focused not only on attracting its community’s highest-need students, but ensuring that these students grow and thrive. Spurred by internal analysis of student- and school-level data, as well as key recommendations and feedback from SCCOE staff, ACE Empower leadership recognized areas where programmatic growth and expansion were needed. These data-informed shifts have provided students with the support they need to change their academic trajectory and be ready, by the time they finish 8th grade, to succeed in high school, college, and beyond.

ACE Empower has realized three significant areas of student performance success and growth over the 2016-21 charter term, including measurable increases in:

1. ELA and Math Proficiency, especially for the low-income Latino subgroup
2. English Language Fluency, which exceeds the state average for ELs
3. Student Engagement, including high attendance rates, low levels of chronic absence, and steadily declining suspension rates

ELA and Math Proficiency – Sustained Gains Over Time

Given ACE Empower’s mission to help students take initial steps toward college and life success, as well as its focus on serving the highest-need students in the Mayfair neighborhood, it is critical that its students show significant growth toward high school readiness as a stepping stone to reaching longer-term goals.

Based on data and observations from the 2019-20 school year, ACE Empower was on track to show considerable gains in proficiency rates on the California Assessment of Student Performance and Progress (CAASPP) over the prior two years and in alignment with the

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requirements of AB1505. Due to the pandemic, CAASPP testing was canceled in 2019-20, and as a result there are no official SBAC results for 2019-20.

Fortunately, just before schools were closed, ACE Empower administered the state-sanctioned interim SBAC, the **Interim Comprehensive Assessment (ICA)**. As the California Department of Education notes in its description of the ICA:

“Interim Comprehensive Assessments (ICAs) are built on the same blueprints as the summative assessments. The ICAs include the same item types and formats, including performance tasks, as the summative assessments, and yield results on the same vertical scale. The ICAs yield overall scale scores, overall performance level designations, and claim-level information.”⁴

ACE Empower administered the ICA to all students using a “standardized method,” which means that the same protocols and security procedures were used as would be in a normal summative test administration.

8th Grade Proficiency Rates Exceed State, County, District Comparables

The Spring 2020 ACE Empower results on the ICA provide strong evidence of student achievement and growth on the student and schoolwide level.⁵ Given that a significant majority of ACE students enter below grade level (many of them over two years below grade level, as seen in **Figure ES.1** above), their proficiency rates on standardized tests often take several years to increase as even students making considerable growth have not yet caught up to their grade-level peers. However, by the time students reach 8th grade, their progress is readily apparent.

The following analysis of student achievement looks at ACE Empower 8th graders’ performance on the ICA in spring 2020, both from the vantage point of their performance in comparison to similar students (i.e. those in the Low-Income Latino subgroup) in the district, county, and state, as well as tracking their progress over time.⁶ ACE’s 8th Graders in the Low-Income Latino subgroup achieved the following on the 2020 ICA:

⁴ Source: <https://portal.smarterbalanced.org/library/en/interim-assessments-overview.pdf>

⁵ For a detailed overview of the ICA and its validity as an assessment of student performance, please go to this link: <https://www.cde.ca.gov/ta/tg/sa/sbacinterimassess.asp>. All data from the March ICA administered at ACE Empower has been shared with SCCOE. For a detailed explanation of the validity of ICA and the methodology ACE used to collect and analyze student performance data, please see **Appendix 5 – Assessment**.

⁶ Given the ACE Empower student population is 98% Latino and 92% from low-income families, this is the most relevant subgroup when comparing the school locally as well as at a district and state level.

- In ELA and Math, proficiency rates ***significantly exceeded state, county, and district averages***
- In ELA and Math, proficiency rates ***significantly exceeded the results of the most similar students, namely those at the local district middle school***

As is clear in **Figure ES.2** below, 8th grade Proficiency rates for the Low-Income Latino subgroup on the 2020 ICA were very strong:

Figure ES.2 8th Grade Proficiency - Low-Income Latino Subgroup

8 th Grade Proficiency Rates					
	ICA 2020	SBAC 2019			
Low-Income Latino Subgroup					
	ACE	Mathson	ARUSD	County	CA
ELA	42%	33%	35%	32%	34%
Math	33%	14%	20%	20%	21%

Source: <https://caaspp-elpac.cde.ca.gov/caaspp/> and ICA

8th Grade Proficiency Rates Improve over Time

The following data shows that the 2020 results not only exceed state, county, and district comparables, but show growth over time in the following three ways:

1. The 2020 8th grade cohort showed remarkable progress compared to ACE 8th graders in previous years, especially English Learners, whose proficiency rates in English-Language Arts ***nearly quadrupled from 2018 (6%) to 2020 (23%)***, as seen in **Figure ES.3**.

Figure ES.3 8th Grade Proficiency Rates Over Time

2020 8th Graders Compared to 2017-2019 8th Graders				
	2017 SBAC	2018 SBAC	2019 SBAC	2020 ICA
Low-Income Latino Subgroup				
ELA	24%	26%	24%	42%
Math	27%	35%	24%	33%
English Learner Subgroup				
ELA	13%	6%	9%	23%
Math	15%	18%	9%	21%

Source: <https://caaspp-elpac.cde.ca.gov/caaspp/> and ICA

2. In addition, the 2020 8th grade cohort showed growth over time – at their point of entry into ACE Empower (mostly in 5th and 6th grade), this cohort of students entered ACE Empower scoring at very low proficiency rates (<15%). By the time these students reached 8th grade in 2020, they saw those rates grow very significantly, **with some of the most rapid increases coming for those who are English Learners, with ELA proficiency growing from 2% to 23% and Math proficiency growing from 4% to 21%**, as seen below in **Figure ES.4**.

Figure ES.4 8th Grade Cohort Proficiency Rates Over Time

8th Grade Cohort Proficiency Rates (from 5 th -8 th Grade)				
	SBAC			ICA
	5th (2017)	6th (2018)	7th (2019)	8th (2020)
Low-Income Latinos				
ELA	12%	14%	19%	42%
Math	2%	14%	19%	33%
English Learners				
ELA	9%	6%	2%	23%
Math	3%	6%	4%	21%

Source: <https://caaspp-elpac.cde.ca.gov/caaspp/> and ICA

3. The 2020 8th grade cohort also showed encouraging results in terms of those scoring at the lowest level (Level 1) on the SBAC; the percentage of students at ACE Empower scoring at level 1, as seen in **Figure ES.5**.

Figure ES.5 8th Grade Cohort Level 1 Rates Over Time

8th Grade Level 1 Rates 2017-2020				
	5th (2017)	6th (2018)	7th (2019)	8th (2020)
ACE - Low-Income Latino Subgroup				
ELA	71%	56%	60%	29%
Math	76%	56%	66%	47%

Source: <https://caaspp-elpac.cde.ca.gov/caaspp/> and ICA

English Language Fluency – Rates Above State and District Averages

ACE Empower has realized significant gains in English Language Fluency for its students who are English Learners (ELs). The English Language Proficiency Assessments for California (ELPAC) were

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conducted before school shutdown, and as a result there is publicly available data for ACE Empower’s English Learners. As **Figure ES.6** indicates, ACE Empower ELs achieved a progress rate of 49%, which exceeds state and district averages as well as that of the neighborhood. These results are extremely encouraging – ACE Empower is not only serving far more English Learners (63% at ACE compared to 38% at Mathson, 40% in ARUSD, and 22% in Santa Clara County), but is supporting those students to higher levels of growth.

Figure ES.6 English Learner Progress

2018-19 English Learner Progress				
	ACE Empower	Mathson	ARUSD	CA
Met Annual Progress	49%	44%	41%	48%
Increased by 1 or More Levels	47%	37%	39%	43%
Maintained at Level 4	2%	7%	2%	5%
Maintained at Levels 1-3	29%	34%	36%	32%
Decreased by 1 or More Levels	22%	21%	23%	20%

Source: <https://www.caschooldashboard.org/>

Student Engagement – High Attendance, Low Chronic Absence, Declining Suspensions

ACE Empower’s Culture of Optimism shows results in strong student engagement. Key data points that illustrate student buy-in and a growing commitment to their education include:

- A very strong schoolwide attendance rate of 95.53% in 2019-20, which demonstrates an increase over the charter term from the already high rates of 94.07% in 2018-19 and 94.52% in 2017-18.
- A Chronic Absence rate of 17%, which is less than half of the 38% at Mathson, the neighboring district middle school. While ACE Empower continues to work to reduce this rate, nonetheless the fact that ACE Empower cuts the neighborhood rate by over 50% is reflective of significant impact on student engagement.
- A halving of the suspension rate since 2016, reducing it to 8%. Performance as compared to Mathson has varied, as suspension rates at that school went drastically up and then drastically down over the past three years; the Mathson average over that period is 12%.⁷

⁷ There is a one year lag in suspension rates on the California Dashboard, so the data in each year is actually from the year prior (i.e. 2018-19 data is from 2017-18).

MEANINGFUL STEPS TOWARD GROWTH: IMPROVED SCHOOL PROGRAM FOR TARGET STUDENTS

The above student achievement levels were the result of a multi-year effort on the part of ACE Empower students, families and staff. Over the previous two years before 2019-2020, ACE Empower proficiency rates were generally flat; although similar to district and regional trends and performance. While flat performance indicates an annual increase of one year in achievement, there was clearly a need for program improvement that would accelerate this growth in order for students who had fallen behind to catch up and be ready for high school by the time they left ACE Empower.

Guided by SCCOE feedback as well as ACE internal audits and root-cause analysis, ACE Empower has focused its continuous improvement efforts in three areas:

- 1. Teacher training and coaching to improve instruction and classroom culture**
- 2. Infusing English Language Development (ELD) best practices across the curriculum**
- 3. Ensuring quality and compliance in delivery of services for Special Education students**

In addition, due to the onset of the pandemic in March 2020, ACE Empower also invested significant energy into program development in its Distance Learning program, which continues through the present day.

1. Teacher Training and Coaching

Starting in the 2017-2018 school year, to ensure that teachers and school leaders had access to training and coaching around instructional best practices and using data to drive decision-making, ACE Empower launched a partnership with the Relay Graduate School of Education (“Relay”). The Relay mission is to train teachers and school leaders in how to develop all students’ academic skills and personal strength to be prepared for college and life. The partnership includes specific professional development sessions and follow-up coaching for both school leaders and teachers in School Culture, Observation and Feedback, Data-Driven Instruction, Lesson Planning, and the design of internal data meetings and coaching sessions. As part of this initiative, ACE Empower revamped its staffing model to ensure that 100% of teachers receive weekly coaching and feedback from a designated Instructional Coach (Principal, Assistant Principal, or Lead Teacher).

In order to realize this model – and ensure more rapid change – additions and transitions were made to the school leadership team. Ms. Lisamarie Reid was named Principal, bringing an extensive background and demonstrated achievement through high-quality instructional leadership. Mr. Danny Gonzalez-Meza was promoted to Assistant Principal of Student Services, bringing with him a strong capacity in developing positive school culture. Finally, Ms. Reissa

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Noriega joined the team as a School Leader Resident to provide specific guidance and support around implementation of the Smarter Balanced Assessment (SBAC) Interim Assessment Blocks (IABs) and Interim Comprehensive Assessment (ICA), as well as coaching and support for teachers.

In tandem with this investment in teacher development, ACE Empower also fundamentally improved its ability to use data to tailor and refine instruction to meet individual student needs. In 2018, ACE Empower adopted the SBAC IABs as its formative assessment tool and ICA as its summative assessment tool.⁸ Unlike ACE Empower's previous assessment system, these assessments are fully aligned to the Common Core State Standards (CCSS) and provide comprehensive assessments of college- and career-ready knowledge and skills to better assess not just knowledge, but growth toward mastery. Simultaneously, ACE Empower adopted EngageNY, a fully CCSS-aligned and nationally recognized curriculum for Math and English Language Arts. ACE Empower teachers hold weekly Data Meetings to review student work and assessment results to adjust and differentiate classroom instruction.

Next Steps for Teacher Training and Coaching

To deepen understanding of the CCSS and teachers' intellectual preparation for implementing this curriculum, ACE Empower has registered all instructional leaders/coaches in Unbound Ed's Standards Institute to provide further professional development training around understanding the CCSS.⁹ Due to COVID-19, this work is on hold, but will begin again in earnest once the Standards Institute returns.

2. English Language Development (ELD)

Given that 91% of ACE Empower students speak English as a second language – and 63% of students are currently designated as English Learners – developing proficiency in the English language is paramount. Over the past several years, ACE Empower has developed and implemented a plan for strengthening both Integrated and Designated English Language Development (ELD) which is seeing very encouraging results. Ms. Flor Esquivel, ACE Empower's ELD Lead Teacher, has led the following core initiatives

- The integration of ELD standards across the curriculum
- Strengthening of both Integrated and Designated ELD instruction
- A much-improved reclassification process that is part of a top-to-bottom revamp of the processes and protocols of the English Learner program as detailed in the new Empower

⁸ More information available at: <https://www.smarterbalanced.org/assessments/interim-assessments/>

⁹ More information available at: <https://www.standardsinstitutes.org/>

English Learner Handbook.¹⁰

The above initiatives complement programmatic steps taken by ACE Empower over the last several years, which include:

- Participation in SCCOE’s Professional Learning Series “Access for ALL” by Dr. Yee Wan from SCCOE’s Multilingual & Humanities Education Department for guidance on best-practices for the design of an Integrated and Designated ELD program
- Adoption of Kate Kinsela’s [English 3D curriculum](#), to support student acquisition of academic English
- The design and adoption of new reclassification procedures.

Next Steps for ELD

ACE Empower has a significant percentage of students who are long-term English learners. As such, the school will be working to deepen understanding of the conditions that cause students to be considered long-term English learners in middle and high school. While the school has realized strong overall growth for ELs (higher than the state average), there are still students whose performance is at the lower levels or declines. Next steps will be to ensure that the Integrated and Designated ELD programs work in conjunction to support students in progressing in levels of English fluency, with a focus on students who are not making progress and are - or at risk of becoming - long-term English learners. Additionally, ACE Empower is exploring the development of a newcomer program that provides a clear pathway toward mainstream classes with a curriculum designed to assess needs and monitor progress in foundational literacy skills in English. Finally, ACE Empower is working to increase the number of staff who are certified to teach ELD.

3. Quality and Compliance in Special Education

Given that ACE serves a much higher percentage of students with special needs than the district, county, or state, ensuring strong service provision and compliance in its Special Education program has been a priority for ACE Empower. Over the last several years, ACE Empower has bolstered its staffing model, starting with the addition of a full-time on-site Behavior Intervention Specialist, Russell Smith, as well as paraprofessionals to supplement the work of teachers, then followed by the hiring of network-level expertise in the form of a new Director of Student Services, Lucas Kelleher. Most recently, Thuyhong Nguyen, a bilingual Vietnamese Special Education teacher, joined the ACE Empower team to further improve the Special Education program, as well as to assist in the recruitment and support of linguistically diverse

¹⁰ Please see **Appendix 3 – Serving All Students** for the English Learner Handbook

students.

ACE Empower has improved its service delivery model to shift towards a responsive delivery model and has systematized the entire program through a revamped ACE Special Education Procedural Manual.¹¹ ACE Empower has developed a comprehensive Special Education File Review and IEP Audit Plan to ensure compliance, but also to move out of the CDE and federal monitoring processes. All of this work is bearing fruit – after one year of implementation, ACE Empower was moved out of “State Performance Plan Indicator 10: Disproportionality” due to the successful implementation of goals in the school’s Performance Indicator Review Plan.

Next Steps in Ensuring Quality and Compliance in Special Education

In new developments that will benefit all students and especially students with Special Needs, ACE Empower is also in the midst of launching a comprehensive student support model in line with the current Multi-Tiered Systems of Support (MTSS) for general education systems to assist in child find. Furthermore, a new comprehensive mental health plan is in place to better serve students, with wrap-around mental health services and counseling offered to students and families by the school counselor, along with several counseling interns. The mental health plan includes a counseling scope and sequence to better support the mental health of all students and to further develop ACE’s levels of student support implementation. The team has also been strengthened by the addition of Breenu Sra, a highly experienced School Psychologist and MFT Counselor, to assist in the programmatic improvement of Special Education and Mental Health Counseling at ACE.

4. Pivot To Distance Learning To Serve All Students

One clear recent example of how ACE Empower responds to changing student needs, family voice and input, and academic performance data was the rapid transition to a full distance learning program. ACE Empower responded virtually immediately – school closure was announced on Friday, March 13, and by the following Monday, March 16 the school had shifted to virtual learning. The ACE Empower distance learning program is designed to ensure the safety of both students and staff, while addressing equity and educational gaps and guaranteeing access for all.¹²

ACE Empower parent and student response to the Distance Learning program (based on surveys conducted between April and June 2020) was overwhelmingly positive:

- **Students** – When asked whether the ACE Empower program “fosters a culture of

¹¹ Please see **Appendix 3 – Serving All Students** for the Special Education Procedure Manual.

¹² Please see **Appendix 1 - School Day and Year** for the ACE Distance Learning Plan

optimism about me and my future,” 71% of students agreed/strongly agreed, 26% somewhat agreed, and only 2% disagreed. And 74% of students agreed/strongly agreed, 21% somewhat agreed, and only 5% disagreed when asked if “teachers and staff care about my family and me.”

- **Parents** – When asked about their level of satisfaction with the distance learning program, 69% were quite or extremely satisfied, 19% somewhat satisfied, and only 14% slightly/not satisfied. And when asked about the support they received, 83% were quite or extremely satisfied, 14% somewhat satisfied, and only 3% slightly/not satisfied.

However, there were several key learnings from the spring that have guided on-going program development for distance learning. Key new developments include:

1. **Connection** - Increased opportunities for student and family engagement and relationship-building, especially through expanded synchronous learning where students and teachers can interact directly
2. **Supports** - Roll-out of a revamped Multi-tiered Systems of Support (MTSS) Program focused on students’ social-emotional well-being, in addition to academic interventions for struggling students. Starting the year with a trauma inventory survey, and continuing through the year with regular wellness surveys and a formal Case Study process, the ACE Empower team will design levels of social-emotional support with various counseling and engagement interventions. This process will be enhanced by the new ACE Counseling Internship program to support counselors by increasing capacity to serve more students.
3. **Curriculum and Instruction** - Enhanced curriculum resources, training, and tech tools for teachers specifically designed for the distance learning environment, including continued development and refinement of the academic program as well as assessments that can be deployed remotely to track student progress and support re-teaching and intervention strategies. Parents are also receiving on-going training and support at schoolwide events like Virtual Cafecitos with school leadership and one-on-one sessions with teachers and other support staff.
4. **English Language Development (ELD)** - Continued focus on ELD, with an Integrated ELD instruction model where all teachers incorporate and address ELD standards across all content areas with lesson-level focus on addressing the four domains of language acquisition and strategies to address all levels of language proficiency. Each teacher will be working from a revised, updated and expanded ACE English Learner Program Handbook to assist in planning, lesson development, and implementation to support student growth.
5. **Technology** - Increased investment in technology, ensuring all ACE students receive the technology needed to participate in all distance learning activities. This includes a 1:1

Chromebook distribution. For teachers, ACE Empower invested in a new student learning management system, Schoology, as well as sound and video equipment and software facilitation tools for teachers.

STRONG ORGANIZATION AND GOVERNANCE

ACE has established itself as a fiscally and organizationally sound institution. This includes an experienced, committed leadership team, fiscal accountability and a governance structure that is responsible and responsive to the community..

Effective, Experienced School Leadership

The ACE Empower Leadership Team brings a depth of experience in support of ACE students and families, with a demonstrated track record of commitment to all students and success in helping students prepare for high school, college, and life success.

Lisamarie Reid, Principal

Ms. Reid has almost twenty years of experience working in urban education. She began her teaching career in 2002 as a New York City Teaching Fellow (NYCTF), leading a classroom and obtaining her Master’s Degree in Education. Ms. Reid spent the first ten years teaching at a public school in the Highbridge community of the Bronx, NY, “one of the poorest communities in America” and with a significant population of Latino and African-American families. In 2013, Ms. Reid transitioned to a charter school in Brooklyn, NY working as a teacher and then Dean of Instruction where she led her students in achieving the highest math state scores within the network. In 2017, she moved to San Jose, CA to work as an Assistant Principal at Alpha Cornerstone, increasing NWEA MAP mastery by twenty percent for grades 5-8, while also leading the network with the highest data for SBAC assessments. In 2019, she took the lead as the Principal at ACE Empower. In her first year, students made significant academic gains and overall school culture and parent engagement increased as well.

Daniel Gonzalez-Meza, Assistant Principal

Mr. Gonzalez-Meza began his experience in urban education as a summer school teacher at George Washington Carver Middle School in South Los Angeles, after which he began teaching at KIPP Bayview Academy in the Bayview/Hunter’s Point district in San Francisco. In 2018, he moved to East San Jose to work at ACE Empower Academy, where the student demographics are very similar to his previous schools. Since he shares the same background as many of his students (migrant, low-income, Spanish-speaking

families), he has been able to provide resources, guidance, academic, and emotional support to the students and their families - and serves as an important role model for students. Mr. Gonzalez-Meza is now entering his seventh year in education and hopes to continue working in the same communities for years to come.

Reissa Noriega, School Leader Resident

Ms. Noriega experienced first hand what it's like to grow up in urban education, attending an elementary School in which the majority of students came from socio-economically disadvantaged homes. Because of her experience, she wanted to work with students who came from a similar background which brought her to ACE Empower Academy as a Teach for America teaching fellow in 2014. She has created relationships with families and students, rooted in shared personal experiences, and seeks to ensure they feel supported and given the necessary tools to be successful. She is passionate about molding students to have a growth mindset and to show them that they are capable of more than they think. As she states, "ACE Empower is my home because these students need to see that your circumstance doesn't define you and that you can be anything that you aspire to be."

For more information on the ACE Empower team, please see **Element D** and **Appendix 10 - Organizational Team**.

Fiscal and Operational Accountability

ACE Empower, through the implementation of well-designed operational and fiscal protocols and controls, has a strong financial and compliance foundation that provides all necessary support for the academic program and ensures that the school is in good standing with all relevant authorities.

Despite experiencing declining enrollment over the last several years due to the hypergentrification occurring in the East San Jose neighborhoods served by the school, ACE Empower comes into the 2020-21 fiscal year on very firm financial footing:

- **Clean audits** – Over the renewal period, ACE has received clean audits with no management comments or material adjustments to the unaudited financial statements, for all years from 2016-17 up until 2018-19.
- **Strong reserves** – From 2016-17 onwards, ACE Empower has maintained reserves in excess of \$900,000 consistently, with ~\$980,000 in reserves (28% of revenues) expected for 2019-20. Reserves have been very strong and in excess of 20% consistently.
- **Strong cash balance** – ACE Empower has consistently maintained a positive cash balance

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and has not borrowed any operating working capital financing to maintain the positive cash balance. Cash balance at the end of 2019-20 is \$805,000 which is strong despite the institution of cash deferrals in June 2020.

- **Long-term facility with bond financing** – ACE successfully closed \$13.3M in public tax-exempt 35-year Bond financing in November 2016. The proceeds from the Bond allowed for the refinancing of ACE’s prior term financing and allowed for the addition of the Student Union at ACE Empower (a highly functional and well-used meeting and educational space for staff and students and has also served as a venue for Community events). ACE has consistently met all Bond debt service requirements, has met all financial covenants under the Bond agreement and has also met all reporting requirements on a timely and accurate basis.
- **Strong financial compliance** – ACE has consistently delivered financial results over the last 4 years (including 2019-20) that have complied with liquidity and net income and assets covenants under its Line of Credit agreement with Heritage Bank which provides operating capital for the school while waiting for public funding to be disbursed.
- **Strong student retention and attendance rates** – Over the last 3 years student retention (as in students returning for the next year at ACE Empower) has averaged 88% and was at 90% for the 2019-20 school year. In 2019-20 the P2 and PA attendance reports showed a 95.53% attendance rate. This is an improvement over the 2017-18 and 2018-19 attendance rates of 94.03% and 94.52%
- **Compliant, timely reporting** – ACE Empower maintains fully compliance with all local, state and federal requirements for reporting (including Attendance, CALPADs, SARC, LCAP and other mandated reporting) in timely, accurate fashion

Governance and Organizational Leadership

The ACE Board of Directors is composed of talented education and industry leaders who bring a commitment to the ACE community as well as deep expertise to their work on the Board. The board members include grassroots and educational leaders (i.e. *Elizabeth Alvarez*, Director of the Franklin-McKinley Children’s Initiative, Community Leader and ACE Parent *Irene Moran Iboa*, or *Dr. Linda Murray*, former Superintendent, San Jose Unified) as well as experts from such fields as finance, non-profit leadership, and organizational strategy. Since opening ACE Empower’s doors in 2008, the Board has demonstrated its capacity to maintain the fiscal and organizational strength of the school and organization as a whole. Board Members, along with their professional experience and role on the Board are as follows:

- **Eric Gonzales, Board President**
Managing Director at Montage Capital
- **Kevin Kaefer, Treasurer**
Partner at Petrinovich Pugh & Company, LLP
- **Dr. Linda Murray, Secretary**
Strategic Advisor, XQ Institute, former Superintendent, San Jose Unified School District
- **Elizabeth Alvarez, Member**
Managing Director, Catholic Charities of Santa Clara County
- **Jill Case, Member**
Director of Student Assignment and Demographics, San Jose Unified School District
- **Larry Kuechler, Member**
Partner, Armanino LLP
- **Anil Kumar, Member**
Managing Partner, Mindspan LLC
- **Dr. Mary Lairon, Member**
Former Associate Superintendent of Educational Services, Mountain View-Whisman and Redwood City Elementary School District
- **Annette Lorenz, Member**
Former Business Development Manager, Hewlett Packard
- **Irene Moran Iboa, Member**
Field Specialist, Pacific Gas & Electric; ACE Parent
- **Susan Suarez-Madson, Member**
Education Consultant; Former Site Director at Braven, College Track
- **Tania Wilcox, Member**
Program Director, Partner College and Scholar Programs, thedream.us

The ACE Board is complemented by a network-wide management team that has decades of experience in urban education and non-profit leadership. Senior Management Team members include:

Greg Lippman, Founder and Chief Executive Officer

Mr. Lippman joined ACE in 2007 as Executive Director, after a long history of working with public schools in San Jose. Mr. Lippman was the co-founder of Downtown College Prep (DCP) and the Founding Principal of DCP El Primero High School a charter high school in San Jose USD (and 1st ever charter school authorized in Santa Clara County) whose mission is to help low-achieving students become the first in their family to graduate from a four-year college. Mr. Lippman has experience and expertise in many aspects of

creating and sustaining new schools, especially standards-based academic program and school culture design, teacher and administrator development, and community outreach. Before joining DCP, Mr. Lippman spent 8 years in the classroom as an English and ESL teacher in San Jose and East Palo Alto. Mr. Lippman received his BA in English Literature from Princeton University and his Masters in the Arts of Teaching from Stanford University.

Nath Mahalingam, Chief Financial Officer

Mr. Mahalingam has over 20 years of finance experience working for Fortune 100 companies General Electric and Textron, Arthur Andersen and various nonprofits including the KIPP Foundation and joined ACE in 2015. Mr. Mahalingam's varied finance and organizational experience spans the following areas: Strategic Financial Planning and Budgeting, Forecasting and Financial Performance Updates, Grant Reporting, Organizational & Business Strategy, Transaction Structuring and Execution, Process Improvement and Controllorship Enhancement. Mr. Mahalingam has worked in both large corporate and smaller entrepreneurial environments (private and nonprofit) and has led and managed small and large teams on strategic organizational initiatives. Mr. Mahalingam received his MBA from the University of Rochester, and also received his Chartered Accountant (CPA-equivalent) license in India and Bachelors in Accounting & Economics from Sydenham College in Mumbai, India.

Vu Long Trinh, Chief School Officer

Vu Long Trinh has spent the last 15 years working in the highest-need schools, serving some of the most underserved students. After spending his early career at Envision Academy in Oakland working with students with severe emotional or learning needs, Mr. Trinh joined the ACE team as the principal of ACE Empower Academy in 2015. Though it was difficult for him to leave Oakland and Envision Academy, he was excited to return home to San Jose, where he grew up, attending San Jose public schools, and where his two children were born and currently live. In 2017, Mr. Trinh was promoted to ACE's Director of Schools and was recently promoted to Chief Schools Officer while continuing to oversee ACE's academic program. Mr. Trinh has a BA in Ethnic Studies from the University of California, Berkeley and an Education Specialist credential from San Francisco State University. Mr. Trinh received his Master's Degree in Educational Leadership and school leadership administrative credential from CSU East Bay and his MBA from CSU Monterey Bay. In all his years in education, having the ability to continue to provide and push the ideas of agency and self determination to the most needy

students continues to be his motivation in working with and developing students.

For more information on the ACE central office team, please see **Element D** and **Appendix 9 - Organizational Team**.

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ELEMENT A – EDUCATIONAL PROGRAM

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

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

MISSION

ACE Charter Schools and ACE Empower Academy help historically underserved students in traditionally low-income communities transform their academic trajectory toward college success. The ACE mission, which is the same as ACE Empower’s mission, is: **“to ensure students who are struggling gain the skills and will to succeed in college and beyond.”**

ACE Empower is a 5th-8th grade middle school with the capacity to enroll approximately 200-400 students, which seeks to serve students who are traditionally under-represented in college. The common goal for all students is that they will develop the skills, knowledge, and work ethic to thrive in a rigorous college-prep high school curriculum and then choose to attend college.

2020-25 STRATEGIC PLAN

ACE Charter Schools and ACE Empower are committed to a cycle of continuous improvement in support of its mission. After an 18-month process – which involved hundreds of hours of stakeholder interviews, focus groups, and meetings that brought together staff, families, and board members – the ACE Charter Schools Board of Directors formally adopted its ACE Strategic Plan 2020-25 in June 2020. This Strategic Plan provides a roadmap for ACE Empower (as well as the ACE network staff who support ACE Empower) to meet the school’s mission and continue to

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increase its level of service to students and families in the next five years and charter term.¹³

Despite the fact that work on this Strategic Plan began before the pandemic upended our society and public education system, ACE as a whole and ACE Empower specifically remain committed to the vision, mission, and values of the plan. The following is an overview of the key elements of the Strategic Plan, which includes the Mission Statement above and builds on the learning of 12 years serving East San Jose families. It sets a clear path forward to engage in a process of continuous improvement in keeping our commitments to the community ACE Empower serves.

Vision

Students excel in an equitable educational system that equips them to make transformative choices for their families and our communities.

ACE's vision for student success is that graduates are equipped "to make transformative choices for their families and our communities." The pandemic has only heightened the critical importance of this vision, and of ACE Empower's work in supporting students to become independent learners who can act in ways that both benefit themselves and their families and shape a more just society.

Motto

Grow. Everyone. Every Day.

At ACE, students' success is measured by their growth. The expectation of growth is not limited to just the students – the entire school community is expected to strive to continue to challenge one's self. The ACE motto of *Grow. Everyone. Every Day.* exemplifies this belief and commitment. At any given point within the school year, students should know if they are on-track to achieve growth academically, socially, and emotionally. In order to do so, students must be supported in developing a knowledge of self that specifically includes evaluating their strengths and areas of challenge. It is this knowledge that enables students to work with staff to make an informed plan for their growth across these dimensions. As students realize these goals, they develop agency and ultimately the confidence to be successful in high school, and, if they choose, college as well.

Core Values

The ACE Empower community holds four core values that provide the guiding principles and lead staff in their work in and out of the classroom.

¹³ Please see **Element A** for how the Strategic Plan informs the educational program at ACE Empower and **Element B** for how the Strategic Plan informs the school's Measurable Pupil Outcomes.

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- **We believe every student has the boundless capacity to thrive**
All students, regardless of circumstances, have the potential to excel in school and life. In order to help students reach their potential, we collectively maintain rigorous standards for students and staff inside and outside the classroom.
- **We take responsibility for student success**
Every staff member at ACE focuses on empowering our students to navigate their internal and external challenges by providing effective, sustainable academic and personal development and learning opportunities.
- **We celebrate growth**
We Grow Everyone Every Day by fostering a culture of optimism where our whole community takes pride in student and staff progress. We look for growth and transformation and students' development into young people who demonstrate self-efficacy and college-ready confidence.
- **We believe strong relationships lead to student success**
We believe relationships are the fundamental lever of generational change; staff, families, and our communities are the agents of that change. ACE is committed to an interconnected school community based on genuine respect and compassion where relationships are integral to the success of all.

The work at ACE Empower to meet its mission is guided by these values: a belief in student potential, a commitment to taking responsibility for student success, celebration of personal and academic growth, and an understanding that staff relationships with students and community are a vital part of any lasting, positive change.

Key Priorities

Based on feedback from all stakeholders, ACE Empower (and the entire ACE organization) has set three priorities for the work of the next five years. These priorities are:

- **Priority 1: Effective School Model for Target Student**
Provide a learning environment that equitably supports and prepares all students, especially those facing significant academic and personal challenges, for college and life success
- **Priority 2: Strong Systems to Support Organizational Impact**
Provide staff with the information, support and resources necessary for them to ensure

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students meet academic and personal goals

- **Priority 3: Sustainable, Effective Organizational Model to Maximize Success of Target Students**

ACE will secure necessary resources and networks for organizational viability and to continue to grow the number of target students whose school meets their specific needs

In each of these areas, ACE and ACE Empower have leveraged a data-driven practice to conduct a root cause analysis. Practices that are working and should be further leveraged have been identified, as well as practices that are not realizing the intended results and need to be modified or replaced in order to promote continuous improvement.

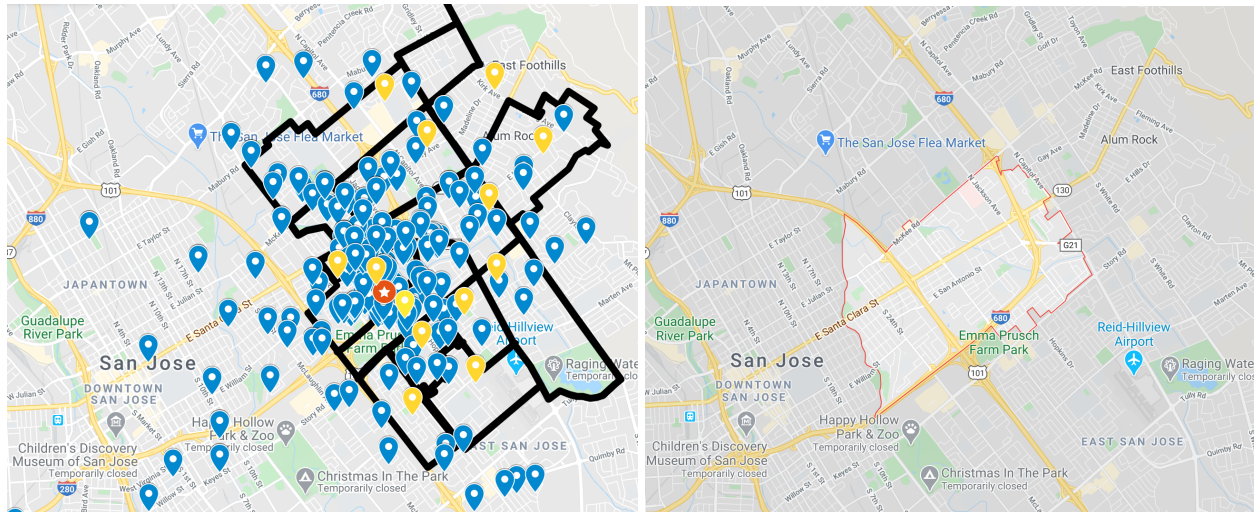
TARGETED SCHOOL POPULATION

ACE Empower is a small college-prep 5th – 8th grade middle school serving all students who wish to attend, subject only to capacity. The school actively recruits and focuses its educational programming on ensuring that all students – and especially students who have been traditionally underserved in elementary school and for whom attendance at four-year colleges or universities is the exception instead of the norm – are on track for high school and college success when they leave ACE. As such, it operates as part of the ACE network 5th – 12th grade pipeline, with many graduates continuing on to ACE High School for 9th – 12th grades.

The ACE network focuses on serving students who live in the under-resourced neighborhoods of Santa Clara County, where significant sub-groups of students at local traditional middle school are not reaching grade-level proficiency on state tests in English-Language Arts, Math, and other subjects. ACE Empower, unlike many other charters, draws the vast majority of its students from its local neighborhood, the Mayfair neighborhood, in the 95116 zip code.

Figure A.1 Provides a “Heat Map” of student residences, as well as the boundary lines for the elementary feeder schools within Alum Rock Union Elementary School District (ARUSD) on the left and then the boundary for the 95116 zip code on the right. A full size version of these maps is provided in **Appendix 9 – Student Recruitment, Admissions, and Enrollment**.

Figure A.1 ACE Empower Student Enrollment¹⁴



While it has a long history of activism (for example, Cesar Chavez began his organizing work at a church there), the Mayfair neighborhood suffers from systemic marginalization and decades of being underserved. These patterns are reflected in the following data, gathered in a 2009 study of the neighborhood:

- **Population Density** – There are over twice as many people per square mile in Mayfair than found in San Jose as a whole.
- **Income Level** – 90% of students in Mayfair qualify for Free or Reduced Lunch and 18% of families live below the poverty level.
- **Educational Attainment** – 80% of the parents have not completed high school – of the remainder, high school was the highest level of educational attainment for another 15%. Of current students, the neighborhood holds one of the lowest college graduation rates in the city and state at just 4%.
- **English Fluency** – Over a third of Mayfair residents are not fluent in English (35.5%), compared to just 12.9% in San Jose as a whole.

In addition, this neighborhood has been disproportionately affected by the COVID-19 pandemic. More than a third of the first 100 deaths in San Jose lived in just four ZIP codes in East San Jose,

¹⁴ As is illustrated on the “heat map,” the school that “students would otherwise attend” is Lee Mathson Middle School (Mathson), which is part of ARUSD. Mathson is also the closest middle school in terms of physical proximity to ACE Empower. As such, it will be used as the primary comparison along with averages from ARUSD as well as Santa Clara County where applicable and available.

with the Mayfair zip code of 95116 having the greatest number of deaths.¹⁵

Age, Grade, And Student Enrollment

As stated in the Mission section above, ACE Empower is a 5th – 8th grade middle school with the capacity to enroll approximately 200-400 students. As has been seen across San Jose, students and families are increasingly being pushed out of the region due to rising cost of living and gentrification. The COVID-19 pandemic has added increased strain on families. This has resulted in a decrease in enrollment over the last charter term, to which ACE has adapted and developed a sustainable budget. In the next charter term, it is the intention of ACE Empower to serve between 200 and 250 students each year. However, should more students and families than anticipated seek enrollment at ACE Empower, the school retains the ability to enroll up to 400 students. The 2016-2021 charter petition was approved for a student population of 450 – 600 students; this charter petition suggests a reduction to 200 – 400 students, which mirrors the local enrollment environment and is financially and operationally achievable and sustainable for ACE.

The enrollment plan for the next charter term in particular, including baseline enrollment numbers from the current year, is outlined in **Figure A.2**, which will be followed as state and federal funding and parent community needs allow. Policies and procedures to ensure all students who wish to enroll are able to do so, limited only by capacity, are detailed in **Element H**.

Figure A.2 Enrollment Plan

Grade	School Year					
	2019-20 ¹⁶	2021-22	2022-23	2023-24	2024-25	2025-26
5th	28	30	30	30	30	30
6th	62	55	60	60	60	60
7th	71	70	70	75	75	75
8th	83	65	65	65	65	70
Total	244	220	225	230	230	235
Growth	Baseline	-24	5	5	5	5

¹⁵ Source: <https://www.mercurynews.com/2020/05/10/coronavirus-deaths-east-san-jose-poor/>

¹⁶ 2019-20 is used as the baseline, given it is the most recent verified enrollment numbers at the time of submission.

Demographics

ACE Empower shall strive, through recruitment and admissions practices, to achieve a racial and ethnic balance among its student population in terms of race, ethnicity, English learner status, and special education status that is reflective of the general population residing within the neighborhood served, under the territorial jurisdiction of ARUSD. However, because of the school’s specific target student and its location, the school’s racial, ethnic, EL, and special education student balance will naturally vary from ARUSD and even the County as a whole. Specifically, and as discussed above, unlike many other charter schools ACE Empower draws its students predominantly from the local neighborhood of Mayfair and the 95116 zip code.

Reflective of their neighborhood, ACE Empower students come from demographic subgroups that are significantly underrepresented in college. And due to demand for the program it offers, ACE Empower serves these students at a higher rate than found in the closest neighborhood school, Mathson Middle School, and across both the local district, ARUSD, and the County, as seen in **Figure A.3**. While there is an “over representation” of low-income Latino students, English Learners, and students with special needs there is also a clear reason – those students and families are applying to ACE Empower because they want something different for their students. ACE sees it as an asset – not a liability – that the most marginalized students and families in our community are seeking enrollment at ACE Empower.

Figure A.3 Student Demographics

2018-19 Student Demographics				
	ACE Empower	Mathson	ARUSD	County
Low-income	92%	93%	82%	36%
Latino	98%	75%	79%	39%
English Learner (EL)	63%	38%	40%	22%
Ever EL	91%	77%	72%	53%
SPED	20%	16%	12%	12%

Source: www.ed-data.org

With this said, ACE Empower is committed to working on diversification and representation in alignment with County recommendations over the next charter term. This includes:

- **Ethnic Diversity** - Increased ethnic diversity, to better reflect the diversity found at the closest District middle school. This specifically includes outreach to Asian and Filipino students and families, which represent 10% and 5% of the neighborhood school respectively. As part of this effort, all recruitment materials are now translated into

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Vietnamese and interpretation is provided during recruitment events. Community centers and gathering places for Asian and Vietnamese students and families are now identified within the annual outreach plan.

- **English Learners** - Families who have been marginalized due to their English language proficiency are attracted to ACE Empower, which provides the systems and structures to fully involve these families. As a result, the school expects to continue to receive a high volume of applications from this subgroup. With this said, ACE Empower has developed and implemented robust Integrated and Designated ELD programs over the past several years. It is ACE Empower's goal that while the "Ever EL" percentage may remain high, that the EL percentage is able to decrease as students are reclassified.
- **Special Education** - ACE Empower serves a slightly higher percentage of students with special needs than the closest District school and about the same percent of students who are classified as "Moderate-Severe" as the District. In the next charter term, ACE Empower will hold a focus on searching and serving students who are on the Autism Spectrum as these students do not automatically qualify as "Moderate-Severe" but are served at a lower rate than the District.

Additional details on work to attain Student Population Balance are detailed in **Element G**.

ATTENDANCE REQUIREMENTS

ACE Empower will expect and instill the value of daily attendance in its students – as a regular practice and in particular during the uncertain times of the pandemic within which this renewal charter is being submitted.

ACE Empower shall maintain accurate and contemporaneous written records using a student information system that documents all pupil attendance and will make these records available for audit and inspection. Furthermore, it will annually develop an attendance-reporting calendar to provide the chartering authority with attendance reports as required in the MOU.

Furthermore, ACE Empower shall offer, at a minimum, the number of minutes of instruction set forth in Education Code section 47612.5 (except when otherwise required by law), and the number of school days required by California Code of Regulations, title 5, section 11960. This requires, at a minimum, 54,000 minutes for students in 5th through 8th Grade and a minimum of 175 school days.

School Day and Year

The ACE Empower school year typically begins in mid-August and ends in the first few weeks of June. The daily schedule typically runs 8:00 am to 2:50 pm Monday, Tuesday, Wednesday, and

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Friday, and 8:00 am to 1:40 pm on Thursday, when students are released early to provide time for teacher professional development. In addition, Office Hours are provided 3:00 pm to 4:00 pm Monday, Tuesday, Wednesday, and Friday to provide additional tutoring for students.

The school's calendar and daily schedule may change annually, but will be subject to Board approval to ensure the school is in compliance with required minutes and days. Such changes shall not be considered a material revision of the charter. The school calendar, bell schedule, and calculation of instructional minutes will be submitted to the chartering authority by July 1 of each year for the following school year. If summer school, extended day, or intersession programs are offered then calendars and bell schedules for these programs will be submitted as well.

In addition, the current pandemic or a future health emergency or natural disaster may require further changes based on the requirements of state and local education and health agencies.¹⁷ Any changes will be made in full alignment with those requirements and submitted to the required agencies as legally required, as well as to the ACE Board of Directors.

Please see **Appendix 1 – School Day and Year** for the ACE Empower School Calendar and Daily Schedule during Remote Learning.

Mode of Delivery

ACE Empower offers a classroom-based learning environment as its regular mode of delivery. If circumstances require (e.g. health needs), Independent Study is offered on a limited, short-term basis to existing students.

ACE Empower has developed, implemented, and continues to refine its Remote Learning Plan to provide flexibility to this classroom-based model during the current pandemic or a future health emergency or natural disaster. The Learning Continuity and Attendance Plan has been developed in alignment with this plan and in conjunction with students, families, and staff.

Please see **Appendix 1 – School Day and Year** for the ACE Remote Learning Plan and the Learning Continuity and Attendance Plan.

AN EDUCATED PERSON IN THE 21ST CENTURY

ACE Empower works to prepare its graduates for life-long success, enabling pupils to become self-motivated, competent, lifelong learners, with the knowledge, work habits, and attitudes that help them thrive in middle school, high school, higher education, and beyond. To be an educated person in the 21st Century, it is important to have a college degree; the school's goal is to prepare

¹⁷ The 2020-21 school day during Distance Learning is from 8:00 am to 2:30 pm, Monday, Tuesday, Wednesday, Friday.

students and inform their families about the necessary steps to achieve this goal. Most, if not all, of students will be the first from their family to attend college and ultimately receive a degree. In order to go on to succeed in college and in their chosen profession, students need to possess certain general academic skills and qualities important for an educated person. In short, students will need to become:

- Fluent readers and writers who can think critically about texts and argue persuasively
- Precise problem-solvers who can handle multi-stage, open-ended problems
- Knowledgeable about the historical, scientific and artistic movements and prominent figures which shape the modern world
- Proficient in the skills and knowledge contained in the Common Core State Standards (CCSS), Next Generation Science Standards (NGSS), and California State Standards (CSS)
- Flexible in their application of skills and knowledge in new and evolving settings
- Able to use technology to collaborate, construct and communicate knowledge, and innovate, in alignment with the Instructional Technology in Education Standards (ISTE)

But academic knowledge and skills are not enough to ensure that the school's graduates will thrive – the school programming and culture also focus on non-academic skills and qualities, helping students develop the habits, attitudes, and work ethic necessary to sustain success as an educated person. The concept of *Ganas* – a Spanish word which can be translated as desire, will, or effort – includes the habits of mind and work that are critical to long-term academic success, including self-discipline, strong study and research skills, the ability to collaborate effectively with a diverse group of people, and the confidence to invest themselves fully in their work.

EDUCATIONAL PHILOSOPHY

The educational philosophy of ACE Empower is based on the growing body of research which decisively shows:

- The achievement gap for traditionally underserved and marginalized students – mostly children of color who are experiencing poverty – can be bridged if schools and communities focus their attention on a few key tasks
- A rigorous, college preparatory curriculum has long-lasting benefits for every student.

These key tasks are neatly summarized in a project called “Dispelling the Myth,” a program initiated by The Education Trust, a national education advocacy organization dedicated to eliminating the achievement gap. This project focuses on the work of schools that are “making significant strides in narrowing gaps in academic achievement among students, posting achievement that significantly exceeds state averages, or improving student performance at a

rapid pace.” The organization has identified several common strategies (the key tasks) among the most successful “gap-closing” schools, all of which form a central part of ACE Empower’s design:

1. Having **high expectations** for all students
2. Analyzing **student data** to track progress, identify student needs and improve instruction
3. Providing a **rich curriculum** that is aligned to the CCSS, NGSS, CSS, and ELD Standards
4. Using **purposeful professional development** to improve teachers’ skills.

In addition to these four pillars of school design, ACE Empower’s philosophy adds three key elements which are aimed directly at best serving underachieving students:

5. Creating an **optimistic, celebratory school environment** that engages these students and their families, helping them develop habits and attitudes that prepare them for success in college and life
6. Bridging the gap between school and parents by **working closely with families** to support student learning
7. Leveraging differentiation to **individualize learning** so that students may receive remediation or acceleration based on their specific learning needs

The entire program is built around these seven elements. The philosophy of ACE Empower is based on a fundamental belief that, if these elements are implemented effectively and relentlessly, then students who have fallen far behind their peers can and do achieve academic success.

HOW LEARNING BEST OCCURS

As described above, ACE and ACE Empower have developed a five-year strategic plan that codifies its mission, vision, and core values, along with defining the three key priorities for ACE and ACE Empower’s work for the next five years.

Of these three priorities, two are explicitly designed to ensure that ACE and ACE Empower efforts are directed in such a way to support the ongoing development and continuous improvement of a school and organizational model that best ensures student success and learning. These Priorities are: *Priority 1: Effective School Model for Target Student*, and *Priority 2: Strong Systems to Support Organizational Impact*. Priority 1 (the development of an effective school model for the ACE Empower target student) is focused on the learning environment for students, while Priority 2 (strong organizational systems) emphasizes the work to build a strong learning environment for adults.

Priority 1: Curriculum, Instruction &, School Culture--ACE Empower's "Effective School Model"

This strategic priority directs ACE and ACE Empower's efforts at providing that equitably supports and prepares all students, especially those facing significant academic and personal challenges, for college and life success. ACE stakeholders defined three goals for its school model that, if met, will create the conditions within which learning best occurs for its students:

1. **Voice and Choice** – Students learn and are given ample opportunity to develop resilience, personal agency, and a commitment to their learning and their future
2. **Academic and Personal Growth** – Students make sufficient growth both in terms of their academic skills and knowledge as well as their personal capacity to be successful in school and life.
3. **College Readiness** – Students gain the academic knowledge and skills necessary to succeed in college and beyond.¹⁸

For ACE Empower's target student, learning best occurs when they become strong self-advocates and develop the ability to demonstrate **Voice and Choice**. They build personal agency and begin to see school success as something within their control that can serve as a springboard to their and their families' goals and aspirations. As is reflected in ACE Empower's motto, *Grow, Everyone, Every Day*, ensuring that students experience **Academic and Personal Growth** is a fundamental element of how learning best occurs. Students develop the capacity to take risks and reach for ambitious goals. They know that they will be celebrated for their progress and their personal habits of mind and work as well as their attitude, all of which are crucial to college and life success. Ultimately, learning best occurs when all students are treated as capable learners who, by the end of their time at ACE Empower, will have the capacity to go on to high school and work toward **College Readiness**. All of ACE Empower's core instructional practices, aligned curriculum, and supportive school culture are designed to ensure that all students can grow and thrive.

Priority 2: "Strong Systems" to Support Effective Staff, Professional Development

This strategic priority makes sure that ACE Empower provides staff with the information, support and resources necessary for them to ensure students meet academic and personal goals. This work is based on a data-driven practice, ensuring that staff have both the qualitative and quantitative data to continuously improve their effectiveness in service of advancing achievement for students. Continuously improving adult practice is central in providing the

¹⁸ The ACE Strategic Plan is for the entire ACE network, including its high school, where college readiness is a key goal. For ACE Empower specifically, this goal is focused on preparing students for challenging high school work and requirements.

learning environment within which students learn best.

These systems ensure staff are supported in both their alignment to and ability to provide effective curriculum and instruction. There are three goals in Priority 2 which pertain to all school systems, and which are specifically relevant to ACE Empower's Professional Development program in the following ways:

1. **Effective Communication** – Transparency around organization-wide and individual goals and expectations ensures staff have the information necessary to make mission- and data-driven decisions to support student achievement. For example, teachers are provided effective resources to address every standard, cluster and domain in deep ways that build students' fluency, understanding, and ability to apply their knowledge and skills to real-world situations and problems. Teachers then plan purposefully based on their strong understanding of the standards, the curriculum they are using, best practices in instructional strategies, and possible student misconceptions.
2. **Protocols to Support Continuous Improvement** – The most important school-based and operational practices and protocols are clearly defined, communicated and their impact regularly measured. For example, teachers are constantly assessing student understanding through the use of whole-class checks for understanding, ongoing formative assessments, and interims. They then meet in teams to review data and plan forward for future instruction.
3. **High-Impact, Mission-Driven Staff** – Staff receive clear direction and sufficient support to both implement best practices with fidelity and respond to data to address identified strengths and growth areas. For example, all teachers meet in weekly data meetings to analyze student work and assessments, then plan instruction forward to address needs. To support this data-driven instruction, as well as implementation of high-leverage instructional practices, all teachers have an instructional coach that observes and provides feedback on a weekly basis.

How ACE and ACE Empower specifically create these conditions for student and adult learning is detailed further below in **Element A**.

CURRICULUM AND INSTRUCTION

Introduction

ACE Empower's academic program is built to align with the mission, vision, core values, educational philosophy, and strategic priorities on how learning best occurs as detailed above.

This program is a fully inclusive curriculum that puts all students on track to academic success.

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The school's curricular framework is developed for 5th – 8th grade with the explicit goal of helping all students reach grade-level proficiency by the end of 8th grade. The school model pulls together curricular and instructional practices proven most effective with students who are predominantly low-income, English Learners and/or students of color who are likely to be the first in their family to attend college or university. All teaching and learning is directed toward student mastery of the CCSS, NGSS, CSS, and ELD Standards as well as key college-prep skills, learning strategies and work habits crucial for long-term academic and personal success.

Core Instructional Practices

ACE Empower has identified four core instructional practices as central in its school model for serving its target student.

1. **Ensuring Alignment to Standards** – Curriculum and instruction is aligned to the CCSS and NGSS. To do this, teachers and leaders ensure the curriculum focuses on the major work of the grade, creates coherence across grade levels, and addresses appropriate skills and knowledge of the grade level standards through procedural fluency, conceptual understanding, and application in real-world situations. All teachers purposefully plan back from the CCSS and NGSS, coupled with interim assessment data, to ensure their unit, weekly, and daily plans are aligned. All teachers have the ability to break down the standards, to adapt curriculum to meet the needs of their students, and to deliver lessons in a way that ensures all students are reaching CCSS- and NGSS-aligned, grade-level rigor.
2. **Supporting Students in Carrying the “Cognitive” Load** – One of our most important goals as teachers is to ensure that students do as much of the cognitive work as possible – the writing, thinking, analyzing, and communicating. ACE is constantly working to increase the rigor of a classroom by ensuring that students hold the cognitive load. In every class, teachers ensure that structures are in place for students to take on the thinking, such as encouraging students to track the speaker, facilitating whole class engagement through habits of discussion such as agreeing/disagreeing through thumbs-up and thumbs-down, using cognitive questioning to deepen student thinking, and providing sentence starters that promote robust conversation between peers using academic language. Additionally, teachers provide opportunities for students to construct their own understanding, and students respond through structured routines such as noticing and wondering, turn and talks, whole-class discussion, and extended problem solving blocks.
3. **Leveraging Data to Drive Instruction** – ACE supports all teachers in using data to drive their instruction and achieve results. ACE utilizes daily exit tickets, Weekly Data Meetings

(WDMs), and informal and formal curriculum-embedded assessments. In addition, the SBAC Interim Comprehensive Assessments and an internally developed NGSS-aligned interim assessment are given to measure student progress toward and achievement of state standards. ACE teachers meet weekly to analyze data and create action plans to address student misunderstandings in WDMs. All ACE students participate in quarterly formative assessments (SBAC Interim Assessments), followed by a data analysis day. At data analysis days, ACE teachers deconstruct the results of the students down to the exact standards and create action plans to address whole group misunderstanding, gaps of content standards, and individualized targeted plans for specific students displaying foundation gaps. Teachers plan with misconceptions in mind, and are checking for understanding multiple times in a class through the use of white boards, hand signals, questioning, and other strategies. A complete description on how ACE supports teachers in their data-driven instructional practice is detailed in the Professional Development section later in Element A.

4. **Providing Differentiated Supports and Scaffolds** – In order to meet the needs of the target student, ACE integrates differentiated instruction and curriculum into all classes. Through the robust data practice, teachers are able to meet weekly to identify whole class, small group, and individual strengths and needs. This data is then used to provide differentiated instruction and curriculum, through multiple modalities including but not limited to:
 - Whole-Group Instruction – Teachers build in differentiated supports for students into whole class instruction, by providing tiered assignments that enable students to address standards and content at various levels of complexity and with supports aligned to their English language development level. Different strategies and levels of application are emphasized at different times with different students to ensure that each student is being challenged and working in their zone of proximal development. Teachers work to present concepts through multiple modalities – visual, kinesthetic and auditory. Visual instruction may include animations, Pictorial Input Charts, simulations, and demonstrations. Kinesthetic activities may include laboratory experiments, modelling with movement, creating models with recycled materials, and the engineering design process. Auditory differentiation may include peer to peer discussions, class discussions and oral presentations. In addition, ACE has adopted common curriculum to support differentiation, including Standards Plus and Ready Common Core (detailed further in the ELA and Math sections below).
 - Small-Group Instruction – Teachers provide small group instruction, with students

flexibly grouped based on weekly data analysis. This enables the teacher to provide instruction that is tailored to a variety of abilities, strengths, and needs. At other times, students are grouped in mixed ability groups.

- Individual Conferencing – Teachers move around the room and conference with students, with the focus of the interaction varying based on student need and ability.
- Online Supports – Students leverage online programs to receive additional targeted instructional support at their individual levels. This currently includes Edgenuity, NewsELA, Common Lit, Khan Academy, and IXL (detailed further in the ELA and Math sections below). Through programs such as these, students are able to work at their level, whether that is below, at our above grade level. The level at which students work changes as their proficiency level changes. The goal is that by the 7th and 8th grades, most students are working at or above grade-level.

Teachers build their institutional knowledge around these and other high-leverage strategies through a carefully constructed professional development sequence, then receive weekly coaching to support implementation. Please see **Appendix 6 – Professional Development** for a Sample Professional Development Scope and Sequence.

Curriculum Overview

Students at ACE Empower are enrolled in the following courses:

- Humanities (English-Language Arts/Social Studies)
- Math
- Science
- College Seminar
- Designated ELD

At points during their time at ACE, all students are also enrolled in enrichment courses. Current offerings include:

- Physical Education
- Art
- After-School Programming (Tutoring, Sports, Clubs)

Courses are based on the California state frameworks and standards for each content area and each grade-level, as applicable, using grade-appropriate instructional materials. Courses are heterogeneously grouped, with students of all abilities and language levels participating.

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Differentiation and Integrated English Language Development support is incorporated into each course to ensure that each student receives both the challenge and assistance they need to be successful. Flexible groupings are leveraged within the classroom, as detailed above, to provide students with targeted work at their level.

A description of each core curriculum area follows, with current instructional materials and approaches described for each. These materials and approaches may be adjusted over time to meet the emerging needs of students and to leverage new products in this rapidly developing field. Such adjustments and adoptions shall not constitute a material revision of the charter.

Humanities (English-Language Arts/Social Studies)

The Humanities provides grade-level, standards-based instruction aligned to the CCSS in ELA and the content specific CCSS in ELA for History-Social Studies. Humanities currently utilizes EngageNY as its base curriculum, with Ready Common Core and Standards Plus used to support differentiation. Together, these curriculums support both prioritization and mastery of the CCSS.

Core Curriculum – EngageNY

The EngageNY curriculum supports each of the core shifts in the CCSS:

1. Regular practice with complex texts and their academic language
2. Reading, writing, and speaking grounded in evidence from texts, both literary and informational
3. Building knowledge through content-rich nonfiction

Within EngageNY, teachers lead students through four modules of approximately eight weeks that are thematically organized to integrate history-social studies topics into the language arts curriculum. A variety of texts, including fiction and nonfiction trade paperbacks, primary sources, articles, and reference materials are employed to develop proficiency in reading and writing across genres and for a variety of purposes, as well as build background knowledge of historical periods and contexts. For example, in a 6th grade module on the genre of mythology, students may dig deep into a central primary text, *The Lightning Thief* by Rick Riordan, then engage in supplemental texts including Greek myths to deepen their knowledge of the genre of myths and their understanding of ancient Greece. In doing so, the History-Social Science content for each grade level is largely integrated into the English-Language Arts instruction.

Scope and Sequence

Grade level module topics are as follows below. Within each grade level, teachers have two

choices for the 2nd and 3rd module each year, as seen in **Figure A.4** below.

Figure A.4 Engage NY Humanities Scope & Sequence

Humanities Scope & Sequence				
	5th Grade	6th Grade	7th Grade	8th Grade
Module 1	Stories of Human Rights	Myths: Not Just Long Ago	Journeys and Survival	Finding Home: Refugees
Module 2	Biodiversity in Rainforests of the Western Hemisphere - or - Inventions that Changed Peoples' Lives	Rules to Live By Module - or - Voices of Adversity	Working Conditions Module - or - Identity and Transformation: Then and Now	Taking a Stand Module - or - A Midsummer Night's Dream and the Comedy of Control
Module 3	Sports and Athletes' Impact on Culture Module - or - Balancing Competing Needs in Canada	The Land of the Golden Mountain Module - or - Sustaining the Oceans	Slavery: The People Could Fly - or - Screen Time and the Developing Brain	Japanese-American Relations in WWII Module - or - The Civil Rights Movement and the Little Rock Nine
Module 4	Natural Disasters in the Western Hemisphere	Insecticides: Costs vs. Benefits	Water Is Life	Sustainability of World's Food Supply

A complete Scope and Sequence for EngageNY for 6th - 8th grades is provided in **Appendix 2 – Curriculum and Instruction**, to provide further detail.¹⁹

Supplementary Curriculum

While EngageNY currently serves as the core curricular resource for the Humanities block, teachers are able to adapt as needed as well as supplement with Ready Common Core and Standards Plus materials.

- **Ready Common Core** – Supports access to grade-level informational and literary texts, by providing students with scaffolded prompts and routines that support close reading of text. Instruction utilizes the Read, Think, Talk, Write model to support the balance of

¹⁹ The EngageNY 5th Grade Scope and Sequence is available at <https://www.engageny.org/resource/grade-5-english-language-arts>

teacher-led discussion and small group instruction found in the ACE core instructional practices. This model both actively engages students in their learning and supports them in taking on the cognitive load. Texts are sourced from a variety of authentic and relevant settings, including news articles, blogs, poetry, and literature.

- **Standards Plus** – Provides additional support, through lessons designed to provide short, focused direct instruction to students on specific standards. A key component of Standards Plus is the integration of language objectives within each lesson, through the development of core academic vocabulary.

As California approves additional resources aligned to the CCSS, ACE will continue to examine and select additional resources for adoption to best meet the needs of its students.

Content Strands

- **Reading** – Students are exposed to a wide array of literature at grade level, as well as literature that varies by complexity including grade level and textual attributes. To ensure all students have daily exposure to grade level reading content, teachers provide direct instruction in reading comprehension strategies using a common grade-level text for all students. The teacher explains the strategy and demonstrates its use. Students then engage in small group and/or independent guided practice in the strategy demonstrated by the teacher. Core Instructional Practices, as described above, are implemented.

Standards addressed include those from the Reading Comprehension and Literary Response and Analysis sections of the CCSS. Texts used during this portion of instruction include grade-level novels, short stories, articles, portions of novels, and primary source materials. Many are related topically or thematically to the History-Social Science standards.

- **Writing** – Humanities includes a heavy focus on Writing, with students engaging with complex texts, conducting written literary analysis, and citing textual evidence. Instruction in diverse genres of writing is integrated into the modules of instruction, including informative/explanatory, opinion, and narrative writing. Students apply and practice writing techniques and strategies, with teachers supporting learning and application through writing conferences and small group instruction. Standards addressed include those from the Writing Strategies, Writing Applications, and Written and Oral Language Conventions sections of the CCSS. Many of the writing applications and assignments are related topically or thematically to the CCSS for History-Social Science standards.
- **Language Development** – Humanities instruction holds a specific focus on embedded language development, in alignment with the CCSS in ELA. This includes conventions in

terms of form and function for use when writing, speaking, reading, or listening, as well as vocabulary acquisition and use. In alignment with the ELDS, language objectives are established not only in Humanities but in every subject area to support current and reclassified ELs in their language acquisition and development.

- **History-Social Studies** – Humanities instruction is aligned to the CCSS in ELA for History-Social Studies standards, with EngageNY units of study embedding these standards within the curriculum. Students engage in historical content and skills through activities such as working with multimedia primary sources, non-fiction texts, slide lectures, and experiential activities.

Finally, ACE works to ensure literacy is taught across all classrooms and content areas - not just the Humanities class. An example of how ACE supports its teachers in developing language-rich classrooms is provided in **Appendix 2 – Curriculum and Instruction**

Mathematics

The ACE Mathematics program provides grade-level, standards-based instruction aligned to the CCSS in Mathematics, which build on the best of existing standards and reflect the skills and knowledge students will need to succeed in college, career and life. Mathematics currently utilizes EngageNY as its base curriculum, with Ready Common Core and Standards Plus used to support differentiation. Together, these curriculums support both prioritization and mastery of the CCSS.

Core Curriculum – EngageNY

ACE Empower currently leverages EngageNY as the base of its curriculum, which reflect the core shifts required in the CCSS and support their implementation as follows.

1. Greater focus on fewer topics and going deeper into the topics studied
2. Coherence: Linking topics and thinking across grades
3. Rigor: Pursue conceptual understanding, procedural skills and fluency, and application with equal intensity

The selection of EngageNY was born of the need to ensure that students receive a high quality educational experience in every classroom and requests from teachers for high quality resources and materials.

EdReports released a study in Spring 2015 of an analysis that was completed by educators of 20 of the most-used curriculums in the country.²⁰ Out of these 20 curricula, only 3 met the criteria

²⁰ Source: <https://www.edweek.org/ew/articles/2014/08/15/01curriculum.h34.html>

for being aligned to the CCSS, one of which was the Eureka Curricula (from now on referred to as EngageNY, the free version of Eureka that is available in word documents online through the New York Department of Education). According to the summary of the results, EngageNY met all the criteria for alignment to the Common Core in grades 6 – 8: focus, coherence, and rigor. In addition to being aligned to the CCSS, the curriculum includes engaging activities, instructional strategies, and vignettes of lesson sequences that support teachers in planning. The teachers that wrote the EngageNY curriculum created videos to accompany the curriculum in order to support teachers in building their content knowledge and their ability to implement the curriculum with fidelity.

ACE selected to use EngageNY instead of Eureka, due to the fact that EngageNY provides all materials in word documents. This enables teachers to actively make note of adaptations and modifications made to the curriculum, that are made to best teach ACE students effectively.

Scope and Sequence

The design of EngageNY supports the 3 shifts of the CCSS: Focus, Coherence, and Rigor. The EngageNY curriculum contains a sequence of six modules at each grade level, carefully prioritizing and sequencing the standards with a deliberate emphasis on mastery of major cluster standards outlined in the CCSS. The sequencing of the modules and their progression enables students to transfer their mathematical knowledge and understanding to new, increasingly challenging concepts.

Within the EngageNY curriculum, Grade 5 is positioned at the end of the K-5 curriculum sequence, A Story of Units, and Grades 6 – 8 are part of a sequence called, A Story of Ratios. As stated on the Eureka website,

“Teaching mathematics as a story, Eureka Math builds students’ knowledge logically and thoroughly to help them achieve deep understanding. While this approach is unfamiliar to those of us who grew up memorizing mathematical facts and formulas, it has been tested and proven to be the most successful method in the world.”

In Grades 6 - 8, each grade level holds a discrete area of focus:

- **6th Grade** – The key areas of focus for sixth grade mathematics are ratios and proportional reasoning and early expressions and equations, which includes (1) connecting ratio and rate to whole number multiplication and division and using concepts of ratio and rate to solve problems; (2) completing understanding of division of fractions and extending the notion of number to the system of rational numbers, which includes negative numbers; (3) writing, interpreting, and using expressions and

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- equations; and (4) developing understanding of statistical thinking.
- **7th Grade** – The key area of focus for seventh grade mathematics are ratios and proportional reasoning and arithmetic of rational numbers, which includes (1) developing understanding of and applying proportional relationships; (2) developing understanding of operations with rational numbers and working with expressions and linear equations; (3) solving problems involving scale drawings and informal geometric constructions, and working with two- and three-dimensional shapes to solve problems involving area, surface area, and volume; and (4) drawing inferences about populations based on samples.
 - **8th Grade** – The key area of focus for eighth grade mathematics is linear algebra, including (1) formulating and reasoning about expressions and equations, including modeling an association in bivariate data with a linear equation, and solving linear equations and systems of linear equations; (2) grasping the concept of a function and using functions to describe quantitative relationships; (3) analyzing two- and three-dimensional space and figures using distance, angle, similarity, and congruence, and understanding and applying the Pythagorean Theorem.

Grade level module topics are provided in **Figure A.5**.

Figure A.5 Engage NY Mathematics Scope & Sequence

Mathematics Scope & Sequence				
	5th Grade	6th Grade	7th Grade	8th Grade
Module 1	Place Value and Decimal Fractions	Ratios and Unit Rates	Ratios and Proportional Relationships	Integer Exponents and Scientific Notation
Module 2	Multi-Digit Whole Number and Decimal Fraction Operations	Arithmetic Operations Including Dividing by a Fraction	Rational Numbers	The Concept of Congruence
Module 3	Addition and Subtraction of Fractions	Rational Numbers	Expressions and Equations	Similarity
Module 4	Multiplication and Division of Fractions and Decimal Fractions	Expressions and Equations	Percent and Proportional Relationships	Linear Equations
Module 5	Addition and Multiplication with	Area, Surface Area, and Volume	Statistics and Probability	Examples of Functions from

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	Volume and Area	Problems		Geometry
Module 6	Problem Solving with the Coordinate Plane	Statistics	Geometry	Linear Functions
Module 7	n/a	n/a	n/a	Introduction to Irrational Numbers Using Geometry

All students participate in this grade-level based mathematics progression. In doing so, ACE Empower shall comply with all applicable requirements of the California Mathematics Placement Act of 2015. A complete Scope and Sequence for EngageNY for 6th - 8th grades is provided in **Appendix 2 – Curriculum and Instruction**, to provide further detail.²¹

Supplementary Curriculum

While EngageNY currently serves as the core curricular resource for the Mathematics, teachers are able to adapt as needed as well as supplement with materials from Ready Common Core, Standards Plus, Khan Academy, IXL, and Edgenuity.

- **Ready Common Core** – Provides direct instruction for students to develop mathematical reasoning, engage in discourse, and build strong mathematical habits. These in turn help to develop a deeper conceptual understanding of mathematics and make connections within and across grade levels. The program provides language scaffolds and routines to support Integrated ELD.
- **Standards Plus** – Standards Plus provides additional support, through lessons designed to provide short, focused direct instruction to students on specific standards. A key component of Standards Plus is the integration of language objectives within each lesson, through the development of core academic vocabulary.
- **Khan Academy, IXL, and Edgenuity** – Students leverage these online programs to receive additional support at their individual instructional levels. Some students will be working with standards below grade-level, some will be at grade-level, and others will be above grade-level. The level at which students work changes as their proficiency level changes. The goal is that by the 7th and 8th grades, most students are working at or above grade-level.

²¹ The EngageNY 5th Grade Scope and Sequence is available at <https://www.engageny.org/resource/grade-5-mathematics>

As California approves additional resources aligned to the CCSS, ACE will continue to examine and select additional resources for adoption to best meet the needs of its students.

Science

The ACE Science program provides grade-level, research-based instruction in physical science, earth/space science, life science and engineering based on the NGSS. The goal of the program, in conjunction with mathematics as detailed above, is to ensure that students:

- Are prepared for the Science, Technology, Engineering and Mathematics (STEM) college-ready track in high school
- Have the skills and knowledge to apply scientific practices to current scientific issues, both globally and locally
- Have access, ultimately, to STEM careers

The Science Program provides a three dimensional approach to learning the Science and Engineering Practices, Disciplinary Core Ideas, and Crosscutting Concepts necessary to meet these objectives. Through the three dimensional approach to learning, the curriculum reflects the following shifts:

- Builds on the practice of “real science”
- Emphasizes the Student Performance Expectations
- Builds upon concepts coherently, deepening year upon year
- Focuses on deeper understanding and application
- Integrates the Nature of Science
- Prepares students for College, Career and Citizenship
- Aligns with the NGSS, California Science Test (CAST), CCSS in ELA for Science, and the CCSS in Math

Consistent with ACE instructional practices, the science curriculum actively engages students in hands-on learning and student directed experiments using the scientific method and design engineering process to explore solutions for real life scientific issues facing students today. Instruction is designed to place the cognitive load on students, while employing scaffolding techniques and differentiation that supports all students in achieving the skills and knowledge of the discipline. The CCSS in ELA for Science is integrated, with students reading and analyzing nonfiction text with an emphasis on current global and local scientific issues. Students actively engage in scientific discourse both orally and in writing, as well as detail their research through research papers and laboratory write ups.

In order to prepare for college and careers in STEM, technology is also a large component of the

science curriculum. Students use computer programs such as Google and Microsoft Office to analyze data through spreadsheets, create graphs and data tables, develop presentations, and write reports and research papers. They also practice proficiency with computers by researching scientifically accurate websites, and finding the source of scientific articles to determine credibility. These computer skills are necessary for high school, college, and careers in STEM.

Assessments given to the students are both formative and summative and are diverse in nature to match the depth of the curriculum. Formative assessments are used to drive instruction on a daily, weekly and quarterly basis. These include ongoing assessments in the form of personal communication, exit tickets, short multiple choice quizzes, rubrics for short answers and long answers, rubrics for lab reports, rubrics for major projects, debates and engineering design challenges, and curriculum embedded unit based assessments. In addition, the NWEA MAP in Science is administered three times per year in 5th and 8th grade and benchmark assessments aligned to the NGSS are utilized through the Edulastic platform. In alignment with the core instructional practices, teachers participate in department wide data talks to analyze data to inform instruction. Differentiated learning opportunities and scaffolds then support the advancement of students not meeting proficiency. The diversity of assessments allows ACE Empower to adequately assess the three dimensions of learning (Science and Engineering Practices, Disciplinary Core Ideas and Crosscutting Concepts), with a specific emphasis on the skills needed in the field and the application of knowledge and skills through critical thinking and analysis.

Core Curriculum – Mosa Mack

ACE Empower currently utilizes Mosa Mack as the base of its curriculum, which places a heavy emphasis on the scientific and engineering skills and practices detailed in the NGSS. The curriculum also emphasizes Disciplinary Core Ideas, to provide a foundational knowledge base and Cross Cutting Concepts to make connections throughout the disciplines. Students engage in high level inquiry and rigor through scientific discourse based in hands on, inquiry based curriculum. Students develop critical thinking skills based on analyzing nonfiction text as it pertains to current local and global science issues, using models to support claims and theories, and using high level discourse to provide evidence for the support of science as a process and the discovery of the engineering process.

Scope and Sequence

Mosa Mack provides an online library of NGSS-aligned, inquiry based units, each containing one or more sections. Each section includes three stages:

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- **The Solve** – An animated science mystery and vocabulary manipulative
- **The Make** – A hands-on lab
- **The Engineer** – An engineering challenge that allows students to apply what they’ve learned to solve real world scenarios.

The design of the three stages lends itself to both differentiation and remote learning, with “The Solve” designed for whole class, small group, or individual implementation and “The Make” and “The Engineer” designed to be completed in small groups. The curriculum provides scaffolded supports for students, as well as assessment rubrics for teachers. 5th and 8th Grade level module topics are provided in **Figure A.6**.

Figure A.6 Mosa Mack Science Scope & Sequence

Science Scope & Sequence		
	5th Grade	8th Grade
Unit 1	<u>Motion & Stability</u> Gravity	<u>Objects Move and Collide</u> Force & Motion Potential & Kinetic Energy
Unit 2	<u>Earth’s Place in the Universe</u> Scale in the Solar System Sun-Earth Systems	<u>Noncontact Forces Influence Phenomena</u> Electricity
Unit 3	<u>Matter</u> Matter & Its Interactions	<u>Evolution Explains Life’s Unity and Diversity</u> Mutations Selection & Adaptations Genetics vs. Environment Evidence of Evolution
Unit 4	<u>Energy in an Ecosystem</u> Food Webs	<u>Sustaining Local and Global Biodiversity</u> Climate Change & Ecological Footprint
Unit 5	<u>Earth’s Spheres</u> Earth’s Spheres	n/a

A complete Scope and Sequence for Mosa Mack in 5th and 8th Grades is provided in **Appendix 2 – Curriculum and Instruction**.

Supplementary Curriculum

While Mosa Mack currently serves as the core curricular resource for Science, teachers are able to adapt as needed as well as supplement with materials from Rozzy and StemScopes.

- **StemScopes** – Provides phenomena-based, three dimensional STEM curriculum, through an online platform which is compatible with distance learning. This has been a recent addition, to ensure highest quality standards-aligned scientific learning in the remote model. STEMscopes has been adopted by the California State Board of Education and is aligned to the NGSS and the California Science Framework. It is available in both English and Spanish.
- **Rozy** – Specifically focuses units on scientific career exploration and authentic application, that are NGSS-aligned. Units include comprehensive lesson plans that focus on:
 - Hands-on projects and experiments, directly linked to STEM careers
 - Multimedia supports, to engage learners through multiple modalities
 - Non-fiction text, writing applications, and vocabulary scaffolds that link the CCSS in ELA for Science with the NGSS
 - Formative and summative assessments, to monitor student mastery of science concepts and careers

As California approves additional resources aligned to the NGSS and California Science Framework, ACE will continue to examine and select additional resources for adoption to best meet the needs of its students.

College Seminar

Each staff member has a College Seminar group (similar to an Advisory), and meets daily with that group for the duration of the school year. A core goal of College Seminar is developing the ability for students to set SMART goals, identify and implement actions for achieving their goals, and then reflect and adjust these goals and actions based on data. ACE Empower currently employs Sown to Grow, a goal setting and reflection platform designed to support students in setting learning goals, tracking their own progress, and reflecting on the strategies that work best for them.²² Their advisors check in with them at least weekly to monitor growth and support this goal setting and reflection practice. The Advisor leverages this process to support students in preparing for their student-led conferences, which occur twice per year.

Students are also provided with individual work time using the Edgenuity platform, to work toward these goals with their Advisor checking in one-on-one with them. New in 2020-21, a whole school reading program through Accelerated Reader will be integrated into College Seminar time, which directly supports students in reading growth and proficiency as well as English fluency.

²² More information available at: <https://www.sowntogrow.com/>

The underpinnings for a positive school culture are fostered in College Seminar as well. At the beginning of each school year specific lessons by grade level support character building and reinforce school values and expectations. Lessons throughout the year and structures such as the use of a “College Corner” in every seminar class support students in developing college awareness. Finally, Community Meetings engage College Seminar groups in friendly competitions. Students and staff are able to discuss and reflect on school-wide and individual issues, leveraging student voice. Staff members have wide latitude to tailor the time to the particular needs of the students in their group.

Designated ELD

Designated ELD is a protected block of time during the regular school day where the English language development standards are used as the focal standards. The goal of this class is to provide instruction that allows for the development of critical academic English language skills necessary for all other academic classes including reading, writing, listening, and speaking. Students receive direct instruction, guided practice, and independent practice for each lesson.

ACE Empower has adopted the English 3D Curriculum for its Designated ELD instruction, designed by nationally recognized ELD author, researcher, and teacher educator, Dr. Kate Kinsella.²³ The program provides specific scaffolds for long-term language learners, who compose the majority of English Learners at the school, as well as for newcomers. Speaking, reading, and writing are supported by English 3D’s research-based instructional routines and authentic text sets.²⁴

ACE has developed a comprehensive English Learner Handbook to guide not only the Designated ELD program, but services to all ELs. This handbook, as well as an example of how ACE supports teachers in designing their Designated ELD instruction is provided in **Appendix 4 – Serving All Students**.

Enrichment

For graduates to go on to success in high school, college and beyond, they will need to not only have mastered key literacy and numeracy skills, but have a broader array of knowledge and skills as well. In addition, they must be strong analytical thinkers and resourceful problem-solvers. Finally, they will need to have avenues for exploring their creativity, expressing themselves, and developing a healthy lifestyle. While teachers in all these classes reinforce and further develop students’ reading, writing, and computing abilities, they also put a premium on helping students

²³ More information on English 3D is available at <https://www.hmhco.com/programs/english-3d>

²⁴ During Remote Learning, the English 3D curriculum is adapted. Classes are held 3 days a week for every grade level with two day of synchronous instruction and one day of asynchronous instruction.

acquire the independent thinking skills that will be absolutely critical to their success after they leave middle school.

To reinforce critical thinking skills throughout the academic, intervention, and enrichment program, students at ACE have various enrichment and extracurricular opportunities, subject to enrollment and budget. Enrichment classes currently offered include Physical Education and Art. Extracurricular activities are provided through a partnership with the City of San Jose.

- **Physical Education and Health** – Students engage in a physical education and health class designed to support students in their ability to develop a combination of transferable skills promoting physical, intellectual, emotional and social development; to encourage present and future choices that contribute to long-term healthy living; and to understand the cultural significance of physical activities for individuals and communities.
- **Art** – Students engage in an Art class, designed to develop foundational skills as well as their own artistic style. Students explore a wide-array of art mediums including two-dimensional, three-dimensional, and digital. Students explore pattern, contrast, emphasis, balance, proportion, scale, and rhythm in art. While focusing on textures, perspectives, color, space, and value, students will determine what makes art beautiful, and then develop their own skill as artists.
- **After School Program** – Students have the opportunity to participate in a robust after school program, offered in partnership with the City of San Jose. The program provides times and scaffolded support for homework completion, as well as three organized sports teams that compete locally (flag football, basketball, and futsal). In addition to this core program, clubs are offered in partnership with ACE High School students (basic coding and science) and with ClubNext (focused on life topics, such as addiction and forgiveness). communities.

SCHOOL CULTURE

The School Culture program at ACE supports students in developing these knowledge, skills and mindsets by:

- Identifying and Clearly Articulating Goals
- Promoting a Growth Mindset
- Celebrating Progress
- Leveraging Engagement, Positive Behavior Intervention, and Restorative Practices
- Engaging Families

Identifying and Clearly Articulating Goals

At ACE Empower, the most important value necessary for success is *Ganas*, a Spanish word which can be translated as desire, will, or effort. All members of the community – students, staff, and families – are expected to show *Ganas* in their daily work and interactions with each other. In ACE Empower culture, *Ganas* is a personal commitment to success on the part of students, staff, and families alike. The concept of *Ganas* is at the heart of school life, where staff and parents continually celebrate effort and progress, help students see the connection between personal choice and academic success, and work together to inspire and support students and each other. *Ganas* is the shared value that unifies and guides the school and its stakeholders in holding each other accountable to the goal of preparing all students to be successful college students. Respect and Pride are also fostered, and together with *Ganas* form the “RPG Values” that serve as the foundation for school culture. Discrete “College Readiness” skills and mindsets are also identified, to provide students with a clear roadmap toward their future.

All staff are trained and supported in recognizing student examples of these RPG Values and College Readiness Skills, as seen in **Figure A.7** and **Figure A.8**, and regularly celebrating students for this success. As detailed in “Curriculum and Instruction” above, students are supported during their College Seminar class in identifying areas of strength and areas for growth, setting goals and naming specific actions to achieve them, and then reflecting on progress using the Sown to Grow platform.

Figure A.7 Actions That Exemplify RPG

Respect	Pride	Ganas
<ul style="list-style-type: none"> • Showing respect to oneself, or another person, in an exceptional way • Telling the truth when it is difficult • Doing the right thing when others are not • Encouraging another student who struggles • Tutoring a peer or helping others achieve • Volunteering to help • Showing kindness • Speaking and listening respectfully 	<ul style="list-style-type: none"> • Greeting everyone (visitors, students and staff) proactively • Knowing and eagerly sharing growth and progress toward goals • Volunteering to be a tour guide • Showing pride in academic accomplishments • Helping to keep the campus safe and clean • Demonstrating exemplary organization and neatness with school materials • Recognizing/celebrating positive accomplishments of peers 	<ul style="list-style-type: none"> • Putting in extra effort • Taking initiative • Taking risks • Demonstrating growth • Exceeding expectations of an assignment • Displaying exemplary participation • Improving performance through hard work • Overcoming obstacles in an appropriate way

Figure A.8 Actions That Exemplify College-Readiness

College-Ready Students...	
<ol style="list-style-type: none"> 1. Show up (on time and prepared) 2. Embrace rigor 3. Are competitive 4. Take academic risks 5. Study outside of class 6. Persevere 7. Have a sense of urgency 8. Create study groups 9. Are responsible 10. Are resourceful 11. Attend office hours 	<ol style="list-style-type: none"> 12. Attend homework club 13. Focus during group work 14. Make academic connections 15. Ask questions 16. Use academic language 17. Take notes 18. Are organized 19. Track the speaker 20. Are self-aware and advocate for themselves 21. Support others 22. Go above and beyond

Promoting a Growth Mindset

In order to build a strong sense of identity and potential, ACE staff work consistently to cultivate a growth mindset in themselves toward their students, their colleagues, and our families. Furthermore, ACE staff work diligently and strategically to develop growth mindsets within their students and families. This work is rooted in the idea that people are not inherently made “smart” and that with persistence, dedication, passion, and hard work all students can excel.

Establishing a growth mindset is not something that is accomplished in a given day, month, or year. Cultivating a growth mindset takes a lifetime – it takes being constantly reflective and vigilant in pushing the boundaries of expectations that we hold for ourselves, our colleagues, and our students and families. From professional development, teacher and school leader coaching, curriculum design, the College Seminar program – all are connected to mindset theory and how a school culture built on a growth mindset approach helps staff to set and maintain high expectations for students, and to cultivate those same expectations in the students and families themselves.

When students approach new experiences with a growth mindset their internal narrative is inherently curious and optimistic, seeing initial challenges as opportunities to learn and grow. Students begin to recognize that there is nothing to fear in trying, and perhaps initially failing, as they endeavor to learn new things. As a result, students who demonstrate a growth mindset are

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more willing to take risks, to learn from initial failure, and as a result, place themselves on a path to continuous improvement, which is the essence of optimism.

The link between the growth mindset and agency is what makes this such a vital part of the approach to teaching and learning at ACE Empower. For teachers, leaders, and staff to be able to deliver a world-class education to our students, they must have a growth mindset about their own abilities to improve their practice; in practice, this means being open to feedback and taking personal responsibility for growth and development. This growth mindset attitude extends to students and families, illustrating to them the fundamental belief at ACE that they will achieve at a very high level as a way of encouraging them to cultivate a growth mindset about themselves and one another. This shared attitude is fundamental to establishing a culture that develops resilience, personal agency, and a commitment by students to their learning and their future.

Celebrating Progress

ACE believes that a schoolwide culture in which students experience joy and learn to be optimistic about their academic and personal future is crucial to academic success. Toward that end, staff create a joyful, optimistic, and celebratory school environment that inspires growth and promotes student learning.

In order to ensure that time is always taken to celebrate progress and deepen the sense of community at the school, ACE Empower has a system of celebration that is comprehensive and looks to celebrate students who grow. A “Culture Calendar” is developed annually to ensure that a balance of celebrations occur across the school year in the following categories: earned expected, earned unexpected, unexpected unearned, unexpected earned. This balance is critical in building a celebratory and positive school culture. Some of these celebrations are tied to student growth, risk taking, and achievement, while others are tied to RPG Values. ACE Empower also ensures that there is time for enjoyment that has nothing to do with academic growth and achievement, cultivating a school environment that fosters fun and appreciation of all students.

As part of the celebration initiative, the Community Meeting is a weekly event where the whole school comes together.²⁵ The primary purpose of Community Meeting is for students, staff and parents to have an opportunity to recognize and celebrate the accomplishments of individual students in regards to their academic performance as well as the college ready habits that they are developing each day. Recognition is given for accomplishments such as strong attendance, achievement, and growth both for individual students and College Seminar groups. A special RPG award is given by the school leaders to recognize students who exemplify all of the ACE values.

²⁵ During Remote Learning, Community Events have been held online. To view examples of Community Meetings, please visit https://youtu.be/lAkv_40GhRE or <https://youtu.be/AZF7MYKJ6us>.

Community Meeting is also a time where students are exposed to college-going role models, with staff, guests from the community, and alumni invited to attend and share their college stories. Finally, Community Meeting is where class cohorts get to participate in activities that promote healthy competition around school initiatives such as a testing challenge or a reading competition.

In addition, student growth is recognized via classroom celebrations in College Seminar and other class periods. All staff members at ACE Empower are aware of just how vital it is to validate students' academic growth as well as their growth in making wise choices that will help them to be college ready.

Leveraging Engagement, Positive Behavior Intervention, and Restorative Practices

A strong school culture is built on positive engagement – and engagement starts with strong lesson planning and delivery. Teachers are expected to implement lessons that foster a sense of enthusiasm in students that is evident in the quality of their work and their eagerness to participate. This includes ensuring curriculum is culturally relevant and harnesses students' interests. The goal is not just that all students are participating at all times, but that students are eager and excited to participate at all times. The mark of a particularly strong classroom culture will be one in which students are presented with a challenging task that is above their current skill level and students approach the task with gusto.

Maintaining a strong school culture also requires that school staff are expertly prepared to proactively manage their classrooms, so that expectations for students are fair, clear and transparent and in turn set students up for success. When students make strong choices – choices that will help them along the path to high school, college, and career success – they are celebrated as detailed above. These celebrations are for absolute achievement as well as growth.

Equally as vital, however, is ensuring that students are held accountable when they make choices that have the potential to allow them to step off the path to high school, college, and career success – and even more importantly, that they are able to learn from these missteps and repair any harm. Toward that end, ACE Empower employs practices to a Positive Behavior Intervention System (PBIS) and Restorative Practices. These models are designed to:

- Be more positive and optimistic than negative or compliance-based
- Provide a way for all students to have a positive, optimistic set of interactions with school
- Be simple and easy for staff to implement
- Eliminate wasted time and increase time on task
- Be used not as the end goal, but rather as a tool that supports students in building new habits of engagement that result in increased student achievement

Staff are provided with intensive professional development and ongoing coaching to develop and norm these practices throughout the year. An example of how ACE supports staff in implementing Positive Behavior Incentives is provided in **Appendix 3 – School Culture and Community**.

Engaging Families

Developing a deep and sustained connection with the families that the school serves is a final and integral element in developing a strong school culture. ACE Empower works constantly to bridge the gap between school and home, by working closely with families to support student learning. At ACE Empower, learning best occurs when teachers, students and the community are equally invested in the goal of college for all. This commitment is the necessary context for any program that succeeds in propelling at-risk students to success in school.

While ACE Empower has the parent participation structures typical at most schools (Student-Led Parent-Teacher conferences, Parent Committees, Open House, etc.), more important are the opportunities for parents to take leadership and demonstrate their commitment to the school's shared values. This is especially apparent in ACE Empower's evolving Parent Leadership program where parents collaborate with school leaders to help determine better ways to achieve goals that affect their children. Parents receive training and support in developing and leading a Parent Leadership Council which takes part in all key schoolwide initiatives, especially such efforts as developing and reviewing ACE Empower LCAP and participating in bi-annual audits of the school program.

For an example of how ACE supports staff in building connections with families, please see **Appendix 3 – School Culture and Community**. For more detailed information on how families are engaged, please see **Element D – Governance**.

School Culture in Practice

As detailed above, the ACE Empower program is unified by common practices, beliefs, and habits of mind that allow the creation of a strong school culture. When a visitor steps onto campus they are immediately struck by a sense that they have entered a strong, supportive community where all stakeholders are invested in ensuring that students are successful. Visitors will likely see the following, providing evidence that a strong school culture has been developed:

- Visitors are greeted with a handshake by students who proudly inform them of their names and an overview of their academic work

- Teachers on campus positively interact with students and are holding them accountable to school-wide expectations. This includes greeting students in the morning with a firm handshake and a smile, finding opportunities to genuinely engage students both inside and outside of the classroom, and giving students ample opportunities to demonstrate their school's core values throughout the day.
- In classrooms, students are deeply and authentically engaged in their learning. Classroom teachers are delivering engaging lessons and holding students to exceptionally high expectations at every turn. In response, students understand expectations for them and rise to the occasion. Students participate in academic-oriented debate about the topic at hand and the teacher facilitates these discussions expertly, allowing students to deepen and expand their knowledge.
- Throughout the day, students are offered opportunities to explore not only academic topics but also are reflective on the school's values and scholarly habits of mind, thus allowing students to find joy in the process of learning and achieving ethical and academic excellence.
- Celebrations are observed consistently throughout the school day and offer a glimpse into how masterful teachers build a culture of optimism with students. Visitors might observe a Community Meeting in which students are being honored for their academic achievement and growth. The Community Meeting also builds joy and optimism by representing the non-academic interests of students.
- On a typical day a visitor will also see parents interacting with the school in genuinely collaborative activities, and the parents are able to articulate to the visitor the growth and progress their child has made, as well as their long-term goals of their student and school as a whole.

In essence, all interactions between ACE community members are designed to build and instill a joyful, optimistic, and celebratory culture at the school while holding tight to the belief that students will thrive when this environment is coupled with a deep belief that all students can meet and exceed high expectations.

SERVING SPECIAL POPULATIONS OF STUDENTS

The ACE Vision

ACE's mission is to work closely with communities to build and sustain great schools where students who have been left behind by traditional schools grow personally and intellectually until they are ready to confidently choose to attend and graduate from college. This mission is founded on a profoundly felt optimism about children, families, and neighborhoods. And this optimism leads ACE to believe that even those children and families who are not only demographically

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underrepresented in college, but the most disengaged and disconnected students in the surrounding neighborhoods – including students with disabilities, English Learners, and students performing below grade level – can find a way back to a belief in themselves as learners and future college students. Every moment of teaching and learning at ACE is directed at fostering a growth mindset. All students, regardless of their ability, can achieve at high levels given the right supports. ACE will give to ALL students, no matter their need level, cognitive ability, or behavior challenges, the education and opportunities they need to be optimistic about their future and college-ready.

The ACE Mindset

ACE goes above and beyond to ensure that every student receives a rigorous, engaging education. It responds to students' needs and successes, by adjusting goals and services as necessary. It tracks progress to make sure staff always know the right services for every student, and monitors them to ensure appropriate support. It's not about "are students getting services" but "are services having an impact"? This solution orientation recognizes that serving students with special needs is a fluid process, and requires staff to constantly analyze and reflect to ensure that the right levels of support are provided for students.

While all students can learn, realizing this goal requires staff to work as a team to figure out how. Toward this end, ACE Empower supports strong and effective communication between general education teachers, special educators (herein called "learning specialists"), parents, school leaders, the school's Special Education Department Head, ACE's Director of Student Services, and service providers. To maximize the impact of working as a team, everyone is contributing based on their specific role or expertise. Lines of communication are open to ensure all information about the student is relevant and up-to-date in order to make the most informed decisions. All stakeholders are clear on their roles and responsibilities so that there are strong relationships within the network.

Person-first language is used at ACE Empower because students with special needs are students before they are students with disabilities. Language such as "the EL kids" or "he's SPED" are not used. Instead people-first language is used – putting the person before the disability or experience – and eliminating old, prejudicial, and harmful descriptors. This person-first language includes the use of terms like "students with learning differences," "students who are English learners," and "students with special needs."

To promote a culture of inclusivity in which all students can learn, staff talk to all students about learning differences and individuality. Students are aware of their strengths, as well as their IEP, language level, and/or disability – and they know how to advocate for themselves and ask for help

when they need it. This prepares students for success in college, where they will be able to advocate for their needs based on their understanding of their learning differences.

Multi-tiered Systems of Support

Multi-Tiered System of Support (MTSS) is a coherent system of instructional practices, interventions, school-wide culture and discipline systems, and positive behavioral support that supports students based on need. Given the majority of students enter ACE Empower below grade level, MTSS primarily focuses on students who are below grade level. However, the MTSS system is also put into action to serve students who are achieving above grade level and need an additional challenge.

MTSS encompasses the merger of Positive Behavioral Interventions and Supports (PBIS) and Response to Intervention (RTI). MTSS has frequently been used interchangeably with RTI and PBIS, which are multi-tiered frameworks used to meet the academic needs and the behavioral needs of students respectively. However, MTSS is usually conceptualized as broader than both RTI and PBIS in that MTSS is considered a general framework for education service delivery that encompasses both RTI and PBIS.²⁶ MTSS also emphasizes the school as a whole system, including teachers, administrators, and other staff, as opposed to solely focusing on student progress.²⁷ The key components of the MTSS Framework are provided in **Figure A.9**.²⁸

Figure A.9 MTSS Framework

Key Components of MTSS Framework		
Data	Evidence Based Practices	Levels of Support
Universal Screeners, Curricular Based Data, Assessment Data	Empirically Supported	Maximum Fidelity
Continuous Progress Monitoring	Aligned with Student Need	Opportunities for Intensive and Individual Support
Implementation and Fidelity	Contextually Relevant	Team Coordination and Distributed Leadership

²⁶ Stoiber, K. C. (2015). Multi-tiered systems of support and evidence-based practices. *Handbook of Response to Intervention*, 121-141. https://doi.org/10.1007/978-1-4899-7568-3_9

²⁷ Ibid.

²⁸ Freeman, J., Sugai, G., Simonsen, B., & Everett, S. (2016). MTSS coaching: Bridging knowing to doing. *Theory Into Practice*, 56(1), 29-37. <https://doi.org/10.1080/00405841.2016.1241946>

ACE leverages the Case Study process within its MTSS practice, by which any staff, parent/guardian, or community member may submit a referral request to the site based MTSS team. This team meets every six weeks to evaluate initial referrals, monitor progress of students currently receiving MTSS, and monitor progress of reclassified ELs. The Case Study process looks at multiple data points (i.e. behavior, attendance, grades, student work, teacher/parent observation, responses to internal trauma inventory) to build out a plan for the level of comprehensive support and/or intervention necessary. This plan is then implemented for a minimum of six weeks, with data gathered to evaluate either the success or need for further and/or more intensive support. This assists ACE with Child Find as it provides a comprehensive avenue for ACE to identify students who truly are in need of more significant support through either a 504 plan and/or an Individualized Education Plan.

Tiered Interventions

Within MTSS, tiered interventions that build upon each other are leveraged to address identified student needs. Examples of tiered supports under MTSS are provided in **Figure A.10**.

Figure A.10 Tiered Interventions

MTSS Tiered Interventions			
Tier	How It Works	Students	Possible Interventions
Tier 1	<ul style="list-style-type: none"> • High quality core curriculum and instruction • Universal screening • Individual teacher problem solving • Student progress monitoring • Identify Tier 2 students 6-8 weeks into school 	All	<ul style="list-style-type: none"> • Close reading in ELA as a support to understand grade-level texts. • Vocabulary support for all students. • Use of models and manipulatives in math to conceptually understand mathematical ideas. • Discussion routines so that all students are listening and speaking. • Check for understanding and providing additional support in class, such as re-teaching, or small-group instruction. • Audio of texts to struggling learners, or vocabulary word work for ELs. • Math fluency block for all

			<ul style="list-style-type: none"> • See the rest of the instructional playbook for more ideas!
Tier 2	<ul style="list-style-type: none"> • General, targeted interventions created at the school level based on school-wide data • Progress monitoring • Should not exceed 6 weeks 	Few, roughly 10 – 20%	<ul style="list-style-type: none"> • Phonics/Decoding support • ELD support (integrated and designated) • Math fluency support (students that struggle with basic facts and computation)
Tier 3	<ul style="list-style-type: none"> • Individualized support • MTSS Team • Grade level meeting (could take place during Data Day) • Advisor is the “case manager” • Assistant principal or teacher leader is the facilitator, and holds teachers accountable 	<10% students per grade per year	<ul style="list-style-type: none"> • Functional Behavior Plan/Behavior Intervention Plan • Behavior contract • One-on-one tutoring • Small group tutoring • Language! • Counseling • Referral to alternative programs within the LEA/district • Referral to professional and/or agencies outside of the LEA/district (at cost to the LEA/district)

Tier 1: High Quality Core Curriculum and Instruction

All students are part of Tier 1 – essentially, this is the academic and behavioral support that all students receive by being in a general education classroom. Tier 1 supports are provided by the general education teacher, and includes the teacher providing a rigorous curriculum that is engaging and is aligned to the CCSS, NGSS, and ELD. Teachers check for understanding on a regular basis, and give differentiated support, as necessary. Whole group, small group, and individual instruction is used to support students who need remediation in more basic skills, as well as to support students with language development at their level. Teachers monitor the progress of all students through assessments, and provide scaffolds or teach prerequisites when necessary, so that all students can achieve.

Key Questions ACE asks to develop and evaluate Tier 1 interventions:

- Are students provided with standards-aligned, evidence-based core instruction? How is this verified?
- What assessment tools or processes are used to identify instructional needs and the students' response to instruction?
- Is the core instruction/support effective?
- What percent of students are achieving the benchmark expectations, both academic and behavioral? Is this meeting the goal of 80% or more?
- What percent of students in priority groups are achieving the benchmark expectations, both academic and behavioral? Is this meeting the goal of 80% or more?
- How are priority groups of students performing in the context of other priority groups?
- If core instruction is not effective:
 - Is the curriculum vertically aligned? How do student knowledge and skills build from year to year?
 - Is the curriculum appropriately matched to the needs of students?
 - Is support provided for implementation fidelity?
 - How does the Instructional Leadership Team enhance and support Tier 1 instruction?
 - How are parents and students involved or engaged in supporting effective Tier 1 instruction?
 - What is the decision rule to determine if students will require supplemental and more intensive, individualized intervention/support?

Tier 2: School-Based Interventions based on data (not individualized)

Leaders create interventions built into the school day that target roughly 10-20% of the student body. Students are chosen for these interventions based on school-wide data that is available, such as SBAC, ELPAC, SBAC IABs/ICA, Renaissance Star Reading and Star Math, or social, emotional, and behavioral data. Leaders make lists of students to be part of Tier 2 supports roughly 6 – 8 weeks into the school year, and progress is monitored via ongoing analysis of data at least four times a year to ensure that groupings are flexible and appropriate. Tier 2 interventions built into the school program include, but are not limited to, the following:

- **Core Classroom Interventions** – Teachers conduct individual and small group skill-based interventions within core classes based on formative assessments. This includes but is not limited to the use of flexible grouping, differentiated mini lessons and tiered assignments in small group instruction, differentiated homework assignments, the use of instructional

materials at a variety of reading levels, and supplementary instruction and one-on-one tutoring.

- **Core Classroom Accommodations** – Paraprofessionals and learning specialists provide classroom based accommodations based on IEPs and 504 Plans.
- **Primary and Secondary Language Supports** – EL students are provided with Integrated ELD across all core classes, which integrate ELD standards into the core curriculum. Teachers provide specific vocabulary and comprehension scaffolds, as well as explicit modelling in the form and function of language using strategies from Robert Marzano and Kate Kinsella for reading comprehension and language development. Students receive designated ELD in groupings based on language level, as either a push-in or pull-out support.
- **Intervention** – Students receive additional small group skill-based interventions within the core classroom, through differentiated flexible groupings. This includes the use of adaptive blended learning tools at their level to support work in their current Zone of Proximal Development. Currently, Ready Common Core and Standards Plus are leveraged to provide standards-aligned, differentiated curriculum at students’ level.

Tier 3: MTSS Intervention

Often students receiving Tier 3 instruction are taught using a standards-based program that may be different than that used in core instruction that directly addresses identified skill deficits. Tier 3 is about increased time and intensity on a narrowed instructional and skill based focus. It is critical to teach students the skills they need to be successful in the next unit of instruction, grade level, course of study, and/or learning environment. The impact of the instruction provided in Tiers 2 and 3 is influenced significantly by the degree to which Tier 1 standards and instructional practices are incorporated, to the greatest degree possible, into Tier 2 and Tier 3.

Tier 3 is the most intense instruction and intervention that is based on individual student needs (<5% of student population). This instruction is in addition to and aligned with the standards and supplemental academic and behavioral curriculum, instruction, and supports. This can include:

- Increased time intensity, including length of intervention sessions, number of interventions per week, and duration
- A narrowed curriculum focus
- Reduced group size

Support Timeline

Members of the MTSS team meet once a month and then at the intervals decided upon by the intervention for students involved in the case study process. The purpose of this schedule is to ensure that students are given an opportunity to be given proper supports before the LEA

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requests an initial assessment, but rather there are clear, sustained, data-driven efforts that ensure staff are progress monitoring the effects of the interventions being implemented by the team and teachers/staff members of the student involved in the Case Study process. The MTSS team collects comprehensive academic and behavioral data, while keeping in mind a student's cultural, language, and ethnic characteristics, to design a comprehensive support plan.

Areas that are important to discuss and document during the MTSS Team Meeting:

- Academics – Performance and results of interventions (NWEA/Star, SBAC, Curricular based measures, student work samples, etc)
- Developmental/medical history
- Attendance/school enrollment history
- Review of vision, hearing, speech and language screenings
- Behavioral Data (Trauma Inventory Report, Referrals, Counselor Observations, Parent Interview, Staff Observations, etc)

The following are actions the MTSS may decide to take to support the struggling student.

- Accommodations and instructional strategies within the general education program
- Research-based instructional strategies and interventions, including universal screening, “tiered” interventions, progress monitoring and problem solving teams within the general education program (Check-In/Check Out, Small Group Instruction, Corrective Reading, Multi-Sensory Reading and Math Instruction,
- Consultation with appropriate staff
- Referral to alternative programs within the ACE
- Referral to professional and/or agencies outside of ACE (at cost to ACE)

If the MTSS plan is effective, the MTSS continues its ongoing monitoring, evaluation and adjustments. If the plan was implemented with fidelity and was not effective, the SST will consider adjusting the plan and trying again, or referring the student for a special education evaluation or to an outside resource for more specialized evaluation. Parents will be contacted whenever there is a concern about their child's academic or behavioral performance. Every monthly meeting the progress of reclassified English Learner students is visited and all progress monitoring forms are examined and if reclassified students are found to be struggling they will go through the case study process in order to ensure they continue to make progress in becoming more fluent in English.

If, after the team has implemented strategies with fidelity, exhausted all other possibilities, and the student is still struggling, the team may choose to refer the student to special education. This

decision should come when a student has shown that they need Specialized Academic Instruction, in order to bridge the gap between their performance and the performance of their Tier I peers.

Parents have the right to request an assessment for special education services at any time, in which case the MTSS would not need to be utilized. In the event that a parent makes a written request for a special education evaluation, the LEA/district must respond within 15 days. Should the LEA/district determine testing is merited, they would respond by sending an assessment plan and a Prior Written Notice (PWN) and Procedural Safeguards. If the parent needs help writing the request the LEA will provide any support necessary to put the request in writing.

Members of the MTSS

- All teachers who teach the referred student (in most schools, the entire grade level team)
- Referred student's College Seminar Advisor
- Either a learning specialist or special education department chair
- School counselor or school psychologist, if appropriate
- Assistant Principal, School Leader Resident or Principal
- Parents and students (if appropriate)

The team tracks the progress and shares this with the Special Education Department Chair.

MTSS Meeting

A brief overview of the essential parts of an SST meeting are as follows.

Before the meeting:

- Referral to an MTSS is made based on data and observations, Referrals can be made by anyone in order to ensure all students have the opportunity to go through the Case Study process.
- The referral form asks for as much data as possible to assist in the process of case study, and requires the referring team to give specific data, both quantitative and qualitative, as to why the student should receive more targeted support and/or intervention
- The Counselor sends the agenda to the team outside of the normal monthly interval when

During the meeting:

- Facilitator states the objectives and the agenda for the meeting.
- The counselor goes over the progress of those in interventions
 - Advisors update as to how previously referred students are doing with additional supports. Team asks if all the interventions were done with fidelity.

- Team discusses any changes that may be made to the plan.
- Team discusses, if interventions have not worked, what the next steps will be.
- For each new referral:
 - The stakeholder who referred
 - Presents all relevant data.
 - Proposes appropriate supports
 - Team decides upon an appropriate intervention and/or increased level of support
 - Team decides what the plan should be, who is responsible, and next steps
 - Areas that are important to discuss and document during the MTSS meeting are:
 - Academics – Performance and results of interventions (NWEA/Star, SBAC, Curricular based measures, student work samples, etc.)
 - Developmental/medical history
 - Attendance/school enrollment history
 - Review of vision, hearing, speech and language screenings
 - Behavioral Data (Trauma Inventory Report, Referrals, Counselor Observations, Parent Interview, Staff Observations, etc.)
- Wrap up
 - Facilitator states when the team will meet next (regular schedule or another initial case study meeting)
 - Facilitator recaps everyone’s next steps

After the meeting:

- The person identified to administer the intervention or increased support is now the case manager for the student discussed.
- He or she calls the parent, and lets the parent know the plan to support the student, which may include continuation of increased services, referral for an IEP assessment, and/or referral for a 504 Plan.
- He or she sends a reminder to the team half-way through the next cycle to remind everyone of their commitments.
- He or she presents results of the interventions at the next meeting.

STUDENTS WHO ARE ENGLISH LEARNERS

English Language Development Philosophy

ACE Empower has the same goal for its students who are English Learners as it does for all of its students – by the time they graduate, they will choose to attend a two- or four-year college and

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ultimately graduate from a four-year college or university.

A significant segment of the school's student body are students who are English Learners (ELs). In the 2019-20 academic year, for example, 63% of the student body was classified as English Learners and 91% were "Ever ELs". This necessitates that the school provide these students with effective, research-based educational programs and practices for increased linguistic and academic attainment – and to actively monitor both current long-term language learners, those at risk of becoming long-term language learners, and those who have been reclassified.

ACE Empower will meet all applicable legal requirements for students who are ELs, including long-term English Learners or English Learners at risk of becoming long-term English Learners, as it pertains to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirement. ACE Empower will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents.

The program for serving students who are ELs is outlined below and addresses the process for student identification, curriculum, assessments, reporting, and redesignation as well as professional development and teacher qualifications for working with students who are ELs.

For the complete ACE English Learner Manual and an example of how ACE supports staff in serving English Learners, please see **Appendix 4 – Serving All Students**.

Identification, Designation & Notification

As required by Education Code Section 52164.1, ACE Empower will determine the Home Language of each student upon enrollment through the administration of a Home Language Survey. This survey will be part of the registration packet that is filled out when students enroll at the school. In compliance with the Office for Civil Rights (OCR) of the U.S. Department of Education, if a parent affirms on the home language survey that the child learned first to speak a language other than English, that the child currently speaks a language other than English, or that a language other than English is spoken in the home, the child will be classified as having a primary home language other than English.

Within 30 calendar days of first enrollment or within 60 calendar days prior to first enrollment, but not before July 1, ACE Empower will assess the English proficiency of all students whose primary home language may not be English as determined by the Home Language Survey and other indicators, including teacher observation and informal/formal assessment. The English

Language Proficiency Assessment for California (ELPAC) is used to assess English Language Proficiency (ELP). The 30-day requirement applies to students who are entering a California public school for the first time or for students who have not yet been assessed for English Language proficiency. All other students who have indicated a home language other than English will continue with annual assessment for English Language proficiency based upon the date last tested at the prior school of enrollment. ACE Empower will notify families of the school's responsibility to conduct an annual assessment for English Language proficiency.

English Language Proficiency Assessment

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

The ELPAC consists of two separate assessments:

- **Initial Assessment (IA)**

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

- **Summative Assessment (SA)**

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

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

Testing times will vary depending upon the grade level, domain, and individual student. Both the

ELPAC IA and SA are given in two separate testing windows through the school year.

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

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

Upon completion of initial scoring, students will be designated as either Initially Fluent English Proficient (I-FEP) or English Learner (EL) using the guidelines in **Figure A.11** based on the ELPAC as the tool for assessment for English Language proficiency.

Figure A.11 Designation Criteria

English Learner	Initial Fluent-English Proficient (IFEP)
Overall ELPAC Proficiency Level is level 1 through 3	Overall ELPAC Proficiency Level is at or above the threshold between level 3 and 4

The administration will notify families their child’s ELPAC results and initial language designation within 30 days of receiving results from the publisher, as well as how ACE Empower will meet the child’s identified language needs and ensure he/she moves forward on the learning continuum in core content areas as well as language proficiency. In addition, ACE Empower will host an annual information session for families to build understanding of what the assessment is and what it means for their child, to review results in detail, and to discuss ways in which the school and family can partner to support their child’s English language development. Please see **Appendix 7 – Serving All Students** for sample letters regarding Notification and Reclassification that are sent to families. ACE Empower will report the number of EL students attending the school to the county and the state.

In addition, ACE Empower shall provide parent outreach services and meaningfully inform parents with limited English proficiency of other important information regarding ACE Empower matters to the same extent as other parents.

Ongoing Assessment, Monitoring, and Reclassification Procedures

ACE Empower will comply with all applicable state and federal laws in regard to the testing and service requirements for English Learners. Students who are identified as Limited English Proficient will take the assessment for English Language proficiency annually to determine growth in English Language proficiency until they are reclassified. Reclassification procedures utilize multiple criteria in determining whether to classify a pupil as proficient in English including, but not limited to, all of the following:

- Assessment of language proficiency using an objective assessment instrument including, but not limited to, the ELPAC.
- Participation of the pupil's classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil's curriculum mastery.
- Parental opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement including a description of the reclassification process and the parents opportunity to participate, and encouragement of the participation of parents or guardians in the reclassification procedure including seeking their opinion and consultation during the reclassification process.
- Comparison of the pupil's performance in basic skills against an empirically established range of performance and basic skills based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.
- A Student Oral Language Observation Matrix will be used by teachers to measure progress regarding comprehension, fluency, vocabulary, pronunciation, and grammar usage.

The Reclassification procedure is detailed in **Figure A.12**, **Figure A.13**, and **Figure A.14**.²⁹ Should the State of California Board of Education change its recommendations for reclassification as it completes transition to the ELPAC, ACE Empower will adopt the state recommendations and this change will not be considered a material change of the charter.

²⁹ Reclassification criteria based on current State of California Board of Education guidelines as detailed at <http://www.cde.ca.gov/ta/tg/ep/elpacgpld.asp>. These recommendations will be reconsidered by the SBE upon adoption of the specific threshold scores.

Figure A.12 Reclassification Criteria

State Criteria	ACE Policy
Assessment of English Language Proficiency	Using ELPAC: <ol style="list-style-type: none"> 1. Overall score of Level 3 (or higher) 2. Oral Language score and Written Language score of Level 3 (or higher)
Teacher Evaluation	Teacher (ELA teacher 5-12), agrees the student should be reclassified based on classroom evidence of academic performance
Parent Opinion and Consultation	Parent receives notice of reclassification eligibility and is given an opportunity to indicate if they disagree that the student be reclassified
Comparison of student performance in basic skills against an empirically established range of performance in basic skills based on the performance of English proficient students of the same age.	Scored at or above on one of the following academic indicators (see table here for academic indicator cut points by grade): <ol style="list-style-type: none"> 1. Nearly Met Standard (Level 2) or higher on the ELA SBAC. 2. Nearly Met Standard (Level 2) or higher on the ELA interim

Reclassifying English Learners with Disabilities

An EL student with a disability may be reclassified as RFEP using the guidance in **Figure A.13** and **Figure A.14**. The IEP team must consider how the EL student would compare to another student with a similar disability who is not identified as EL.

Figure A.13 Reclassification Criteria for ELs with Disabilities

State Criteria	ACE Policy
Assessment of English Language Proficiency	<p>The IEP team must discuss the individualized criteria and write the chosen criteria into the student’s IEP, keeping in mind that the student’s performance in basic skills may be impacted by their disability and significant disproportionality.</p> <p>Student Services Team: Score at Somewhat Developed (Level 2) Overall (to be modified by IEP teams based on student’s disability)</p>
Teacher Evaluation	Ed Specialist and ELA/ELD teacher agrees the student should be reclassified based on classroom evidence of academic performance
Parent Opinion and Consultation	Parent receives notice of reclassification eligibility and is given an opportunity to indicate if they disagree that the student be reclassified
Comparison of student performance in basic skills against an empirically established range of performance in basic skills based on the performance of English proficient students of the same age.	<p>The IEP team must discuss the individualized criteria and write the chosen criteria into the student’s IEP, keeping in mind that the student’s performance in basic skills may be impacted by their disability/significant disproportionality of SLD/EL in our network. The range of criteria offered below aims to give students with disabilities several options for demonstrating ability.</p> <ol style="list-style-type: none"> 1. Nearly Met Standard (Level 2) or higher on the ELA SBAC 2. Nearly Met Standard (Level 2) or higher on the ELA Interim <p>The IEP team can use results from another valid and reliable assessment that can compare the basic skills of English Learners with disabilities to native speakers of English with similar disabilities of the same grade level to determine sufficient mastery of the basic skills for reclassification. Assessments must be given by appropriately credentialed staff. (ex: WJ, KTEA, WIAT-III)</p>

Figure A.14 Reclassification Criteria for ELs with Disabilities on Alternate Curriculum

State Criteria	ACE Policy
Assessment of English Language Proficiency	VCCALPS assessment with a score of 49 or above
Teacher Evaluation	Education Specialist agrees the student should be reclassified based on evidence of academic performance
Parent Opinion and Consultation	Parent receives notice of reclassification eligibility and is given an opportunity to indicate if they disagree that the student be reclassified
Comparison of student performance in basic skills against an empirically established range of performance in basic skills based on the performance of English proficient students of the same age.	<p>The IEP team must discuss the individualized criteria and write the chosen criteria into the student’s IEP, keeping in mind that the student’s performance in basic skills may be impacted by their disability.</p> <p>Basic Skills assessment used in IEP testing (i.e., OWLs, WJ or WIAT)</p>

ACE Empower will use a variety of assessment tools, including those discussed above, to diagnose the needs of students who are English Learners. Based on the annual ELPAC results, as well as the range of assessments administered to all students, students in need of additional support and/or challenge – including students who are English Learners – are identified for differentiated instructional, acceleration, and/or support services. In addition, ACE Empower will monitor the academic progress of reclassified students as well as IFEP students periodically to ensure these students are continuing to progress academically.

Strategies for Students Who Are ELs – Instruction and Intervention

Given that the vast majority of ACE students have a primary language other than English and that over 50% of the school’s population is students who are ELs, the school’s program is explicitly designed to provide these students with effective, research-based educational programs and practices for increased linguistic and academic attainment. The overall model for English Language Development at ACE Empower is the inclusion model of ELD. Students who are ELs are enrolled and participate in a regular course of study along with all other students. ELs are held to the same high expectations as all students, while being provided with scaffolds and accommodations that assist them in reaching the expected standards and competencies. As an

additional scaffold, a special section of College Seminar class is offered to specifically support students who are newcomers. All other courses will be taught in English.

ACE Empower has completed a multi-year implementation plan of the California ELD Standards, in alignment with the State implementation guide and with support from the SCCOE. These standards focus on English Learners interacting in meaningful ways with the content, as well as learning about how English works. The EL program is overseen by the Principal and designed to ensure that all students have access to grade level content and receive the appropriate scaffolds up to grade level rigor. Furthermore, it includes both Integrated ELD and Designated ELD. Teachers are involved in the ongoing program development, and families are informed of the plan and provided opportunities for feedback through existing parent leadership structures. For an example of how ACE supports staff in serving English Learners, both as an Overview and in terms of Designated ELD, please see **Appendix 4 – Serving All Students**.

Integrated ELD

Integrated ELD is provided across all content areas, with teachers working together to ensure a supportive and cohesive experience for ELs. This explicitly included adoption of research-based techniques that have been proven to be successful at providing students who are ELs access to rigorous content and instruction while simultaneously developing English language skills. For example, students may be provided with sentence frames for collaborative discussions according to language proficiency level across content classes: Level 1/Emerging “I think...”, Level 2/Expanding “In my opinion...”, and Level 3/Bridging “It seems to me that...”

For the past two years, ACE Empower has selected a common ELD Standard each month, then supported content teachers in providing specifically designed instruction and language supports in their content area in support of the standard. Coaches observe teacher implementation, providing feedback to strengthen practice. This shared focus in turn creates a consistent experience for students and the ability to apply their work and development in an ELD standard across content areas.

Designated ELD

ACE Empower has adopted the English 3D Curriculum, designed by nationally recognized ELD author, researcher, and teacher educator, Dr. Kate Kinsella.³⁰ The program provides specific scaffolds for long-term language learners, who compose the majority of English Learners at the school, as well as for newcomers. Speaking, reading, and writing are supported by English 3D’s

³⁰ More information on English 3D is available at <https://www.hmhco.com/programs/english-3d>

research-based instructional routines and authentic text sets.

Alignment of Standards and Strategies

As the standards are intended to help English Learners learn English in the context of disciplines and grade level content, **Figure A.15** outlines 5th – 8th grade level standards and identifies some of the strategies ACE Empower may use with its students who are ELs. As ACE Empower continues to build its understanding of the Common Core, Next Generation Science, and the new California ELD standards, the strategies will continue to expand so that students who are ELs are best served, and that their learning of English is embedded with the learning of grade level content.

Figure A.15 ELD Standards Alignment

5th Grade		
Part of Framework:	Corresponding CA CCSS for ELA/Literacy	ACE Curricular Strategies
<p>I: Interacting in Meaningful Ways A: Collaborative</p> <ol style="list-style-type: none"> 1. Exchanging information and ideas with others through oral collaborative discussions on a range of social and academic topics 2. Interacting with others in written English in various communicative forms (print, communicative technology, and multimedia) 3. Offering and supporting opinions and negotiating with others in communicative exchanges 4. Adapting language choices to various contexts (based on task, purpose, audience, and text type) 	<p>SL.5.1, 6; L.5.1, 3, 6 W.5.6; L.5.1, 3, 6 SL.5.1, 6; L.5.1, 3, 6 W.5.4–5; SL.5.1, 6; L.5.1, 3, 6</p>	<ul style="list-style-type: none"> • Sentence frames • TPS- Think, Pair, Share w/ peers • Journal writing • Responding to thought questions on-line • Group discussion
<p>I: Interacting in Meaningful Ways B: Interpretive</p> <ol style="list-style-type: none"> 1. Listening actively to spoken English in a range of social and academic contexts 2. Reading closely literary and informational texts and viewing 	<p>SL.5.1–3; L.5.3 RL.5.1–7, 9–10; RI.5.1–7, 9–10; SL.5.2–3; L.5.3, 4, 6 RL.5.3–4, 6; RI.5.2, 6, 8; SL.5.3; L.5.3–6 RL.5.4–5; RI.5.4–5;</p>	<ul style="list-style-type: none"> • Close reading • Learning from video clips • Text analysis

<p>multimedia to determine how meaning is conveyed explicitly and implicitly through language</p> <ol style="list-style-type: none"> Evaluating how well writers and speakers use language to support ideas and opinions with details or reasons depending on modality, text type, purpose, audience, topic, and content area Analyzing how writers and speakers use vocabulary and other language resources for specific purposes (to explain, persuade, entertain, etc.) depending on modality, text type, purpose, audience, topic, and content area 	SL.5.3; L.5.3–6	
<p>I: Interacting in Meaningful Ways C: Productive</p> <ol style="list-style-type: none"> Expressing information and ideas in formal oral presentations on academic topics Writing literary and informational texts to present, describe, and explain ideas and information, using appropriate technology Supporting own opinions and evaluating others’ opinions in speaking and writing Selecting and applying varied and precise vocabulary and language structures to effectively convey ideas 	SL.5.4–6; L.5.1, 3, 6 W.5.1–10; L.5.1–3, 6 W.5.1, 4, 9–10; SL.5.4, 6; L.5.1–3, 6 W.5.4–5; SL.5.4, 6; L.5.1, 3, 5–6	<ul style="list-style-type: none"> Oral presentations Being the “expert” to teach the class Learning about synonyms, antonyms
<p>II: Learning About How English Works A: Structuring Cohesive Texts</p> <ol style="list-style-type: none"> Understanding text structure Understanding cohesion 	RL.5.5; RI.5.5; W.5.1–5; SL.5.4 RL.5.5; RI.5.5; W.5.1–4; SL.5.4; L.5.1, 3	<ul style="list-style-type: none"> Engaging with various types of text
<p>II: Learning About How English Works B: Expanding and Enriching Ideas</p> <ol style="list-style-type: none"> Using verbs and verb phrases Using nouns and noun phrases 	W.5.5; SL.5.6; L.5.1, 3, 6 W.5.5; SL.5.6; L.5.1, 3, 6	<ul style="list-style-type: none"> Using Write Tools strategies Going through the writing process

3. Modifying to add details	W.5.5; SL.5.4, 6; L.5.1, 3, 6	
II: Learning About How English Works C: Connecting and Condensing Ideas 1. Connecting ideas 2. Condensing ideas	W.5.1–3, 5; SL.5.4, 6; L.5.1, 3, 6 W.5.1–3, 5; SL.5.4, 6; L.5.1, 3, 6	<ul style="list-style-type: none"> Making connections while reading various types of texts
III: Using Foundational Literacy Skills	RF.K–1.1–4; RF.2–5.3–4 (as appropriate)	<ul style="list-style-type: none"> Reading and analyzing texts together
6th Grade		
Part of Framework:	Corresponding CA CCSS for ELA/Literacy	ACE Curricular Strategies
I: Interacting in Meaningful Ways A: Collaborative 1. Exchanging information and ideas with others through oral collaborative discussions on a range of social and academic topics 2. Interacting with others in written English in various communicative forms (print, communicative technology, and multimedia) 3. Offering and supporting opinions and negotiating with others in communicative exchanges 4. Adapting language choices to various contexts (based on task, purpose, audience, and text type)	SL.6.1, 6; L.6.3, 6 W.6.6; WHST.6.6; SL.6.2; L.6.3, 6 W.6.1; WHST.6.1; SL.6.1, 4, 6; L.6.3, 6 W.6.4–5; WHST.6.4–5; SL.6.6; L.6.1, 3, 6	<ul style="list-style-type: none"> Sentence frames TPS- Think, Pair, Share w/ peers Journal writing Responding to thought questions on-line Group discussion
I: Interacting in Meaningful Ways B: Interpretive 1. Listening actively to spoken English in a range of social and academic contexts 2. Reading closely literary and informational texts and viewing multimedia to determine how	SL.6.1, 3, 6; L.6.1, 3, 6 RL.6.1–7, 9–10; RI.6.1–10; RH.6.1–10; RST.6.1–10; SL.6.2; L.6.1, 3, 6 RL.6.4–5; RI.6.4, 6, 8; RH.6.4–6, 8; RST.6.4–6, 8; SL.6.3; L.6.3, 5–6 RL.6.4–5;	<ul style="list-style-type: none"> Close reading Learning from video clips Text analysis

<p>meaning is conveyed explicitly and implicitly through language</p> <ol style="list-style-type: none"> 3. Evaluating how well writers and speakers use language to support ideas and arguments with details or evidence depending on modality, text type, purpose, audience, topic, and content area 4. Analyzing how writers and speakers use vocabulary and other language resources for specific purposes (to explain, persuade, entertain, etc.) depending on modality, text type, purpose, audience, topic, and content area 	<p>RI.6.4–5; RH.6.4–5; RST.6.4–5; SL.6.3; L.6.3, 5–6</p>	
<p>I: Interacting in Meaningful Ways C: Productive</p> <ol style="list-style-type: none"> 1. Expressing information and ideas in formal oral presentations on academic topics 2. Writing literary and informational texts to present, describe, and explain ideas and information, using appropriate technology 3. Justifying own arguments and evaluating others’ arguments in writing 4. Selecting and applying varied and precise vocabulary and language structures to effectively convey ideas 	<p>SL.6.4–6; L.6.1, 3 W.6.1–10; WHST.6.1–2, 4–10; L.6.1–6 W.6.1, 8–9; WHST.6.1, 8–9; L.6.13, 6 W.6.4–5; WHST.6.4–5; SL.6.4, 6; L.6.1, 3, 5–6</p>	<ul style="list-style-type: none"> • Oral presentations • Being the “expert” to teach the class • Learning about synonyms, antonyms
<p>II: Learning About How English Works A: Structuring Cohesive Texts</p> <ol style="list-style-type: none"> 1. Understanding text structure 2. Understanding cohesion 	<p>RL.6.5; RI.6.5; RH.6.5; RST.6.5; W.6.1–5, 10; WHST.6.1–2, 4–5, 10; SL.6.4 RI.6.5; RH.6.5; RST.6.5; W.6.1–5, 10; WHST.6.1–2, 4–5, 10; L.6.1, 3–6</p>	<ul style="list-style-type: none"> • Engaging with various types of text
<p>II: Learning About How English Works B: Expanding and Enriching Ideas</p>	<p>W.6.5; WHST.6.5; SL.6.6; L.6.1, 3–6</p>	<ul style="list-style-type: none"> • Using Write Tools strategies

<ol style="list-style-type: none"> 1. Using verbs and verb phrases 2. Using nouns and noun phrases 3. Modifying to add details 	<p>W.6.5; WHST.6.5; SL.6.6; L.6.1, 3–6 W.6.4–5; WHST.6.4–5; SL.6.6; L.6.1, 3–6</p>	<ul style="list-style-type: none"> ● Going through the writing process
<p>II: Learning About How English Works C: Connecting and Condensing Ideas</p> <ol style="list-style-type: none"> 1. Connecting ideas 2. Condensing ideas 	<p>W.6.1–5; WHST.6.1–2, 4–5; SL.6.4, 6; L.6.1, 3–6 W.6.1–5; WHST.6.1–2, 4-5; SL.6.4, 6; L.6.1, 3–6</p>	<ul style="list-style-type: none"> ● Making connections while reading various types of texts
<p>III: Using Foundational Literacy Skills</p>	<p>RF.K–1.1–4; RF.2–5.3–4 (as appropriate)</p>	<ul style="list-style-type: none"> ● Reading and analyzing texts together
7th Grade		
Part of Framework:	Corresponding CA CCSS for ELA/Literacy	ACE Curricular Strategies
<p>I: Interacting in Meaningful Ways A: Collaborative</p> <ol style="list-style-type: none"> 1. Exchanging information and ideas with others through oral collaborative discussions on a range of social and academic topics 2. Interacting with others in written English in various communicative forms (print, communicative technology, and multimedia) 3. Offering and justifying opinions, negotiating with and persuading others in communicative exchanges 4. Adapting language choices to various contexts (based on task, purpose, audience, and text type) 	<p>SL.7.1, 6; L.7.3, 6 W.7.6; WHST.7.6; SL.7.2; L.7.3, 6 W.7.1; WHST.7.1; SL.7.1, 4, 6; L.7.3, 6 W.7.4–5; WHST.7.4–5; SL.7.6; L.7.1, 3, 6</p>	<ul style="list-style-type: none"> ● Sentence frames ● TPS- Think, Pair, Share w/ peers ● Journal writing ● Responding to thought questions on-line ● Group discussion
<p>I: Interacting in Meaningful Ways B: Interpretive</p>	<p>SL.7.1, 3, 6; L.7.1, 3, 6 RL.7.1–7, 9–10; RI.7.1–10; RH.7.1–10;</p>	<ul style="list-style-type: none"> ● Close reading ● Learning from video clips

<ol style="list-style-type: none"> 1. Listening actively to spoken English in a range of social and academic contexts 2. Reading closely literary and informational texts and viewing multimedia to determine how meaning is conveyed explicitly and implicitly through language 3. Evaluating how well writers and speakers use language to support ideas and arguments with details or evidence depending on modality, text type, purpose, audience, topic, and content area 4. Analyzing how writers and speakers use vocabulary and other language resources for specific purposes (to explain, persuade, entertain, etc.) depending on modality, text type, purpose, audience, topic, and content area 	<p>RST.7.1–10; SL.7.2; L.7.1, 3, 6 RL.7.4–5; RI.7.4, 6, 8; RH.7.4–6, 8; RST.7.4–6, 8; SL.7.3; L.7.3, 5–6 RL.7.4–5; RI.7.4–5; RH.7.4–5; RST.7.4–5; SL.7.3; L.7.3, 5–6</p>	<ul style="list-style-type: none"> ● Text analysis
<p>I: Interacting in Meaningful Ways C: Productive</p> <ol style="list-style-type: none"> 1. Expressing information and ideas in formal oral presentations on academic topics 2. Writing literary and informational texts to present, describe, and explain ideas and information, using appropriate technology 3. Justifying own arguments and evaluating others' arguments in writing 4. Selecting and applying varied and precise vocabulary and language resources to effectively convey ideas 	<p>SL.7.4–6; L.7.1, 3 W.7.1–10; WHST.7.1–2,4–10; L.7.1–6 W.7.1, 8–9; WHST.7.1 ,8–9; L.7.1–3, 6 W.7.4–5; WHST.7.4–5; SL.7.4, 6; L.7.1,3, 5–6</p>	<ul style="list-style-type: none"> ● Oral presentations ● Being the “expert” to teach the class ● Learning about synonyms, antonyms
<p>II: Learning About How English Works A: Structuring Cohesive Texts</p> <ol style="list-style-type: none"> 1. Understanding text structure 	<p>RL.7.5; RI.7.5; RH.7.5; RST.7.5; W.7.1–5, 10; WHST.7.1-2, 4–5,10;</p>	<ul style="list-style-type: none"> ● Engaging with various types of text

2. Understanding cohesion	SL.7.4 RI.7.5; RH.7.5; RST.7.5; W.7.1–5,10; WHST.7.1–2, 4–5, 10; L.7.1, 3–6	
II: Learning About How English Works B: Expanding and Enriching Ideas 1. Using verbs and verb phrases 2. Using nouns and noun phrases 3. Modifying to add details	W.7.5; WHST.7.5; SL.7.6; L.7.1, 3–6 W.7.5; WHST.7.5; SL.7.6; L.7.1, 3–6 W.7.4–5; WHST.7.4–5; SL.7.6; L.7.1, 3–6	<ul style="list-style-type: none"> Using Write Tools strategies Going through the writing process
II: Learning About How English Works C: Connecting and Condensing Ideas 1. Connecting ideas 2. Condensing ideas	W.7.1–5; WHST.7.1–2, 4–5; SL.7.4, 6; L.7.1, 3–6 W.7.1–5; WHST.7.1–2, 4–5; SL.7.4, 6; L.7.1, 3–6	<ul style="list-style-type: none"> Making connections while reading various types of texts
III: Using Foundational Literacy Skills	RF.K–1.1–4; RF.2–5.3–4 (as appropriate)	<ul style="list-style-type: none"> Reading and analyzing texts together
8th Grade		
Part of Framework:	Corresponding CA CCSS for ELA/Literacy	ACE Curricular Strategies
I: Interacting in Meaningful Ways A: Collaborative 1. Exchanging information and ideas with others through oral collaborative discussions on a range of social and academic topics 2. Interacting with others in written English in various communicative forms (print, communicative technology, and multimedia) 3. Offering and justifying opinions, negotiating with and persuading others in communicative exchanges	SL.8.1, 6; L.8.3, 6 W.8.6; WHST.8.6; SL.8.2; L.8.3, 6 W.8.1; WHST.8.1; SL.8.1, 4, 6; L.8.3, 6 W.8.4–5; WHST.8.4–5; SL.8.6; L.8.1, 3, 6 W.8.4–5; WHST.8.4–5; SL.8.6; L.8.1, 3, 6	<ul style="list-style-type: none"> Sentence frames TPS- Think, Pair, Share w/ peers Journal writing Responding to thought questions on-line Group discussion

<p>4. Adapting language choices to various contexts (based on task, purpose, audience, and text type)</p>		
<p>I: Interacting in Meaningful Ways B: Interpretive</p> <ol style="list-style-type: none"> 1. Listening actively to spoken English in a range of social and academic contexts 2. Reading closely literary and informational texts and viewing multimedia to determine how meaning is conveyed explicitly and implicitly through language 3. Evaluating how well writers and speakers use language to support ideas and arguments with details or evidence depending on modality, text type, purpose, audience, topic, and content area 4. Analyzing how writers and speakers use vocabulary and other language resources for specific purposes (to explain, persuade, entertain, etc.) depending on modality, text type, purpose, audience, topic, and content area 	<p>SL.8.1, 3, 6; L.8.1, 3, 6 RL.8.1–7,9–10; RI.8.1–10; RH.8.1–10; RST.8.1–10; SL.8.2; L.8.1, 3, 6 RL.8.4–5; RI.8.4, 6, 8; RH.8.4–6, 8; RST.8.4–6, 8; SL.8.3; L.8.3, 5–6 RL.8.4–5; RI.8.4–5; RH.8.4–5; RST.8.4–5; SL.8.3; L.8.3, 5–6</p>	<ul style="list-style-type: none"> • Close reading • Learning from video clips • Text analysis
<p>I: Interacting in Meaningful Ways C: Productive</p> <ol style="list-style-type: none"> 1. Expressing information and ideas in formal oral presentations on academic topics 2. Writing literary and informational texts to present, describe, and explain ideas and information, using appropriate technology 3. Justifying own arguments and evaluating others' arguments in writing 4. Selecting and applying varied and precise vocabulary and other 	<p>SL.8.4–6; L.8.1, 3 W.8.1–10; WHST.8.1–2, 4–10; L.8.1–6 W.8.1, 8–9; WHST.8.1, 8–9; L.8.1–3, 6 W.8.4–5; WHST.8.4–5; SL.8.4, 6; L.8.1, 3, 5–6</p>	<ul style="list-style-type: none"> • Oral presentations • Being the “expert” to teach the class • Learning about synonyms, antonyms

language resources to effectively convey ideas		
<p>II: Learning About How English Works</p> <p>A: Structuring Cohesive Texts</p> <ol style="list-style-type: none"> 1. Understanding text structure 2. Understanding cohesion 	<p>RL.8.5; RI.8.5; RH.8.5; RST.8.5; W.8.1–5, 10; WHST.8.1–2, 4–5, 10; SL.8.4 RI.8.5; RH.8.5; RST.8.5; W.8.1–5, 10; WHST.8.1–2, 4–5,10; L.8.1, 3–6</p>	<ul style="list-style-type: none"> • Engaging with various types of text
<p>II: Learning About How English Works</p> <p>B: Expanding and Enriching Ideas</p> <ol style="list-style-type: none"> 1. Using verbs and verb phrases 2. Using nouns and noun phrases 3. Modifying to add details 	<p>W.8.5; WHST.8.5; SL.8.6; L.8.1, 3–6 W.8.5; WHST.8.5; SL.8.6; L.8.1, 3–6 W.8.4–5; WHST.8.4–5; SL.8.6; L.8.1, 3–6</p>	<ul style="list-style-type: none"> • Using Write Tools strategies • Going through the writing process
<p>II: Learning About How English Works</p> <p>C: Connecting and Condensing Ideas</p> <ol style="list-style-type: none"> 1. Connecting ideas 2. Condensing ideas 	<p>W.8.1–5; WHST.8.1–2, 4–5; SL.8. 4, 6; L.8.1, 3–6 W.8.1–5; WHST.8.1–2, 4–5; SL.8.4, 6; L.8.1, 3–6</p>	<ul style="list-style-type: none"> • Making connections while reading various types of texts
<p>III: Using Foundational Literacy Skills</p>	<p>RF.K–1.1–4; RF.2–5.3–4 (as appropriate)</p>	<ul style="list-style-type: none"> • Reading and analyzing texts together

ELAC

ACE Empower has an English Learner Advisory Committee (ELAC). All families have the opportunity to participate on the school's ELAC, to advise the principal and staff on programs and services for students who are ELs, advise the School Leadership on the development of the Single Plan for Student Achievement (SPSA) and Local Control and Accountability Plan (LCAP), develop the school's needs assessment, implement the school's annual language census, and help make parents aware of the importance of regular school attendance.

ACE Empower will meet all requirements for the composition, election, and training of the ELAC as set forth in California Ed Code 35147(c), 52176 (b), 52176(c), 62002.5, and 64001(a) and California Code of Regulations, Title 5, Section 11308(b), (c), and (d).

Teacher Qualifications and Professional Development

ACE Empower is committed to hiring an instructional staff that can meet the needs of all students, including students who are English Learners. As such, all core teachers at ACE Empower will meet requirements of the Elementary and Secondary Education Act (ESEA) and will be authorized to serve English Learners, which is most frequently attained through a Cross-cultural, Language and Academic Development (CLAD) Certification.

ACE Empower will support all teachers in their ongoing growth and professional development in serving students who are ELs. Professional development will be provided to all administrators and teachers, both core and non-core, on effective strategies for serving students who are ELs in both integrated and designated settings. Professional development will be provided on site for core and non-core teachers in these programs and strategies, as well as through ongoing coaching. Please see **Appendix 4 - Serving All Students** for examples of professional development to support understanding of the EL Program overall, as well as Designated ELD.

Monitoring and Evaluation of Program Effectiveness

Ultimately, ACE Empower will monitor and evaluate the effectiveness of the program by carefully monitoring and evaluating the performance of the students it serves. For students who are ELs, the school will track progress toward academic and college readiness achievement benchmarks in the same way it does for any student. In addition, the school will also carefully track EL student progress toward fluency in English. Key assessments in measuring the progress of English Learners include the Smarter Balanced Assessment Consortium (SBAC); the ELPAC; CCSS Aligned Interim Assessments; the internal Writing Assessment; and ACE Empower Data Dashboard.

The results from all the above assessments are used in the Multi-Tiered Systems of Support process to track student achievement. Teachers analyze these results, along with student behavioral data, every cycle to determine what re-teaching is necessary and to identify which students require targeted intervention. For students who are ELs, this explicitly includes looking at their language needs in alignment with their language level.

For students who exhibit the need for additional support, classroom-based interventions are implemented, along with supplementary instruction provided through after-school tutoring and

targeted intervention. ACE Empower’s small size and individualized instructional approach enables greater personalization of instruction and improved identification of language needs, allowing for Integrated ELD supports and scaffolds as well as Designated ELD based on language level and need.

In addition to student level data, the evaluation for the program effectiveness for students who are ELs in ACE Empower will include:

- Adhering to ACE Empower-adopted academic benchmarks by language proficiency level and years in program to determine adequate yearly progress
- Monitoring of teacher qualifications and the use of appropriate instructional strategies based on program design
- Monitoring of student identification and placement
- Monitoring of parental program choice options
- Monitoring of availability of adequate resources
- Gathering of qualitative data from students, parents, and teachers during the LCAP process, to gauge its effectiveness at providing instruction to students who are ELs.

As ACE Empower continues to align its work to the new Common Core, ELD, and Next Generation Science standards the school will continue to refine and improve its measurement systems to monitor program effectiveness.

STUDENTS WHO ARE ACADEMICALLY LOW-ACHIEVING OR HIGH-ACHIEVING

Schoolwide Differentiation Strategies

To ensure that all students can achieve, ACE Empower has a schoolwide program of differentiation that ensures that every child, ranging from those far below grade level to those who are ready to engage with above-grade level curricula, are given learning opportunities and support appropriate to their needs and interests. **Figure A.16** summarizes the differentiation strategies implemented across the academic program:

Figure A.16 Differentiation Strategies

Course/Activity	Differentiation Strategies
English-Language Arts/ Social Studies	<ul style="list-style-type: none"> ● Flexible small group instruction ● Differentiated mini lessons and tiered assignments ● Differentiated homework assignments ● Use of instructional materials at a variety of reading levels

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	<ul style="list-style-type: none"> ● Supplementary instruction and one-on-one tutoring ● Embedding of ELD standards into daily instruction ● Differentiated materials (by reading level) in the History curriculum, including Advanced Placement-style “Document-Based Questions” ● Flexible groupings in response to current benchmark results during Intervention ● Office hours
Science	<ul style="list-style-type: none"> ● Flexible small group instruction ● Tiered assignments ● Differentiated homework assignments ● Use of instructional materials at a variety of reading levels ● Supplementary instruction and one-on-one tutoring ● Embedding of ELD standards into daily instruction ● Hands-on labs and experiments ● Inquiry-based projects in response to open-ended questions ● Collaborative group presentations with defined role ● Office hours
Math	<ul style="list-style-type: none"> ● Flexible small group instruction ● Tiered assignments ● Differentiated homework assignments ● Use of instructional materials at variety of reading levels ● Supplementary instruction and one-on-one tutoring ● Embedding of ELD standards into daily instruction ● Flexible groupings in response to current benchmark results during Intervention ● Office hours
Integrated Blended Learning Supports	<ul style="list-style-type: none"> ● Ready Common Core and Standards Plus provide CCSS aligned curriculum in ELA and Math, with differentiated supports and scaffolds to support students at their level ● Edgenuity, NewsELA, Common Lit, Khan Academy, and IXL provide on-line, adaptive curricula to ensure students are doing work at real-time achievement level

Plan for Academically Low-Achieving Students

ACE Empower was founded and exists to serve students who have been traditionally underserved and who are statistically unlikely to have success in college. It is therefore likely that some of ACE Empower's students will enter the school academically low-achieving. ACE Empower will utilize the strategies as detailed under "Multi-Tiered Support System" and "Schoolwide Differentiation Strategies" above to serve these students and propel them to academic proficiency and high school and college readiness.

Low-achieving students will be identified on the basis of SBAC scores as well as their results on internal diagnostic and placement exams. Any of the following criteria alone or in combination may be used to categorize a student as low-achieving:

- Scoring more than one grade below grade level on internal diagnostics or placement exams, such as:
 - Interim Benchmarks across Subject Areas
 - SBAC Interim Assessment Blocks (IABs) in ELA and Math
 - Renaissance Star Reading and Star Math Assessments
- Scoring Level 1 or 2 on the SBAC
- Earning one or more grades of F in a marking period

Students identified as low achieving will participate in the MTSS process, and will be scheduled for individualized learning support within the core classroom instruction, as well as the College Seminar block.

Differentiated Supports

Students receive individual guided practice and remedial coaching through work with core classroom teachers during class and in office hours, through support from after school tutors, and through use of differentiated online learning. All supports are explicitly designed to respond to student achievement data and target student areas of difficulty. Students are also coached and given the opportunity to practice the learning strategies and work habits that they encounter in their regular course work.

Students are grouped for interventions after each 6 – 8 week data cycle. After compiling benchmark data results, school staff:

- Areas of need are identified

- Students who mastered/have not mastered assessed standards are identified
- Students who have not mastered the content are placed in the appropriate intervention groupings in the core classroom and Intervention block
- Course curriculum is designed to meet individual student need and shared across teaching staff, allowing for personalized intervention curriculum
- Student growth is measured throughout 6 – 8 week cycle using formative assessments
- At end of 6 – 8 week cycle, summative assessments are administered covering areas of need; when students demonstrate mastery of content, they moved into next phase of intervention; if the student does not demonstrate mastery of content standards assessed, data is re-analyzed to determine appropriate next steps for intervention

Third-Party After-School Programming

ACE Empower also partners with an extended day program provider to provide students who need homework support the chance to have dedicated daily Homework Tutorial time with trained staff, as well as daily activities such as athletics, art, or other enrichment activities. Approximately 100 students currently participate in the after school program.

Plan for Academically High-Achieving Students

ACE Empower's mission is to prepare underserved students to succeed in college. As described above, ACE Empower anticipates it will receive students with a wide variety of educational needs, and has developed a standards-based program with ample opportunities for differentiation to meet the needs of every student.

High-achieving students will be identified on the basis of SBAC scores as well as their results on internal diagnostic and placement exams. Any of the following criteria alone or in combination may be used to categorize a student as high-achieving:

- Scoring more than one grade above current grade on internal diagnostics or placement exams, such as:
 - Interim Benchmarks across Subject Areas
 - SBAC Interim Assessment Blocks (IABs) in ELA and Math
 - Renaissance Star Reading and Star Math
- Entering ACE Empower as meeting or exceeding on the SBAC
- Consistently exceeding the standard in the majority of their classes

Academically high-achieving students benefit, as do all students, from ACE Empower's challenging course work. Examples include Literature Circles where they read and discuss texts at their independent reading level in English-Language Arts, Advanced Placement-style

Document-Based Questions and rich primary source materials in History, as well as a daily inquiry-based Math and Science class with an emphasis on developing analytical and critical thinking skills. These courses are complemented by a rich array of on-line learning opportunities which provide students with course work precisely gauged to their ability level.

STUDENTS WITH SPECIAL NEEDS

ACE Empower recognizes its responsibility to enroll and support all students, regardless of disability, and pledges to work in cooperation with the chartering authority and/or a Special Education Local Plan Area (SELPA) to ensure that a free and appropriate education is provided to all students with exceptional needs. ACE Empower shall comply with all applicable state and federal laws in serving students with disabilities, including, but not limited to the Individuals with Disabilities in Education Improvement Act of 2004 (“IDEA”), Section 504 of the Rehabilitation Act of 1973 (“Section 504”), Title II of the Americans with Disabilities Act (“ADA”), and any other civil rights law enforced by the U.S. Department of Education Office for Civil Rights. Furthermore, ACE Empower will comply with the chartering authority and SELPA guidelines and all California laws pertaining to students with disabilities.

ACE Empower focuses on a responsive services delivery model in order to properly serve all students. ACE Empower builds services around the needs rather than a wholesale adoption of one service model, which prepares us to serve all ranges of disabilities. From our coordinated services delivery model of ELD, MTSS, and Specialized Academic Instruction we hope to move out of Significant Disproportionality, and ensure that every student with an Individualized Education Program is truly disabled and that we have done everything in the various levels of student support before the LEA requests a referral for student assessment.

For the complete ACE Special Education Manual, please see **Appendix 4 – Serving All Students**.

SELPA Affiliation

ACE Empower intends to continue operating as a local educational agency (“LEA”) and a member of the El Dorado County Charter School Special Education Local Plan Area (“SELPA”) in accordance with Education Code Section 47641(a). ACE Empower shall provide the County with written, verifiable assurances of its membership in the SELPA.

ACE Empower will assume full responsibility for providing special education and related services to eligible charter school students, in accordance with state and federal law.

ACE Empower will follow policies and procedures of the SELPA in which it is a member and shall utilize SELPA forms and information systems necessary to identify and serve students who

qualify for special education. ACE Empower agrees to collaborate with the SELPA to respond to inquiries and request and provide access to information and records, as needed, and shall be responsible for maintaining confidentiality of students records.

Child Find

ACE Empower understands its responsibility to ensure that all children with disabilities who need special education and related services are identified, located, and evaluated, regardless of the severity of the disability.

ACE Empower will implement a multi-tiered instructional and support framework, often referred to as MTSS, prior to referring a child for an evaluation under IDEA. However, ACE Empower shall ensure that child find identification occurs in a timely manner and that no procedures or practices result in delaying or denying this identification. A parent/guardian or ACE Empower staff member may request an initial evaluation at any time to determine if the child is a child with a disability, regardless of whether the child has participated in an MTSS process. Special education referrals shall be made only after general education supports and interventions have been considered and provided, as appropriate. ACE Empower may also choose to refer a student for services through the provisions of a Section 504 Plan, if appropriate. No assessment or evaluation will be used for admission purposes.

As an independent LEA for special education purposes, ACE Empower shall be solely responsible for compliance with state and federal Child Find requirements. ACE Empower shall implement policies and procedures of the SELPA in which it is a member to ensure timely identification and referral of students suspected of having a disability.

Referral for Assessment

The term “assessments” shall have the same meaning as the term “evaluation” in the IDEA, as provided in Section 1414, Title 20 of the United States Code. ACE Empower’s internal method for referral for assessment will be the Student Success Team (SST). Parents/guardians will be informed that special education and related services are provided at no cost to them.

As an independent LEA for special education purposes, in the event that ACE Empower receives a written request for evaluation, it will be solely responsible for working with the parent/guardian to address the request and shall follow SELPA policies, procedures, and timelines. ACE Empower shall respond to a written request for assessment within 15 days.

If ACE Empower concludes that an assessment is appropriate, the parent/guardian will receive a written Assessment Plan within 15 days. The parent will be given at least 15 days to provide

written consent to the Assessment Plan. Assessments will be done only upon receipt of written parent/guardian permission. The assessment will be completed and an Individualized Education Program (IEP) meeting held within 60 days of receipt of the parent's/guardian's written consent for assessment. If a parent has difficulty putting the request in writing the LEA and/or ACE Charter Schools will assist the parent in providing translation services and templates to request services so there is no barrier to accessing assessment.

Assessments

As an LEA for special education, ACE Empower shall be solely responsible for conducting special education assessments deemed necessary and appropriate by ACE Empower. The Principal or Principal Designee will be responsible for gathering all pertinent information and arranging for assessments to be conducted in all areas of suspected disability.

Information gathered will be used as tools to determine the student's disability, eligibility for services, and determining the nature and extent of required services. The types of assessments that may be used for determining eligibility for specialized instruction and services will include, but not limited to:

- Individual testing
- Teacher observations
- Interviews
- Review of school records, reports, and work samples
- Parent input

ACE Empower will follow the following assessment guidelines. If a conflict with SELPA policies and procedures exists, then SELPA policies and procedures will govern.

- Parents or guardians of any student referred for assessment must give their written consent for the school to administer the assessment
- The assessment will be completed and an Individualized Education Program meeting held within 60 days of receipt of the parent's written consent for assessment
- The student must be evaluated in all areas related to his/her suspected disability
- Assessments must be conducted by a person with knowledge of the student's suspected disability, and administered by trained and knowledgeable personnel and in accordance with any instructions provided by the producer of the assessments. Individually administered tests of intellectual or emotional functioning must be administered by a credentialed school psychologist
- Assessments will be selected and administered so as not to be racially, culturally, or

sexually discriminatory

- Assessments will be delivered in the student's primary language, and a qualified interpreter will be provided if needed
- Assessment tools must be used for purposes for which the assessments or measures are valid and reliable
- Assessments will be adapted as necessary for students with impaired sensory, physical or speaking skills
- A multidisciplinary team will be assembled to assess the student, including a teacher knowledgeable in the disability

Upon completion of the assessment, an IEP team will be assembled to review the results of the assessment and determine the student's eligibility for special education. ACE Empower will be responsible for scheduling, coordinating and facilitating the IEP meeting. Educators qualified to interpret test results will present the assessment data at the IEP meeting. Parents/guardians will be provided with written notice of the IEP meeting, and the meeting will be held at a mutually agreeable time and place.

Development and Implementation of IEP

Every student who is assessed for special education will have an IEP that documents assessment results and eligibility determination for special education services.

As an LEA for special education, ACE Empower shall be solely responsible for ensuring that all aspects of the IEP and school site implementation are maintained. ACE Empower will provide modifications and accommodations outlined within each individual's IEP and serve each student in the Least Restrictive Environment (LRE).

Each student who has an IEP will have an IEP team that oversees the IEP Development, implementation and progress of the student. All decisions concerning the special education programs and services to be provided to a student with a disability are to be made by the IEP team. The IEP team will include all of the following members:

- The parent or guardian of the student for whom the IEP was developed
- The Student, if appropriate
- The Principal or Principal Designee
- At least one special education teacher
- A General Education teacher who is familiar with the curriculum appropriate to that student, if the student is, or may be, participating in the general education environment
- A SELPA Special Education Representative, if appropriate

- If the child was recently assessed, the individual who conducted the assessment or who is qualified to interpret the assessment results
- Others familiar with the student may be invited as needed

ACE Empower will provide an interpreter if necessary to ensure that all parents and/or guardians understand and can participate in the IEP process. If a parent cannot attend the IEP meeting, the school will ensure his/her participation using other methods, such as conferencing by telephone or meeting at the parent's home.

A copy of the IEP will be given to the parent/guardian in accordance with state and federal laws. Upon the parent or guardian's written consent, the IEP will be implemented by ACE Empower. The IEP will include all required components and be written on SELPA forms.

The student's IEP will include the following:

- A statement of the student's present levels of academic achievement and functional performance
- The rationale for placement decisions, including cogent and responsive explanations for the recommendations
- The services the student will receive and the means for delivering those services;
- A description of when services will begin, how often the student will receive them, who will provide them, and where they will be delivered
- Measurable annual goals and short-term objectives focusing on the student's current level of performance and appropriately ambitious for his/her circumstances; The goals and objectives will also be linguistically appropriate, as per Ed Code Section 56345(b)
- A description of how the student's progress toward meeting the annual goals will be measured and monitored and when reports will be provided
- Accommodations necessary to measure the academic achievement and functional performance of the pupil on state and district assessments
- For students 16 years of age and older, measurable postsecondary goals related to training, education, employment and independent living skills, along with transition services needed to assist the student in reaching those goals
- The IEP shall be reasonably calculated to enable the child to make progress appropriate in light of his/her circumstances

IEP meetings will be held according to the following schedule:

- Yearly to review the student's progress and make any necessary changes
- Every three years to review the results of a mandatory comprehensive reevaluation of

the student's progress

- After the student has received a formal assessment or reassessment
- When a parent or teacher feels that the student has demonstrated significant educational growth or a lack of anticipated progress (consistent with state and federal law, IEP meetings will be held within 30 days of a parent's request)
- When an Individual Transition Plan (ITP) is required at the appropriate age
- When ACE Empower seeks to suspend or remove the student for a period of 10 days or more for the same behavior, in order to determine if the student's misconduct was a manifestation of his/her disability

IEP Review

The IEP team will formally review the student's IEP at least once a year to determine how the IEP is meeting his/her needs. In accordance with IDEA regulations, the IEP team will also conduct a formal review of the IEP once every three years, in which the student is reassessed and the IEP is reviewed as part of an overall comprehensive reevaluation of the student's progress.

As an LEA for special education, ACE Empower shall be responsible for conducting IEP reviews and determining necessary supports, services, placements, in accordance with SELPA policies and all applicable laws.

Unless otherwise specified on the student's IEP, parents will be informed three times per year (which is the same frequency as progress is reported to all students and parents) of the student's progress toward meeting annual goals and whether the student is expected to meet his/her annual goals. The Goals and Objectives section of the IEP will be an attachment to the general progress report. This will serve to document the method by which the student's progress toward achieving the annual goal is measured, the student's progress during the relevant period, the extent to which it is anticipated the student will achieve the annual goal prior to the next annual review, and where needed, the reasons the student did not meet the goal.

If a parent/guardian or faculty member feels the student's educational needs are not being met, they may request a reassessment or a review of the IEP by the IEP team at any time during the year via written notice to the school. Once the request is received, ACE Empower will have thirty days, not including school vacations greater than five days, to hold the IEP meeting.

Special Education Strategies for Instruction and Services

As an independent LEA for special education purposes, ACE Empower will offer a comprehensive inclusion program that includes scaffolded and differentiated learning in the core classroom, individual and small group instruction as part of the workshop model, and within the specially

designed flex block that provides daily intervention, extension, enrichment and personalized learning opportunities to students based on need. Each student's IEP requires different kinds of accommodations and modifications for instruction and services; therefore, the educational strategies of the IEP will be built around the student's needs. If a student's IEP team determines that the student requires placement outside of a general education classroom, ACE Empower will provide the necessary placement and/or services. The instruction outlined in each student's IEP will be delivered by personnel qualified to do so.

Interim and Initial Placements of New Charter School Students

ACE Empower shall comply with Education Code Section 56325 with regard to students transferring into ACE Empower within the academic school year.

As an independent LEA for special education purposes, ACE Empower shall provide transferring students with free and appropriate public education, including services comparable to those listed in the existing IEP.

For students transferring to ACE Empower from another school within the same SELPA, ACE Empower, pursuant to Education Code Section 56325(a)(2), shall continue to provide services comparable to those described in the existing approved IEP, unless parents/guardians and ACE Empower agree to develop and implement a new IEP.

For students transferring to ACE Empower from another school within a different SELPA, ACE Empower, pursuant to Education Code Section 56325(a)(1), shall continue to provide services comparable to those described in the existing approved IEP for a period of up to 30 days, by which time ACE Empower shall adopt the previous IEP or, in consultation with parents/guardians, develop and implement a new IEP that is consistent with federal and state law.

For students transferring to ACE Empower from a school outside of California, ACE Empower shall provide the student with a free appropriate public education, including services comparable to those described in their existing IEP, until ACE Empower conducts an assessment pursuant to Section 1414 of Title 20 of the United States Code, if determined to be necessary by ACE Empower, and develops a new IEP, if appropriate, in accordance with federal and state law.

Non-Public Placements/Non-Public Agencies

ACE Empower shall be solely responsible for selecting, contracting with, and overseeing all non-public schools and non-public agencies used to serve special education students. ACE Empower shall immediately address all parental requests for services from non-public schools or

agencies, unilateral placements, and/or requests for reimbursement.

Non-discrimination

It is understood and agreed that all children will have access to ACE Empower and no student shall be denied admission nor counseled out of ACE Empower 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.

Reporting

ACE Empower, in collaboration with the chartering authority or SELPA where appropriate, will collect and maintain the following information on disabled students as required by IDEA:

- A calculation of all school-age students with disabilities being provided special education services by age, grade, category of disability and the number of students with disabilities who are English Learners
- The number of students provided with test modifications and the types and the number of students exempted from Statewide assessments
- The settings in which students with disabilities receive their services, specifically including the portion of the school day they receive services with non-disabled peers and time away from the regular classroom
- The number of students with disabilities suspended "in-school" and out of school, organized by disability and length of suspensions
- The basis of exit from ACE Empower of students with disabilities (i.e., attainment of diploma and type, declassified, moved, etc.)

All necessary procedures and practices to ensure confidentiality and accurate/timely reporting will be the responsibility of ACE Empower Principal or Principal Designee. The Principal Designee will ensure that a central file with all special education evaluation material and IEP's is maintained and that this file is locked and confidential, in accordance with IDEA guidelines. The Principal Designee will oversee access to these records, and will be responsible for ensuring that all providers responsible for the implementation of a student's IEP will have access to a copy of the IEP and will be informed of their specific responsibilities in implementing the IEP.

Procedural Safeguards

Parents or guardians of students with IEP's at ACE Empower must give written consent for the evaluation and placement of their child, be included in the decision-making process when change in placement is under consideration, and be invited, along with teachers, to conferences

and meetings to develop their child's IEP.

The school will provide the parent with a written Notice of Procedural Safeguards, which will include information on the procedure to initiate both formal and informal dispute resolutions, at least once per year. ACE Empower will utilize the Notice of Procedural Safeguards used by the chartering authority or SELPA in which it is a member.

As an LEA for special education purposes, concerns or disagreements raised by parents/guardians will be acknowledged by the school within five days. ACE Empower will work to arrange a meeting with the parents/guardians to seek resolution of the disagreement. If a disagreement or concern persists, parents or guardians have the right to initiate a due process hearing to challenge a decision regarding the identification, evaluation, or educational placement of their child.

Dispute Resolution

As an LEA for special education purposes, ACE Empower acknowledges its responsibility to resolve disputes or defend due process complaints arising as a result of ACE Empower's alleged failure to provide FAPE to students enrolled in ACE Empower. ACE Empower may also initiate a due process hearing or request for mediation with respect to a student enrolled in ACE Empower if it determines such action is legally necessary or advisable.

Complaint Procedures

Parents or guardians also have the right to file a complaint with the chartering authority and/or California State Department of Education if they believe that the school has violated federal or state laws or regulations governing special education.

SELPA Representation

ACE Empower shall represent itself at all SELPA meetings. ACE Empower shall provide the SELPA with a copy of the original charter petition and any amendments. ACE Empower shall be responsible for any legal fees related to the application and assurances process.

Excess Costs

ACE Empower shall be responsible for all costs above and beyond the State and Federal special education programs for ensuring a legally compliant special education program.

Staffing

As an LEA for special education purposes, ACE Empower will assume responsibility for special

education staffing and service delivery. ACE Empower will be responsible for hiring, training, and/or contracting with the staff necessary to provide special education services to its students. ACE Empower shall ensure that all special education staff hired or contracted by ACE Empower is qualified to provide services in accordance with all applicable laws, regulations, and SELPA policies.

It is the goal of ACE Empower to employ at least one full time teacher with a valid Special Education Credential at the school site. This teacher, along with the Principal of ACE Empower, are the primary Charter School representatives tasked with ensuring that all aspects of the IEP and any possible 504 plans are properly implemented.

ACE Empower also receives services from the ACE Special Education Manager at the central office, who works with the Special Education teacher to ensure the following are completed:

- Ensure that all aspects of the IEP are followed
- Arrange for the teacher of the student to attend the team meetings
- Communicate with parents about progress made toward attaining the goals stated on the student's IEP, and inform them of due process procedures and rights
- Consult quarterly with the Principal to ensure that the objectives and goals of students with IEP's are being met
- Complete the requisite paperwork, updating and filing of necessary information for initial referrals, triennial evaluations, ongoing monitoring of student progress, and appropriate provision of any/all test modifications as stipulated in the IEP
- Maintain a central file with all special education evaluation material and IEP's in accordance with FERPA and IDEA guidelines
- Provide a report of student progress on the same schedule as students in general education)

All teaching staff at ACE Empower are involved in assuring that all IEPs and 504 plans are properly implemented.

Professional Development for Charter School Staff

ACE Empower administrators, general and special education teaching staff, as well as other appropriate faculty and staff members will attend professional development and/or training meetings necessary to comply with state and federal special education laws, which may include training sponsored by the chartering authority and/or SELPA.

As an independent LEA for special education, ACE Empower shall seek professional development opportunities for its staff through potential trainings facilitated by the County Office of

Education, SELPA, colleges and universities, and private companies or agencies to ensure compliance with state and federal special education laws as well as implementation of best practices for students with disabilities.

Section 504 of the Rehabilitation Act

ACE Empower recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of the School. A student who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment, is eligible for protections under Section 504.

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

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

The final determination of whether the student will or will not be identified as a person with a

disability is made by the 504 team in writing and notice is given in writing to the parent or guardian of the student in their primary language along with the procedural safeguards available to them. If during the evaluation, the 504 team obtains information indicating possible eligibility of the student for special education per the IDEA, a referral for assessment under the IDEA will be made by the 504 team.

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

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

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

GOALS AND ACTIONS IN THE STATE PRIORITIES

Pursuant to Education Code Section 47605(c)(5)(A)(ii) and 47605(c)(5)(B), ACE Empower has identified annual goals to be achieved in the state priorities school-wide and for all pupil subgroups, as described in Education Code Section 52060(d), and specific annual actions to achieve those goals. These priorities include:

1. Quality Teachers, Curriculum, and Facilities (Basic Services)
2. Alignment to and Implementation of the CCSS, with support for ELs and other subgroups
3. Parental Involvement
4. Student Achievement
5. Student Engagement
6. School Climate
7. Course Access and Enrollment

8. Student Outcomes

ACE Empower’s pupil outcomes related to annual academic achievement goals will be set and disaggregated by all major subgroups identified in Education Code section 52052; including race/ethnicity, socio-economic status (SES), English Learner status, and Special Education designations, in the state priorities that apply for the grade levels served or the nature of the program operated, as well as the specific annual actions to achieve those goals, any additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those additional goals.

ACE Empower acknowledges and agrees that it must comply with all applicable laws and regulations related to Local Control Funding Formula, as they may be amended from time to time, which include the requirement that ACE Empower shall annually submit a Local Control and Accountability Plan /annual update to SCCOE on or before July 1. In accordance with Education Code sections 47604.33 and 47606.5, ACE Empower shall annually update its goals and annual actions to achieve those goals identified in the charter pursuant to Education Code section 47605(c)(5)(A)(ii), using the Local Control and Accountability Plan template adopted by the State Board of Education, as it may be changed from time to time. ACE Empower shall comply with all requirements of Education Code section 47606.5, including but not limited to the requirement that ACE Empower “shall consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the annual update.” (Ed. Code § 47606.5(e)).

ACE Empower’s pupil outcomes, disaggregated by numerically significant subgroups in compliance with Education Code section 47605(c)(5)(A)(ii), are as follows in **Figure A.17** (and repeated in **Element B** as **Figure B.1**).

Figure A.17 Goals, Measures, Actions, and Alignment to State Priorities

PRIORITY 1: Effective School Model for Target Student <i>Provide a learning environment that equitably supports and prepares all students, especially those facing significant academic and personal challenges, for college and life success</i>	
Goal A: Voice and Choice <i>Students will learn and be given ample opportunity to develop resilience, personal agency, and a commitment to their learning and their future.</i>	
Outcomes	Alignment
<p>ACE Empower will make growth from the 2020-21 Baseline toward the following long-term targets:</p> <p><u>CDE Indicators</u></p> <ul style="list-style-type: none"> ● The average daily attendance rate will increase by 0.5% annually on average until the goal of 95% is met overall and for all significant subgroups, as measured by attendance audit and reported in CALPADS. ● The percent of students absent more than 10% of the school days (chronic absence) will decrease by 1% annually on average until the goal of less than 10% is met overall and for all significant subgroups, as measured by attendance audit and reported on CA Schools Dashboard. ● The suspension rate will be reduced by 0.3% annually on average until the goal of 8% or less is met, overall and for all significant subgroups, as measured by discipline audit and reported on CA Schools Dashboard. ● The expulsion rate will decrease from previous year by 0.5% until the goal of being lower than the closest district school is met, as measured by discipline audit and reported on DataQuest. ● The middle school drop out rate will decrease from previous year by 0.5% until the goal of being lower than the closest district school is met, as measured by exit audit and reported on DataQuest. 	<p>This work is aligned to the following State Priorities:</p> <ul style="list-style-type: none"> 3. Parental Involvement 5. Student Engagement 6. School Climate

<p><u>Additional ACE Indicators</u></p> <ul style="list-style-type: none"> • The percent of students who report having strong relationships with ACE staff will increase by 5% annually on average until the goal of 100% is met overall and for all significant subgroups, as measured by student survey. • The percent of students who meet homework expectations will increase by 5% annually on average until the goal of 85% is met overall and for all significant subgroups, as measured by annual audit of homework completion. • The percent of students who complete personal growth goals and reflections on a regular basis that meet quality standards will increase by 5% annually on average until the goal of 85% is met overall and for all significant subgroups, as measured by annual audit. 	
<p>Actions</p>	
<ul style="list-style-type: none"> • Recruitment - Implement a community engagement and new family recruitment strategy that attracts students who have been underserved, and as a result are often disengaged and underachieving. This community outreach will be multilingual and designed to ensure access and attract families and students from all key demographic groups in the ACE Empower neighborhood and the Alum Rock Union Elementary School District. • Agency & Resiliency - Foster a growth mindset through structures that support students in taking ownership of their learning, including College Readiness class, Goal Setting and Reflection, and Student-led Conferences. Implement restorative practices to support reflection, advance positive decision-making, and ensure restoration. • Community - Foster a positive and celebratory school culture through a Culture Calendar of events, experiences, and recognitions. Continue to expand opportunities for family engagement and leadership, including regular <i>Cafecitos</i>, student-led conferences, college readiness workshops, parent panels during professional development, and family inclusion on hiring and decision-making committees (i.e. the Community Task Force focused on COVID-19 response). Actively support parent leadership, parent ambassador, and community ambassador programs. • College Readiness - Engage students in activities that build college knowledge and readiness, leveraging the Sown to Grow platform to support students in developing independent agency in goal setting, work completion, and reflection. 	

- **Professional Development** - Provide ongoing professional development for teachers in strategies and practices to connect with the target student and to support student goal setting and reflection, positive behavior intervention, and restorative practices.

Goal B: Academic and Personal Growth

Students will make sufficient growth both in terms of their academic skills and knowledge as well as their personal capacity to be successful in school and life.

Outcomes	Alignment
<p>ACE Empower will make growth from the 2020-21 Baseline toward the following long-term targets:</p> <p><u>CDE Indicators</u></p> <ul style="list-style-type: none"> ● The percent of English Learners making annual progress toward English fluency will increase by 20% annually on average until the goal of 50% is met, as measured by the ELPAC and reported on the California Schools Dashboard. ● The reclassification rate for English Learners will increase by 10% annually on average until the goal of 45% is met, as measured by reclassification rate and reported on DataQuest. <p><u>Additional ACE Indicators</u></p> <ul style="list-style-type: none"> ● The percent of students who meet annual reading growth targets will increase by 5% annually on average until the goal of 90% is met overall and for all significant subgroups, as measured by the Renaissance Star Reading Assessment. ● The percent of students who meet SEL growth targets (or are “green”) will increase by 5% annually on average until the goal of 85% is met overall and for all significant subgroups, as measured by CORE Data Collaborative Social-Emotional Learning survey. 	<p>This work is aligned to the following State Priorities:</p> <ol style="list-style-type: none"> 2. Alignment to and Implementation of the CCSS, with support for ELs and other subgroups 4. Student Achievement 8. Student Outcomes
Actions	
<ul style="list-style-type: none"> ● Curriculum - Adopt and consistently implement core curriculum aligned to the CCSS and NGSS. Leverage supplementary curriculum aligned to the CCSS and NGSS to provide differentiated learning to support students at their level and ensure they progress at their optimal pace. 	

- **Instruction** - Implement high-leverage instructional practices that place the cognitive load on students. Provide differentiated learning in flexible groups to leverage strengths and address needs.
- **Data & Assessment** - Implement a robust Common Core aligned assessment practice that provides ongoing data on student mastery of standards and preparation for college. Support teachers in actively using data to inform instruction and address whole class, small group, and individual needs.
- **Specialized Supports** - Utilize the MTSS framework and a robust special education program to provide scaffolded supports and interventions. Provide integrated and designated ELD instruction for English Learners aligned to the ELD Standards and their language level.
- **Professional Development** - Provide ongoing professional development for teachers on reading instruction in alignment with the National Reading Panel on specifically teaching reading (Phase 1- Vocabulary Development, Phase 2 - Reading Fluency, Phase 3 - Text Comprehension); designing differentiated instruction based on data; implementing MTSS in the classroom; and integrating English language objectives across all subject areas.

Goal C: College Readiness

Students will gain the academic knowledge and skills necessary to succeed in college and beyond

Measures	Alignment
<p>ACE Empower will make growth from the 2020-21 Baseline toward the following long-term targets:</p> <p><u>CDE Indicators</u></p> <ul style="list-style-type: none"> ● The percent of students who are level 3 or 4 in ELA will increase by 5% annually on average above a baseline of results from the first post-COVID state assessments, overall and for all significant subgroups, as measured by the SBAC. ● The percent of students who are level 3 or 4 in ELA will increase by 5% annually on average above a baseline of results from the first post-COVID state assessments, overall and for all significant subgroups, as measured by the SBAC. ● The percent of students who are level 1 in ELA will decrease by 5% annually on average above a baseline of results from the first 	<p>This work is aligned to the following State Priorities:</p> <ol style="list-style-type: none"> 1. Quality Teachers, Curriculum, and Facilities 2. Alignment to and Implementation of the CCSS, with support for ELs and other subgroups 4. Student Achievement 8. Student Outcomes

<p>post-COVID state assessments, overall and for all significant subgroups, as measured by the SBAC.</p> <ul style="list-style-type: none"> ● The percent of students who are level 1 in Math will decrease 5% annually on average above a baseline of results from the first post-COVID state assessments, overall and for all significant subgroups, as measured by the SBAC. <p><u>Additional ACE Indicators</u></p> <ul style="list-style-type: none"> ● None³¹ 	
Actions	
<ul style="list-style-type: none"> ● Curriculum - Adopt and consistently implement core curriculum aligned to the CCSS and NGSS. Leverage supplementary curriculum aligned to the CCSS and NGSS to provide differentiated learning to support students at their level and ensure they progress at their optimal pace. ● Instruction - Implement high-leverage instructional practices that place the cognitive load on students. Provide differentiated learning in flexible groups to leverage strengths and address needs. ● Data & Assessment - Implement a robust assessment practice that provides ongoing data on student mastery of standards and preparation for college, with interim assessments implemented three times per year for progress monitoring and to drive teacher instructional practices. Support teachers in actively using data to inform instruction and address whole class, small group, and individual needs. ● Professional Development - Provide ongoing professional development and weekly observation and coaching by a dedicated Instructional Coach, to support teachers in deeply understanding the CCSS and NGSS and the schools adopted curriculum, implementing consistent high-leverage strategies that place the cognitive load on students, analyzing data to inform instruction, and designing differentiated learning experiences within the adopted curriculum based on student need. 	
<p>PRIORITY 2: Strong Systems to Support Organizational Impact <i>Provide staff with the information, support and resources necessary for them to ensure students meet academic and personal</i></p>	

³¹ While not applicable to ACE Empower, ACE holds a goal for the High School students in its 5th - 12th grade pipeline of 85% being UC/CSU eligible by the Fall of 12th grade.

Goal A: Effective Communication <i>Transparency around organization-wide and individual goals and expectations ensures staff have the information necessary to make mission- and data-driven decisions to support student achievement</i>	
Measures	Alignment
<p>ACE Empower will make growth from the 2020-21 Baseline toward the following long-term targets:</p> <p><u>CDE Indicators</u></p> <ul style="list-style-type: none"> 100% of teachers hold the appropriate credential for their assignment <p><u>Additional ACE Indicators</u></p> <p>The following are long-term targets for all staff:</p> <ul style="list-style-type: none"> The percent of staff who participate in an annual evaluation based on clear individual performance targets and evaluation protocols aligned to network or schoolwide, departmental, and/or individual goals and expectations, as measured by annual audit, will increase by 5% annually on average toward a long-term target of 100% The percent of staff who have the opportunity to provide annual feedback on their manager and organizational leadership, as measured by annual audit, will increase by 5% annually on average toward a long-term target of 100% The percent of staff who indicate awareness and understanding of the ACE mission, progress toward that mission, as well as relevant annual network or schoolwide, departmental, and/or individual goals will increase by 5% annually on average until the goal of 85% is met, as measured by staff survey 	<p>This work is aligned to the following State Priorities:</p> <ol style="list-style-type: none"> Quality Teachers, Curriculum, and Facilities Student Outcomes
Actions	
<ul style="list-style-type: none"> Professional Development - Provide ongoing professional development and weekly observation and coaching by a dedicated Instructional Coach, to support teachers in deeply 	

understanding the CCSS and NGSS and the schools adopted curriculum, implementing consistent high-leverage strategies that place the cognitive load on students, analyzing data to inform instruction, and designing differentiated learning experiences within the adopted curriculum based on student need.

- **Leadership Capacity** - Support all Instructional Coaches in their ability to coach teachers toward rapid growth through a year-long, intensive training through the Relay Graduate School of Education.
- **Evaluation** - Develop and implement a staff evaluation process focused on rapid growth, along with a 360 degree process for providing feedback.

Goal B: Protocols to Support Continuous Improvement

The most important school-based and operational practices and protocols are clearly defined, communicated and their impact regularly measured.

Measures	Alignment
<p>ACE Empower will make growth from the 2020-21 Baseline toward the following long-term targets:</p> <p><u>CDE Indicators</u></p> <ul style="list-style-type: none"> ● None <p><u>Additional ACE Indicators</u></p> <ul style="list-style-type: none"> ● The percent of students and families who report awareness of, and satisfaction with support and interventions will increase by 5% annually on average until the goal of 85% is met overall and for all significant subgroups, as measured by survey. ● The percent of staff and Board who report data is used effectively to support achievement of network- or schoolwide, departmental, and/or individual goals will increase by 5% annually on average until the goal of 85% is met, as measured by survey. ● The percent of staff and Board who report effective, accessible protocols are in place to support achievement of network- or schoolwide, departmental, and/or individual goals will increase by 5% annually on average until the goal of 85% is met, as measured by survey. 	<p>This work is aligned to the following State Priorities:</p> <ol style="list-style-type: none"> 1. Quality Teachers, Curriculum, and Facilities 2. Alignment to and Implementation of the CCSS, with support for ELs and other subgroups 3. Parental Involvement 4. Student Achievement
<p>Actions</p>	

<ul style="list-style-type: none"> ● Data & Assessment - Implement a robust assessment practice that provides ongoing data on student mastery of standards and preparation for college. Support teachers in actively using data to inform instruction and address whole class, small group, and individual needs. Provide central office support, via a data position, to gather, store, and disseminate data in an easy to use format. ● Specialized Supports - Utilize the MTSS framework to provide scaffolded supports and interventions. Provide integrated and designated ELD instruction for English Learners aligned to the ELDS and their language level. ● Professional Development - Provide ongoing professional development for teachers in deeply understanding the CCSS and NGSS and the schools adopted curriculum, implementing consistent high-leverage strategies that place the cognitive load on students, analyzing data to inform instruction, and designing differentiated learning experiences within the adopted curriculum based on student need. ● Coaching - Support all teachers in implementation of standards-aligned and data-informed curriculum, via an Instructional Coach for every teacher who provides observation and feedback on a weekly basis. 	
<p>Goal C: High-Impact, Mission-Driven Staff <i>Staff receive clear direction and sufficient support to both implement best practices with fidelity and respond to data to address identified strengths and growth areas.</i></p>	
Measures	Alignment

<p>ACE Empower will make growth from the 2020-21 Baseline toward the following long-term targets:</p> <p><u>CDE Indicators</u></p> <ul style="list-style-type: none"> • None <p><u>Additional ACE Indicators</u></p> <ul style="list-style-type: none"> • The percent of staff who meet annual performance targets and personal growth goals will increase by 5% annually on average until the goal of 85% is met, as measured by annual audit. • The percent of staff who indicate that training and coaching they receive is sufficient to meet organizational, departmental, and/or individual goals will increase by 5% annually on average until the goal of 85% is met, as measured by survey. 	<p>This work is aligned to the following State Priorities:</p> <ol style="list-style-type: none"> 1. Quality Teachers, Curriculum, and Facilities 4. Student Achievement
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Actions

<ul style="list-style-type: none"> • Hiring - Actively recruit, hire, and retain a staff that reflects the diversity of the student body. • Professional Development - Provide ongoing professional development for teachers in deeply understanding the CCSS and NGSS and the schools adopted curriculum, implementing consistent high-leverage strategies that place the cognitive load on students, analyzing data to inform instruction, and designing differentiated learning experiences within the adopted curriculum based on student need. • Coaching - Support all teachers in implementation of standards-aligned and data-informed curriculum, via an Instructional Coach for every teacher who provides observation and feedback on a weekly basis. • Alignment - Create and implement a staff management process aligned to strategic priorities. 	
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PRIORITY 3: Strong Systems to Support Organizational Impact

Develop sustainable, high-impact school and organizational model to better serve students and families.

Goal A: Community Commitment, Support <i>All critical stakeholders commit to and support ACE at a level that enables the organization to meet its mission</i>	
Measures	Alignment
<p>ACE Empower will make growth from the 2020-21 Baseline toward the following long-term targets:</p> <p><u>CDE Indicators</u></p> <ul style="list-style-type: none"> All schools receive highest attainable charter renewal term <p><u>Additional ACE Indicators</u></p> <ul style="list-style-type: none"> Annual LCFF budget revenue and expenses are aligned and accounted for on an annual basis, as measured through annual submission of the LCAP Annual Update Sufficient private funds and resources are raised for full implementation of ACE’s school model and central office support structure 	<p>Base Funds</p> <ol style="list-style-type: none"> Quality Teachers, Curriculum, and Facilities Student Outcomes
Actions	
<ul style="list-style-type: none"> Human Resources - Hire, develop, and retain a certificated and classified staff to support implementation of the goals and actions Instructional Program - Acquire and maintain books, materials, and supplies necessary to support classroom instruction and school operations. Contract professional services to support instructional program, including regular year, extended year, and extended day Operations - Contract professional services to support operations, including student recruitment, records, and annual audit. Purchase and maintain equipment necessary to support the program, including furniture, office equipment, hardware, and software. Finance - Continue to develop and implement all necessary systems around budget projections and revenue/expense reporting to ensure effective, responsible use of public funds to support student success Fundraising - Continue to build ACE’s network of community support to provide funding for enhancements to the ACE Empower 	

core curricular and school culture model (i.e. college field trips, community events, etc.)	
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ELEMENT B - MEASURABLE STUDENT OUTCOMES

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

SCHOOLWIDE OUTCOMES

The ACE network has developed a five-year Strategic Plan, which identifies the priorities and goals for students, staff, and the organization. The following is a summary of the priorities and goals from the Strategic Plan, these goals provide additional context and focus for many of ACE Empower’s Measurable Pupil Outcomes.

Priority 1 - Effective School Model For Target Student

ACE Empower is dedicated to providing a learning environment that equitably supports and prepares all students, especially those facing significant academic and personal challenges, for college and life success. Toward that end, it holds three goals that in turn drive the Measurable Pupil Outcomes:

1. **Voice and Choice** - Students learn and are given ample opportunity to develop resilience, personal agency, and a commitment to their learning and their future.
2. **Academic and Personal Growth** - Students make sufficient growth both in terms of their academic skills and knowledge as well as their personal capacity to be successful in school and life.
3. **College Readiness** - Students gain the academic knowledge and skills necessary to succeed in college and beyond.

Priority 2 - Strong Systems To Support Organizational Impact

ACE Empower is dedicated to providing staff with the information, support and resources necessary for them to ensure students meet academic and personal goals. These systems are at the core of the data driven practice, ensuring that staff have both the qualitative and quantitative data to continuously improve their practice in service of advancing achievement for

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students. Toward that end, it holds three goals that in turn provide the foundation for achieving the Measurable Pupil Outcomes:

1. Effective Communication

Transparency around organization-wide and individual goals and expectations ensures staff have the information necessary to make mission- and data-driven decisions to support student achievement.

2. Protocols to Support Continuous Improvement

The most important school-based and operational practices and protocols are clearly defined, communicated and their impact regularly measured.

3. High-Impact, Mission-Driven Staff

Staff receive clear direction and sufficient support to both implement best practices with fidelity and respond to data to address identified strengths and growth areas.

Priority 3: Provide Target Students with an Educational Model Designed to Best Promote College, Life Success

The ACE network is dedicated to developing a sustainable, high-impact school and organizational model to better serve students and families. While these goals are not directly linked to Measurable Pupil Outcomes, they speak to ACE's commitment to working with its stakeholders and to continuous improvement.

1. Community Commitment, Support

All critical stakeholders commit to and support ACE at a level that enables the organization to meet its mission.

2. National Model to Better Serve Target Students³²

ACE looks to engage with local and national partners to share and acquire learning to improve schooling for highest-need students. As a result, ACE is able to continue to improve its model and have impact beyond its current students.

The 2021-26 Strategic Plan is further described in **Element A** as it relates to the Educational Program at ACE Empower.

³² Please note that the goal of providing a model to share nationally is a goal for the ACE network as a whole and not ACE Empower specifically. As a result, there are no specific measurable outcomes in Element B aligned with this goal.

OUTCOMES IN ALIGNMENT WITH STATE PRIORITIES

The Strategic Plan provides long-term goals for the ACE organization and ACE Empower. In alignment with Education Code Section 47605(c)(5)(B) and 52060(d), ACE Empower has set intermediate goals and achievement milestones which align to:

- The mission, curriculum, and assessments of ACE Empower
- The California Schools Dashboard and the Eight State Priorities

These goals and measures, along with correlating actions, are the basis of ACE Empower's Local Control and Accountability Plan. At the classroom level, benchmark skills and specific content-area skills are identified, monitored, and assessed that build toward these goals. If data should indicate that the school is not meeting these intermediate goals and measures, the school will modify its program to improve performance in that area and these modifications will be reflected in the LCAP Annual Update. ACE Empower shall comply with all applicable laws and regulations related to the Local Control Funding Formula, as they may be amended from time to time, including all requirements pertaining to pupil outcomes.

ACE Empower's outcomes are detailed in **Figure B.1** below, which align with the state priorities and the charter school's goals and actions to achieve the state priorities, as identified in **Element A** of the charter.

Figure B.1 Goals, Measures, Actions, and Alignment to State Priorities

PRIORITY 1: Effective School Model for Target Student	
<i>Provide a learning environment that equitably supports and prepares all students, especially those facing significant academic and personal challenges, for college and life success</i>	
Goal A: Voice and Choice <i>Students will learn and be given ample opportunity to develop resilience, personal agency, and a commitment to their learning and their future.</i>	
Outcomes	Alignment
ACE Empower will make growth from the 2020-21 Baseline toward the following long-term targets: <u>CDE Indicators</u> <ul style="list-style-type: none"> • The average daily attendance rate will increase by 0.5% annually on average until the goal of 95% is met overall and for all significant 	This work is aligned to the following State Priorities: 4. Parental Involvement

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<p>subgroups, as measured by attendance audit and reported in CALPADS.</p> <ul style="list-style-type: none"> ● The percent of students absent more than 10% of the school days (chronic absence) will decrease by 1% annually on average until the goal of less than 10% is met overall and for all significant subgroups, as measured by attendance audit and reported on CA Schools Dashboard. ● The suspension rate will be reduced by 0.3% annually on average until the goal of 8% or less is met, overall and for all significant subgroups, as measured by discipline audit and reported on CA Schools Dashboard. ● The expulsion rate will decrease from previous year by 0.5% until the goal of being lower than the closest district school is met, as measured by discipline audit and reported on DataQuest. ● The middle school drop out rate will decrease from previous year by 0.5% until the goal of being lower than the closest district school is met, as measured by exit audit and reported on DataQuest. <p><u>Additional ACE Indicators</u></p> <ul style="list-style-type: none"> ● The percent of students who report having strong relationships with ACE staff will increase by 5% of baseline annually on average until the goal of 100% is met overall and for all significant subgroups, as measured by student survey. ● The percent of students who meet homework expectations will increase by 5% of baseline annually on average until the goal of 85% is met overall and for all significant subgroups, as measured by annual audit of homework completion. ● The percent of students who complete personal growth goals and reflections on a regular basis that meet quality standards will increase by 5% of baseline annually on average until the goal of 85% is met overall and for all significant subgroups, as measured by annual audit. 	<p>7. Student Engagement</p> <p>8. School Climate</p>
<p>Actions</p>	
<ul style="list-style-type: none"> ● Recruitment - Implement a community engagement and new family recruitment strategy 	

that attracts students who have been underserved, and as a result are often disengaged and underachieving. This community outreach will be multilingual and designed to ensure access and attract families and students from all key demographic groups in the ACE Empower neighborhood and the Alum Rock Union Elementary School District.

- **Agency & Resiliency** - Foster a growth mindset through structures that support students in taking ownership of their learning, including College Readiness class, Goal Setting and Reflection, and Student-led Conferences. Implement restorative practices to support reflection, advance positive decision-making, and ensure restoration.
- **Community** - Foster a positive and celebratory school culture through a Culture Calendar of events, experiences, and recognitions. Continue to expand opportunities for family engagement and leadership, including regular *Cafecitos*, student-led conferences, college readiness workshops, parent panels during professional development, and family inclusion on hiring and decision-making committees (i.e. the Community Task Force focused on COVID-19 response). Actively support parent leadership, parent ambassador, and community ambassador programs.
- **College Readiness** - Engage students in activities that build college knowledge and readiness, leveraging the Sown to Grow platform to support students in developing independent agency in goal setting, work completion, and reflection.
- **Professional Development** - Provide ongoing professional development for teachers in strategies and practices to connect with the target student and to support student goal setting and reflection, positive behavior intervention, and restorative practices.

Goal B: Academic and Personal Growth

Students will make sufficient growth both in terms of their academic skills and knowledge as well as their personal capacity to be successful in school and life.

Outcomes	Alignment
<p>ACE Empower will make growth from the 2020-21 Baseline toward the following long-term targets:</p> <p><u>CDE Indicators</u></p> <ul style="list-style-type: none"> ● The percent of English Learners making annual progress toward English fluency will increase by 20% of baseline annually on average until the goal of 50% is met, as measured by the ELPAC and reported on the California Schools Dashboard. 	<p>This work is aligned to the following State Priorities:</p> <p>3. Alignment to and Implementation of the CCSS, with support for ELs and other subgroups</p>

<ul style="list-style-type: none"> ● The reclassification rate for English Learners will increase by 10% of baseline annually on average until the goal of 45% is met, as measured by reclassification rate and reported on DataQuest. <p><u>Additional ACE Indicators</u></p> <ul style="list-style-type: none"> ● The percent of students who meet annual reading growth targets will increase by 5% of baseline annually on average until the goal of 90% is met overall and for all significant subgroups, as measured by the Renaissance Star Reading Assessment. ● The percent of students who meet SEL growth targets (or are “green”) will increase by 5% of baseline annually on average until the goal of 85% is met overall and for all significant subgroups, as measured by CORE Data Collaborative Social-Emotional Learning survey. 	<p>5. Student Achievement</p> <p>9. Student Outcomes</p>
Actions	
<ul style="list-style-type: none"> ● Curriculum - Adopt and consistently implement core curriculum aligned to the CCSS and NGSS. Leverage supplementary curriculum aligned to the CCSS and NGSS to provide differentiated learning to support students at their level and ensure they progress at their optimal pace. ● Instruction - Implement high-leverage instructional practices that place the cognitive load on students. Provide differentiated learning in flexible groups to leverage strengths and address needs. ● Data & Assessment - Implement a robust Common Core aligned assessment practice that provides ongoing data on student mastery of standards and preparation for college. Support teachers in actively using data to inform instruction and address whole class, small group, and individual needs. ● Specialized Supports - Utilize the MTSS framework and a robust special education program to provide scaffolded supports and interventions. Provide integrated and designated ELD instruction for English Learners aligned to the ELD Standards and their language level. ● Professional Development - Provide ongoing professional development for teachers on reading instruction in alignment with the National Reading Panel on specifically teaching reading (Phase 1- Vocabulary Development, Phase 2 - Reading Fluency, Phase 3 - Text Comprehension); designing differentiated instruction based on data; implementing MTSS in 	

the classroom; and integrating English language objectives across all subject areas.

Goal C: College Readiness

Students will gain the academic knowledge and skills necessary to succeed in college and beyond

Measures	Alignment
<p>ACE Empower will make growth from the 2020-21 Baseline toward the following long-term targets:</p> <p><u>CDE Indicators</u></p> <ul style="list-style-type: none"> ● The percent of students who are level 3 or 4 in ELA will increase by 5% of baseline annually on average above a baseline of results from the first post-COVID state assessments, overall and for all significant subgroups, as measured by the SBAC. ● The percent of students who are level 3 or 4 in ELA will increase by 5% of baseline annually on average above a baseline of results from the first post-COVID state assessments, overall and for all significant subgroups, as measured by the SBAC. ● The percent of students who are level 1 in ELA will decrease by 5% annually of baseline on average above a baseline of results from the first post-COVID state assessments, overall and for all significant subgroups, as measured by the SBAC. ● The percent of students who are level 1 in Math will decrease by 5% of baseline annually on average above a baseline of results from the first post-COVID state assessments, overall and for all significant subgroups, as measured by the SBAC. <p><u>Additional ACE Indicators</u></p> <ul style="list-style-type: none"> ● None³³ 	<p>This work is aligned to the following State Priorities:</p> <ol style="list-style-type: none"> 3. Quality Teachers, Curriculum, and Facilities 4. Alignment to and Implementation of the CCSS, with support for ELs and other subgroups 5. Student Achievement 9. Student Outcomes
<h3>Actions</h3>	
<ul style="list-style-type: none"> ● Curriculum - Adopt and consistently implement core curriculum aligned to the CCSS and 	

³³ While not applicable to ACE Empower, ACE holds a goal for the High School students in its 5th - 12th grade pipeline of 85% being UC/CSU eligible by the Fall of 12th grade.

NGSS. Leverage supplementary curriculum aligned to the CCSS and NGSS to provide differentiated learning to support students at their level and ensure they progress at their optimal pace.

- **Instruction** - Implement high-leverage instructional practices that place the cognitive load on students. Provide differentiated learning in flexible groups to leverage strengths and address needs.
- **Data & Assessment** - Implement a robust assessment practice that provides ongoing data on student mastery of standards and preparation for college, with interim assessments implemented three times per year for progress monitoring and to drive teacher instructional practices. Support teachers in actively using data to inform instruction and address whole class, small group, and individual needs.
- **Professional Development** - Provide ongoing professional development and weekly observation and coaching by a dedicated Instructional Coach, to support teachers in deeply understanding the CCSS and NGSS and the schools adopted curriculum, implementing consistent high-leverage strategies that place the cognitive load on students, analyzing data to inform instruction, and designing differentiated learning experiences within the adopted curriculum based on student need.

PRIORITY 2: Strong Systems to Support Organizational Impact

Provide staff with the information, support and resources necessary for them to ensure students meet academic and personal

Goal A: Effective Communication

Transparency around organization-wide and individual goals and expectations ensures staff have the information necessary to make mission- and data-driven decisions to support student achievement

Measures	Alignment
<p>ACE Empower will make growth from the 2020-21 Baseline toward the following long-term targets:</p> <p><u>CDE Indicators</u></p> <ul style="list-style-type: none"> ● 100% of teachers hold the appropriate credential for their assignment <p><u>Additional ACE Indicators</u></p> <p>The following are long-term targets for all staff:</p>	<p>This work is aligned to the following State Priorities:</p> <p>2. Quality Teachers, Curriculum, and Facilities</p> <p>9. Student Outcomes</p>

<ul style="list-style-type: none"> ● The percent of staff who participate in an annual evaluation based on clear individual performance targets and evaluation protocols aligned to network or schoolwide, departmental, and/or individual goals and expectations, as measured by annual audit, will increase by 5% annually on average toward a long-term target of 100% ● The percent of staff who have the opportunity to provide annual feedback on their manager and organizational leadership, as measured by annual audit, will increase by 5% annually on average toward a long-term target of 100% ● The percent of staff who indicate awareness and understanding of the ACE mission, progress toward that mission, as well as relevant annual network or schoolwide, departmental, and/or individual goals will increase by 5% annually on average until the goal of 85% is met, as measured by staff survey 	
Actions	
<ul style="list-style-type: none"> ● Professional Development - Provide ongoing professional development and weekly observation and coaching by a dedicated Instructional Coach, to support teachers in deeply understanding the CCSS and NGSS and the schools adopted curriculum, implementing consistent high-leverage strategies that place the cognitive load on students, analyzing data to inform instruction, and designing differentiated learning experiences within the adopted curriculum based on student need. ● Leadership Capacity - Support all Instructional Coaches in their ability to coach teachers toward rapid growth through a year-long, intensive training through the Relay Graduate School of Education. ● Evaluation - Develop and implement a staff evaluation process focused on rapid growth, along with a 360 degree process for providing feedback. 	
Goal B: Protocols to Support Continuous Improvement <i>The most important school-based and operational practices and protocols are clearly defined, communicated and their impact regularly measured.</i>	
Measures	Alignment
ACE Empower will make growth from the 2020-21 Baseline toward the following long-term targets:	This work is aligned to the following State Priorities:

<p><u>CDE Indicators</u></p> <ul style="list-style-type: none"> • None <p><u>Additional ACE Indicators</u></p> <ul style="list-style-type: none"> • The percent of students and families who report awareness of, and satisfaction with support and interventions will increase by 5% of baseline annually on average until the goal of 85% is met overall and for all significant subgroups, as measured by survey. • The percent of staff and Board who report data is used effectively to support achievement of network- or schoolwide, departmental, and/or individual goals will increase by 5% of baseline annually on average until the goal of 85% is met, as measured by survey. • The percent of staff and Board who report effective, accessible protocols are in place to support achievement of network- or schoolwide, departmental, and/or individual goals will increase by 5% of baseline annually on average until the goal of 85% is met, as measured by survey. 	<ol style="list-style-type: none"> 2. Quality Teachers, Curriculum, and Facilities 4. Alignment to and Implementation of the CCSS, with support for ELs and other subgroups 5. Parental Involvement 5. Student Achievement
Actions	
<ul style="list-style-type: none"> • Data & Assessment - Implement a robust assessment practice that provides ongoing data on student mastery of standards and preparation for college. Support teachers in actively using data to inform instruction and address whole class, small group, and individual needs. Provide central office support, via a data position, to gather, store, and disseminate data in an easy to use format. • Specialized Supports - Utilize the MTSS framework to provide scaffolded supports and interventions. Provide integrated and designated ELD instruction for English Learners aligned to the ELDS and their language level. • Professional Development - Provide ongoing professional development for teachers in deeply understanding the CCSS and NGSS and the schools adopted curriculum, implementing consistent high-leverage strategies that place the cognitive load on students, analyzing data to inform instruction, and designing differentiated learning experiences within the adopted curriculum 	

<p>based on student need.</p> <ul style="list-style-type: none"> ● Coaching - Support all teachers in implementation of standards-aligned and data-informed curriculum, via an Instructional Coach for every teacher who provides observation and feedback on a weekly basis. 	
<p>Goal C: High-Impact, Mission-Driven Staff <i>Staff receive clear direction and sufficient support to both implement best practices with fidelity and respond to data to address identified strengths and growth areas.</i></p>	
Measures	Alignment
<p>ACE Empower will make growth from the 2020-21 Baseline toward the following long-term targets:</p> <p><u>CDE Indicators</u></p> <ul style="list-style-type: none"> ● None <p><u>Additional ACE Indicators</u></p> <ul style="list-style-type: none"> ● The percent of staff who meet annual performance targets and personal growth goals will increase by 5% of baseline annually on average until the goal of 85% is met, as measured by annual audit. ● The percent of staff who indicate that training and coaching they receive is sufficient to meet organizational, departmental, and/or individual goals will increase by 5% of baseline annually on average until the goal of 85% is met, as measured by survey. 	<p>This work is aligned to the following State Priorities:</p> <ol style="list-style-type: none"> 2. Quality Teachers, Curriculum, and Facilities 5. Student Achievement
Actions	
<ul style="list-style-type: none"> ● Hiring - Actively recruit, hire, and retain a staff that reflects the diversity of the student body. ● Professional Development - Provide ongoing professional development for teachers in deeply understanding the CCSS and NGSS and the schools adopted curriculum, implementing consistent high-leverage strategies that place the cognitive load on students, analyzing data to inform instruction, and designing differentiated learning experiences within the adopted curriculum based on student need. 	

<ul style="list-style-type: none"> ● Coaching - Support all teachers in implementation of standards-aligned and data-informed curriculum, via an Instructional Coach for every teacher who provides observation and feedback on a weekly basis. ● Alignment - Create and implement a staff management process aligned to strategic priorities. 	
<p>PRIORITY 3: Strong Systems to Support Organizational Impact</p> <p><i>Develop sustainable, high-impact school and organizational model to better serve students and families.</i></p>	
<p>Goal A: Community Commitment, Support</p> <p><i>All critical stakeholders commit to and support ACE at a level that enables the organization to meet its mission</i></p>	
Measures	Alignment
<p>ACE Empower will make growth from the 2020-21 Baseline toward the following long-term targets:</p> <p><u>CDE Indicators</u></p> <ul style="list-style-type: none"> ● All schools receive highest attainable charter renewal term <p><u>Additional ACE Indicators</u></p> <ul style="list-style-type: none"> ● Annual LCFF budget revenue and expenses are aligned and accounted for on an annual basis, as measured through annual submission of the LCAP Annual Update ● Sufficient private funds and resources are raised for full implementation of ACE’s school model and central office support structure 	<p>Base Funds</p> <p>2. Quality Teachers, Curriculum, and Facilities</p> <p>9. Student Outcomes</p>
Actions	
<ul style="list-style-type: none"> ● Human Resources - Hire, develop, and retain a certificated and classified staff to support implementation of the goals and actions ● Instructional Program - Acquire and maintain books, materials, and supplies necessary to support classroom instruction and school operations. Contract professional services to support 	

<p>instructional program, including regular year, extended year, and extended day</p> <ul style="list-style-type: none"> ● Operations - Contract professional services to support operations, including student recruitment, records, and annual audit. Purchase and maintain equipment necessary to support the program, including furniture, office equipment, hardware, and software. ● Finance - Continue to develop and implement all necessary systems around budget projections and revenue/expense reporting to ensure effective, responsible use of public funds to support student success ● Fundraising - Continue to build ACE’s network of community support to provide funding for enhancements to the ACE Empower core curricular and school culture model (i.e. college field trips, community events, etc.) 	
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Annual Update

By July 1, 2021, and annually thereafter ACE Empower shall update the goals and actions identified in the charter to provide the following, as set forth in Education Code section 47606.5(a)(1)-(2):

- A review of the progress towards the goals included in the charter, an assessment of the effectiveness of specific actions toward achieving those goals, and a description of the changes to the specific actions the charter school will make as a result of the review and assessment.
- Listing and description of the expenditures for the fiscal year in implementing the specific actions included in the charter as a result of the reviews and assessments, classified using the California School Accounting Manual.

The LCAP and any revisions necessary to implement the LCAP - including outcomes, methods of measurement, and actions listed below - shall not be considered a material revision to the charter, and shall be maintained by the charter school at the school site and submitted to the Authorizer on an annual basis.

EVIDENCE OF MEETING CHARTER RENEWAL CRITERIA

ACE Empower has achieved the “Middle-Track” threshold for charter renewal, as designated by the California Department of Education per Education Code section 47607.2(b)(2). This designation places it in consideration for a five-year charter renewal by the Authorizer.

Pursuant to the amendments made to Education Code Section 47607, and the creation of Education Code Section 47607.2, by Assembly Bill 1505 (2019), at the time of charter renewal, a chartering authority shall consider the performance of the charter school on the state and local indicators reported the California School Dashboard (“Dashboard”), and, in some circumstances, the performance of the charter school on assessments deemed to be verified data.

In addition to the shift toward assessing Dashboard data, Assembly Bill 1505 also created a three-tiered system of evaluating charter schools’ performance, plus a separate category for Dashboard Alternative School Status schools. Each of the tiers has unique qualifying criteria.

ACE Empower fits into the middle tier, as determined by the California Department of Education, and is eligible for charter renewal, as demonstrated below.

Education Code Section 47607.2(b) states:

(1) For all charter schools for which [top tier and bottom tier] do not apply, the chartering authority shall consider the schoolwide performance and performance of all subgroups of pupils served by the charter school on the state indicators included in the [Dashboard] and the performance of the charter school on the local indicators included in the [Dashboard].

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

“Measurements of academic performance” are defined in statute as “statewide assessments in the California Assessment of Student Performance and Progress system, or any successor system, the English Language Proficiency Assessments for California, or any successor system, and the college and career readiness indicator.” (Education Code Section 47607(c)(3).

DASHBOARD PERFORMANCE

ACE Empower’s schoolwide Dashboard state indicators and, for comparison purposes, the dashboard indicators for the State and Mathson (the closest middle school), are provided in **Figure B.2** for the 2017-18 and 2018-19 school years. As demonstrated, ACE Empower

performed better than the State in English Learner Progress in 2019, placing it in the Middle Tier for charter renewal. **Figure B.3** provides data on ACE Empower's Local Indicators which were all met.

Figure B.2 ACE Empower Dashboard State Indicators, 2018-2019

ACE Empower Dashboard Indicators						
	2018			2019		
Indicator	ACE Empower	State	Mathson	ACE Empower	State	Mathson
English Language Arts	Red	Orange	Orange	Red	Green	Red
Mathematics	Yellow	Orange	Red	Orange	Orange	Red
Chronic Absenteeism	Yellow	Yellow	Red	Yellow	Orange	Red
Suspension Rate	Yellow	Yellow	Red	Orange	Yellow	Green
English Learner Progress	65.1% Well Developed and Moderately Developed	65.2% Well Developed and Moderately Developed	55% Well Developed and Moderately Developed	Medium 49%	Medium 48.3%	Low 44.4%

Source: caschooldashboard.org

Figure B.3 ACE Empower 2019 Dashboard Local Indicators

ACE Empower - Dashboard Local Indicators	
Local Indicator	Result
Basics: Teachers, Instructional Materials, Facilities	Standard Met
Implementation of Academic Standards	Standard Met
Parent and Family Engagement	Standard Met
Local Climate Survey	Standard Met
Access to a Broad Course of Study	Standard Met

Source: caschooldashboard.org

MEASURABLE INCREASES IN ACADEMIC PERFORMANCE

Charter Schools in the middle track must also meet the following requirement:

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

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

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

(4) Subparagraphs (A) and (B) of paragraph (3) shall be demonstrated by verified data . . .

“Verified data” is defined in statute as “data derived from nationally recognized, valid, peer-reviewed, and reliable sources that are externally produced.” (Education Code Section 47607.2(c)(1).)

ACE Empower has made progress in its goal to promote sufficient growth for students in terms of both their academic skills and knowledge as well as their personal capacity to be successful in school and life. In doing so, it has ensured that pupil academic achievement for all groups of students served reflects one year of progress for each year in school, in alignment with Education Code section 47607.2.

English Language Fluency

Given that 91% of ACE Empower students speak English as a second language - and 63% of students are currently ELs - developing proficiency in the English language is paramount. ACE developed and has implemented a multi-year plan for strengthening both Integrated and Designated ELD, which is seeing results at ACE Empower. As seen in **Figure B.4**, the English Learner Progress indicator on the California School Dashboard is above the state average, as well as above Mathson and ARUSD.

Figure B.4 English Learner Progress

2018-19 English Learner Progress				
	ACE Empower	Mathson	ARUSD	CA
Overall Progress	49%	44%	41%	48%
EL Gained > One Level	47%	37%	39%	43%
EL Maintained Level 4	2%	7%	2%	5%
EL Maintained < levels 1-3	29%	34%	36%	32%
EL Decreased > one level	22%	21%	23%	20%

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Source: <https://www.caschooldashboard.org/>

ELA and Math Proficiency

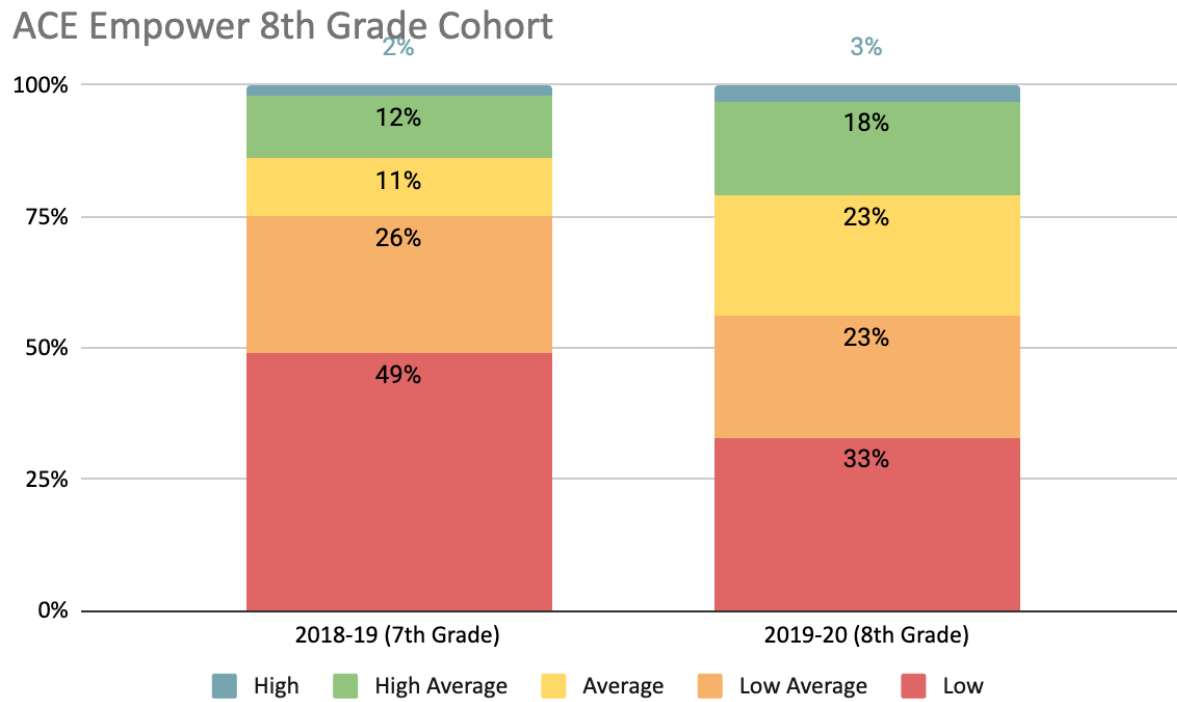
Given that over half of ACE Empower incoming 5th and 6th graders come in two or more years below grade level, ACE Empower actively works to promote academic growth. ACE evaluates schools effectiveness in this area based on multiple internal and external data streams, including the California Assessment of Student Performance and Progress (CAASPP) interim and summative measures and ,historically, the NWEA Measures of Academic Progress (MAP).³⁴

NWEA MAP

Along with English Language fluency, literacy provides the necessary foundation for future academic growth as over half of incoming 5th and 6th grade students enter two or more years below grade level. ACE Empower has utilized the NWEA MAP assessment over the 2016-21 charter term, to monitor its work in moving student Reading proficiency - both in terms of moving students out of the lower quintiles and into the upper ones. **Figure B.5** demonstrates the growth seen over the past two years with the current 8th grade graduating class - an important measure as there is not data available for the prior two years in CAASPP. As illustrated, not only did students make one year progress - which would result in the same distribution year to year - they made significant gains, dramatically reducing the students who were still in the Lowest band and significantly increasing the percentage of students in the High Average band.

³⁴ The NWEA has been used over the 2016-21 charter terms, providing critical data on both proficiency levels and growth for incoming and current students. The NWEA has since been phased out, with 2019-20 being the last year of implementation. It is being replaced with the CAASPP Interim Assessment Blocks (IABs) and Interim Comprehensive Assessment (ICA), in conjunction with the Renaissance Star Reading and Star Math assessments.

Figure B.5 NWEA MAP Data - 8th Grade Cohort



Source: NWEA MAP

California Assessment of Student Performance and Progress (CAASPP)

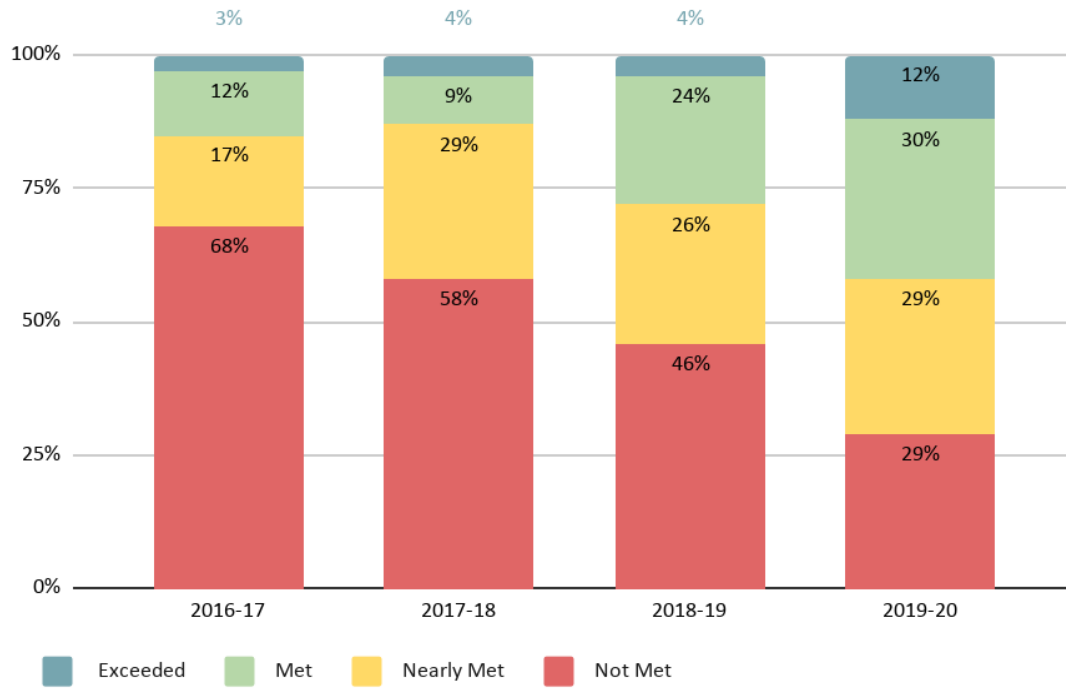
Prior to the COVID-19 pandemic and closure of schools, ACE Empower students made considerable gains. While there was not a 2019-20 testing administration of the Summative SBAC, ACE Empower administered the Interim Comprehensive Assessment (ICA) in March.³⁵ Given over half of incoming 5th and 6th grade students come in over two years below grade level, seeing visible growth across bands can be difficult in the first few years at ACE Empower as many students are moving within the “Standard Not Met” band. However, by the end of their four years at the school, clear movement becomes apparent.

In looking at the ICA for the graduating cohort of 8th graders over time in **Figure B.6**, we see that students not only made a year of progress - which would mean staying at the same level - but significantly increased their proficiency rates indicating that they made more than one year of progress each year to move up in the bands. This is the case in both ELA and Math, as seen on the following two pages.

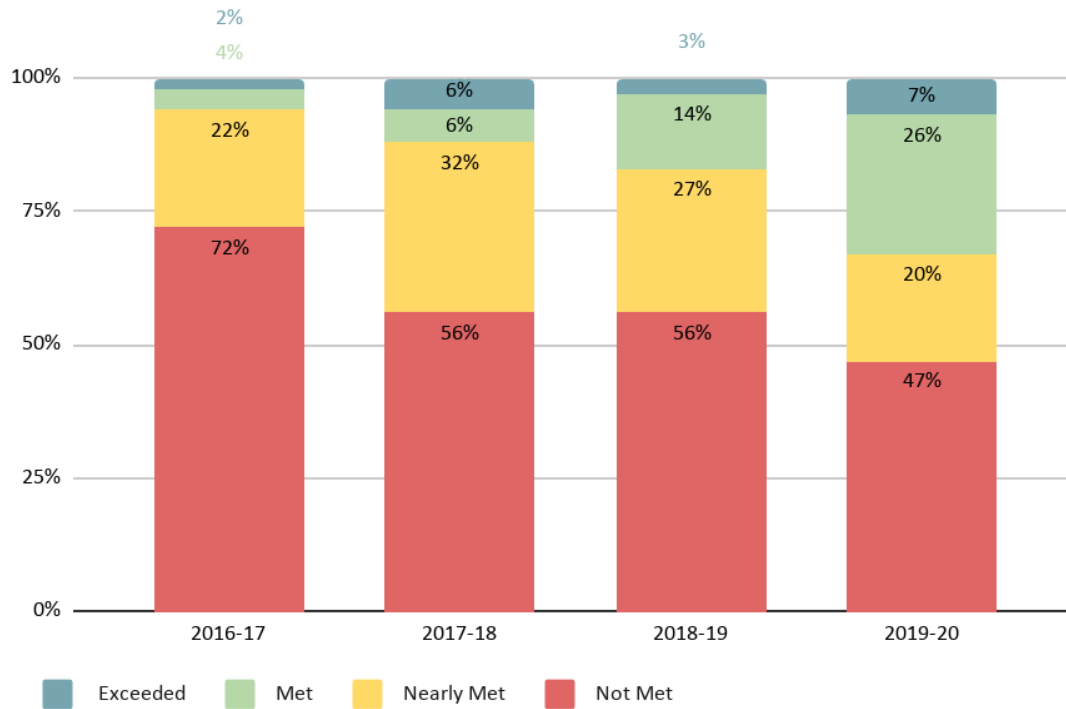
³⁵ The Interim Assessment Blocks (IABs), which are formative and cover a specific “block” of content are administered in Fall and Winter. The ICA, which is summative, is given in March.

Figure B.6 ICAs - 8th Grade Cohort Over Time

8th Grade Cohort - ELA ICAs



8th Grade Cohort - Math ICAs

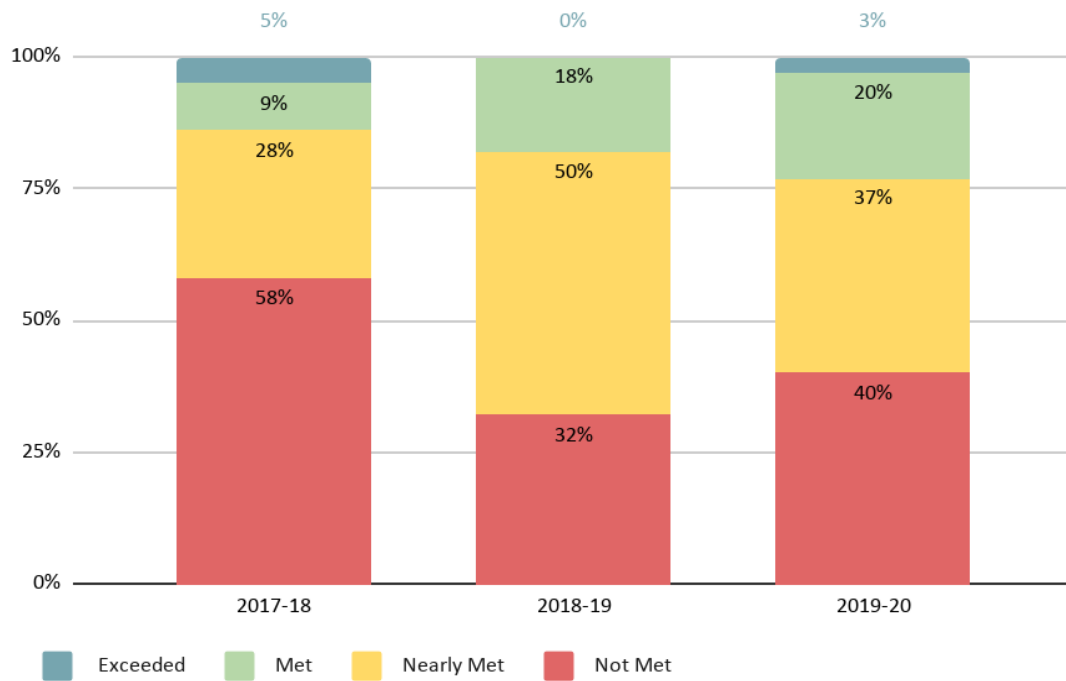


Source: CAASPP ICA

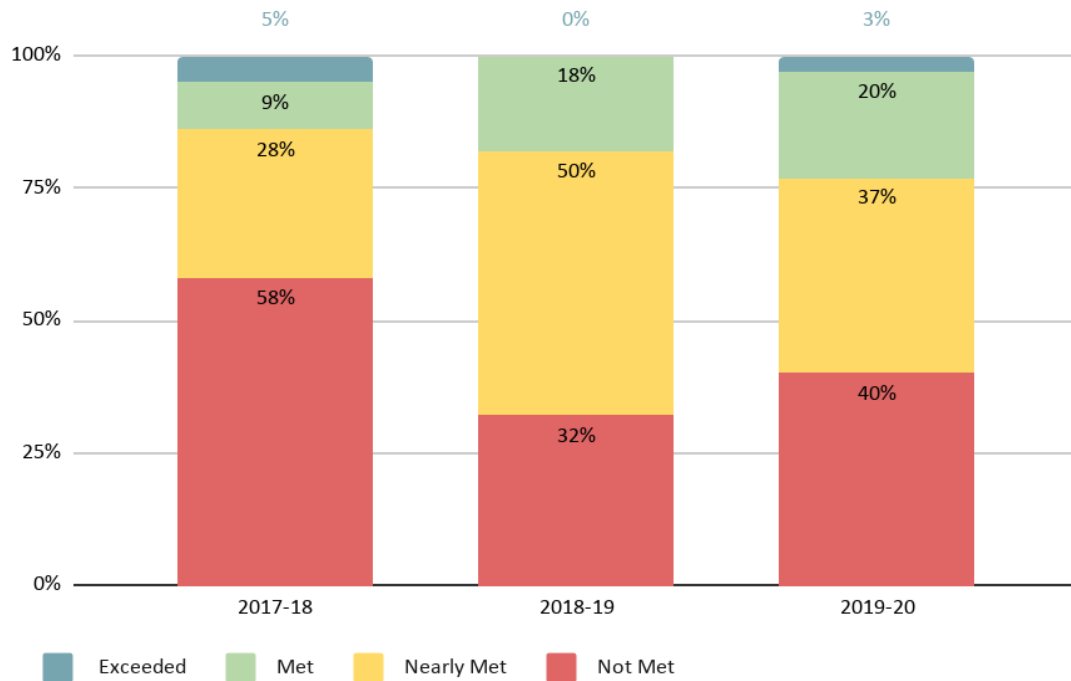
In looking at the 7th Grade Cohort in **Figure B.7** on the following two pages, students increased their proficiency bands over the two year period from 2017 to 2019. The bands of proficiency were stronger in 2019-20 than in 2017-18, with a large increase between 2017-18 and 2018-19 in both ELA and Math, then a slight increase at both the Exceeded and Met Standard levels but also a slight increase in the Not Met Standard between 2018-19 and 2019-20.

Figure B.7 ICAs 7th Grade Cohort Over Time

7th Grade Cohort - Math ICAs



7th Grade Cohort - ELA ICAs

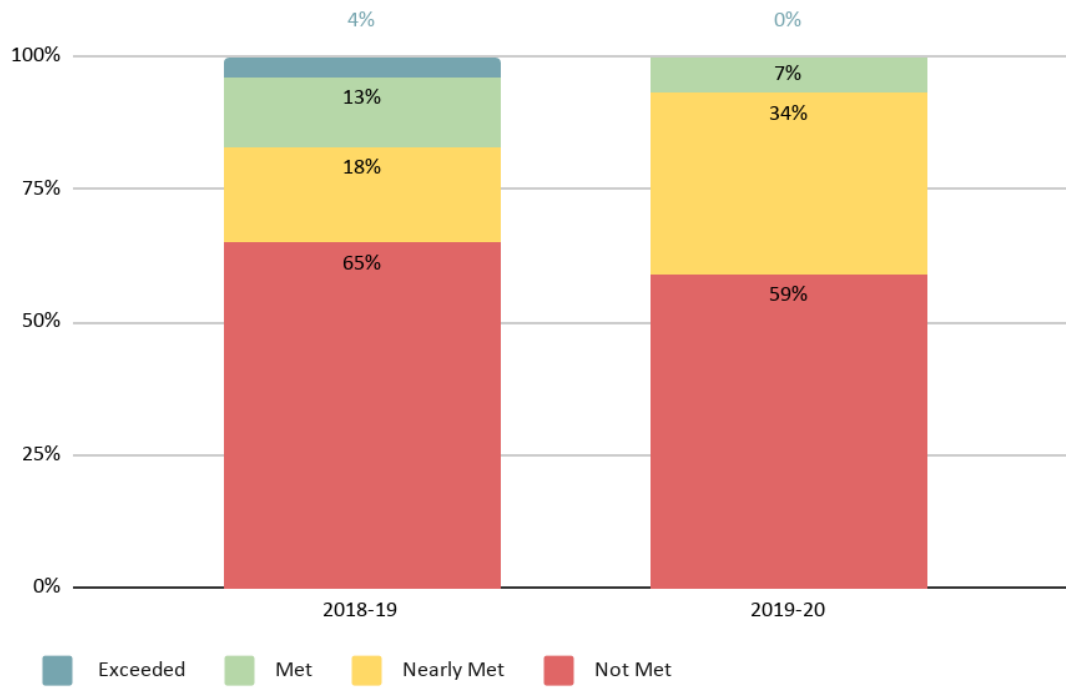


Source: CAASPP ICA

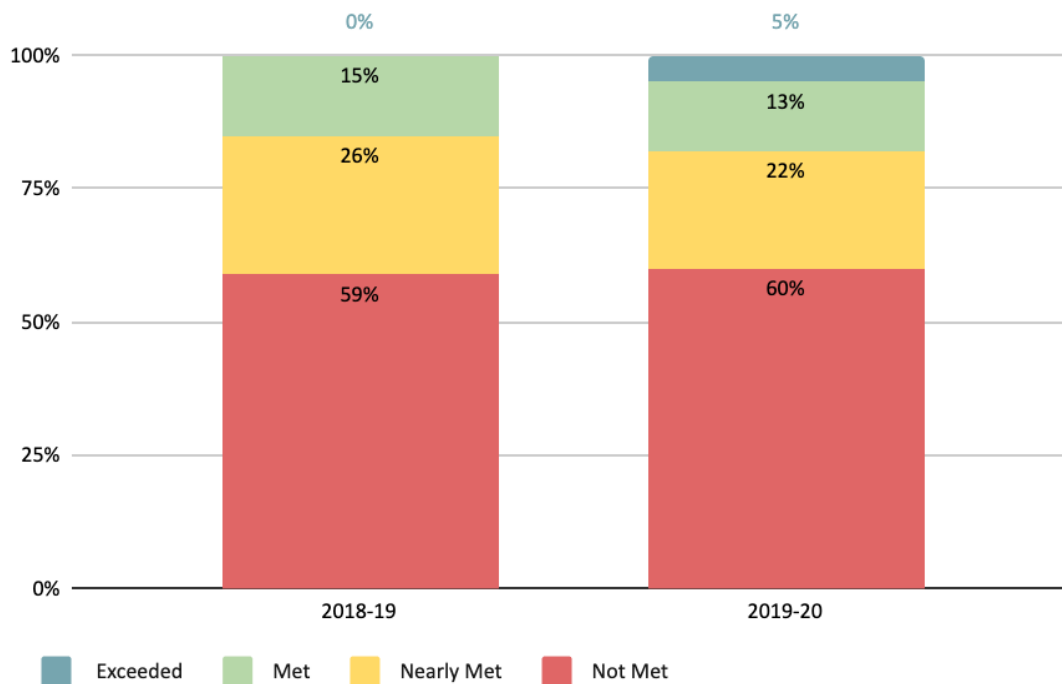
Finally, in looking at the 6th Grade cohort in **Figure B.8** we see more stable band levels as the majority of students are still moving within the Not Met Standard band. This said, the overall number of students who Nearly Met, Met, or Exceeded Standard versus the number of Standard Not Met students stayed stable, indicating an average year of growth across the bands (though some movement between the upper bands).

Figure B.8 6th Grade Cohort ICAs Over Time

6th Grade Cohort - Math ICAs



6th Grade Cohort - ELA ICAs



Source: CAASPP ICA

MEASURABLE INCREASES IN ENGAGEMENT

ACE Empower works diligently with students to overcome their disconnect from school and help them not only see college as a possibility, but be prepared for it. This work begins with engagement - and progress is seen in the attendance, chronic absence, suspension, and middle school drop-out rates.

Attendance & Chronic Absence

ACE Empower students want to be at school, as seen in the attendance and chronic absence rates in **Figure B.9** and **Figure B.10** respectively. Average Daily Attendance rates have consistently increased - evidence that students feel welcome and are developing a commitment to their future and learning.

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Figure B.9

ACE Empower Average Daily Attendance Rates				
	2019-20	2018-19	2017-18	2016-17
Overall	95%	94%	93%	93%
Low-income	95%	95%	94%	93%
Latino	96%	94%	93%	93%
English Learner (EL)	95%	94%	93%	93%
SPED	94%	93%	93%	93%

Source: CALPADS

ACE Empower is currently Yellow on the California School Dashboard for Chronic Absence and has a significantly lower rate than Mathson, the school students would otherwise attend. This said, the rate has stayed flat for the two years it has been reported on the Dashboard and is higher than desired. ACE Empower will continue its work to decrease these rates in the next charter term, with a specific focus on students with special needs.

Figure B.10 Chronic Absence

2017-18 and 2018-19 Chronic Absence				
	ACE Empower		Mathson	
	2018-19	2017-18	2018-19	2017-18
Overall	17%	17%	38%	37%
Low-income	16%	17%	40%	39%
Latino	17%	17%	46%	45%
EL	17%	17%	41%	44%
SPED	25%	22%	53%	54%

Source: <https://www.caschooldashboard.org/>

Suspension

Once at school, ACE Empower students experience a safe, welcoming, and encouraging environment. The school has taken deliberate steps to reduce the suspension rate, overall and across subgroups with intentional focus on students with special needs. This has included training on behavior intervention, de-escalation, and restorative justice practices. As a result, there has been a steady decline in suspension rates overall and across subgroups as seen in **Figure B.11**. ACE Empower is currently Orange on the California School Dashboard for this indicator, with two subgroups in Yellow (Low-income and EL) and two subgroups in Orange (Latino and students with disabilities). Performance as compared to Mathson has varied, as

suspension rates at that school went drastically up and then drastically down over the past three years.

Figure B.11 Suspension Rates Over Time

2016-17, 2017-18 and 2018-19 Suspension Rates*							
	ACE Empower				Mathson		
	2019-20**	2018-19	2017-18	2016-17	2018-19	2017-18	2016-17
Overall	8%	10%	10%	16%	4%	19%	13%
Low-income	7%	9%	10%	17%	5%	19%	14%
Latino	8%	10%	10%	17%	5%	20%	14%
EL	11%	11%	12%	19%	6%	24%	15%
SPED	7%	15%	17%	26%	9%	40%	26%

* There is a one year lag in suspension rates on the California Dashboard, so the data in each year is actually from the year prior (i.e. 2018-19 data is from 2017-18).

**ACE Empower has included its data from 2018-19 (which will appear as 2019-20 on the dashboard when released) to illustrate the continued decrease being realized as a result of its efforts. These results were publicly reported in the school LCAP and are verifiable in CALPADS. ACE Empower did not have access to the same data for Mathson at the time of submission.

Source: <https://www.caschooldashboard.org/> and CALPADS

Middle School Dropout

ACE Empower monitors its adjusted drop out rate to ensure it is meeting its larger mission, though the data lag makes this data less actionable on a day-to-day basis. The most recent middle school drop out data from the 2016-17 school year is provided in **Figure B.12**, which shows a comparable number of dropouts between ACE Empower and its closest neighboring middle school.

Figure B.12

2016-17 Number of 7th & 8th Grade Dropouts					
	ACE Empower	Mathson	ARUSD	SCC	CA
Overall	2	1	12	59	2591

Source: <https://data1.cde.ca.gov/dataquest/>

ADDITIONAL DATA - ENROLLMENT

Per the SCCOE review matrix, ACE Empower assures that it engages in a recruitment and enrollment process that is designed to ensure all students who wish to attend the school are able to do so, subject only to enrollment capacity. To ensure this, ACE Empower employs a defined enrollment and lottery process, detailed in **Element H** and available in **Appendix 9 - Student Recruitment, Admissions, and Enrollment**. A third-party partner, SchoolMint, is used to further ensure compliance in this area.

CONCLUSION

As clearly demonstrated by the evidence above, ACE Empower meets the renewal criteria for a middle tier school and should be granted a renewal term of five (5) years from July 1, 2021 to June 30, 2026.

ELEMENT C - METHODS OF ASSESSMENT

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

INTRODUCTION

ACE Empower uses assessment data for many purposes: to improve its program, to communicate results, and to determine success. A careful analysis of all assessments provides a basis for program evaluation and change, curriculum revision and implementation, scheduling, flexible grouping, staffing, and resource allocation.

All assessment at ACE Empower is carefully aligned with the school's academic program, the CCSS and NGSS, and the academic outcomes as identified in **Element A** and **Element B** of this charter. Assessment to determine success provides a means of measuring how well students have learned, how successful instruction was, how successfully the curriculum is addressing students' learning needs, how well the instructional program is working, and how ACE Empower's results compare with those of the neighborhood schools, District, County, State, as well as some regional and national results. As such, student achievement results are shared with all stakeholders to support engagement, agency, and accountability.

Student performance data is collected regularly from a wide variety of assessments which are chosen and implemented in order for teachers, students, and families to best understand student progress toward academic proficiency, as well as provide a detailed individual picture of each student's growth, academic strengths, and areas where further instruction, intervention, and coaching is necessary. This data stream is also used to evaluate staff proficiency in administering rigorous curriculum, to inform professional development and coaching needs. The data stream explicitly includes all applicable assessments under the CAASPP, which includes but is not limited to the SBAC. The results of these tests will be the primary driver of ongoing curriculum and school program development. ACE Empower will also utilize diverse assessments that are aligned with the curriculum and instructional program, compliant with state expectations.

Additional Assurances

ACE Empower shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605 and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools.

For English Learners and students with Special Needs, the school will track progress toward academic and college readiness achievement benchmarks in the same way it does for any student. In addition, the school will also carefully track EL student progress toward fluency in English and the degree to which students with Special Needs are meeting IEP goals.

ACE Empower affirms that its methods for measuring pupil outcomes for the Eight State Priorities, as described in **Element B** of this charter, shall be consistent with the way information is reported on the School Accountability Report Card as required by Education Code Section 47605(c)(5)(C).

ACE Empower agrees to comply with and adhere to state requirements for participation and administration of all state-mandated tests, including computer-based assessments. ACE Empower shall submit and maintain up-to-date and accurate California Longitudinal Pupil Achievement Data System (CALPADS) data in accordance with the requirements of California Code of Regulations, title 5, section 861.

DATA MANAGEMENT SYSTEMS

ACE Empower has a school-based computer information system (PowerSchool) which facilitates the collection and sharing of data as appropriate and legal.

TYPES OF ASSESSMENTS

In order to ensure that all students within ACE Empower are achieving the student outcomes detailed in **Element A** and **Element B**, assessment at the charter school will be consistent, continuous, and based on the external and internal measures of evaluation as detailed below.

External Assessments

Academic Indicators

The CAASPP system is the primary assessment used to track student progress, through the SBAC system, ELPAC, California Science Test (CAST), and the Physical Fitness Test (PFT).

- **SBAC** - The SBAC system monitors grade-level mastery of the CCSS, using computer-adaptive tests and performance tasks that allow students to show what they know and are able to do. This system is based on the CCSS for English language

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arts/literacy and mathematics and includes formative Interim Assessment Blocks (IABs), an Interim Comprehensive Assessment (ICA), and the Summative Assessment.

- **IABs** - ACE Empower administers the SBAC Interim Assessments Blocks (IABs) in October and December, selecting standard blocks that match what teachers have taught that quarter. Teachers then meet on a data day to analyze student results, which in turn drives teachers instructional practices.
- **ICA & Summative SBAC** - ACE Empower administer the ICA annually, in March, as a summative assessment of student proficiency prior to administration of the SBAC Summative assessment in May.

SBAC data is the most important way for ACE Empower to measure the overall efficacy of its program, and is used as a primary driver in on-going curriculum and program development and refinement. In addition, all SBAC data is shared with and analyzed by The Core Collaborative to support ACE Empower in measuring its levels of achievement and growth in comparison to other schools in the region.³⁶ Please see **Appendix 5 - Assessment**, for an Overview of the SBAC IABs and ICAs and their validity as well as an example on how ACE trains staff in their implementation.

- **ELPAC** - ACE Empower utilizes the ELPAC to monitor and assess the English Language Development of ELs. The ELPAC is designed to: (1) to identify students who are English Learners; (2) to determine the level of English-language proficiency of students who are English Learners; and (3) to assess the progress of English Learners in acquiring the skills of listening, reading, speaking, and writing in English. ACE Empower uses ELPAC data to make initial placement decisions, including ELD services; inform teacher planning and instruction; measure the efficacy of the school program; and most importantly, monitor student progress toward English-language proficiency. The ELPAC is administered to all students requiring initial identification during the initial testing window between July 1 and October 31 and as needed for new students throughout the year. The annual assessment is administered each spring to evaluate progress and inform reclassification, as appropriate.
- **CAST** - The CAST measures students' mastery of the NGSS in 5th and 8th grade. Given that it is not given annually, data is not used to determine student growth. Rather, data is used to evaluate student proficiency and to inform the curricular and instructional program.

³⁶ For more information on the CORE Collaborative, please see https://coredistricts.org/wp-content/uploads/2018/09/Data-Collaborative_Overview-with-data-use-points-v7..7.11.18.pdf

- **PFT** - The PFT measures students' physical fitness across six dimensions in 5th and 7th grade. Data is used to evaluate student health and to inform the overall program for students health and fitness.

ACE Empower will use CAASPP data in a variety of important ways, including evaluation of school and student performance and on-going development of curriculum and teacher training.

Engagement Indicators

In addition to the academic assessments of the CAASPP, ACE Empower leverages several indicators on student engagement. This includes measures reported on the California Schools Dashboard, as well as those reported through CALPADS and the SARC. ACE Empower views student engagement as a critical foundation for achieving academic outcomes.

- **Attendance & Chronic Absenteeism** - ACE Empower monitors both Average Daily Attendance (ADA) and Chronic Absence (students who miss 10% or more of school days) to inform its program on developing student resilience, personal agency, and commitment to their learning and their future.
- **Suspension & Expulsion** - Given ACE Empower's focus on students who have been underserved, and therefore are often disengaged, the school actively monitors suspension and expulsion rates to inform its restorative practices.

Internal Assessments

Academic Indicators

In addition to the SBAC IABs and ICA detailed above, ACE Empower leverages the following internal assessments to meet specific needs as follows.

- **Renaissance Star Reading and Math** - ACE Empower administers these comprehensive assessments three times per year, to gather data needed to guide reading and mathematics instruction for students at the classroom level. Please see **Appendix 5 - Assessment**, for an Overview of these assessments.

Engagement Indicators

- **Surveys** - ACE Empower currently uses Panorama to conduct surveys, providing it with nationally normed data on engagement. Student and staff surveys are implemented twice a year in the Winter and Spring and annually in the Spring for families. Questions from The CORE Collaborative Social Emotional Survey are incorporated in the Student surveys, providing another nationally normed data set on student engagement.

- **Goal Setting & Reflection** - ACE Empower currently employs Sown to Grow, a goal setting and reflection platform designed to support students in setting learning goals, tracking their own progress, and reflecting on the strategies that work best for them. Teachers monitor students growth in this process, working with students to hone their goal setting, actions, and reflections.³⁷

ASSESSMENT CONTINUUM

ACE Empower utilizes a robust assessment practice, that focuses on using multiple assessment measures to inform instruction and improve the school program.

Assessment Calendar

ACE Empower's assessment calendar is developed from year to year to align with these data cycles. Assessments on the calendar are administered by teachers in core classes as well as by school administrators and other support staff. The assessment calendar allows for regular review of student data, including reports to the ACE Board of Directors. **Figure C.1** provides a summary of the school's primary assessments as planned for implementation in the 2020-21 school year, the timeline for their implementation, and the key stakeholders involved.

³⁷ More information available at: <https://www.sowntogrow.com/>

Figure C.1 2020-21 Assessment Calendar

Content	Test	Audience	Grades	Window
State Required Assessments				
ELA Math	CAASPP Smarter Balanced	All students at designated grade levels Exceptions: <ul style="list-style-type: none"> Eligible students participating in the CAAs for ELA and mathematics ELA only – English learners who are in their first 12 months of attending a school in the United States 	5-8	Available testing window begins when 66 percent of instructional year has been completed and continues through the last day of the selected testing window, the last day of instruction, or July 15, 2021, whichever comes first. LEAs may select their own testing window each year: <ul style="list-style-type: none"> Minimum window of 25 instructional days Must fall within available testing window
ELA Math	CAASPP Alternate Assessment (CAA)	Students with the most significant cognitive disabilities whose active IEP designates the use of an alternate assessment	5-8	Same as above
Science	CAASPP CAST	All students in designated grade levels Exceptions: <ul style="list-style-type: none"> Eligible students participating in the CAA for Science 	5 & 8	Same as above
Science	CAASPP CAST California Alternate Assessment	Students with the most significant cognitive disabilities whose active IEP designates the use of an alternate assessment	5 & 8	September 2020 through the last day of instruction or July 15, 2021, whichever comes first.
Reading Language Arts	CAASPP Reading/ Language Arts in Spanish	Students seeking a measure of their Spanish Reading/ Language arts skills.	5-8	An optional test available January 2021 through the last day of the selected testing window, the last day of instruction, or July 15, 2021, whichever comes first. LEAs may select their own testing window each year: <ul style="list-style-type: none"> Minimum window of 25 instructional days Must fall within available testing window
Listening,	Initial	All students whose primary language	5-8	July 1, 2020 through June 30,

Speaking, Reading, Writing	ELPAC	is not English as indicated on the Home Language Survey		2021: The Initial ELPAC must be administered within 30 calendar days after enrolling in a California public school
Listening, Speaking, Reading, Writing	Summative ELPAC	Identified English learners until they are redesignated as fluent English proficient	5-8	February 1 through May 31, 2021 Special make-up testing window as a result of school closure begins August 20 and closes October 20, 2020
Expressive (Speaking & Writing) Receptive (Listening & Reading)	Alternate ELPAC	Students with the most significant cognitive disabilities who are also identified as English learners and whose active IEP designates the use of an alternate assessment	5-8	January 12 through February 16, 2021
FITNESS GRAM	PFT	All students, regardless of whether they are enrolled in a physical education class or participate in a block schedule	5 & 7	February 1 through May 31, 2021
Internal Assessments				
ELA/Math	SBAC IABs	All ACE students	5-8	October and December
ELA/Math	SBAC ICA	All ACE students	5-8	March (if SBAC is given) or May (if SBAC is not given, due to pandemic)
Reading/ Math	Renaissance Star Assessments	All ACE students	5-8	Tentative dates: Three x per year, first 3 weeks, end of semester one, 3 weeks prior to CAASPP
Engagement	Panorama and The Core Collaborative SEL Survey	All ACE students, families, and staff	5-8	Winter and Spring for Students and Staff Spring for Families
Goal Setting and Reflection	Sown to Grow	All ACE students		Weekly in College Readiness

DATA COLLECTION, DISSEMINATION AND ANALYSIS

Data is collected, analyzed and disseminated on an ongoing basis as detailed in **Figure C.2**. This data is shared regularly with staff, students, families, ACE Board, the Santa Clara County Office of Education, and all other key stakeholders, as detailed in the next section.

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Figure C.2 Data Collection, Dissemination, and Analysis

Data source	Collection, Dissemination and Analysis	Person Responsible
CAASPP (SBAC, CAA, CAST)	<p>CAASPP data is collected and disaggregated by statistically significant subgroups. Led by the Instructional Leadership Team, teachers use this data to guide curriculum and assessment design and provide target areas for schoolwide, group, and individual student intervention and remediation.</p> <p>Assessment data is used at both the network and school-level to gauge whole-school and sub-group performance, and guide curriculum and other school program initiatives.</p>	Manager of Strategic Initiatives Principal Assistant Principal Lead Teachers
ELPAC	<p>The Instructional Leadership Team oversees the administration of the ELPAC test, collects and disseminates ELPAC scores to teachers and works with teachers to ensure that curriculum and instruction address EL student needs, and that appropriate differentiation and interventions are provided in regular classroom and during intervention times.</p>	Manager of Strategic Initiatives Principal Assistant Principal Lead Teachers
SBAC Interim Assessment Block (IABs)	<p>Teachers administer SBAC IABs to track student progress toward mastery of the CCSS. The Instructional Leadership Team coaches teachers on the implementation of these formative assessments and collaborates with teachers to assess the results of these assessments and use them to shape on-going curriculum and instructional development. Teachers also use student assessment data to determine what re-teaching is necessary and to identify students who require targeted intervention.</p>	Principal Assistant Principal Lead Teachers

SBAC Interim Comprehensive Assessment (ICA)	Teachers administer the SBAC ICA to measure students' mastery of the CCSS. The Instructional Leadership Team coaches teachers on the implementation of these summative assessments to ensure valid and reliable implementation that replicates the SBAC administration. Teachers and the Instructional Leadership team analyze results to shape on-going curriculum and instructional development.	Principal Assistant Principal Lead Teachers
Renaissance Star Assessments	Renaissance Star reading and math assessments are administered three times per year to determine students' level of reading and math proficiency and to guide teachers' planning and instruction. As an objective assessment, unconnected to any particular curriculum or teacher-created assessment, these provide ACE Empower with an outside measure of achievement and growth. Reports are generated and analyzed by the school leadership. The leadership then shares the data with the school team, generates observations about the data, and generates a plan with action items.	Principal Assistant Principal Lead Teachers
Attendance and Discipline data	The Administration will collect and assess attendance and discipline data, and share the data with staff and families as necessary. The Administration uses this data to guide schoolwide program design to ensure	Administration
Goal Setting & Reflections	Students complete ongoing goal setting and reflection during College Readiness to evaluate their current levels of proficiency and set goals for promoting growth. This is done in terms of academics, social emotional wellness and behavior, and/or college-ready habits. Advisors then meet individually with each student on average every two weeks to review their reflection and strategies, as well as mentor them as needed to improve the plan.	Advisors

	high attendance levels and a safe learning environment.	
Surveys	The Panorama survey is administered to students and staff in the Winter and Spring of each year, and to families in the Spring each year. Data is analyzed to inform schoolwide program design to ensure high engagement levels.	Principal Assistant Principal Community Outreach Manager

USES OF MULTIPLE MEASURES OF ASSESSMENT

Student, Teacher and School Use of Data

ACE Empower uses assessment data for many purposes. ACE Empower looks at results in three ways:

- Aggregated data on student performance as a whole, such as the results of the SBAC, is used to determine how successfully curriculum and instruction is addressing students' learning needs; how well the instructional program is working; and how the school's results compare with those of the neighborhood schools, district, state, and nation. This data is used to drive overall program development.
- Disaggregated data, broken down by subgroup, demonstrates the degree to which the school is successfully addressing all categories of learners, especially English Learners and Special Needs students.
- Data on individual student performance is used to determine how well each student is learning and the degree to which s/he is mastering grade-level content and skills and progressing towards grade-level proficiency. Individual student data drives decisions about interventions and personalizing the learning opportunities for each child.

ACE Empower uses multiple measures of assessment in order to generate accurate, useful data in the above categories and support the school's work to continually understand where students are collectively and individually. Taken together, this collection of assessment data provides students, teachers, parents, and other stakeholders with a multifaceted view of how students and the school are doing. Assessments are given in various modes in order to provide a rich, accurate picture of student performance, ranging from standardized pen-and-paper tests to rubric-assessed exhibitions.

Because ACE Empower serves a high portion of EL students, the extent to which it meets progress in English language fluency is an important measure of success. In addition, the school also carefully tracks the degree to which Special Needs students are meeting IEP goals.

Please see **Appendix 5 - Assessment**, for an example of a Weekly Data Meeting in which teachers analyze student data to inform instruction.

School and Family Use of Data - Reporting to Caretakers

ACE Empower strives to continuously inform parents about their child's progress, through a combination of formal and informal reporting structures. Informal reporting to parents may occur through such methods as face-to-face conversations, phone calls, text messages, emails, and written notes. Formal reporting to families includes Report Cards, Assessment Results, and Student-Led Conferences as detailed in **Figure C.3**. Reports are user-friendly and provided in the family's native language. Parents have access to performance tasks, content assessments, and assessment results upon request and at student-led conferences.

Figure C.3 Formal Reporting to Caretakers

Reporting to Caretakers		
Type	Purpose	Frequency
Mailings & Information Sessions	<ul style="list-style-type: none"> Share key assessment data with families as collected to ensure families have access to data on their children (i.e., ELPAC, SBAC). Provide information sessions to support families in understanding assessment results, through Cafecitos and other venues Students and parents have access to PowerSchool to monitor grades and attendance in real time 	Ongoing
Comprehensive Report Card	<ul style="list-style-type: none"> Assessment Data Attendance Data Grades in Subject Areas Narratives on Student Performance, including Areas of Strength and Areas for Growth Learning Target Completion Progress toward promotion and/or graduation 	Twice per year

Progress Reports	<ul style="list-style-type: none"> ● Provide ongoing information about student progress 	Monthly
Online Grade Book (PowerSchool)	<ul style="list-style-type: none"> ● Share progress toward Learning Targets ● Build transparency between home and school 	Updated Weekly
Student Led Conferences	<ul style="list-style-type: none"> ● Develop and revisit academic and personal goals ● Review student work and measure progress toward mastery of learning targets, and ultimately, promotion and/or graduation. ● Share student performance and progress on internal and external assessments ● Develop ownership of learning and goal-setting for both the student and family ● Develop student presentation skills 	Twice per year

School, District and State Use of Data

Local Control Accountability Plan (LCAP)

ACE Empower will use the multiple forms of data collected to assess progress toward the goals outlined in **Element A** of this charter. Pursuant to Education Code Section 47606.5, on or before July 1, 2021, and each year thereafter, ACE Empower will produce a Local Control Accountability Plan (“LCAP”), which shall update the goals and annual actions to achieve the goals identified in **Element A** of this charter regarding the State Priorities, using the LCAP template adopted by the State Board of Education. ACE Empower shall submit the LCAP to SCCOE annually on or before July 1, as required by Education Code Section 47604.33.

School Accountability Report Card (SARC)

ACE Empower will compile data for the charter school each academic year to produce a School Accountability Report Card (SARC). Student achievement data will be disaggregated annually to clearly identify the academic performance of students by sub-groups (e.g., by ethnicity, gender, English Learners, socioeconomically disadvantaged students, and students with disabilities). This report will include required school data for the authorizing agency, families, Board of Directors, and community at large.

ELEMENT D - GOVERNANCE STRUCTURE

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

ACE Empower depends on its collaboration with families and the community for its success. Its organizational model is derived from best practices in order to ensure that the school meets its stated mission, that adequate resources are marshaled in the service of that mission, and that all stakeholders have a voice in the ongoing development of the school.

In addition, ACE Empower works in collaboration with the Santa Clara County Office of Education, the oversight entity of its chartering authority, the Santa Clara County Board of Education. To support the County in its oversight, ACE Empower provides an Annual Report presentation to the County Board. This report is inclusive of topics identified by the County, which are provided to ACE Empower in writing no later than 30 days before the presentation date.

OVERVIEW

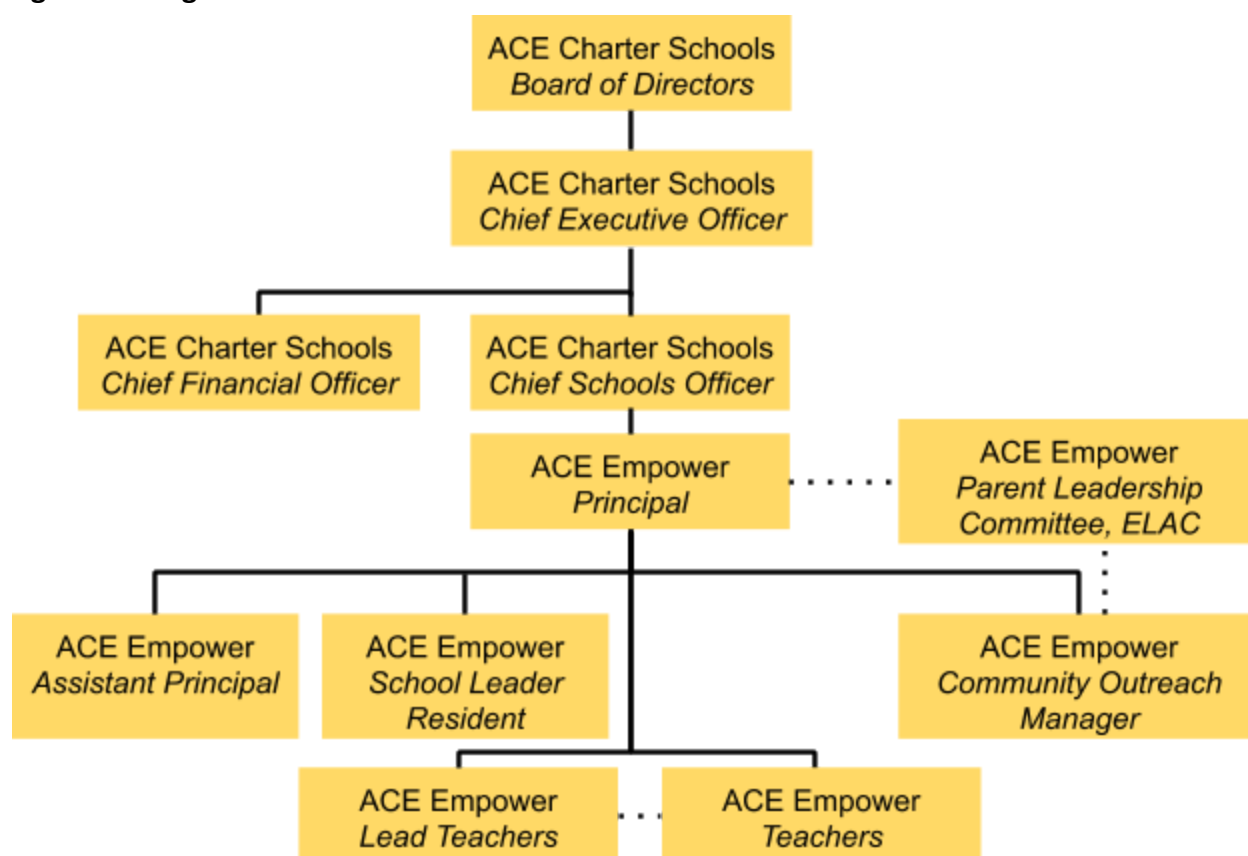
The governance structure of ACE Empower has the following components:

- California Non-Profit Public Benefit Corporation
- Board of Directors
- Central Office Personnel, including:
 - Chief Executive Officer (CEO)
 - Chief Financial Officer (CFO)
 - Chief Schools Officer (CSO)
- School Site Personnel
 - Principal
 - Assistant Principal
 - School Leader Resident
 - Community Outreach Manager (COM)
 - Lead Teachers
 - Teachers
- Parent Leadership Committee (PLC), whose membership may also serve on the:
 - English Learner Advisory Committee (ELAC)

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Within this governance structure, the Board of Directors makes decisions and works with the Chief Executive Officer to oversee the organization and the work of the Chief Financial Officer and the Chief Schools Officer; the Chief Schools Officer oversees the school’s development and outcomes; the Principal oversees school operations, academic program, professional development, and other related activities with critical input from the leadership team and teachers; the Parent Leadership Committee works to increase the achievement and engagement of every student through continuous improvement of curriculum, instruction, assessment, and culture; and the ELAC communicates the positions of the parents of English Learners directly to the Principal. **Figure D.1** provides a visual representation of the Organizational Structure.

Figure D.1 Organizational Chart



NON-PROFIT PUBLIC BENEFIT CORPORATION

In accordance with California Education Code Section 47604(a), ACE Empower shall be a directly funded independent charter school operated by ACE Charter School (“ACE”), a California non-profit public benefit corporation formed and organized pursuant to California Nonprofit

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Public Benefit Corporation Law. ACE will be governed by the Board of Directors pursuant to its corporate bylaws, which shall be consistent with this charter.

ACE has an adopted Conflict of Interest Code, including annual Form 700 filing requirements, which shall be maintained to comply with the Government Code Section 1090, *et seq.*, as set forth in Education Code Section 47604.1, the Political Reform Act, Corporations Code Conflicts of Interest rules, and any charter school-specific conflicts of interest regulations. The Corporate Bylaws, Conflict of Interest Code, and Articles of Incorporation are included within **Appendix 7 - Governance**. The Corporate Bylaws and Conflict of Interest Code are brought to the Board for review, update, and approval on at least a bi-annual basis. ACE shall provide written notice to the County Superintendent of any proposed revisions to the Articles of Incorporation and/or Bylaws no less than three (3) weeks prior to consideration of adoption of the revision(s) by the ACE Board. If the revisions are not approved by the chartering authority, they will require a material revision to the Charter under Education Code section 47607. Any revised Articles of Incorporation and/or Bylaws made through one of these pathways shall be submitted to the chartering authority within three (3) business days of the adoption.

ACE Empower will operate autonomously from the chartering authority, with the exception of the supervisory oversight as required by statute and other contracted services. Pursuant to California Education Code Section 47604(d), the chartering authority shall not be liable for the debts and obligations of ACE Empower or for claims arising from the performance of acts, errors, or omissions by the charter school as long as the chartering authority has complied with all oversight responsibilities required by law. All staff are employees of ACE. All duties herein applying to ACE Empower shall ultimately rest with ACE, the non-profit public benefit corporation.

Attached, as **Appendix 7 - Governance**, please find the Articles of Incorporation, Bylaws, and Conflict of Interest Code for ACE Charter School.

Board of Directors

The ACE Board is a policy-making board which oversees the fundamental aspects of ACE Empower. The Board shall be composed of at least nine (9) and no more than thirteen (13) directors. In addition, in accordance with Education Code Section 47604(c), the chartering authority shall be entitled to a single representative on the Board of Directors of the nonprofit public benefit corporation.

At least one director position is reserved for a parent of a student attending an ACE Charter School. With the exception of the potential Authorizer appointed representative and the parent representative, all other director positions will be held by community members with expertise in

finance, law, non-profit governance, fundraising, school leadership, and academic program development.

All directors shall be appointed by the Board, except for the chartering authority representative, if any. All directors shall have full voting rights, including any representative appointed by the chartering authority as consistent with Education Code Section 47604(c). If the chartering authority appoints a representative to serve on the Board of Directors, the Corporation may appoint an additional director to ensure an odd number of Board members.

No interested persons (as defined in the corporate bylaws) may serve on the ACE Board of Directors.

Figure D.2 provides the current Names, Titles, Board Positions, and Term Expirations of the ACE Board of Directors. The CEO or designee will provide a complete list of Board Members and Officers to the chartering authority by July 1 of each year, and update the chartering authority on changes to the Board of Directors membership within 10 business days of the change.

Figure D.2 ACE Board of Directors

Name and Title	Board Position(s)	Term Expiration*
Eric Gonzales Managing Director at Montage Capital	Chairperson	2022
Kevin Kaefer Partner, Petrinovic Pugh & Company LLC	Treasurer	2022
Dr. Linda Murray Strategic Advisor, XQ Institute	Secretary	2022
Elizabeth Alvarez Program Director, Franklin McKinley Children’s Initiative	Member	2021
Jill Case Director of Student Assignment and Demographics, San Jose Unified School District	Member	2021
Larry Kuechler Partner, Armanino LLP	Member	2021
Anil Kumar Managing Partner, Mindspan LLC	Member	2021
Dr. Mary Lairon Former Associate Superintendent of Educational Services,	Member	2021

Mountain View-Whisman and Redwood City Elementary School Districts		
Annette Lorenz CancerPoint Board Member Fundraising Expert, Hewlett-Packard	Member	2021
Irene Moran Iboa Field Specialist, Pacific Gas & Electric ACE Parent	Member	2021
Susan Suarez-Madson Education Consultant Former Site Director at Braven, College Track	Member	2021
Tania Wilcox Program Director, Partner College and Scholar Programs Former Board Chair & Executive Director, Breakthrough Silicon Valley	Member	2021

** Terms expire in June on the year listed.*

All members of the ACE Board, with the exception of the parent representative, shall serve for two (2) years or until a successor director has been designated and qualified in compliance with the Board's bylaws. The two-year terms are renewable with no limit on the number of terms a director may serve and are staggered to ensure continuity of leadership. The parent representative shall serve for one (1) year and will be elected annually each September at the regular meeting of the Board of Directors.

Board Meetings

The Board of Directors will meet regularly, at least every other month. All meetings shall be called, held, and conducted in accordance with the Brown Act and the Corporate Bylaws, the Ralph M. Brown Act ("Brown Act"), as may be modified by subsequent legislation, and Education Code Section 47604.1(c). This includes, but is not limited to, the following:

- Regular meeting agendas will be publicly posted 72 hours prior to each meeting in a physical location within Santa Clara County and also on the homepage of the ACE website with a direct and prominent link to the agenda, to encourage community and family attendance.
- Special meeting agendas will be publicly posted 24 hours prior to each meeting in a physical location within Santa Clara County and also on the homepage of the ACE

website with a direct and prominent link to the agenda, to encourage community and family attendance

- Meetings shall generally be held at the principal office of the Corporation in Santa Clara County. The Board of Directors may also designate that a meeting be held at any place within the physical boundaries of Santa Clara County, California, that has been designated in the notice of the meeting.
- Meetings will be open to the public and held at a place accessible to the public. In accordance with Education Code Section 47604.1(c)(3), a two-way teleconference location shall be established at each school site where an ACE school operates.
- Meeting agendas will include time for community input.

The Board reserves the right to meet in closed session and discuss items for which closed sessions are permitted under the Brown Act. Actions taken in closed session will be reported in open session at the conclusion of the closed session.

The Board Chairperson will lead the meetings of the Board of Directors.

Board Committees

The Board of Directors currently has the following committees which meet regularly and in accordance with the Brown Act, as applicable (the meeting frequency ranges from three to ten meetings per year), and do not have decision making abilities, but instead make recommendations to the Board of Directors. The Board of Directors may elect to add or remove committees, or to change their meeting schedule. For a complete description of each current committee, please see **Appendix 7 - Governance**.

- **Governance Committee**

The Governance Committee consists of all Corporate Officers, and meets monthly with the CEO. The Governance Committee advises the CEO and weighs in on decisions that do not necessitate full board approval. In addition, it is responsible for ongoing review and recommendations to enhance the quality, effectiveness, and future viability of the Board of Directors.

- **Finance Committee**

The Finance Committee meets monthly and reviews all financial statements as well as reports related to capital projects and fundraising. The Finance Committee ensures that the organization is operating within board-approved budgets and protocols.

- **Academic Performance Committee**

The Academic Performance Committee meets at a minimum quarterly and reviews all pertinent student achievement data. This committee also reviews and assesses the

school's academic program, and makes recommendations for on-going development and refinement of the school's curricula and instructional practices.

- **Fund Development Committee**

The Fund Development committee meets at a minimum quarterly and reviews fund development strategies and initiatives. This committee also helps staff develop key community partnerships and collaborations to support the fund development efforts.

- **Audit Committee**

The Audit Committee will be responsible for review of the unaudited actuals submission and oversight of the annual independent financial audit. The Audit Committee will select an independent auditor through a request for proposal format. This committee shall include no more than 50% of the Finance Committee members and is a new committee starting in 2020-21, with oversight over the 2019-20 Audit.

Board Professional Development

The Board of Directors will conduct an annual in-service for the purposes of training individual board members on their responsibilities with topics to include, at minimum, Conflicts of Interest, the Political Reform Act, Government Code Section 1090 et seq. as set forth in Education Code Section 47604.1, and the Brown Act through the term of the charter. Any new Board member or new CEO shall undergo such training within 90 days of taking the position with ACE.

In addition, the Board of Directors will collaborate with the CEO and outside support organizations on an on-going basis to seek out and provide additional opportunities for training, reflection, and program assessment for Board Members. Additional topics may include academic achievement measures, school finance, facilities planning, administrative oversight, charter school law, and other trainings as needed or requested by Board Members.

Board Duties

The Board of Directors is responsible for the operation and fiscal affairs of the school including but not limited to: approval of all budget-related and financial activities connected to the school, communication, negotiation and collaboration with the authorizer, personnel actions, evaluation of school programs, participation in independent fiscal and programmatic audit, and long-term strategic planning. The Board of Directors is fully responsible for the operation and fiscal affairs of ACE, including but not limited to the following:

- Hire, discipline, evaluate, and determine the compensation of the CEO
- Approve and monitor the implementation of general policies of the school, including effective human resource policies for career growth and compensation of the staff

- Approve and monitor the school's annual budget and budget revisions
- Act as a fiscal agent, including the receipt of funds for the operation of the school in accordance with charter school laws and the receipt of grants and donations consistent with the mission of the school
- Contract with an external independent auditor to produce an annual financial audit according to generally accepted accounting practices
- Regularly measure progress of both student and staff performance
- Involve parents and the community in school-related programs
- Execute all applicable responsibilities provided for in the California Corporations Code
- Participate in the dispute resolution procedure and complaint procedures when necessary
- Approve charter amendments as necessary and submit material revisions as necessary for consideration by the chartering authority
- Approve annual fiscal audit and performance report
- Approve annual review and revisions of the Local Control and Accountability Plan (LCAP)
- Appoint an administrative panel or act as a hearing body and take action on recommended student expulsions

ROLE OF CENTRAL OFFICE PERSONNEL IN GOVERNANCE

The central office personnel manage the smooth implementation and evaluation of all school-related systems and ensure that the school and school-based personnel have the resources, support, and training they need to meet the school's ambitious academic performance targets.

Chief Executive Officer

The Chief Executive Officer articulates and ensures the organization's fidelity to the goal of serving underserved students and working with them to achieve academic success. The CEO does not manage the day-to-day operations of the school, but takes a primary role in creating the philosophy and strategies to achieve the vision of ACE. The key elements of the work of the CEO are to:

- Develop and articulate the overall mission for ACE, including identifying the target student population
- Design and implement all fundraising initiatives to ensure long-term fiscal health and viability of the ACE and its schools
- Handle all Board-related tasks, including reports on school progress and achievement and financial reports
- Provide a liaison between the chartering authority and the ACE Board of Directors

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- Develop and administer the budget of ACE and its schools in accordance with generally accepted accounting principles
- Negotiate Memoranda of Understanding and other contracts with the chartering authority and other community partners

Chief Financial Officer

The Chief Financial Officer is responsible for ensuring that financial policies, processes, structure, knowledge and internal controls exist within the organization to allow ACE to be a sustainable organization that can meet its stated mission of serving traditionally underserved and therefore under-achieving students and helping them grow such that they can successfully attend and graduate from a four-year college. The Chief Financial Officer shares his/her business and financial experience and insight to help guide the organization, especially with members of the ACE Executive Team and Board Finance Committee. At present time, the Chief Financial Officer also oversees the Human Resources, Information Technology, and Administrative functions within ACE. The key elements of the work of the Chief Financial Officer are to:

- Work closely with the CEO, CSO, and the Board Finance Committee to ensure the long-term sustainability of ACE and its schools.
- Oversee formulation of budgets and long-range forecasts including revenue and expense forecasting, budget development, capital spending analysis, balance sheet analysis, and planning.
- Manage and ensure sufficient working capital, including revenue collections and establishing financing relationships with local and regional banking partners.
- Manage the development of effective tools for the Board Finance Committee and CEO to use to monitor, assess, and evaluate the financial performance and structure of ACE and each of its schools.
- Provide analytical and financial modeling support to ACE's Executive Team as part of growth planning as well as for the annual budgeting process.
- Maintain and manage a master calendar of all compliance deadlines in conjunction with school leaders as they relate to County and State regulations and develop standardized templates for compliance.
- Coordinate with operations and school leadership teams to ensure that all public money for education is appropriately spent and that all compliance deadlines are met.
- Ensure that the chartering authority and the State of California receive all necessary and mandated reports and data.
- Ensure all State and Federal required reports are completed and filed (i.e. CBEPS, R30; quarterly and annual financial reporting).

Chief Schools Officer

The Chief Schools Officer is responsible for ensuring that effective plans, systems and processes exist throughout the network that are mission aligned, and that all staff are working efficiently and with maximum precision towards expected outcomes. The Chief Schools Officer oversees the site based academic and operations teams, contributes to the vision and direction of the finance team, and ensures CMO Managers are executing effectively on their functional areas and responding to the needs of the schools. The key contributions of the work of the Chief Schools Officer are to:

- Crystalize key insights about the ACE model based on data and best practices nationwide, and translate into concrete plans / strategies for ACE's continued growth and improvement
- Weigh in on all key organizational decisions to ensure alignment with the ACE vision, model, and strategic operating plan, then monitor corresponding metrics for success and ongoing evaluation
- Translate human capital strategy into concrete operational plans
- Develop and communicate the overarching philosophy of the academic program, as well as major school culture and organizational development initiatives
- Coach School Leaders in setting the vision based on the ACE Strategic Plan and best practices so that students who come in below grade level make rapid academic growth and graduates are ready to succeed in a four-year college or university
- Provide tailored support to School Leaders to leverage resources and data in developing and implementing high-impact professional development and high-quality coaching of individual teachers
- Ensure all ACE schools have a joyful, optimistic, and celebratory culture for students and families
- Oversee implementation of English Learner and Special Education services, ensuring training and support for Principals to operationalize and successfully execute
- Refine budgeting tools for Principals, to ensure budget is aligned to school priorities and enrollment, in collaboration with the CFO
- Ensure all operations and logistics are handled smoothly and with minimal disruption to the core academic program work

ROLE OF SCHOOL SITE PERSONNEL IN GOVERNANCE

The role of school-site personnel is to serve ACE's community by creating a successful, sustainable school environment where all students have the skills, knowledge and habits necessary for college success.

Principal

The Principal is the academic leader at the School, who spearheads the development of the ACE Empower curriculum and school culture. The Principal manages the academic program development, professional development activities, and will work with teachers to improve curriculum and instruction. The Principal will also be the standard-bearer for the core value of *Ganas*, a Spanish word which can be translated as desire, will, or effort. As such, the Principal is responsible for coaching staff and parents in helping students show *Ganas* in everyday choices. The Principal also ensures that the connection between school and families is strong, mutually respectful, and marked by continual communication about student performance and behavior.

The Principal's duties shall include, but are not limited to, the following:

- Ensuring that all elements of ACE Empower are directed at helping the school achieve its mission of supporting traditionally underserved and therefore under-achieving students to develop the belief that that they can compete in college and the skills and knowledge to do so
- Creating a culture of achievement, responsibility, and *Ganas* for staff, students, and families
- Leading teachers and staff in the development and on-going improvement of a teaching and learning program specifically tailored to the needs of the school's target student
- Supervising, evaluating, and training school staff and teachers based on their ability to help the school succeed in meeting its academic goals and building a cohesive culture
- Guiding the school in its collection, analysis, and programmatic response to student achievement data
- Ensuring that all necessary County, State, and Federal reporting is completed in an efficient, accurate fashion
- Recruiting new students and families
- Ensuring a safe, respectful school environment that is welcoming to the community and supportive of student effort and achievement

Assistant Principal

The Assistant Principal provides critical support to the Principal to ensure a strong academic program, efficient operations of the school site, a culture of optimism, and a safe and positive school climate. In addition to collaborating with the Principal on academic program development and teacher growth, development, and evaluation, the Assistant Principal is responsible for discipline, College Seminar, and Special Programs.

The Assistant Principal's duties shall include, but are not limited to, the following:

- Assist in maintaining and sustaining a positive college going environment, including campus supervision during class transitions, classroom and school culture observations
- Monitor student academic progress
- Oversee Special Education and English Learner Programs
- Track, monitor, and process student discipline and restorative practices
- Process all student suspension and expulsion paperwork, ensuring all procedural safeguards are followed as detailed in **Element J** of this charter

School Leader Resident

ACE seeks to develop inspirational, motivated, committed teachers into future school leaders through the role of School Leader Resident. The Resident works together with the Principal, Assistant Principal, and Lead Teachers to build and maintain a positive school culture through the planning and implementation of programs, activities, and opportunities that instill in students' a culture of optimism as well as a college-going identity. In alignment with the school's mission, the Resident models a growth mindset through collaboration, innovation, reflection, and a "going above and beyond" attitude. Residents work with teachers, school leaders, and other stakeholders to fulfill the roles and responsibilities outlined below, and report to the ACE Empower Principal.

The key contributions of the work of the School Leader Resident are to:

- Teach, coach, and hold administrative responsibilities
- Participate in a wide array of tasks based on their growth plan and the school's needs (includes, but is not limited to Discipline and Test Administration)
- Attend network Lead Team meetings at the discretion of the Principal
- Collaborate with the Principal and Assistant Principal to plan and execute Summer Leader PD
- Support with the hiring process of potential candidates

Community Outreach Manager

The Community Outreach Manager is primarily responsible for the coordination and execution of ACE Empower's Student Recruitment and Family Engagement programs.

The key contributions of the work of the Community Outreach Manager are to:

- Lead the development and implementation of the Student Recruitment Plan, in collaboration with the School Leadership team, to recruit the ACE Empower target student

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- Develop and maintain relationships with community partners and organizations, including, but not limited to churches, food pantries, community centers, local businesses and other schools
- Register families in the School Mint system and monitor the system to send out weekly reports regarding recruitment and enrollment numbers
- Support implementation of the Family Engagement Plan, in collaboration with the School Leadership team, to ensure authentic opportunities for parents to participate in their children's education
- Collaboratively plan and facilitate Parent Leadership meetings (e.g., Cafecitos, PLC, ELAC)

Lead Teachers/Department Chairs

The Lead Teachers are experienced middle-school teachers. They possess a deep background in literacy development or in mathematics, as well as data analysis skills and the leadership skills necessary to guide the teaching staff in its work of implementing best practices in the classroom. Lead Teachers serve on the ACE Empower Leadership Team.

Teachers (General Education and Special Education)

In addition to their classroom roles, teachers are expected to take a leadership role in ongoing school development. Some key elements of teacher leadership at the school include:

- Design and lead selected staff workshops
- Develop a rigorous, college-prep academic program and curriculum that meets the needs of the target student population and prepares them to be competitive college applicants and graduates
- Engage in community outreach, including family communication and school events and academic exhibitions
- Participate on key school committees

ROLE OF FAMILIES IN GOVERNANCE

Families are involved in a variety of ways in site-based decision-making at the school and in the on-going development and growth of the school, including representation on the Board of Directors and participation in school-based committees including hiring and family leadership committees.

According to the ACE educational philosophy, learning best occurs when teachers, students and the community are equally invested in the school's goal of proficiency for all. This commitment is

the necessary context for any academic program that succeeds in propelling traditionally underserved students to success in school.

Family Collaboration

A key aspect of this community collaboration is the school's close and transparent relationship with families. While ACE Empower has the parent participation structures typical at most schools (Parent Committees, Open House, etc.), there are additional school-family joint efforts that are critical to the school's success, including:

- A Parent Leadership program where parents collaborate with school leaders to help determine better ways to achieve goals that affect their children, including through the LCAP process and LEA plan development. The Parent Leadership Council, similar to other school's School Site Council, is an advisory group.
- A reserved seat on the ACE Board of Directors for a Parent Representative.
- Monthly Coffee with the Principal (Cafecito) where families and community members can talk to school leaders and ask questions or voice concerns.
- Regular evening Community Meetings and gatherings where teachers and school leaders develop closer connections with families of struggling students.
- Regular evening Workshops to encourage families and students to commit to the multi-step process of preparing for college success.
- Twice a year Student-Led Conferences with families, to set goals, identify actions, and monitor progress
- Regular teacher communication to families (letters and phone calls) to keep families abreast of student successes and challenges

English Learner Advisory Committee

ACE Empower will have an English Learner Advisory Committee. All families have the opportunity to participate on the school's ELAC, with parents of ELs comprising at least the same percentage of the ELAC membership as ELs constitute of ACE Empower's total student population. The ELAC will advise the CEO, Principal, and staff on programs and services for English learners, advise the School Leadership on the development of the LCAP and LCAP Federal Addendum, develop the school's needs assessment, implement the school's annual language census, and help make parents aware of the importance of regular school attendance.

If ACE Empower or the ACE Network meets the criteria set forth in Education Code Section 52176(a) for the establishment of a District English Language Advisory Committee (DELAC), it shall

also establish a DELAC. It is the understanding of ACE that neither it nor ACE Empower currently meet the criteria for this requirement.

Please See **Appendix 3 - School Culture and Community** for an example of a Cafecitos Agenda and how ACE supports staff in engaging with families.

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ELEMENT E: EMPLOYEE QUALIFICATIONS

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

OVERALL QUALIFICATIONS

ACE Charter Schools shall be nonsectarian in its employment practices and all other operations. ACE Empower shall not discriminate against any individual (employee or student) based upon the actual or perceived characteristics of race, color, religion, creed, sex and pregnancy, childbirth or related medical conditions, nationality, national origin, ancestry, ethnic group identification, genetic information, age, physical or mental disability, medical condition, family care status, military and veteran status, marital status, sexual orientation, gender, gender identity, gender expression, denial of family and medical care leave, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state, local law, ordinance, or regulation or prohibited by Education Code Section 220. All employees are subject to applicable state and federal employment laws.

The following job qualifications apply to the key Central Office and School Site personnel. These qualifications may be modified at ACE's discretion without any need to materially revise the charter as long as any changes are consistent with the law.

The first criterion used in evaluating potential ACE Empower staff members is whether or not they fully embrace ACE's vision of college success for underserved, first-generation college students. For administrators, teachers, and all non-teaching staff, a commitment to the school's mission and to the students and families ACE Empower serves is of paramount importance.

The second criterion used in evaluating potential ACE Empower staff members is whether or not they fully embrace being part of a network, with a model that has demonstrated success in serving this student population. Embracing this work requires intense collaboration and teamwork in the service of students.

There are other factors which are critical to professional success at ACE Empower, as detailed below.

A commitment to building a voice and choice for students and families, including:

- Experience working directly with students in an urban school

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- Ability to partner with students and families
- Commitment to fostering an environment in which all students and families see college and career success as tangible possibilities
- Involvement in the life of the school

A commitment to supporting academic and personal growth, as well as college readiness, including:

- Ability to guide students academically and emotionally through a rigorous, college-prep curriculum
- Commitment to creating a school atmosphere where students learn to be active, disciplined learners
- Openness to critical feedback and the chance to collaborate with ambitious, dedicated colleagues

While not mandatory, the ability to speak Spanish is another important factor in building and maintaining a staff which can effectively serve our community.

In compliance with Education Code § 44050 all employees must adhere to ACE's adopted employee code of conduct on employee interactions with students, which is provided on an annual basis at the beginning of the school year to all employees via the Employee Handbook and to all Students and Families via the Student and Family Handbook. This information is also posted on the ACE website.

ACE maintains on file current copies of:

- Teacher credentials, as required by assignment
- Documentation of TB risk assessment or examination
- Documentation of immunization clearance
- Verification of state and federal criminal background check clearance
- Criminal background summaries, which will be maintained by ACE in a confidential secured file, separated from personnel files, as required by law
- Documentation of legal employment status, most commonly in the form of an I-9 Employment Eligibility Verification form and acceptable forms of identification
- All other relevant employment documentation

For detailed employment eligibility requirements as they pertain to health and safety of students and staff, please see **Element F** of this petition.

SELECTION PROCESS

Selection and appointment of employees at ACE will be the exclusive prerogative of ACE. As such, the Board of Directors shall set the terms and conditions of employment by establishing personnel policies. Decisions relative to the selection, employment, and release of the CEO rest with the Board of Directors. Decisions relative to the selection, employment, and release of the school leadership employees rest with the CEO, in consultation with the Board of Directors as needed. Decisions relative to the selection, employment, and release of all remaining employees rest with the Principal or the leader of the functional area, in consultation with the CEO and/or Board of Directors as needed.

To ensure the selection of the highest quality staff, ACE implements the following selection process:

1. Resume screening for qualifications
2. Initial phone interview
3. Phone interview with school site administrators
4. In-person interview and live demo lesson demonstration. Video demo lessons can be requested for out of state candidates
5. Reference Check (selection can be made pending positive reference checks)
6. Offer sent by email or phone call
7. Onboarding process, including background checks, TB, and credentialing

Written job descriptions are created for each position, which reflect the scope and responsibilities for each position. Please see **Appendix 10 - Organizational Team** for samples of Job Descriptions for certificated and classified positions.

JOB QUALIFICATIONS FOR KEY CENTRAL OFFICE PERSONNEL

Chief Executive Officer

Primary job qualifications for the Chief Executive Officer include:

- Ability to effectively lead an education non-profit
- Experience in non-profit governance, program development, implementation
- Excellent communication, community outreach and coalition-building skills
- Ability to develop, implement long-term strategic plan to manage school growth, maintain fidelity to the ACE mission and vision
- Management skills to ensure on-going financial stability and sustainability for the school
- Fundraising skills to ensure financial viability of the school

- Minimum of conversational Spanish strongly preferred
- Educational background to include at least a BA, and preferably an advanced degree and/or credentials in school or business administration

Chief Financial Officer

Primary job qualifications for the Chief Financial Officer include:

- Embrace the mission of ACE
- Possess solid technical and analytical skills with experience in financial reporting, projections and forecasting, including advanced knowledge of accounting systems and Excel
- Have four (4) to ten (10) years of experience managing a finance function in a dynamic environment, preferably with three (3) or more years in a smaller, high-growth CMO
- Thrive in a fast-paced, dynamic work environment
- Work well independently and collaboratively as a team player
- At least three (3) years of experience managing direct reports
- Create, monitor, and maintain systems that enhance organizational financial efficiency
- Be comfortable developing and managing nonprofit and/or small business financial processes and systems
- Have excellent oral and written communication as well as strong interpersonal skills
- Be able to identify, analyze, and resolve problems resourcefully
- Have a Bachelor's Degree in finance, business, economics, accounting, mathematics or a related field; MBA, CFA, and/or CPA strongly preferred

Chief Schools Officer

Primary job qualifications for the Chief Schools Officer include:

- Five (5)+ years experience as a Principal / School Leader including a demonstrable track record of results in instructional leadership, assembling effective teams, strategic planning, communicating a vision and setting priorities, managing team execution, delegating, mentoring others and developing emerging as well as demonstrated student achievement
- Highly proficient with data analysis
- Demonstrated experience developing leadership skills in others and enhancing the professional development of teachers and growing high-impact staff
- Ability to understand and help develop strategy around the interaction between fiscal realities and program necessities.

- Demonstrated experience with Common Core State Standards, knowledge of Next Generation Science Standards
- Effective communicator, with strong interpersonal skills

JOB QUALIFICATIONS FOR SCHOOL SITE PERSONNEL

Principal

Primary job qualifications for the Principal include:

- Excellent communication and community-building skills
- Extensive knowledge of curriculum development and school design in schools that serve low-achieving students
- A record of classroom success with low-achieving students
- A record of success in developing teachers
- Experience in assessment and achievement data analysis
- Minimum three (3) years working in urban public schools
- Minimum of conversational Spanish
- Educational background to include a BA and teaching credential

Preference is given in hiring to holders of an administrative credential and Masters Degree in Education.

Assistant Principal

Primary job qualifications for the Assistant Principal include:

- Three (3) to five (5) years of successful classroom experience working with the ACE target students
- An entrepreneurial, flexible attitude that celebrates success, responds positively to adversity
- Strong work ethic and personal drive, characterized by a relentless pursuit of schoolwide and individual goals
- Personal presence and leadership necessary to create and sustain optimistic, ambitious, disciplined school culture for staff, students and families
- Powerful communicator, who can effectively reach and connect with all school constituencies, including students, families and teachers
- Knowledge of curriculum development and school design in schools that serve low-achieving students
- Experience developing teachers

- Experience in assessment and achievement data analysis
- Minimum of conversational Spanish highly preferred
- Educational background to include a BA and teaching credential

Preference is given in hiring to holders of an administrative credential.

Community Outreach Manager

Primary job qualifications for the Community Outreach Manager include:

- Commitment to and passion for the mission of ACE
- High School Diploma or Equivalent; 6-months experience in a fast paced environment
- Genuine passion for providing outstanding service to external and internal stakeholders
- Dynamic, engaging, professional with a positive attitude with the ability to work with a sense of urgency in a fast-paced environment
- Excellent verbal, written and interpersonal skills with a strong attention to detail and exceptional follow-up and organization abilities
- An ability to exercise critical thinking through ambiguous problems; Strong decision making ability, attention to detail, and ability to prioritize appropriately
- Must have a car and the ability to drive to school sites.
- Computer proficiency with Google Mail, Google Calendar, Word, and Excel.
- Bilingual in Spanish

Office Manager

Primary job qualifications for the Office Manager include:

- Two (2) to three (3) years of relevant work experience
- Strong written and interpersonal communication skills; ability to interact professionally and diplomatically with faculty, staff, students, and parents
- Excellent organization skills and attention to detail
- Fluent in Spanish, written and spoken.

Teachers

Teachers must hold the California Commission on Teacher Credentialing certificate, permit, or other document required for the teacher's certificated assignment pursuant to Education Code Section 47605(l). ACE Empower may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in the same manner as a governing board of a school district. Teachers employed by charter schools during the 2019–20

school year shall have until July 1, 2025, to obtain the certificate required for the teacher's certificated assignment. Teachers of English Learners in core courses will be required to hold a CLAD or BCLAD certification, or an equivalent recognized by the California Commission on Teacher Credentialing. Teachers will only teach within the restrictions of their credentials. These credentialing documents shall be maintained on file at ACE and shall be subject to periodic inspection by the County.

Teachers are responsible for overseeing students' academic progress, for monitoring grading, and for student advancement decisions as specified in ACE's operational policies.

The minimum qualifications for teachers are:

- Hold at least a bachelor's degree from an accredited institution of higher education.
- Hold the Commission on Teacher Credentialing certificate, permit or other document required for the teacher's certificated assignment. (Education Code Section 47605(I)).

Lead Teacher

In addition to the qualifications for teachers, the primary job qualifications for the Lead Teacher include experience and expertise in teaching literacy or mathematics to students achieving below grade level and EL students as well as excellent program design and management skills.

Support Staff

ACE may also employ 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 do not assign grades or approve students' work assignments.

All non-instructional staff possess experience and expertise appropriate for their position within the school as outlined in the school's staffing plan and personnel policies.

Services Provided Via Contractors

ACE Empower will receive additional services from employees of organizations with which the ACE contracts. ACE will ensure that the qualifications of employees of contractors are consistent with the expectations for ACE Empower's employees.

COMPENSATION AND BENEFITS

ACE provides competitive employee compensation and benefits in order to recruit and retain quality staff. The salary for the CEO is established by the Board of Directors and is reviewed annually during the CEO's performance evaluation.

The CEO, or a designee, works with the Board Finance Committee to establish compensation and benefits standards for all employees within the organization. Compensation benchmarks are established and modified routinely with the assistance of external consultants who specialize in compensation and benefits in both the public and private sectors.

All full-time employees may elect to participate in the medical benefit plans as outlined in the Employee Handbook. All other benefits are granted to employees according to the policies outlined in the Employee Handbook. The Employee Handbook is distributed annually, read, and signed by all employees, and included within **Appendix 11 - Handbooks**.

PROFESSIONAL DEVELOPMENT AND EVALUATION

The ACE Empower leadership team, in collaboration with the ACE CSO, will develop annually a comprehensive, ongoing staff development plan designed to ensure that all annual target areas of professional development are continually reinforced, revisited and assessed through training, coaching, peer observation and feedback, collaborative planning, and joint assessment of student work. The schedule of staff development activities will include:

- Summer onboarding
- Daily planning time
- Weekly data meetings and professional development - in grade level or content teams, as well as whole school
- Dedicated professional development days throughout the school year, with the support of coaches and other external experts
- Weekly feedback by school leaders and or peers, including observation and 1:1 coaching meetings

Professional Development

The key philosophy of Professional Development at ACE Empower is that annual topics are ongoing, and that teachers receive continued support in implementation of the professional development. Annually, fewer topics may be chosen so that teachers can develop a deep understanding of the topics, build their skills, and thereby increase student achievement. Two examples of annual foci are the Teaching and Learning Cycle and Building Schoolwide Culture,

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which are detailed below.

The Teaching and Learning Cycle

In order to effectively create and deliver a standards-based curriculum, it is crucial for a school to have in place a comprehensive system that links standards based curriculum, purposeful planning, and analysis of student learning (assessment) data that helps teachers plan what to reteach and differentiate. In addition, curriculum, instruction, and internal assessment must be aligned with the external assessments, such as the SBAC, used to measure the efficacy of the school's program as a whole. ACE is currently partnering with the Relay Graduate School of Education to provide school leaders with support in their efforts to meet school-wide targets and effectively support staff in the implementation of CCSS and NGSS aligned curricula and high leverage instructional practices.³⁸

Some key elements of the training and coaching teachers receive toward the development of an effective teaching and learning cycle include:

- Examination of CCSS, NGSS, and ELD Standards to fully understand what is being asked of students at each grade level and language level
- Individual and collaborative planning time to complete the “intellectual preparation” of deeply understanding the standards and curriculum, as well as differentiated learning opportunities that match student need
- Development of staff ability to analyze student assessment data and plan for targeted, effective reteaching and differentiation

Building the Schoolwide Culture: *Ganas* in the Classroom

Teachers and all staff receive explicit training and coaching in helping students adapt to the school's conduct expectations and develop resilience even as they confront academic challenges or frustrations and lack of confidence. Schoolwide systems such as Community Meetings, regular Community Exhibitions, and College Seminar class provide a context for in-depth reflection on how students can manifest their *Ganas* in their everyday choices; teachers and staff work collaboratively to implement a schoolwide Positive Behavioral Interventions and Supports (PBIS) and reward systems that promote and instill a culture of optimism and respect for effort and incremental improvement.

For an example of a yearly Scope and Sequence of Teacher Professional Development, please see the documents in **Appendix 6 - Professional Development**.

³⁸ More information on the Relay Graduate School of Education programs for teachers and leaders is available at <https://relay.edu/>

Teacher Evaluation and Ongoing Support

Teachers and staff receive regular observation and feedback from the Principal, Assistant Principal, and/or Lead Teachers, who ensure that instructional guidelines are being implemented effectively.

In an effort to improve teacher evaluations, ACE has recently revamped its teacher evaluation process. The new teacher and staff professional growth and evaluation process incorporates best practices from other schools, elements of the California Standards for the Teaching Profession, and specific characteristics that define successful staff at ACE. The observation and evaluation process, and the sharing of best practices that come out of it, reflect the strong collaborative culture among teachers and administrators to support students and each other in reaching the school's high expectations. Based on weekly coaching, regular teacher observations and student achievement data, ACE will continue to modify and further develop this process.

The school leadership evaluates all teachers and works closely with teachers regarding the results of their evaluation. In order to help teachers improve practice in areas of weakness, the school tailors its professional development activities to best match the on-going needs of teachers. Teachers also have the opportunity both on campus and off to observe master teachers and collaborate with them to improve curriculum development skills and the implementation of teaching strategies.

The overall elements of the teacher evaluation process include the following:

- Teachers set professional goals each year.
- Teacher experience level is identified in a range from “novice” to “systems builder”
- All teachers have weekly coaching sessions with school leaders. Various types of data, including benchmark assessments and observations, are used to adjust coaching as needed
- Teachers are evaluated twice a year - mid-year and at the end of the school year
- Teachers who are not performing to standard participate in a performance improvement process.

The timeline for teacher evaluations is currently scheduled as follows:

- **Before start of school** - Meeting between teacher and Principal to define personal goals for year, ensure that individual teacher goals are aligned with schoolwide goals
- **First semester** - Regular monthly classroom observation by Principal, with informal feedback provided after each observation; Principal also reviews lesson/unit plans, assessments, selected student work

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- **End of first semester** - The Principal completes observations, writes first evaluation; Principal and teacher meet to discuss evaluation and develop specific Action Plan to strengthen practice. Improvement Plan is developed if necessary.
- **Beginning of second semester** - Teacher implements Action Plan or Improvement Plan, Principal and teacher collaborate to ensure that teacher receives appropriate coaching to implement plan; classroom observation or survey of teacher work is completed in timely fashion
- **Middle of second semester** - Principal develops final yearly evaluation, shares evaluation with teacher; based on evaluation specific professional development activities are determined; the Principal's intention to retain/dismiss teachers will be included in their final yearly evaluation

School Leader Professional Development and Coaching

All ACE School Leaders (Principals, Assistant Principals, Lead Teachers) receive extensive training around instructional leadership by attending Relay Graduate School of Education's Instructional Leadership Professional Development Program.³⁹ This program provides ongoing training and workshops throughout the school year, with implementation supported at the school site by the Chief Schools Officer. ACE School leaders receive weekly professional development by attending a weekly School Leadership Professional Development training, run and facilitated by the Chief of Schools. In addition, the Chief Schools Officer meets weekly with each Principal for individualized coaching and support and the Principal does the same with each Assistant Principal, School Leader Resident, and Lead Teacher.

For an example of a yearly Scope and Sequence of School Leader Professional Development and the Principal Action Steps that inform weekly coaching, please see the documents in **Appendix 6 - Professional Development**.

³⁹ More information available at:

<https://sites.google.com/relay.edu/lp-partner-toolkit/home/program-offerings/instructional-leadership-professional-development-program-year-1-ilpd?authuser=0>

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ELEMENT F - HEALTH AND SAFETY OF STUDENTS AND STAFF

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

- (i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.*
- (ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (J), inclusive, of paragraph (2) of subdivision (a) of Section 3282.*
- (iii) That the school safety plan be reviewed and updated by March 1 of every year by the Charter School. Education Code Section 47605(c)(5)(F).*

ACE Charter Schools maintains at all times a current, comprehensive, and site-specific set of policies and procedures for the following:

- **Health and Wellness Policies**, including immunizations, health screenings, administration of medication, emergency epinephrine auto-injectors, blood-borne pathogens, a drug free and tobacco free campus, and the role of staff as mandated child abuse reporters
- **A School Safety Plan**, including procedures for background checks, anti-discrimination and harassment policies, facility safety, and a disaster preparedness plan providing emergency procedures in case of fire, bomb threat, earthquake, flooding, crash, intrusion, or any other disaster

The health, wellness, and safety policies and procedures are incorporated into ACE Empower's Student and Family Handbook, Employee Handbooks, and School Safety Plan and are updated on an ongoing basis by the CEO or designee and adopted annually by the Board of Directors. ACE shall ensure that staff are trained annually on the health and safety policies, including but not limited to training on emergency and first aid response (inclusive of bloodborne pathogens), and shall maintain a calendar for, and conduct, emergency response drills for students and staff.

The following is a summary of the health and safety policies of ACE Empower. Please see **Appendix 8 - Health, Wellness, and Safety** for the ACE Policy Manual, which contains the full Board approved policies on Health and Wellness and School Safety, as well as the specific Health and Wellness Policy for COVID-19. Please see **Appendix 11 - Handbooks** for the Employee and Student and Family Handbooks.

HEALTH AND WELLNESS

Immunizations

All enrolled students and staff will be required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000-6075 as they are currently and as they may be amended in the future. This specifically includes removal of the personal belief exemption for immunization requirements. All rising 7th grade students must be immunized with a pertussis (whooping cough) vaccine booster.

Tuberculosis Risk Assessment and Examination

ACE Empower shall require all employees, and any volunteer or vendor/contracting entity employee who may have frequent or prolonged contact with students, to undergo a risk assessment and/or be examined (if necessary) and determined to be free of active tuberculosis (TB) within the period of 60 days prior to commencing employment/service and working with students, and for employees at least once each four years thereafter, or otherwise meet the requirements of Education Code section 49406. ACE shall maintain TB clearance records and certificates on file.

Vision, Hearing, and Scoliosis

ACE Empower shall comply with all federal and state legal requirements, including but not limited to the requirements of Education Code Section 49450 et seq., related to student immunization, health examination, and health screening, including but not limited to screening for vision, hearing, and scoliosis, to the same extent as would be required if the students were attending a non-charter public school as applicable to the grade levels served by ACE Empower. ACE shall maintain student immunization, health examination, and health screening records on file.

Medication in School

ACE Empower shall adhere to Education Code Section 49423 regarding administration of medication in school.

Emergency Epinephrine Auto-injectors

ACE Empower shall stock and maintain the required number and type of emergency epinephrine auto-injectors onsite and provide training to office staff and volunteers in the storage and use of

the epinephrine auto-injector as required by Education Code section 49414 and section 4119.2 of the Business and Professions Code, as they may be amended from time to time.

Blood Borne Pathogens

ACE Empower shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the workplace. The ACE Board shall maintain 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.

Nutrition

ACE Empower is dedicated to promoting the health and wellness of its students. All students will have access to breakfast and lunch during the school day, with meals that are nutritious and meet all Federal Nutritional guidelines.

Nutritionally Adequate Free or Reduced Price Meal

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

Athletics

ACE Empower shall comply with the requirements of Education Code section 49475 regarding concussions/head injuries, with respect to any athletic program (as defined in Education Code § 49475) offered by or on behalf of Charter School.

ACE Empower shall comply with the requirements of Education Code section 221.9 with respect to the posting and/or disclosure requirements regarding student participation in competitive athletics, and shall comply with the requirements of Education Code section 33479 et seq. regarding recognition of signs of sudden cardiac arrest with respect to any athletic program that it offers.

Feminine Hygiene

Given that 40% of ACE Empower’s students are from low-income families, at least 50% of the ACE Empower’s restrooms are stocked with feminine hygiene products available free-of-charge in compliance with Education Code section 35292.6.

Suicide Prevention

ACE Empower shall maintain a policy on pupil suicide prevention that specifically addresses needs of high-risk groups, in compliance with Education Code section 215 et seq. ACE shall review, at minimum every fifth year, its policy on pupil suicide prevention and, if necessary, update its policy. The Suicide Prevention Plan is included in the ACE Health and Safety Policy included in **Appendix 7 - Health, Wellness, and Safety Plans** and posted on the ACE website

California Healthy Youth Act

ACE Empower shall teach sexual health education and human immunodeficiency virus (“HIV”) prevention education to students in grades 7-8, at least once, pursuant to the California Healthy Youth Act (Education Code Section 51930, et seq.).

Diabetes

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

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

Prevention of Human Trafficking

ACE Empower shall identify and implement the most appropriate methods of informing parents and guardians of students in grades 6 through 8 of human trafficking prevention resources.

Bullying Prevention

ACE Empower shall adopt procedures for preventing acts of bullying, including cyberbullying. ACE Empower shall annually make available the online training module developed by the CDE pursuant

to Education Code Section 32283.5(a) to certificated schoolsite employees and all other schoolsite employees who have regular interaction with children.

Drug, Alcohol, and Smoke-free Environment

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

Role of Staff as Mandated Child Abuse Reporters

All ACE employees, including non-certificated and certificated staff, shall be mandated child abuse reporters and follow all applicable reporting laws. ACE Empower shall provide all employees, and other persons working on behalf of ACE Empower who are mandated reporters, with annual training on child abuse detection and reporting, which shall occur within the first six weeks of each school year, or within the first six weeks of a person's employment if employed after the beginning of the school year, in accordance with the requirements of Education Code Section 44691.

Safe Place to Learn Act

ACE Empower shall comply with all applicable requirements of the Safe Place to Learn Act, Education Code section 234 et seq.

Family Educational Rights and Privacy Act

ACE Empower, including its employees and officers, shall comply with the Family Educational Rights and Privacy Act (FERPA) and Education Code section 49060 et seq. at all times.

SAFETY

Procedures for Background Checks

Employees and contractors of ACE shall be required to submit to a criminal background check and to furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1. New employees not possessing a valid California Teaching Credential must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. ACE Empower shall not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law, pursuant to Education Code Section 44830.1 and 45122.1. The CEO or Designee shall monitor compliance with this policy and report to the ACE Board of Directors on a regular basis. The Board President shall monitor the fingerprinting and background clearance of the CEO. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted

and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

The following are the legal requirements before the first day of employment at ACE Empower:

- The Commission on Teacher Credentialing certificate, permit or other document equivalent required for a teacher's certificated assignment
- State and federal fingerprint clearance as required by law
- Criminal record summaries, which will be maintained by the Human Resources Department in a confidential secured file separate from personnel files, as required under the law
- I-9 Proof of American citizenship form with a copy of driver's license and social security card, or other acceptable identification
- A completed Employment Application for all staff
- Copy of teaching credential
- Cover Letter
- Resume
- Complete W-4 & DE-4 Income Tax forms
- Proof of Tuberculosis risk assessment or examination

Comprehensive Anti-discrimination and Harassment Policies And Procedures

ACE Empower is committed to providing a school that is free from discrimination and sexual harassment, as well as any harassment based upon based upon the actual or perceived characteristics of race, religion, creed, color, gender, gender identity, gender expression, nationality, national origin, ancestry, ethnic group identification, genetic information, age, medical condition, marital status, sexual orientation, sex and pregnancy, physical or mental disability, childbirth or related medical conditions, military and veteran status, denial of family and medical care leave, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state, local law, ordinance or regulation. Misconduct of this nature is very serious and will be addressed in accordance with ACE's discrimination and harassment policies.

ACE maintains a comprehensive policy to prevent and immediately remediate any concerns about discrimination or harassment at the school (including employee to employee, employee to student, and student to employee misconduct). Under the direction of the Board of Directors, the CEO or designee shall be responsible for investigation, remediation, and follow-up on matters submitted to ACE Empower through this procedure. A copy of the policy shall be provided as part of any orientation program conducted for new and continuing pupils at the beginning of each

quarter, semester, or summer session, as applicable, and to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year, or at the time that there is a new employee hired. ACE Empower shall create a poster that notifies students of the applicable policy on sexual harassment in accordance with Education Code Section 231.6, and shall prominently and conspicuously display the poster in each bathroom and locker room at the schoolsite and in public areas at the schoolsite that are accessible to, and commonly frequented by, pupils. The Comprehensive Policy and Complaint Forms are annually distributed through the Employee Handbook and the Student and Family Handbook, which are available in **Appendix 11 - Handbooks**.

Facility Safety

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

If ACE Empower occupies and/or operates on a District facility, ACE Empower shall comply with all District health, safety, and emergency procedures and requirements applicable to District facilities and related operations, and shall be subject to inspection by the District's Facilities Services Division and other District offices in the same manner as other district campuses and as set forth in the MOU.

ACE Empower affirms that it will comply with the federal Americans with Disabilities Act (ADA) access requirements and other applicable fire, health and structural safety requirements; will maintain on file readily accessible records documenting such compliance and facility inspection records; and that the site will be secured with an appropriate Certificate of Occupancy.

Emergency Preparedness

ACE Empower maintains an emergency plan appropriate for each site (on file for review), which specifies responses to varied emergency situations including, but not limited to, assault and fighting, blood borne pathogens, bomb threats, campus unrest, chemical spills, shooter on campus, earthquake, explosions, utilities failure, fallen aircraft, fire, hostage situation, medical, severe weather et cetera. Emergency team roles and responsibilities are described in the plan and are reviewed annually. Roles include the school site responsible official, the school site safety coordinator, and other responsible officials. Other roles include team leaders for the site

communications, assembly area, first aid, food and water, search and assessment, student release, traffic and security, utilities and hazards teams.

Emergency plans are maintained on file and available for inspection. ACE adheres to these plans to address the needs of each school site. Emergency drills are held periodically and as required for fire, earthquake and lockdown scenarios. Staff shall be provided training on emergency and first aid response. The training shall be conducted by a certified instructor and provided during a regularly scheduled staff development meeting. The training will occur at least bi-annually.

School Safety Plan

ACE Empower shall adopt a School Safety Plan, to be reviewed and updated by March 1 of every year, which shall include identification of appropriate strategies and programs that will provide or maintain a high level of school safety and address ACE Empower's procedures for complying with applicable laws related to school safety, including the development of all of the following pursuant to Education Code Section 32282(a)(2)(A)-(J):

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

Please see **Appendix 8 - Health, Wellness and Safety** for the ACE Empower site-specific Safety Plan.

ELEMENT G - STUDENT POPULATION BALANCE

Governing Law: The means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics in Section 52064.5, that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted. Upon renewal, for a charter school not deemed to be a local educational agency for purposes of special education pursuant to Section 47641, the chartering authority may consider the effect of school placements made by the chartering authority in providing a free and appropriate public education as required by the federal Individuals with Disabilities Education Act (Public Law 1010-476), on the balance of pupils with disabilities at the charter school. Education Code Section 47605(c)(5)(G).

ACE Empower shall adhere to a Recruitment Strategy and Outreach Plan that combines effective recruitment strategies with the necessary human resources for implementation, designed to attract a diverse population of students that is reflective of the general population within the territorial jurisdiction of the District, with regard to racial and ethnic diversity, and to socio-economic diversity, English Learners, and students with Special Needs. The Charter school shall rigorously recruit students from the highest-needs neighborhood within which it is located and provide assistance to families in completing and returning registration applications. The Recruitment Strategy and Outreach Plan will be reviewed and updated annually based upon the success and/or challenges of the prior year.

RECRUITMENT STRATEGY & OUTREACH PLAN

ACE Empower's recruitment process is designed to enroll students who have been traditionally underserved and therefore underachieving in the education system, and who will be the first generation in their families to attend a four-year university.

Recruitment Strategy

ACE Empower has strong partnerships with community centers, churches and other organizations who work with local children and families. As a result of these partnerships, ACE Empower is able to hold numerous multilingual informational sessions for prospective students, widely distribute multilingual recruitment materials, and work to achieve a student population that has a balance of students across race and ethnicities, who are English Learners, and who have disabilities that is

reflective of the balance of the general student population within the territorial jurisdiction of the District. ACE Empower recognizes that the racial and ethnic, English Learner, and students with disabilities balance at the school may vary from the general population of the District because of its location within a traditionally underserved neighborhood with high need, and its focus on students who have typically struggled and are far behind.

ACE Empower has a strategy that includes, but is not necessarily limited to, the following elements or strategies which focus on achieving and maintaining a student population that has a balance of students across race and ethnicities, who are English Learners, and who have disabilities that is reflective of the balance of the general student population within the territorial jurisdiction of the District. This includes, but is not limited to:

- An enrollment process that is scheduled and adopted to include a timeline that allows for a broad-based application process
- The development and distribution of promotional and informational material that reaches out to students across race and ethnicities, who are English Learners, and who have disabilities within the territorial jurisdiction of the District
- Partnerships with community organizations, churches and local elementary schools (for example, Amigos de Guadalupe, Mayfair Community Center, and CityTeam San Jose) to ensure that all members of the District community have access to information about ACE Empower
- Public informational meetings with interpreters available for families

Public Outreach Campaign

ACE Empower conducts a series of public outreach events, mailers, and other activities during the school year. All events and informational materials are multilingual (English, Spanish, Vietnamese) and all recruitment activities stress the school's focus on target students who have been underserved and who have little or no history of college attainment or success in their families.

A sample ACE Student and Family Recruitment Plan is provided below. The plan is adjusted each year, as needed.

ACE Student and Family Recruitment Plan

Target

To recruit students who have been underserved and who have little or no history of college attainment or success in their families, while seeking proportionality for the student population

that is reflective of the District in terms of race, ethnicity, EL status, and special education status. The goal is to have a 10% waitlist in each grade.

Public Advertising

2021-22 Enrollment will be advertised in the following:

- Internally, to the parent community (with incentives for students referred)
- Bulk Mail and Door to Door canvassing of the immediate neighborhood with multi-lingual flyers
- Presentations at Churches, Community Centers, and Community events (i.e. resource fairs, festivals, food and clothes giveaways, etc.)

The ACE website is updated with new Intent to Enroll Forms, the application process, and applicable deadlines annually.

Communication Methods and Frequency

ACE ensures active communication with potential students and families over the course of recruitment, application, and enrollment. These communications may take place in person or virtually, depending on the nature of the communication and the current community health conditions and requirements. Communication includes, but is not limited to the following:

- Community Outreach Manager and school staff attend recruitment events and distribute multilingual fliers starting in October
- The School Site holds monthly Info Sessions for interested families
- School tours are scheduled on a weekly basis
- All applicants receive a message to inform them ACE has received their application
- A lottery is held the first week of March
- Families receive notification electronically, and through mail, about their status and whether they were accepted or not
- Once families are accepted, a New Student Orientation is held
- Accepted families start being invited to school community events and meetings to start their integration into the school

ACE Empower assesses the demographics of the school on an annual basis to determine the degree to which it is representative of the District and the neighborhood in which the school is located, then adjusts the recruitment process as needed.

Please see **Appendix 9 - Student Recruitment, Admissions, & Enrollment** for Sample Recruitment Flyers, Intent to Enroll, and Registration Forms.

CURRENT STUDENT DEMOGRAPHICS

Unlike many charter schools regionally, ACE Empower predominantly serves students and families in the neighborhood within which it operates - the greater Mayfair neighborhood and the 95116 zip code. As this is a traditionally underserved neighborhood, ACE Empower students come from demographic subgroups that are significantly underrepresented in college. ACE Empower's program is designed to serve this student population, which it currently enrolls at a higher rate than found in the closest neighborhood school, Mathson Middle School, and across both the local district, ARUSD and Santa Clara County (SCC), as seen in **Figure G.1**.

Figure G.1 Student Demographics

2018-19 Student Demographics				
	ACE Empower	Mathson	ARUSD	SCC
Low-income	92%	93%	82%	36%
Latino	98%	75%	79%	39%
English Learner (EL)	63%	38%	40%	22%
Ever EL	91%	77%	72%	53%
SPED	20%	16%	12%	12%

Source: www.ed-data.org

While there is an “over representation” of students who are Latino and from low-income families, students who are English Learners, and students with special needs there is also a clear reason - those students and families are applying to ACE Empower because they want something different for their students. ACE sees it as an asset - not a liability - that the most marginalized students and families in our community are seeking enrollment at ACE Empower.

Please see **Appendix 9 - Student Recruitment, Admissions, and Enrollment** for a “heat map” of student residences in comparison to the Mayfield neighborhood and 95116 zip code, within which most students live.

PLAN FOR FUTURE STUDENT DEMOGRAPHICS

Recognizing the above, ACE Empower is committed to working on diversification and representation in alignment with County recommendations over the next charter term. This includes:

- **Ethnic Diversity** - Increased ethnic diversity, to better reflect the diversity found at the closest District middle school. This specifically includes outreach to Asian and Filipino students and families, which represent 10% and 5% of the neighborhood school respectively. As part of this effort, all recruitment materials are now translated into

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Vietnamese and interpretation is provided during recruitment events. Community centers and gathering places for Asian and Vietnamese students and families are now identified within the annual outreach plan.

- **English Learners** - Families who have been marginalized due to their English language proficiency are attracted to ACE Empower, which provides the systems and structures to fully involve these families. As a result, the school expects to continue to receive a high volume of applications from this subgroup. With this said, ACE Empower has developed and implemented robust Integrated and Designated ELD programs over the past several years. It is ACE Empower's goal that while the "Ever EL" percentage may remain high, that the EL percentage is able to decrease as students are reclassified.
- **Special Education** - ACE Empower serves a slightly higher percentage of students with special needs than the closest District school and about the same percent of students who are classified as "Moderate-Severe" as the District. In the next charter term, ACE Empower will hold a focus on searching and serving students who are on the Autism Spectrum as these students do not automatically qualify as "Moderate-Severe" but are served at a lower rate than the District.

ACE Empower will continue to work actively through recruitment efforts to ensure ethnic/racial diversity of students applying and work against over-representation in the EL and special education subgroups, but is limited by the random public lottery required by law to determine the final composition of each incoming class.

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ELEMENT H - ADMISSION POLICIES AND PROCEDURES

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

ASSURANCES

ACE Empower makes the following assurances regarding admissions:

- ACE Empower will enroll all pupils who wish to attend to the extent that space allows.
- ACE Empower will be an open enrollment, tuition-free public school with only the specific requirements for admission listed below (e.g., no minimum grade point average, test scores, discipline records, etc.) as outlined in Education Code § 47605(d)(2)(A). No test or assessment shall be administered to students prior to acceptance and enrollment into the school.
- ACE Empower will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition
- ACE Empower shall consider students for admission without regard for and will not discriminate 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, including immigration status, or association with an individual who has any of the aforementioned characteristics).
- ACE Empower shall not require a parent/legal guardian/student to provide information regarding a student's disability, gender, gender identity, gender expression, nationality, legal or economic status, primary language or English Learner status, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in section 422.55 of the Penal Code, including immigration status, or any other information that would violate federal or state law, prior to admission, participation in any admissions or attendance lottery, or pre-enrollment event or process, or as a condition of admission or enrollment. ACE Empower may request, at the time of, and as part of, conducting its lottery process, the provision of information necessary to apply specific admission preferences set forth in this Charter.
- ACE Empower shall not request or require submission of a student's IEP, 504 Plan, or any other record or related information prior to admission, participation in any admissions or

attendance lottery, or pre-enrollment event or process, or as a condition of admission or enrollment.

- ACE Empower shall adhere to the provisions of the federal McKinney-Vento Homeless Assistance Act and ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths. ACE Empower shall provide specific information, in its outreach materials, websites, at community meetings, open forums, and regional center meetings, that notifies parents that Charter School is open to enroll and provide services for all students.
- ACE Empower shall comply with all applicable state law regarding homeless and foster youth. ACE Empower shall annually review its Uniform Complaint Procedure to account for changes in law.
- ACE Empower will comply with all laws establishing minimum and maximum age for public school attendance.
- ACE Empower will ensure that all application materials provide complete information regarding application procedures, key dates, and admissions preferences and requirements consistent with approved charter.
- ACE Empower will not determine admission eligibility by the place of residence of a pupil or the pupil's parent, except as otherwise required by law.
- In accordance with Education Code Section 49011 and 47605(e)(2)(B)(iv), admission preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.
- In accordance with Education Code Section 47605(e)(4)(A), ACE Empower shall not discourage a pupil from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605(e)(2)(B)(iii), including pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation. Similarly, in accordance with Section 47605(e)(4)(C), ACE Empower shall not encourage a pupil currently attending the Charter School to disenroll from the Charter School or transfer to another school for any reason, including, but not limited to the academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605(e)(2)(B)(iii), as listed above.

- Pursuant to Education Code Section 47605(e)(4)(D), the Charter School shall post a notice developed by the CDE on the Charter School website, outlining the requirements of Section 47605(e)(4), and make this notice available to parents/guardians.

ACE Empower shall maintain complete and accurate records of its annual admissions and enrollment processes, including but not limited to documentation of implementation of lottery and waitlist criteria and procedures in accordance with the terms of the Charter. These records shall be made available to the County upon request.

ADMISSION REQUIREMENTS

ACE Empower shall require students who wish to attend the school to complete an application form and be a resident of California. Applications are available on-line or in hard copy form in both English and Spanish. The application is comprised of the following:

- Basic contact information
- Grade level
- Eligibility for preferences, as detailed below (sibling, current ACE student)

The application specifies that volunteerism is not required for acceptance to or continued enrollment at the charter School.

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

- Student enrollment form
- Proof of Immunization
- Proof of withdrawal from previous school (if applicable)
- Home Language Survey
- Completion of Emergency Medical Information Form
- Proof of minimum age requirements
- Release of records⁴⁰

Immunizations

As detailed in **Element H - Health and Safety of Students and Staff** above, all students must provide records documenting immunizations prior to their children being admitted to school, as is required at public schools pursuant to Health and Safety Code Sections 120325-120375, and Title

⁴⁰ ACE Empower shall not request a pupil's records or require a parent, guardian, or pupil to submit the pupil's records to ACE Empower before enrollment.

17, California Code of Regulations Sections 6000-6075 in their current and as they may be amended in the future.

School verification of immunizations is to be by written medical records from a physician or immunization clinic. All new and transfer students must present a current immunization record at the time of enrollment. There is no grace period. Pupils who fail to complete the series of required immunizations will be denied enrollment until the series has been completed.

Exceptions are allowed under the conditions provided in Health and Safety Code Sections 120325, et seq.

PUBLIC RANDOM DRAWING

Applications will be accepted during a publicly advertised open enrollment period each year for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In the event that this happens, ACE Empower will hold a public random drawing to determine admission for the impacted grade level.

Preferences

With the exception of existing students, who are guaranteed admission in the following school year, admission preferences in the case of a public random drawing shall be given to the following students in the following order:

1. Siblings of currently enrolled or admitted students
2. Children of the paid staff of ACE Charter Schools
3. Residents of the District
4. Other State residents

The preferences in the public random drawing as listed above are consistent with Education Code Section 47605(e)(2) and applicable state and federal law as well as non-regulatory guidance, and have been approved by the Board of Directors in public hearing. The preferences in no way will result in limiting access for students with disabilities, academically low-achieving, English Learners, neglected or delinquent pupils, homeless pupils, economically disadvantaged pupils, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation. Should preferences require modification, for example in order to meet requirements of a state or federal grant program, ACE Empower understands that this requires a material revision of the charter.

Process

Students qualifying for more than one preference group will be considered part of the highest preference in which they qualify. At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be placed on a waitlist in an order according to their draw order in the public random drawing. This waitlist will allow students the option of enrollment in the case of an opening between the lottery and the start of the school year, or a new opening during the school year once underway. The waitlist will not be carried over to the next school year.

ACE Charter Schools shall hold its lotteries for each grade in each school on a single predetermined date during the prior school year. The Board of Directors will take all necessary efforts to ensure lottery procedures are fairly executed. Lottery spaces are pulled in order of grade level by the designated lottery official (appointed by the CEO and currently SchoolMint). Separate lotteries shall be conducted for each grade in which there are fewer vacancies than pupils interested in attending. All lotteries shall take place on the same day in a single location. Lotteries will be conducted in ascending order beginning with the lowest applicable grade level. There is no weighted priority assigned to the preference categories; rather, within each grade level, students will be drawn from pools beginning with all applicants who qualify for the first preference category, and shall continue with that preference category until all vacancies within that grade level have been filled. If there are more students in a preference category than there are spaces available, a random drawing will be held from within that preference category until all available spaces are filled. If all students from the preference category have been selected and there are remaining spaces available in that grade level, students from the second preference category will be drawn in the lottery, and the drawing shall continue until all spaces are filled and preference categories are exhausted in the order provided above. Once a given grade is full in a given school, students will be added to the waitlist in draw order.

In accordance with the sibling preference, admission or enrollment of an applicant's sibling gives this applicant preference in the lottery process. One aspect of operationalizing this preference is ACE Charter School's policy that if a student is on a waitlist for a given school and his/her sibling is subsequently admitted to this school, he/she is moved to the top of the waitlist for his/her grade in this school.

If a student is admitted into more than one ACE Charter School, they may only retain a spot in one school. In the case that this occurs, the parents'/guardians' lottery application preference rankings serve as their decision regarding which school they prefer, allowing the student's spots in any lower-ranked schools or waitlists to be forfeited and given to students on those schools' waitlists.

A student may retain spots on waitlists they have ranked higher than their highest-ranked school accepted into.

At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be given the option to put their name on a wait list according to their draw in the lottery. This wait list will allow students the option of enrollment in the case of an opening during the current school year. In no circumstance will a wait list carry over to the following school year.

Public random drawing rules, deadlines, dates and times will be communicated in the application form and on the ACE website. Public notice for the date and time of the public random drawing will also be posted once the application deadline has passed. ACE will also inform parents of all applicants and all interested parties of the rules to be followed during the public random drawing process via mail or email at least two weeks prior to the lottery date.

Admissions and Enrollment Timeline

Figure H.1 provides an estimated application, public random drawing, and admission schedule and process. The final schedule and due dates will be communicated to interested parents and students on ACE Empower's website on an annual basis. It is anticipated that this timeline will remain the same, but it may change over time. It may be amended without any need to materially revise the charter as long as changes are communicated to the chartering authority and are posted on the ACE website.

Figure H.1 Admissions and Enrollment Timeline

Month	Process
September-April	Multilingual information sessions, meetings with family groups, home visits
November-February	Application materials sent to target students as well as interested families – open application period
Last day of February	Application deadline
First week of March	Public random drawing held, status of application mailed home to all students
End of May and Early June	Enrollment seminars, family/student orientations held

The complete ACE Enrollment and Lottery Process is available in **Appendix 9 - Student Recruitment, Admissions, and Enrollment**, along with Recruitment Flyers, Registration Forms,

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Enrollment Forms, and information about health care coverage and enrollment options as required by law. The most recent version of ACE Empower's Student and Family Handbook is included as **Appendix 11 - Handbooks**, which contains information on ACE Empower's draft annual notices and Student and Family Contract. The application and enrollment forms, as well as Handbooks, include annual notice that volunteerism is not required for acceptance or continued enrollment at ACE Empower.

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ELEMENT I - FINANCIAL AUDITS

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

FISCAL AUDIT

The ACE Board of Directors will appoint an Audit Committee, which will select an independent financial auditor and oversee audit requirements. This committee shall include no more than 50% of the members of the Finance Committee.

An annual independent fiscal audit of the books and records of ACE Empower will be conducted as required Education Code Sections 47605(c)(5)(I) and 47605(m). The books and records of ACE Empower 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 Controller's K-12 Audit Guide.

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

The annual audit will be completed and forwarded to the Santa Clara County Superintendent of Schools, the State Controller, and to the California Department of Education (CDE) by the 15th of December of each year. ACE's CEO, along with the Audit Committee, will review any audit exceptions or deficiencies and report to the ACE Charter School Board with recommendations on how to resolve them. The ACE Charter School Board will submit a report to the County describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the County along with an anticipated timeline for the same. The anticipated timeline will incorporate any recommendations from the auditor and shall reflect discussions with the County as to a reasonable timeline for resolution. Any disputes regarding the resolution of audit exceptions and

deficiencies will be referred to the dispute resolution process contained in the dispute resolution process outlined in this charter.

Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel (“EAAP”) in accordance with applicable law.

The independent financial audit of ACE Charter Schools is public record and provided to the public upon request. The most recent audit can be found in **Appendix 12 - Financial Documents**. Money is allocated in the annual and five-year budget to cover the cost of audits.

ACE’s current auditor is:

Wade N. McMullen
Vicenti, Lloyd & Stutzman LLP
2210 E. Route 66, Suite 100
Glendora, CA 91740
Phone: 626.857.7300

Please see **Miscellaneous** for information on the Financial Plan and Contract Services for ACE Empower.

ELEMENT J - PUPIL SUSPENSION AND EXPULSION

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

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

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

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

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

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

California Education Code Section 47605(c)(5)(J).

APPROACH TO DISCIPLINE

ACE Empower is committed to developing healthy behaviors in all of its students. As such, ACE Empower utilizes a proactive and restorative approach to discipline, supporting students in examining the impact of their actions on self and others and repairing harm when done. Through this approach, ACE Empower supports students in developing ownership of their actions while

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also leveraging support for the student from a wide range of caring adults. The ultimate goal is to reduce the need for suspension and expulsion as a disciplinary action. The Charter School recognizes that at times infractions may still result in suspension or expulsion, and has developed the suspension and expulsions procedures detailed below to govern those instances. These procedures are in alignment with Education Code provisions applicable to school districts and in no way should be construed as a “Zero Tolerance” policy on the part of ACE Empower. In fact, ACE Empower has realized significant reduction in its use of suspension and will continue to reduce rates in the next charter term.

For more information on the proactive work ACE Empower engages in to promote positive student behavior, including the core work of fostering a culture of optimism and strong school culture, please see “School Culture” in **Element A** of this charter.

The student Code of Conduct is provided on an annual basis to students and families through the Student and Family Handbook and to staff through the Employee Handbook, both of which are available in **Appendix 11 - Handbooks**.

SUSPENSION AND EXPULSION POLICY AND PROCEDURES

The Suspension and Expulsion Policy and Procedures have been established in order to promote learning and protect the safety and well-being of all students at ACE Empower. In creating this policy, ACE Empower has reviewed Education Code Section 48900 et seq., which describe the offenses for which students at non-charter schools may be suspended or expelled and the procedures governing those suspensions and expulsions in order to establish its list of offenses and procedures for suspensions, expulsions, and involuntary removal. The language that follows is largely consistent with the language of Education Code Section 48900 et seq. The Charter School is committed to annual review of policies and procedures surrounding suspensions, expulsions, and involuntary removals, and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion in accordance with applicable law. Any revision to the procedures that exceed requirements to comply with existing laws or to reflect changes in Education Code Section 48900, shall require a material revision to the Charter.

Consistent with this Policy, it may be necessary to suspend or expel a student from regular classroom instruction. This shall serve as the Charter School’s policy and procedures for student suspension, expulsion, and involuntary removal, and it may be amended from time to time without the need to seek a material revision of the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary policies and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed annually as part of the Student Handbook which will clearly describe discipline

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

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline and involuntary removal policies and procedures. The notice shall state that this Policy and Procedures are available on request at the Principal, CEO, or designee's office.

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

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The Charter School will follow all applicable federal and state laws including but not limited to the applicable provisions of the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

No student shall be involuntarily removed by the Charter School for any reason unless the parent/guardian of the student has been provided written notice of intent to remove the student no less than five (5) school days before the effective date of the action. The written notice shall be in the native language of the student or the student's parent/guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform the student, the student's parent/guardian, or educational rights holder of the basis for which the student is being involuntarily removed and the student's parent/guardian, or educational rights holder's right to request a hearing to challenge the involuntary removal. If a student's parent, guardian, or educational rights holder requests a hearing, the Charter School shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes

disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated below.

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

A. Grounds for Suspension and Expulsion of Students

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

B. Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended when it is determined the student:

- a. Caused, attempted to cause, or threatened to cause physical injury to another person.
- b. Willfully used force of violence upon the person of another, except self-defense.
- c. Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e. Committed or attempted to commit robbery or extortion.
- f. Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
- g. Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
- h. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of a student's own prescription products by a student.
- i. Committed an obscene act or engaged in habitual profanity or vulgarity.

- j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k. Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- l. Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- n. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o. Engaged in, or attempted to engage in hazing. For the purposes of this policy, “hazing” means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. For purposes of this policy, “hazing” does not include athletic events or school-sanctioned events.
- p. Made terrorist threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for their own safety or for their immediate family’s safety, or for the protection of school property, , which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or their immediate family.
- q. Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This policy shall apply to students in any of grades 5 to 8, inclusive.

- r. Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Education Code Section 233(e). This provision shall apply to students in any of grades 5 to 8, inclusive.
- s. Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This provision shall apply to students in any of grades 5 to 8, inclusive.
- t. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261 of the Education Code, directed specifically toward a student or school personnel.
 - 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - a) Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
 - b) Causing a reasonable student to experience a substantially detrimental effect on their physical or mental health.
 - c) Causing a reasonable student to experience substantial interference with their academic performance.
 - d) Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
 - 2) “Electronic Act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - a) A message, text, sound, video, or image.
 - b) A post on a social network Internet Web site including, but not limited to:

- i. Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - ii. Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
 - iii. Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
 - c) An act of cyber sexual bullying.
 - i. For purposes of this policy, “cyber sexual bullying” means dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - ii. For purposes of this policy, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- u. A student who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a student who has been adjudged by a juvenile court to have

committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).

- v. Possessed, sold, or otherwise furnished any knife or other dangerous object of no reasonable use to the student unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal, CEO, or designee's concurrence.

2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion when it is determined the student:

- a. Possessed, sold, or otherwise furnished any firearm, explosive, or other destructive device unless, in the case of possession of any device of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Principal, CEO, or designee's concurrence.
- b. Brandished a knife at another person.
- c. Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, et seq.
- d. Committed or attempted to commit a sexual assault or committed a sexual battery as defined in Penal Code Section 261, 266c, 286, 287, 288, or 289 or former Section 288a of the Penal Code or committed a sexual battery as defined in Penal Code Section 243.4.

3. Discretionary Expellable Offenses: Students may be recommended for expulsion when it is determined the student:

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

- g. Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
- h. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of a student's own prescription products by a student.
- i. Committed an obscene act or engaged in habitual profanity or vulgarity.
- j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k. Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- l. Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- n. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o. Engaged in, or attempted to engage in hazing. For the purposes of this policy, "hazing" means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. For purposes of this policy, "hazing" does not include athletic events or school-sanctioned events.
- p. Made terrorist threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this policy, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for their own safety or for their immediate family's safety, or for the protection of school property, , which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or their immediate family.

- q. Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This provision shall apply to students in any of grades 5 to 8, inclusive.
- r. Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This provision shall apply to students in any of grades 5 to 8, inclusive.
- s. Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This provision shall apply to students in any of grades 5 to 8, inclusive.
- t. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261 of the Education Code, directed specifically toward a student or school personnel.
 - 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - a) Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - b) Causing a reasonable student to experience a substantially detrimental effect on their physical or mental health.
 - c) Causing a reasonable student to experience substantial interference with their academic performance.
 - d) Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

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

- 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- u. A student who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).
- v. Possessed, sold, or otherwise furnished any knife or other destructive device of no reasonable use to the student unless, in the case of possession of any device of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal, CEO, or designee's concurrence.

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

- a. Possessed, sold, or otherwise furnished any firearm, explosive, or other destructive device unless, in the case of possession of any device of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Principal, CEO, or designee's concurrence.
- b. Brandished a knife at another person.
- c. Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, et seq.
- d. Committed or attempted to commit a sexual assault or committed a sexual battery as defined in Penal Code Section 261,266c, 286, 287 288, or 289 or former Section 288a of the Penal Code or committed a sexual battery as defined in Penal Code Section 243.4.

If it is determined by the Administrative Panel and/or Board of Directors that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, onto campus or to have possessed a firearm or destructive device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. In such instances, the student shall be provided due process rights of notice and a hearing as required in this policy.

The Charter School will use the following definitions:

1. The term "knife" means (A) any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing; (B) a weapon with a blade fitted primarily for stabbing;

- (C) a weapon with a blade longer than 3 ½ inches; (D) a folding knife with a blade that locks into place; or (E) a razor with an unguarded blade.
2. The term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.
 3. The term “destructive device” means any explosive, incendiary, or poison gas, including but not limited to: (A) bomb, (B) grenade, (C) rocket having a propellant charge of more than four ounces, (D) missile having an explosive or incendiary charge of more than one-quarter ounce, (E) mine, or (F) device similar to any of the devices described in the preceding clauses.

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Principal, CEO, or designee with the student and the student’s parent/guardian and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Principal, CEO, or designee.

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

At the conference, the student shall be informed of the reason for the disciplinary action and the evidence against the students and shall be given the opportunity to present their version and evidence in their defense, in accordance with Education Code Section 47605(c)(5)(J)(i). This conference shall be held within two (2) school days, unless the student waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a student for failure of the student’s parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended student shall not be contingent upon attendance by the student’s parent or guardian at the conference.

2. Notice to Parents/Guardians

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

3. Suspension Time Limits/Recommendation for Expulsion

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

This determination will be made by the Principal, CEO, or designee upon either of the following: 1) the student's presence will be disruptive to the education process; or 2) the student poses a threat or danger to others. Upon either determination, the student's suspension will be extended pending the results of an expulsion hearing.

4. Homework Assignments During Suspension

In accordance with Education Code Section 47606.2(a), upon the request of a parent, a legal guardian or other person holding the right to make education decisions for the student, or the affected student, a teacher shall provide to a student in any of grades 1 to 12, inclusive, who has been suspended from school for two (2) or more school days, the homework that the student would otherwise have been assigned.

In accordance with Education Code Section 47606.2(b), if a homework assignment that is requested pursuant to Section 47606.2(a) and turned into the teacher by the student either upon the student's return to school from suspension or within the timeframe originally prescribed by

the teacher, whichever is later, is not graded before the end of the academic term, that assignment shall not be included in the calculation of the student's overall grade in the class.

D. Authority to Expel

As required by Education Code Section 47605(c)(5)(J)(ii), students recommended for expulsion are entitled to a hearing adjudicated by a neutral officer to determine whether the student should be expelled. The procedures herein provide for such a hearing and the notice of said hearing, as required by law.

A student may be expelled either by the neutral and impartial Charter School Board following a hearing before it or by the Charter School Board upon the recommendation of a neutral and impartial Administrative Panel to be assigned by the Board as needed. The Administrative Panel shall consist of at least three (3) members who are certificated and neither a teacher of the student or a Board member of the Charter School's governing board. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board of Directors shall make the final determination.

E. Expulsion Procedures

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

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

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

1. The date and place of the expulsion hearing;
2. A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
3. A copy of the Charter School's disciplinary rules which relate to the alleged violation;

4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the Charter School to any other school district or school to which the student seeks enrollment;
5. The opportunity for the student and/or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time the complaining witness testifies, which may include a parent/guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which the complaining witness may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours the complaining witness is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the

hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany the complaining witness to the witness stand.

7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising their discretion to remove a person from the hearing whom they believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the student being expelled, the complaining witness shall have the right to have their testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. Record of Hearing

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

H. Presentation of Evidence

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

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

I. Expulsion Decision

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

If the Administrative Panel decides not to recommend expulsion, or the Board of Directors ultimately decides not to expel, the student shall immediately be returned to their previous educational program.

The Board of Directors may also determine to suspend the enforcement of the expulsion order for a period of not more than one (1) calendar year from the date of the expulsion hearing and return the student to the student's previous educational program under a probationary status and rehabilitation plan to be determined by the Board. During the period of the suspension of the expulsion order, the student is deemed to be on probationary status. The Board of Directors may revoke the suspension of an expulsion order under this section if the student commits any of the enumerated offenses listed above or violates any of the Charter School's rules and regulations governing student conduct. If the Board revokes the suspension of an expulsion order, the student may be expelled under the terms of the original expulsion order. The Board of Directors shall apply the criteria for suspending the enforcement of the expulsion order equally to all students, including individuals with exceptional needs as defined in Education Code Section 56026. The

Board of Directors shall further comply with the provisions set forth under Education Code Section 48917, except as otherwise expressly set forth herein.

J. Written Notice to Expel

The Principal, CEO, or designee following a decision of the Board to expel shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the student and the student's parent/guardian. This notice shall also include the following:

1. Notice of the specific offense committed by the student
2. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the Charter School.

The Principal, CEO, or designee shall send a copy of the written notice of the decision to expel to the chartering authority. This notice shall include the following:

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

K. Disciplinary Records

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

L. No Right to Appeal

The student shall have no right of appeal from expulsion from the Charter School as the Charter School Board's decision to expel shall be final.

M. Expelled Students/Alternative Education

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

N. Rehabilitation Plans

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

rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the student may reapply to the Charter School for readmission as well as a description of the procedure for readmission, reinstatement, and applying for expungement of the expulsion record.

O. Readmission

The decision to readmit a student after the end of the student's expulsion term or to admit a previously expelled student from another school district or charter school who has not been readmitted/admitted to another school or school district after the end of the student's expulsion term, shall be in the sole discretion of the Board following a meeting with the Principal, CEO, or designee and the student and student's parent/guardian or representative to determine whether the student has successfully completed the rehabilitation plan and to determine whether the student poses a threat to others or will be disruptive to the school environment. The process will be completed in a timely manner at the conclusion of the expulsion period. The Principal, CEO, or designee shall make a recommendation to the Board following the meeting regarding the Principal, CEO, or designee's determination. The Board shall then make a final decision regarding readmission or admission of the student during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The student's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission or admission to the Charter School.

P. Notice to Teachers

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

Q. Special Procedures for the Consideration of Suspension and Expulsion or Involuntary Removal of Students with Disabilities

1. Notification of SELPA

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

2. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education

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

3. Procedural Safeguards/Manifestation Determination

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

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

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

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

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

If the Charter School, the parent/guardian, and relevant members of the IEP/504 team determine that the behavior was not a manifestation of the student's disability and that the conduct in

question was not a direct result of the failure to implement the IEP/504 Plan, then the Charter School may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

4. Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

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

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

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

5. Special Circumstances

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

The Principal, CEO, or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is

determined to be a manifestation of the student's disability in cases where a student:

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

6. Interim Alternative Educational Setting

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

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

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

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

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

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

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

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

ELEMENT K - EMPLOYEE RETIREMENT SYSTEM

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

ACE Empower utilizes a mix of benefits and compensation, commensurate with location and experience, necessary to attract and retain well-trained teachers and other staff. Staff will be employed on an "at will" contract. All employees and applicants are notified of their benefits options via the Employee Handbook.

RETIREMENT

All eligible employees at ACE Empower currently participate in the State Teachers' Retirement System (STRS). In the future, ACE may offer employees a 401(k) or 403(b) retirement program or similar retirement program, upon approval of the Board of Directors. All other employees participate in the federal social security system and/or a 401(k) defined contribution plan and employee payroll deferral plan as applicable to their position. The CEO, in collaboration with the Chief Financial and Operations Officer, is responsible for ensuring that appropriate arrangements for retirement coverage are made for all employees at ACE Empower.

ACE Empower shall comply in a timely manner with all applicable federal and state laws and regulations, as they may change from time to time, including but not limited to Internal Revenue Code section 414(d) and related regulations, governing ACE Empower's participation in, and/or coverage of its staff members by, the State Teachers' Retirement System (CalSTRS), the Public Employees' Retirement System (CalPERS), and/or federal social security.

ACE Empower shall also operate in compliance with Education Code section 47611 and notify employees of STRS participation on an annual basis via the Employee Handbook, included in **Appendix 11 - Handbooks**. In summary, this includes ensuring:

- All eligible employees are entitled to the benefit in the same manner as other public schools in ARUSD.
- All applicants are informed of the plan provided by ACE Empower and noticed that employment may exclude the applicant from further coverage in the his/her current

retirement system, depending on the retirement options offered by the charter of the charter school.

HEALTH

ACE Empower employees have the option of participating in the school's medical, dental, and vision insurance plan.

SALARY

All ACE Empower employees receive salary and benefits, as well as working conditions and calendar, which are competitive to those of equivalent employees of similar districts and determined by the ACE Board of Directors.

The most recent copy of the Employee Handbook is included as **Appendix 11 - Handbooks**, to provide additional information on Employee Systems and Benefits.

Please see **Element E - Employee Qualifications** for details on the process for recruiting, selecting, evaluating and terminating employees as well as the procedure for processing and monitoring credentials.

Please see **Element F - Health and Safety for Students and Staff** for details on the Uniform Complaint Policy, which is used for resolving complaints and ensuring Due Process. The policy is also available in its entirety in **Appendix 8 - Health, Wellness, and Safety Plans**.

ACE Empower teachers are currently not unionized and therefore do not have a relationship with a bargaining unit.

ELEMENT L - 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(c)(5)(L).

No student may be required to attend ACE Empower. Students who opt not to attend the ACE Empower may attend other public schools within their school district of residence or pursue an inter-district transfer in accordance with existing enrollment and transfer policies of their district or county of residence. Parents and guardians of each student enrolled in ACE Empower will be informed on admissions forms that enrollment in ACE Empower does not give a student an automatic right to enrollment in any program of the District or the County, or any other LEA as a consequence of enrollment in ACE Empower, except to the extent that such a right is extended by that local education agency.

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ELEMENT M - EMPLOYEE RETURN RIGHTS

Governing Law: 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(c)(5)(M).

No public school district employee shall be required to work at ACE Empower. Employees of Alum Rock Unified Elementary School District or Santa Clara County Office of Education who choose to leave the employment of the District or County to work at ACE Empower will have no automatic rights of return to that District or County after employment by ACE Empower unless specifically granted by that District or County through a leave of absence or other agreement. ACE Empower employees shall have any right upon leaving the District or County to work in ACE Empower that that District or County may specify, any rights of return to employment in a school district after employment in ACE Empower that District or County may specify, and any other rights upon leaving employment to work at ACE Empower that District or County determines to be reasonable and not in conflict with any law. The District or County's policies and procedures and applicable collective bargaining agreements shall govern any agreement made.

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

Additional information on employee rights regarding salary, terms of employment, and benefits can be found in **Element E** (Employee Qualifications) and **Element K** (Employee Retirement Systems).

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ELEMENT N - DISPUTE RESOLUTION PROCESS

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

INTENT

The intent of the ACE Empower Dispute Resolution Process is to:

- Resolve disputes within ACE Empower pursuant to ACE Empower's policies.
- Minimize the oversight burden on the district.
- Ensure a fair and timely resolution to disputes.

It is the intent that the charter petition be in alignment with the policies and desired protocols of Santa Clara County Office of Education. ACE Empower recognizes that it cannot bind the County to a dispute resolution procedure to which the County does not agree. Disputes between ACE Empower and the chartering authority shall be handled in accordance with ACE Empower's Memorandum of Understanding with the County.

DISPUTES BETWEEN THE AUTHORIZER AND THE CHARTER SCHOOL

ACE Empower and the County will always attempt to resolve any disputes between them amicably and reasonably without resorting to formal procedures. All timelines and procedures in this section may be revised upon mutual written agreement of authorized representatives of the County and ACE Empower.

If either ACE Empower or SCCOE determines that a violation of the Charter or MOU or any other applicable law may have occurred or a problem has arisen related to the operation of ACE Empower and/or the SCCOE's oversight obligations, or a dispute otherwise arises between the SCCOE and ACE Empower, the following procedures shall be followed to resolve the dispute:

1. Should either party determine in writing that the violation or issue in question constitutes a severe and imminent threat to the health or safety of the pupils, it shall not be bound by any portion of this dispute resolution process and the SCCOE may

commence revocation proceedings immediately in accordance with Education Code Section 47607 and its implementing regulations, or take action as it deems necessary.

2. In the event that the SCCOE believes that the dispute relates to an issue that could lead to revocation of the Charter under Education Code section 46707, participation in the dispute resolution procedures outlined herein shall not be interpreted to impede or act as a prerequisite to the SCCOE's ability to proceed with revocation in accordance with Education Code Section 47607 and its implementing regulations. Rather, the SCCOE may choose, in its sole discretion, to proceed directly with the revocation procedures as set forth in Education Code Section 47607 and its implementing regulations or may choose to participate in all or part of the dispute resolution procedures set forth below.
3. If the violation or issue in question does not constitute a severe and imminent threat and the County Board has not decided to commence revocation procedures without following this dispute resolution procedure, either party will provide written notification of the violation or issue ("the Dispute Statement") and refer the issue to the SCCOE Superintendent and Charter School CEO, or their respective designees. The date that this written notice is provided or sent shall be the "Notice Date." Upon issuance of the Dispute Statement, a meeting will be scheduled to discuss and possibly resolve the dispute. Both parties must have representatives present at this meeting and the meeting shall be held within ten (10) calendar days after the Notice Date, or as mutually agreed upon by both parties. The SCCOE representative at the meeting will be the Superintendent or the Superintendent's designee, and the ACE Empower representative will be the ACE's CEO or CEO's designee. If the dispute is not resolved at this meeting, or in strict accordance with any plan for resolution agreed upon at this meeting, may proceed to step 4 or take any other action they deem appropriate in response to the dispute.
4. If the dispute is not resolved in accordance with the procedures through Step 3, either Party will have been deemed to have exhausted the administrative remedies within the Charter and this MOU and may pursue any alternative legal options for resolution, including, the SCCOE may commence revocation of the Charter and/or other appropriate action in accordance with Education Code Section 47607 or applicable law.

INTERNAL DISPUTES

Disputes arising from within ACE Empower, including all disputes among and between students, staff, parents, volunteers, advisors, partner organizations, and Charter School Board members,

shall be resolved pursuant to policies and processes adopted by the ACE Board including, but not limited to general complaint procedures and the adopted Uniform Complaint Procedures of ACE Empower, found in **Appendix 8 - Health, Wellness, and Safety Policies**. The UCP includes clear information and procedures as required by law. The UCP is clearly articulated in the school's Employee Handbook and Student and Family Handbook and distributed widely. The Employee Handbook and Student and Family Handbook are available in **Appendix 11 - Handbooks**.

ACE Empower will not, at any time, refer complaints to the County. The County shall not intervene in any such internal disputes without the consent of ACE's Board of Directors and shall promptly refer any complaints or reports regarding such disputes to the Board of Directors or ACE's CEO for resolution pursuant to the school's policies. The County agrees not to intervene or become involved in the dispute unless the dispute has given the County reasonable cause to believe that a violation of this charter or related laws or agreements has occurred, or unless the Board of Directors has requested the County to intervene in the dispute.

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ELEMENT O - SCHOOL CLOSURE PROCEDURES

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

Closure of ACE Empower will be documented by official action of the ACE Charter Schools Board of Directors. The official action will identify the reason for closure. The official action will also identify an entity and person or persons responsible for closure-related activities.

NOTIFICATION AND TIMELINE

ACE Empower will promptly notify parents and students of the school, Santa Clara County Office of Education, the school's SELPA, the retirement systems in which the school's employees participate (e.g., Public Employees' Retirement System, State Teachers' Retirement System, and federal social security), and the California Department of Education of the closure as well as the effective date of the closure. This notice will also include the following information:

- Charter school name, charter number, and CDS code;
- Date of closure action;
- Effective date of the closure, if different;
- Reason for the closure;
- Name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure;
- The districts of residence for pupils; and
- How parents may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.

NOTIFICATION OF STUDENTS AND FAMILIES

Students and families will be notified as soon as possible when it appears that school closure will be imminent. Students and families will also be promptly notified of any official closure action taken by the Board of Directors. The notification will include information on assistance in transferring the student to another appropriate school and a process for the transfer of all student records.

MANAGEMENT OF STUDENT AND STAFF RECORDS

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

- All student records, including final transcripts, diplomas for non-graduates, the template used to create the diploma, and cumulative files.
- A list of students for whom student records were provided, including their names, SSID, and grade levels in both hard copy and Excel.
- A list of non-grads including their names, SSID, and grade levels in both hard copy and Excel.
- All personnel files, inclusive of retirement accrued and W-2 information.
- A list of all personnel including their names and Social Security Numbers.

As applicable, ACE Empower will provide parents, students and the County with copies of all appropriate student records and will otherwise assist students in transferring to their next school. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act. ACE Empower will ask the County to store original records of Charter School students. All student records of ACE Empower shall be transferred to the County upon Charter School closure. If the County will not or cannot store the records, ACE Empower shall work with the County Office of Education to determine a suitable alternative location for storage.

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

FINANCIAL RECORDS, FINAL REPORTS AND DISTRIBUTION OF ASSETS

As soon as reasonably practical, ACE Empower will prepare final financial records. ACE Empower will also have an independent audit completed within six months after closure. ACE Empower will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by ACE Empower and will be provided to the County promptly upon its completion. The final audit will include an accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as

a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to ACE Empower.

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

On closure of ACE Empower, all assets of ACE Empower, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending ACE Empower, remain the sole property of ACE Empower and upon the dissolution of the non-profit public benefit corporation shall be distributed in accordance with the Articles of Incorporation which require assets remaining after payment of all debts and liabilities shall be distributed to a nonprofit fund, foundation, or association which is organized and operated exclusively for educational, public or charitable purposes and which has established its tax exempt status under Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine which are organized and operated exclusively for such purposes. Any assets acquired from the County or County property will be promptly returned upon Charter School closure to the County. 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, ACE Empower shall remain solely responsible for all liabilities arising from the operation of ACE Empower.

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

ACE Empower will utilize the reserve fund, as allocated in the Budget in **Appendix 12 - Financial Documents**, to undertake any expenses associated with the closure procedures identified above.

MISCELLANEOUS CHARTER ELEMENTS

ADMINISTRATIVE SERVICES

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

ACE Empower will provide or procure most of its own administrative services including, but not limited to, financial management, personnel, and instructional program development either through its own staff or through an appropriately qualified third-party contractor.

CIVIL LIABILITY

Governing Law: Potential civil liability effects, if any, upon the charter school and upon the school district. California Education Code Section 47605(h)

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

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

Further, ACE Empower and the County shall enter into a memorandum of understanding, wherein ACE Empower shall indemnify the County for the actions of ACE Empower under this charter.

The corporate bylaws of ACE shall provide for indemnification of ACE’s Board, officers, agents, and employees, and ACE will purchase general liability insurance, Board Members and Officer’s insurance, and fidelity bonding to secure against financial risks.

As stated above, insurance amounts will be determined by recommendation of the County and ACE's insurance company for schools of similar size, location, and student population. The County shall be named an additional insured on the general liability insurance of ACE.

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

FINANCIAL PLAN

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

ACE Empower practices sound financial planning, as see in the following documents attached in **Appendix 12 - Financial Documents** which reflect the best data available to ACE Empower at the time of submission:

- Five-year budget and cash flow
- Annotated Budget Assumptions

ACE Empower understands its responsibility to, and therefore shall, provide financial reports to the Authorizer and the County Superintendent of Schools, in accordance with Education Code Section 47604.33.

1. By July 1, a preliminary budget for the current fiscal year.
2. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31.
3. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
4. By September 15, a final unaudited report for the full prior year. The report submitted to the chartering authority shall include an annual statement of all ACE Empower's receipts and expenditures for the preceding fiscal year.

ACE Empower shall provide additional fiscal reports as requested by the Authorizer and/or as required by law, including but not limited to the following:

- California Basic Educational Data System (CBEDS)
- Actual Average Daily Attendance reports
- All financial reports required by Education Code Sections 47604.33 and 47605(m)
- The School Accountability Report Card (SARC)
- The Local Control and Accountability Plan (LCAP)

LABOR RELATIONS

ACE Charter Schools shall be deemed the exclusive public school employer of the employees of ACE Empower for the purposes of the Educational Employment Relations Act (“EERA”). ACE Charter Schools shall comply with the EERA. Employees are not required to engage in collective bargaining, but they have that right if they choose to do so.

INSURANCE

ACE Empower shall acquire and finance general liability, workers compensation, and other necessary insurance of the types and in the amounts required for an enterprise of similar purpose and circumstance. Coverage amounts will be based on recommendations provided by the County and ACE’s insurer. The County shall be named as an additional insured on all policies of ACE Empower. ACE Empower will provide evidence of the above insurance coverage to the County.

Toward this end, ACE Empower 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.

FACILITIES

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

ACE Empower will comply with Education Code Section 47605.1 and Education Code Section 47610 with regard to the location and compliance of its facilities. ACE Empower shall seek Proposition 39 (“Prop. 39”) facilities from the District and is open to negotiations with the District for other facilities arrangements. ACE Empower anticipates requiring the following with regard to its facilities:

ACE Empower will require facilities to hold between 250 and 400 students when fully enrolled. At capacity, ACE Empower expects to need 18-20 classrooms, including space for core curriculum, individualized tutoring, Special Education classrooms, as well as office space, storage areas, meeting rooms and other necessary spaces. ACE Empower will require space for a computer lab, as well as specialized classrooms for Science, Art and other electives.

ACE Empower will execute its right to request facilities under Proposition 39, but is willing to negotiate alternate facility agreements with the District.

TRANSPORTATION

ACE Empower will make arrangements for transportation of students, as required by law, including but not limited to students with disabilities in accordance with a student’s IEP, which shall be handled solely by ACE Empower in accordance with SELPA policy and the IDEIA as ACE Empower operates as its own LEA and a member of a SELPA for purposes of special education.

CHARTER OVERSIGHT

The MOU between the County and ACE Empower shall describe: 1) the County’s oversight of ACE Empower in accordance with Education Code Section 47604.32 in exchange for oversight fees in accordance with Education Code Section 47613; 2) the content, processes, timelines and evaluation criteria for annual review and site visits; and 3) the regular, ongoing fiscal and programmatic performance monitoring and reporting.

In addition, ACE Empower works in collaboration with the Santa Clara County Office of Education. To support the County in its oversight, ACE Empower provides an Annual Report

presentation to the County Board. This report is inclusive of topics identified by the County, which are provided to the Charter school in writing no later than 30 days before the presentation date.

AUDIT AND INSPECTION OF RECORDS

ACE Empower agrees to and submits to the right of the County to make random visits and inspections in order to carry out its statutorily required oversight in accordance with Education Code Sections 47604.32 and 47607.

Pursuant to Education Code Section 47604.3, ACE Empower shall promptly respond to all reasonable inquiries including, but not limited to, inquiries regarding its financial records from the County.

CHARTER RENEWAL

The content, timeline and evaluation process of the renewal submission shall be in accordance with Education Code Sections 47605, 47607, and 47607.2, and their implementing regulations.

CONCLUSION

By approving the renewal of this charter for ACE Empower, SCCOE will be fulfilling the intent of The Charter Schools Act of 1992 to improve pupil learning, create new professional opportunities for teachers, and provide parents and pupils with expanded choices in education and following the directive of law to encourage the creation of charter schools. Furthermore, the renewal of ACE Empower is in the best interest of its students and families.

ACE Empower is eager to continue working independently, yet cooperatively with SCCOE to establish the highest bar for what a charter school can and should be. To this end, ACE Empower pledges to work cooperatively with SCCOE to answer any concerns concerning this renewal petition. The term of the charter renewal shall be July 1, 2021 through June 30, 2026.

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