



## EUREKA INCLUSIVE SCHOOLS

inclusion elevates all | la inclusión eleva todo | bao gồm nâng cao tất cả

EUREKA! INCLUSIVE CHARTER TK-6<sup>TH</sup> GRADE  
FOR A FIVE-YEAR TERM: JULY 1, 2020-JUNE 30, 2025

RESPECTFULLY Submitted to the San Jose Unified School District on May 23, 2019

Tiffany Maciel, Founder and Board President

Lead Petitioner

[tmaciel@eurekacharter.org](mailto:tmaciel@eurekacharter.org)

(408) 876-0808

John Ramirez, Jr., Founding Executive Director

[www.eurekacharter.org](http://www.eurekacharter.org)





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Mary Ann Dewan, Ph.D., County Superintendent of Schools

### CHARTER REVIEW MATRIX – DISTRICT APPEAL

Proposed Charter School	Petitioner Contact Information	Petition Review Timeline	
Name of Proposed Charter School: Eureka! Inclusive TK-6	Name: Tiffany Maciel	Petition Received:	
Location of Proposed School(s): San Jose Unified School District	Title: Founding Parent and Board President	Public Hearing: (30 days from receipt)	
Grade Level: TK-6	Phone/Cell: 408-876-0808	Board Decision: (60 days from receipt)	<a href="https://m.box.com/shared_item/https%3A%2F%2Fsjusd.box.com%2Fv%2Fboardmeetingaudio/browse/63427908358">https://m.box.com/shared_item/https%3A%2F%2Fsjusd.box.com%2Fv%2Fboardmeetingaudio/browse/63427908358</a>
District of Proposed Charter School: San Jose Unified	Email: Tmaciel@eurekacharter.org	<input type="checkbox"/> 30 day extension granted (60 days from receipt, may be extended 30 days if agreed by petitioner(s) and SCCOE)	

Denial by District	
Evidence of district denial	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> BOE Meeting Recording
District's written factual findings	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Available <input type="checkbox"/>
Date of district denial:	06/27/2019
Received by County Board within 180 days	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Copy of the charter as denied, including signatures	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Description of any changes necessary to reflect the County Board as the authorizer	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Signed certification stating petitioner(s) will comply with all applicable law	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Instructions to Review Team: This checklist is designed to guide the review of charter school petitions.

Your comments are essential to understanding your assessment and will be used as part of the final analysis and report to the County Board.

Instructions to Charter Petitioner: As you complete this Matrix, please note the specific page(s) on which each item is addressed. If the terms of the charter are not explicit in compliance with the particular item in the checklist, provide detail in the applicable notes section in order that the SCCOE may readily determine to what provision(s) you are referring in the checklist.

Legend:

Required to be included in every charter petition and/or Memorandum of Understanding.

Applies to Petition Renewals Only

Applies to Material Revisions and Renewals Only

REQUIRED ELEMENTS: Education Code § 47605 (b) (1)-(6)				
	Yes	No	N/A	Page
<input checked="" type="checkbox"/> The charter school presents a sound educational program?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18-127

<input type="checkbox"/>	The petitioners are demonstrably unlikely to successfully implement the program?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	13-17, Supporting Documents MOU and LETTERS FROM CHIME and SWIFT Schools
<input type="checkbox"/>	The petition contains the required signatures? (not required for renewals)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Supporting Documents Part 2
<input type="checkbox"/>	The petition contains an affirmation of each of the conditions described in Education Code § 47605(d) (1)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pages 7-8
<input type="checkbox"/>	The initial review finds that the petition has included all of the required elements (A-O)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pages 18-212
<input type="checkbox"/>	The petition includes a declaration of whether the charter school shall be the exclusive employer of charter school employees for purposes of Educational Employment Relations Act (EERA)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Page 7
<b>REQUIRED PETITION SIGNATURES IF CONVERSION OF EXISTING PUBLIC SCHOOL: Education Code § 47605(a)</b>					
		Yes	No	N/A	Page
	• 50% of the permanent status teachers currently employed at the public school to be converted.				
<b>REQUIRED PETITION SIGNATURES IF NOT CONVERSION OF EXISTING PUBLIC SCHOOL: Education Code § 47605(a)</b>					
		Yes	No	N/A	Page
	• 50% of parents/guardians of number of students expected to attend in year 1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
OR					
	• 50% of the number of teachers expected to teach at the charter school during its 1st year	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Supporting Documents Part 2
<b>NOTIFICATION UPON APPROVAL: Education Code § 47605 (3) (i)</b>					
		Yes	No	N/A	Page
<input type="checkbox"/>	The petition acknowledges that, should the charter be granted, the petitioner will provide a written notice of the approval and a copy of the petition to: <ul style="list-style-type: none"> <li>• The California Department of Education</li> <li>• State Board of Education</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7-8
<b>REQUIRED AFFIRMATIONS: Education Code § 47605(d)</b>					
		Yes	No	N/A	Page
<input type="checkbox"/>	Statements affirming that school will be non-sectarian in its programs, admission policies, employment practices, and all other operations; will not charge tuition; and will not discriminate against any pupil on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes in Penal Code § 422.55 or association with such persons, including immigration status; not base admission on place of residence within California except as specified by law; admit any student who wishes to attend so long as there is space; hold a random lottery if there is not space; comply with the mandated admissions preference requirements; and provide the required notice in the event a student is expelled or leaves the school without graduating or completing the school year.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Page 7

<b>CHARTER RENEWAL REQUIRED ELEMENTS: Evidence to Support Renewal or Material Revision (CCR) Title 5 Section 11966.4</b>				
		Yes	No	Page
<input type="checkbox"/>	Required fiscal reports and audits demonstrating past performance and likely future financial viability of the school	<input type="checkbox"/>	<input type="checkbox"/>	NA
<input type="checkbox"/>	Compliance with all state and federal laws applicable to charter schools and fulfilling the terms of the charter	<input type="checkbox"/>	<input type="checkbox"/>	NA
<input type="checkbox"/>	Academic performance data reports showing increases in pupil academic achievement for all groups; LCAP and annual updates	<input type="checkbox"/>	<input type="checkbox"/>	NA

<input type="checkbox"/>	Annual visits and annual reports, including correcting any deficiencies identified during annual reviews and visits.	<input type="checkbox"/>	<input type="checkbox"/>	NA
<input type="checkbox"/>	Inspections or observations of any part of the charter school at any time	<input type="checkbox"/>	<input type="checkbox"/>	NA
<input type="checkbox"/>	Documentation that charter has met minimum academic performance criteria per 47607(b)	<input type="checkbox"/>	<input type="checkbox"/>	NA
<input type="checkbox"/>	Past performance of academics and operations and future plans for improvement establish likelihood of success.	<input type="checkbox"/>	<input type="checkbox"/>	NA
<input type="checkbox"/>	Includes updates to comply with all laws that have gone into effect since previous approval or renewal	<input type="checkbox"/>	<input type="checkbox"/>	NA

Strengths:

Areas of Concerns:

Conclusions

DETAILED REVIEW - REQUIRED ELEMENTS: Education Code § 47605(A-O)

A	Educational Program	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	1. Targeted School Populations		<input type="checkbox"/>	35-48
	Age, grade levels and number of students	<input type="checkbox"/>		35-36
	• Number of students per classroom	<input type="checkbox"/>		9, 60-70
	• Maximum enrollment predicted for school	<input type="checkbox"/>		36
	Type of desired student populations	<input type="checkbox"/>		39-48
<input type="checkbox"/>	2. Attendance		<input type="checkbox"/>	
	• Describes whether multiple sites will be included	<input type="checkbox"/>		9, 19
	• Indicates proposed opening date(s)	<input type="checkbox"/>		1
<input type="checkbox"/>	Attendance requirements		<input type="checkbox"/>	
	• Includes length of school day and year	<input type="checkbox"/>		97-103
	• Submit for approval the specific means to be used for student attendance accounting and reporting, satisfactory to support state average daily attendance claims and to satisfy audits related to attendance that may be conducted.	<input type="checkbox"/>		141-142 and 175-176
	• For independent study, specific means of determining and recording attendance, including means of determining it is the enrolled student doing the work and specifically what amount of work/time counts as a day of attendance.	<input checked="" type="checkbox"/>		NA
<input type="checkbox"/>	3. What it Means to be an Educated Person in the 21 <sup>st</sup> Century		<input type="checkbox"/>	34-35

<input type="checkbox"/>	Objective of enabling pupils to become self-motivated, competent, lifelong learners		<input type="checkbox"/>	66
	Clear list of general academic skills and qualities important for an educated person	<input type="checkbox"/>		35,
<input type="checkbox"/>	4. Description of How Learning Best Occurs		<input type="checkbox"/>	21-28
	Persuasive instructional design	<input type="checkbox"/>		48-60
	• Broad outline (not entire scope and sequence) of the curriculum content	<input type="checkbox"/>		73-95
	• Description of instructional approaches and strategies	<input type="checkbox"/>		50-72
	• Description of learning environment (e.g. traditional, independent study)	<input type="checkbox"/>		60, 66-70
	Proposed program strongly aligned to school's mission	<input type="checkbox"/>		48-50
	Affirmation or description of curriculum aligned to student performance standards	<input type="checkbox"/>		48-49
	Outline of plan or strategy to support students not meeting pupil outcomes	<input type="checkbox"/>		50-51, 73, 90-92, 103-127
	Instructional design or strategies based upon successful practice or research	<input type="checkbox"/>		9-13, 23-24, 48-57, 66-72,
	Instructional strategies for special education, English learners, etc.	<input type="checkbox"/>		In addition to the core program listed above 79-81, 84, 86, 90-92, 103-127
	Proposed program/curriculum reflects a focus on adopted CCSS and NGSS	<input type="checkbox"/>		73
	Educational Program describes professional development for teachers	<input type="checkbox"/>		28-34 72
	Minimal instructional time	<input type="checkbox"/>		97-98
	Includes school calendar	<input type="checkbox"/>		99
<input type="checkbox"/>	5. Transitional Kindergarten program outlines developmentally appropriate learning outcomes, using modified curriculum, specialized instruction, and assessment for all students (Only if Charter offers Kindergarten)		<input type="checkbox"/>	61
<input type="checkbox"/>	6. English Learner Services		<input type="checkbox"/>	110-119
<input type="checkbox"/>	All eligible students enrolled in the charter school will receive appropriate English Learner services in accordance with applicable state and federal law.		<input type="checkbox"/>	114-115
<input type="checkbox"/>	Staff members providing English Learner Services are appropriately credentialed.		<input type="checkbox"/>	118
<input type="checkbox"/>	A description of the manner in which students are identified as requiring English Learner Services		<input type="checkbox"/>	114-115
<input type="checkbox"/>	A description of the process for reclassification of English Learners		<input type="checkbox"/>	116-118
<input type="checkbox"/>	An acknowledgment of the responsibility of the charter school to provide access to grade-level core curriculum for English Learners. (Check for reference to the use and implementation and New Proficiency Level Descriptors (PLD) as part of		<input type="checkbox"/>	80-82,134-135,

California English-language Development Standards.)			
<input type="checkbox"/> References to curriculum and materials that will be utilized in the instruction of English Learners		<input type="checkbox"/>	58, 95,
<input type="checkbox"/> Petition explains how English Learners will be reclassified and how English Learners will be monitored		<input type="checkbox"/>	116-118
Strengths:			
Areas of Concerns:			
Conclusions:			
<input type="checkbox"/> 7. LCFF/LCAP Annual Goals and Annual Actions to Achieve Goals for Subgroups in EC 52052		<input type="checkbox"/>	135-149
<input type="checkbox"/> Charter includes language that assures compliance with LCFF/LCAP		<input type="checkbox"/>	135
<input type="checkbox"/> Describes annual goals for all pupils and for each subgroup of pupils identified in EC 52052 to be achieved in each of the 8 state priorities, as described in EC 52060(d), that apply for the grade levels served or the nature of program operated by the charter school.		<input type="checkbox"/>	134-149
<input type="checkbox"/> A. Conditions of Learning	<input type="checkbox"/>		135-137
(Priority 1) Basic Needs	<input type="checkbox"/>		135-137
(Priority 2) Implementation of State Standards	<input type="checkbox"/>		137-138
(Priority 7) Course Access	<input type="checkbox"/>		144-145
<input type="checkbox"/> B. Pupil Outcomes	<input type="checkbox"/>		
(Priority 4) Pupil Achievement (College and Career)	<input type="checkbox"/>		140-141
(Priority 8) Other Pupil Outcomes	<input type="checkbox"/>		145-147
<input type="checkbox"/> C. Engagement	<input type="checkbox"/>		
(Priority 3) Parental Involvement	<input type="checkbox"/>		138-139
(Priority 5) Pupil Engagement	<input type="checkbox"/>		141-142
(Priority 6) School Climate	<input type="checkbox"/>		142-144
Provides specific annual actions to achieve these goals for each of the subgroups listed below:	<input type="checkbox"/>		134-150 Additionally goals and actions stated throughout petition
<input type="checkbox"/> Racial/Ethnic groups	<input type="checkbox"/>		137, 140, 143-147
<input type="checkbox"/> Low-income students, including homeless students	<input type="checkbox"/>		137, 140, 143-147
<input type="checkbox"/> English learners	<input type="checkbox"/>		137-138, 140-141, 143-147
<input type="checkbox"/> Students with disabilities	<input type="checkbox"/>		137, 140, 143-147
<input type="checkbox"/> Foster youth	<input type="checkbox"/>		137, 140, 143-147
<input type="checkbox"/> 8. Transferability of High School Courses EC 47605 (b) (5) (A) (iii)		<input type="checkbox"/>	NA
If serving high school students, describes how district/charter school informs parents of:	<input type="checkbox"/>		NA

<input type="checkbox"/> Transferability of courses to other public high schools; and	<input type="checkbox"/>		NA
<input type="checkbox"/> Eligibility of courses to meet college entrance requirements	<input type="checkbox"/>		NA
<input type="checkbox"/> Courses that are accredited by the Western Association of Schools and Colleges (WASC) may be considered transferable, and courses meeting the UC/CSU "a-g" admissions criteria may be considered to meet college entrance requirements)	<input type="checkbox"/>		NA

Strengths:

Areas of Concern:

Conclusions

i	Special Education/SELPA	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Identifies whether or not in an independent LEA for special education purposes (with verifiable written assurances)		<input type="checkbox"/>	121-122
<input type="checkbox"/>	Consulted with the Santa Clara County SELPA Director		<input type="checkbox"/>	Email and meeting with Anna Marie Villalobos, Leo Mapagu, Khristel Johnson, and a member of the Special Education Department March 2019
	<ul style="list-style-type: none"> <li>Discussed special education responsibilities of charter</li> </ul>	<input type="checkbox"/>		yes
	<ul style="list-style-type: none"> <li>Discussed application of SELPA policies</li> </ul>	<input type="checkbox"/>		yes
<input type="checkbox"/>	In writing explains how special education services will be provided consistent with SELPA plan and/or policies and procedures		<input type="checkbox"/>	121-127
	<ul style="list-style-type: none"> <li>Includes fiscal allocation plan</li> </ul>	<input type="checkbox"/>		122-123
<input type="checkbox"/>	If charter not an independent LEA (School of SCCOE for Special Ed):		<input type="checkbox"/>	121-122
	<ul style="list-style-type: none"> <li>Clarifies in charter the responsibilities of each party for service delivery</li> </ul>	<input type="checkbox"/>		122-127
	<input type="checkbox"/> Referral	<input type="checkbox"/>		122, 123
	<input type="checkbox"/> Assessment	<input type="checkbox"/>		107, 124
	<input type="checkbox"/> Instruction	<input type="checkbox"/>		121, 124-125
	<input type="checkbox"/> Due Process	<input type="checkbox"/>		125-126
	<input type="checkbox"/> Agreements describing allocation of actual and excess costs	<input type="checkbox"/>		122 (Proposed MOU attached)



<input type="checkbox"/> Charter fiscally responsible for fair share of any encroachment on general funds	<input type="checkbox"/>		122-123
<input type="checkbox"/> If charter is own LEA		<input type="checkbox"/>	NA
<ul style="list-style-type: none"> <li>Notified SELPA Director of intent prior to February 1<sup>st</sup> of the preceding school year</li> </ul>	<input type="checkbox"/>		NA
<ul style="list-style-type: none"> <li>Located within SELPA geographical boundaries</li> </ul>	<input type="checkbox"/>		NA
<ul style="list-style-type: none"> <li>Provides current operating budget in accordance with Ed Code § 42130 and § 42131</li> </ul>	<input type="checkbox"/>		NA
<ul style="list-style-type: none"> <li>Provides assurances that all will be instructed in safe environment</li> </ul>	<input type="checkbox"/>		NA
<ul style="list-style-type: none"> <li>Provides copy of original charter petition and any amendments to SELPA</li> </ul>	<input type="checkbox"/>		NA
<ul style="list-style-type: none"> <li>Responsible for any legal fees relating to application and assurances process</li> </ul>	<input type="checkbox"/>		NA
<ul style="list-style-type: none"> <li>Meets the terms of the "Agreement Regarding the Organization, Implementation, Administration and Operation of the SELPA (Section 12-13, Appendix A)</li> </ul>	<input type="checkbox"/>		NA
<ul style="list-style-type: none"> <li>Meets the terms of all SELPA policies and procedures</li> </ul>	<input type="checkbox"/>		NA
<ul style="list-style-type: none"> <li>Charter fiscally responsible for fair share of any encroachment on general funds</li> </ul>	<input type="checkbox"/>		NA
<input type="checkbox"/> Petition includes the following assurances:		<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>The charter will comply with all provisions of IDEA and plan for how it will comply</li> </ul>	<input type="checkbox"/>		7-8, 121-122
<ul style="list-style-type: none"> <li>No student will be denied admission based on disability or lack of available services</li> </ul>	<input type="checkbox"/>		7-8, 125
<ul style="list-style-type: none"> <li>The charter will include a description of the school's SST process as it relates to identification of students who may qualify for Special Education</li> </ul>	<input type="checkbox"/>		103-107, 123-125
<input type="checkbox"/> Staff members providing special education services are appropriately credentialed		<input type="checkbox"/>	8, 91, 123, 166-175
<input type="checkbox"/> Any facility used by the school does not present physical barriers that would limit an eligible student's full participation in the educational and extracurricular programs		<input type="checkbox"/>	121, 126
<input type="checkbox"/> The charter school will assume full responsibility for appropriate accommodation to address the needs of any student		<input type="checkbox"/>	121, 122-123
<input type="checkbox"/> The responsibility of the school to provide special education, instruction and related serves to the students		<input type="checkbox"/>	126-126

	enrolled in the school regardless of students' district of residence			
<input type="checkbox"/>	Specialized instruction and services available at the school		<input type="checkbox"/>	90-91, 121-124
<input type="checkbox"/>	The provision of Designated Instruction and Services (DIS)		<input type="checkbox"/>	90-91, 121-124
<input type="checkbox"/>	Special transportation for students whose IEPs indicate that service is necessary for the provision of FAPE		<input type="checkbox"/>	126
<input type="checkbox"/>	The procedures for ensuring that students are referred, assessed and served in a timely manner		<input type="checkbox"/>	107, 123-124
<input type="checkbox"/>	A description of the school's "Search and Service" procedures		<input type="checkbox"/>	54, 122
<input type="checkbox"/>	The dispute resolution procedures that will apply to any disputes between educational entities, including the SELPA and LEA, regarding the provision of special education services in the charter school.		<input type="checkbox"/>	215, Supplemental documents proposed MOU
<input type="checkbox"/>	Petition describes process for notifying district of residence and chartering district when a special education student enrolls, becomes eligible, ineligible and/or leaves charter school		<input type="checkbox"/>	123-124
<input type="checkbox"/>	Overview of how special education funding and services will be provided by:		<input type="checkbox"/>	121-123
	• Charter School	<input type="checkbox"/>		121-127
	• Charter Granting Agency	<input type="checkbox"/>		121-122
	• SELPA			121-122
<input type="checkbox"/>	Petition describes the transition to or from a district when a student with an IEP enrolls in, or transfers out of, the charter school		<input type="checkbox"/>	123, 125-125
ii	Implementation of Section 504 of the Rehabilitation Act	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	All eligible enrolled students will receive appropriate accommodations and modifications consistent with Section 504 of the Rehabilitation Act	<input type="checkbox"/>		126-127
<input type="checkbox"/>	No student "otherwise eligible to enroll in the charter school" will be denied enrollment due to disability, or the charter school's inability to provide necessary services	<input type="checkbox"/>		35, 121, 126, 184-185
<input type="checkbox"/>	All staff members providing services to the student are familiar with the identified needs of the student	<input type="checkbox"/>		121, 124, 127
<input type="checkbox"/>	Any facility used by the school does not present physical barriers limiting eligible students' full participation in the educational and extracurricular program	<input type="checkbox"/>		126
<input type="checkbox"/>	The charter school will assume full responsibility for appropriate accommodations, modifications and services to address the needs of any student regardless of the student's district of residence	<input type="checkbox"/>		35, 184
<input type="checkbox"/>	Includes plan and appropriate staffing for 504 compliance	<input type="checkbox"/>		8, 91-92, 126-127, 166-174

iii	Implementation of Americans with Disabilities Act (ADA)	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Affirms charter's obligations to comply with ADA		<input type="checkbox"/>	180, 221
<input type="checkbox"/>	Any facility used by charter will be ADA compliant		<input type="checkbox"/>	221

Strengths:

Areas of Concern:

Conclusions

B	Measurable Student Outcomes - "Exit Outcomes" or "Graduation Standards"	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Pupil outcomes are measurable, i.e. specific assessments listed for each exit outcome.		<input type="checkbox"/>	134-149
	How pupil outcomes will address state content and performance standards in core academics.	<input type="checkbox"/>		135-136, 137-138
	Exit outcomes include acquisition of academic and non-academic skills.	<input type="checkbox"/>		134
	Concise (one page) list of exit outcomes encompass specific skills, not too vague.	<input type="checkbox"/>		34-35
	Affirmation that "benchmark" skills and specific classroom-level skills will be developed.	<input type="checkbox"/>		134
	Affirmation/description that exit outcomes will align to mission, curriculum and assessments.	<input type="checkbox"/>		138, 140-141, 144-149
	Affirmation that college-bound students wishing to attend California colleges or universities will have the opportunity to take courses that meet the "A-G" requirements.	<input type="checkbox"/>		NA
	Lists school-wide student performance goals students will make over a given period of time, projected attendance, dropout, or graduation rate goals, etc.	<input type="checkbox"/>		138, 140-143,
	Acknowledges that exit outcomes and performance goals may need to be modified over time.	<input type="checkbox"/>		135
	If high school, graduation requirements defined.	<input type="checkbox"/>		NA
	If high school, WASC accreditation standards addressed.	<input type="checkbox"/>		NA

<input type="checkbox"/>	LCFF/LCAP Measurable Goals of the Education Program: Charter provides assurance that all identified subgroups will meet performance goals that are stated in the charter		<input type="checkbox"/>	134-149
<input type="checkbox"/>	Statement that pupil achievement measurements will include the elements listed below:		<input type="checkbox"/>	135-135
<input type="checkbox"/>	Alignment with state priorities 52060 (d) and description of <u>how</u> the charter will address all 8 state priorities		<input type="checkbox"/>	134
<input type="checkbox"/>	(A) Statewide assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 or any subsequent assessment, as certified by the state board.		<input type="checkbox"/>	140-141
<input type="checkbox"/>	(B) The Academic Performance Index, as described in Section 52052/alternative academic performance data and documentation during suspension of API		<input type="checkbox"/>	141-142
<input type="checkbox"/>	(C) The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study that align with state board-approved career technical educational standards and frameworks,		<input type="checkbox"/>	NA
<input type="checkbox"/>	(D) The percentage of English learner pupils who make progress toward English proficiency as measured by the California English Language Development Test or any subsequent assessment of English proficiency, as certified by the state board.		<input type="checkbox"/>	140-141
<input type="checkbox"/>	(E) The English learner reclassification rate.		<input type="checkbox"/>	140-141
<input type="checkbox"/>	(F) The percentage of pupils who have passed an advanced placement examination with a score of 3 or higher.		<input type="checkbox"/>	NA
<input type="checkbox"/>	(G) The percentage of pupils who participate in, and demonstrate college preparedness pursuant to the Early Assessment Program.		<input type="checkbox"/>	NA
For Charter Renewal, EC 47607 (a)(3)(A) defines the most important factor is the <u>increase</u> in pupil academic achievement for <u>all groups</u> students served by the charter school.				
<input type="checkbox"/>	Provided evidence (including data and documentation) establishing that students have		<input type="checkbox"/>	NA

increased their academic achievement schoolwide and for all numerically significant pupil subgroups		
The Minimum Threshold for Student Achievement per EC 47606(b):		
<input type="checkbox"/> 1) Attained its API growth target in the prior year, or in two of the last three years both school-wide and for all groups of pupils served (Also 3 yr. average during SBAC transition) EC 52052 (e) proxies include I. Most recent API calculation II. Average of 3 most recent API calculations III. Alternative measures that show increases in pupil academic achievement for all groups of pupils school-wide and among significant student groups.	<input type="checkbox"/>	NA
<input type="checkbox"/> 2) Ranked in deciles 4 to 10, inclusive, on the API in prior year or two of the last three years	<input type="checkbox"/>	NA
<input type="checkbox"/> 3) Ranked in deciles 4 to 10 inclusive, on the API for a demographically comparable school in the prior school year, or two of the last three years.	<input type="checkbox"/>	NA
<input type="checkbox"/> 4) (A) The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school. (B) The determination made pursuant to this paragraph shall be based upon all of the following: (i) Documented and clear and convincing data. (ii) Pupil achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program established by Article 4	<input type="checkbox"/>	NA

	(commencing with Section 60640) of Chapter 5 of Part 33 for demographically similar pupil populations in the comparison schools. (iii) Information submitted by the charter school.		
<input type="checkbox"/>	5) Qualified for an alternative accountability system (EC 52052)	<input type="checkbox"/>	NA
	During period of API suspension item compliance with (4) or (5) above or:		
<input type="checkbox"/>	A) Ranked in deciles 4 to 10 inclusive on the most recent API calculation	<input type="checkbox"/>	NA
<input type="checkbox"/>	B) Ranked in deciles 4 to 10 inclusive based on an average of the three most recent API calculations	<input type="checkbox"/>	NA
<input type="checkbox"/>	C) Alternative measures that show increases in pupil academic achievement for all groups of pupils school wide and among significant student groups	<input type="checkbox"/>	NA

Strengths:

Areas of Concern:

Conclusions:

C	The Method by Which Pupil Progress in Meeting Outcomes Will be Measured	Evidence	Addressed in Petition	Page
	At least one assessment method or tool listed for each of the exit outcomes	<input type="checkbox"/>		150-156
	Assessments include multiple, valid and reliable measures using traditional/ alternative tools	<input type="checkbox"/>		150-156
	Chosen assessments are appropriate for standards and skills they seek to measure	<input type="checkbox"/>		150-156
	Affirmation/description of how assessments align to mission, exit outcomes, and curriculum	<input type="checkbox"/>		152-153
	Describes minimal required performance level necessary to attain each standard	<input type="checkbox"/>		61-66,

Outlines a plan for collecting, analyzing and reporting student/school performance data	<input type="checkbox"/>		150-157
Method of measuring outcomes aligns with SARC		<input type="checkbox"/>	150-152
<input type="checkbox"/> LCFF/LCAP Assurance that methods of assessment are aligned with measureable student outcomes		<input type="checkbox"/>	150-156
<input type="checkbox"/> (A) Utilizes a variety of assessment tools that include multiple, valid and reliable measures using traditional/alternative tools appropriate to the skills, knowledge, or attitudes being assessed. Including, at a minimum tools that employ objective means of assessment.		<input type="checkbox"/>	151-152
<input type="checkbox"/> (B) Include the annual assessment tools as required by state and federal assessments (CAASPP, ELPAC, etc.)		<input type="checkbox"/>	151-152
<input type="checkbox"/> (C) Outlines a plan for collecting, analyzing, and reporting data continuously to monitor and improve the charter school's educational program.		<input type="checkbox"/>	150-156
<input type="checkbox"/> (D) Presents a coherent plan for using student assessments data to evaluate and inform instruction on an on-going basis		<input type="checkbox"/>	152-156
<input type="checkbox"/> (E) Committed plan to share performance information with students, families and public agencies		<input type="checkbox"/>	150

Strengths:

Areas of Concern:

Conclusions

D	Governance Structure of School (Including Parental Involvement)	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Describes what role parents have in the governance of the school		<input type="checkbox"/>	159-160, 163-165
<input type="checkbox"/>	Describes key features of governing structure (usually a board of directors) such as:		<input type="checkbox"/>	157-161
	• Size/composition of board	<input type="checkbox"/>		159-160
	• Board committees or advisory councils	<input type="checkbox"/>		163-165
	• Board's scope of authority/responsibility/conflict of interest	<input type="checkbox"/>		157-161
<input type="checkbox"/>	Status as a non-profit corporation		<input type="checkbox"/>	157 Supporting Documents
<input type="checkbox"/>	Tax exempt status	<input type="checkbox"/>		157, Supporting Documents

<input type="checkbox"/>	If non-profit, provisions for liability for debts		<input type="checkbox"/>	157, Supporting Documents
<input type="checkbox"/>	Has set of bylaws, policies or similar documents	<input type="checkbox"/>		157, Supporting Documents
<input type="checkbox"/>	Initial governing board members identified by name or the process used to select them and future board members	<input type="checkbox"/>		13-15
<input type="checkbox"/>	Clear description of school's legal status and determination of whether a board member from the charter-granting agency is on the board of the charter	<input type="checkbox"/>		159-160
<input type="checkbox"/>	Demonstrates compliance with Brown Act		<input type="checkbox"/>	157, 158
<input type="checkbox"/>	Annual Review and Revision of the Local Control Accountability Plan (LCAP).		<input type="checkbox"/>	161, 164
<input type="checkbox"/>	Detailed description of any relationship with for profits, including CMO/EMO		<input type="checkbox"/>	NA
<input type="checkbox"/>	Compliance with transparency and public accountability		<input type="checkbox"/>	157-158
	• Public Records Act	<input type="checkbox"/>		8
	• Political Reform Act of 1974	<input type="checkbox"/>		8, 157
	• Government Code 1090 et seq.	<input type="checkbox"/>		8, 160

Strengths:

Areas of Concern:

Conclusions

E	Qualifications to be Met by Individuals to be Employed by The School	Evidence	Addressed in Petition	Page
	Identifies roles and functions of staff members (including...) <ul style="list-style-type: none"> <li>Job Descriptions for Positions</li> <li>Identifies key staff positions with the charter school</li> </ul>	<input type="checkbox"/>		166-176
	Process for staff selection	<input type="checkbox"/>		167-168
	Procedure for adequate background checks	<input type="checkbox"/>		135-136, 166, 177
	Salaries and benefits for all employees	<input type="checkbox"/>		Budget Page 8-9
	Measures of assessment of performance	<input type="checkbox"/>		30-34
<input type="checkbox"/>	Describes specific key qualifications (knowledge, experience, education, certification, etc.) sufficient to ensure the health and safety of pupils and staff.	<input type="checkbox"/>		166, 177-181
<input type="checkbox"/>	Defines "core, college preparatory" teachers/affirms they will hold appropriate credentials (Commission		<input type="checkbox"/>	NA



on Teacher Credentialing Certificate/Permit) <ul style="list-style-type: none"> <li>Confirms that these teachers will teach only within the restrictions of their credentials</li> </ul>			
<input type="checkbox"/> Identifies any non-core, non-college prep teaching positions staffed by non-certified teachers and their qualifications	<input type="checkbox"/>		NA
The credentials/qualifications of other charter school staff (e.g., counselors, librarians, administrators, nurses and others)	<input type="checkbox"/>		173-176
Statement of acknowledgment that all employees are subject to state and federal employment laws	<input type="checkbox"/>		166
Explains how teachers will learn the curricula	<input type="checkbox"/>		9-10, 29-30, 52-53

Strengths:

Areas of Concern:

Conclusions

F	Health and Safety Procedures	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Affirms that each employee will furnish the school with a criminal record summary		<input type="checkbox"/>	177
<input type="checkbox"/>	Outlines specific health and safety practices addressing such key areas as:	<input type="checkbox"/>		177-181
	<ul style="list-style-type: none"> <li>Seismic safety (structural integrity and earthquake preparedness)</li> </ul>	<input type="checkbox"/>		179-180
	<ul style="list-style-type: none"> <li>Natural disasters and emergencies</li> </ul>	<input type="checkbox"/>		179
	<ul style="list-style-type: none"> <li>Immunizations, health screenings, administration of medications, employee TB testing</li> </ul>	<input type="checkbox"/>		178
	<ul style="list-style-type: none"> <li>Tolerance for use of drugs and/or tobacco</li> </ul>	<input type="checkbox"/>		180
	<ul style="list-style-type: none"> <li>Staff training on emergency and first aid response</li> </ul>	<input type="checkbox"/>		179
	<ul style="list-style-type: none"> <li>Description of the charter school's safety plan and disaster preparedness plan</li> </ul>	<input type="checkbox"/>		178-179 and Supporting Documents Part 4
	References/accompanied by more detailed set of health and safety related policies/procedures	<input type="checkbox"/>		177-181, and Supporting Documents Part 4
<input type="checkbox"/>	Method for conducting criminal background checks for potential employees, contractors, and volunteers as required by law to ensure that the charter does not hire any person who has been convicted of a violent serious felony, including ongoing updates		<input type="checkbox"/>	Supporting Documents Part 4

Strengths:

Areas of Concern:

Conclusions:

G	Means to Achieve a Reflective Racial and Ethnic Balance	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Lists several specific practices/policies likely to lead to a diverse applicant pool/enrollment: practices and policies appear to be selected to target relevant racial and ethnic groups	<input type="checkbox"/>		182-185
	<ul style="list-style-type: none"> <li>Describes the means by which the school will achieve, or has achieved, racial and ethnic balance which is reflected of the district/COE's general student population</li> </ul>	<input type="checkbox"/>		182-185
<input type="checkbox"/>	Renewal: Includes racial and ethnic make-up data and identifies means charter will use to address any underrepresented populations	<input type="checkbox"/>		NA

Strengths:

Areas of Concern:

Conclusions:

H	Admissions Policies and Procedures Consistent with 47605(d)	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Mandatory assurances regarding non-discriminatory admission procedures		<input type="checkbox"/>	184-187
<input type="checkbox"/>	<p>Clearly describes admissions procedures, including any preferences</p> <ul style="list-style-type: none"> <li>Identifies that the charter school will give preference to pupils who reside in the district and how the charter school will employ this preference</li> <li>Preferences will be approved at a public hearing and cannot be changed without a material revision</li> <li>Preferences consistent with federal, state law</li> </ul> <p>Preferences will not 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</p>		<input type="checkbox"/>	185-186

Includes a copy of an annual parent/student contract and/or handbook, if available	<input type="checkbox"/>		To Be Developed
<input checked="" type="checkbox"/> Includes detailed description of the admissions procedure, including how any public random drawing is implemented, including the steps in the process and how any preferences are applied.		<input type="checkbox"/>	185-187
Provides application and admission timelines	<input type="checkbox"/>		186
<input checked="" type="checkbox"/> Specifies all information to be requested on any application		<input type="checkbox"/>	187
<input checked="" type="checkbox"/> Specifies when and how parents will be notified on application and annually that volunteerism is not required for acceptance to or continued enrollment at the charter School		<input type="checkbox"/>	185

Note that with regard to student recruitment, charter schools cannot recruit students in any way that discriminates against students on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in 422.55 of the Penal Code, including immigration status, or association with such persons. In advertising for students, charter schools are required by federal law to distribute materials in ways that effectively reach all segments of the parent community. Charter schools must also be sure to safeguard the rights of parents/guardians who are limited-English proficient, providing materials in languages other than English in order to communicate effectively with all parent groups. Similarly, in recruiting students of parents/guardians with disabilities, outreach materials should be available upon request in various alternative formats (such as Braille or large print, or in public meetings where interpreters are available).

Strengths:

Areas of Concern:

Conclusions

I	Financial Audit	Evidence	Addressed in Petition	Page
<input checked="" type="checkbox"/>	Procedure to select and retain independent auditor	<input type="checkbox"/>		188
<input checked="" type="checkbox"/>	Qualifications of independent auditor	<input type="checkbox"/>		188
<input checked="" type="checkbox"/>	Audit will employ generally accepted accounting procedures	<input type="checkbox"/>		188
<input checked="" type="checkbox"/>	Describe specific scope of audit	<input type="checkbox"/>		188
<input checked="" type="checkbox"/>	Timing of audit and to whom it will be sent	<input type="checkbox"/>		188
<input checked="" type="checkbox"/>	Process for resolving audit exceptions and deficiencies to satisfaction of granting agency	<input type="checkbox"/>		188
<input checked="" type="checkbox"/>	Describes manner in which the audit will be made public	<input type="checkbox"/>		188
<input checked="" type="checkbox"/>	Describes manner in which the charter school will keep track of financial data and compile information in the prescribed format needed for the annual statement of receipts and expenditures for the prior fiscal year that is due to the authorizing board by Sept. 15 of each year		<input type="checkbox"/>	188
<input checked="" type="checkbox"/>	Proof of knowledge of requirement and the process by which charter school will submit quarterly financial reports to its		<input type="checkbox"/>	219

chartering authority and the county superintendent of schools (required by AB 1137)			
<input type="checkbox"/> Describes services the charter intends to contract out to the district/SCCOE or another provider (if not included in a memorandum of understanding)	<input type="checkbox"/>		NA

Strengths:
Areas of Concern:
Conclusions

J	Pupil Suspension Expulsion Procedures	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Includes new legal language in header and throughout the section	<input type="checkbox"/>		189
<input type="checkbox"/>	Student code of conduct and process by which this information is given to students and parents/guardians	<input type="checkbox"/>		58-59, 190-191
<input type="checkbox"/>	Procedure for involving parents, students and staff in designing and implementing a discipline policy	<input type="checkbox"/>		190
<input type="checkbox"/>	Detailed process by which student may be suspended or expelled or involuntarily removed for any reason		<input type="checkbox"/>	192-202
<input type="checkbox"/>	Describes disciplinary steps to be taken prior to suspension or expulsion	<input type="checkbox"/>		190-192
<input type="checkbox"/>	Identifies the offenses for which students in the charter school must (where non-discretionary) and may (where discretionary) be suspended and, separately, the offenses for which students in the charter school must (where non-discretionary) or may (where discretionary) be expelled, providing evidence that the petitioners' reviewed the offenses for which students must or may be suspended or expelled in non-charter public schools, and provide evidence that the charter petitioners believe their proposed lists of offenses and procedures provide adequate safety for students, staff, and visitors to the school and serve the best interests the school's pupils and their parents (guardians).	<input type="checkbox"/>		192-202
<input type="checkbox"/>	Identifies the detailed procedures by which pupils can be suspended or expelled.		<input type="checkbox"/>	202-207
<input type="checkbox"/>	Identify the procedures by which parents, guardians, and pupils will be informed about reasons for suspension or expulsion and of their due process rights in regard to suspension or expulsion.		<input type="checkbox"/>	189, 191-192, 202-208,
<input type="checkbox"/>	Provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in regard to suspension and expulsion, including by providing specific		<input type="checkbox"/>	191-192, 202-208, 208-211

additional or special procedures applicable to pupils with disabilities or for whom the charter school has a basis of knowledge the student might be disabled.			
<input checked="" type="checkbox"/> Outline how detailed policies and procedures regarding suspension and expulsion will be periodically reviewed, including, but not limited to, periodic review and (as necessary) modification of the lists of offenses for which students are subject to suspension or expulsion, with clear understanding that any modifications are permitted only through the material revision process.	<input checked="" type="checkbox"/>		191
<input checked="" type="checkbox"/> What educational alternative, if any, will be provided to students who were suspended or expelled	<input type="checkbox"/>		204, 208, 209, 211
<input checked="" type="checkbox"/> Describes who or what body will be responsible for final suspension/expulsion decisions	<input type="checkbox"/>		205, 210
<input checked="" type="checkbox"/> Describes appeal procedures	<input type="checkbox"/>		205, 210
<input checked="" type="checkbox"/> Identifies process by which the charter school will notify the superintendent of the school district of the expelled student's last known address within 30 days and send a copy of student's cumulative record, including transcripts of grades and health records to the school district		<input type="checkbox"/>	208
<input checked="" type="checkbox"/> Outlines or describes strong understanding of relevant laws protecting constitution rights of students, generally, and of disabled and other protected classes of students	<input type="checkbox"/>		191-192, 208-211
<input checked="" type="checkbox"/> Policies balance students' rights to due process with responsibility to maintain a safe learning environment	<input type="checkbox"/>		192, 203
<input checked="" type="checkbox"/> Explains how the charter school will comply with federal and state constitutional procedural and substantive due process requirements consistent with: <ol style="list-style-type: none"> <li>1. Suspension of less than 10 days includes notice of the charges, an explanation of the evidence supporting the charges, and an opportunity for the pupil to present his/her side of the story.</li> <li>2. For suspensions of more than 10 days and all expulsions: <ol style="list-style-type: none"> <li>a. Timely written notice of the charges and the pupil's rights.</li> <li>b. A hearing before a neutral officer within a reasonable number of days, including a fair opportunity for the pupil to present testimony, evidence, and witnesses; confront and cross-examine adverse witnesses, and bring legal counsel or advocate.</li> </ol> </li> </ol>		<input type="checkbox"/>	189, 192, 202, 203 204-207, 209-210, 192, 208

c. Contain the statement required by Education Code concerning requirements for involuntary removal for any reason.			
<input type="checkbox"/> Explains how resident school district or COE will be involved in disciplinary matters	<input type="checkbox"/>		207-208

Strengths:

Areas of Concern:

Conclusions

K	Staff Retirement System	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Statement of whether staff will participate in STRS, PERS, or Social Security (if STRS, then all teachers must do so)		<input type="checkbox"/>	212
<input type="checkbox"/>	Specifies which retirement system for each position		<input type="checkbox"/>	212
<input type="checkbox"/>	Identifies the position responsible for ensuring appropriate arrangements for coverage have been made and complied with		<input type="checkbox"/>	212
	Relationship between teachers and district/county bargaining unit	<input type="checkbox"/>		214
	Process by which salaries, benefits, working conditions and items, i.e., calendars, holidays, vacations, work day and year will be determined	<input type="checkbox"/>		212
	Labor procedures which will be applied to employees	<input type="checkbox"/>		212
	Process for resolving complaints/grievances	<input type="checkbox"/>		215-216
	Process for ensuring due process	<input type="checkbox"/>		215-216
	Manner by which staff members will be covered by STRS, PERS, Social Security or Medicare	<input type="checkbox"/>		212
	Process for staff recruitment, selection, evaluation and termination	<input type="checkbox"/>		30-34
	Procedure for processing and monitoring credentials if required	<input type="checkbox"/>		166
<input type="checkbox"/>	Establish compliance with Ed Code 47611		<input type="checkbox"/>	

Strengths:

Areas of Concern:

Conclusions

L	Attendance Alternatives	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	States that students may attend other district schools or pursue an inter-district or intradistrict transfer in accordance with existing enrollment and transfer policies of their district or county of residence or description of other attendance alternatives		<input type="checkbox"/>	213

<input type="checkbox"/>	Specifies that attendance at charter does not grant right of attendance in district or SCCOE schools or programs		<input type="checkbox"/>	213
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Strengths:

Areas of Concern:

Conclusions

M	Description of Employee Rights	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Description of employee rights upon leaving school district or SCCOE		<input type="checkbox"/>	214
	<ul style="list-style-type: none"> <li>Acknowledgment whether collective bargaining contract in district/SCCOE will be controlling</li> </ul>	<input type="checkbox"/>		214
	<ul style="list-style-type: none"> <li>Whether and how charter school staff may resume employment within the district/SCCOE</li> </ul>	<input type="checkbox"/>		214
	Sick/vacation leave (ability to carry it over to and from charter school)	<input type="checkbox"/>		214
	<ul style="list-style-type: none"> <li>Whether charter school staff will continue to earn service credit (tenure) in district/SCCOE while at charter school</li> </ul>	<input type="checkbox"/>		214
	<ul style="list-style-type: none"> <li>How employees will be paid (e.g. salaried, hourly, etc.)</li> </ul>	<input type="checkbox"/>		29-30, 212, 220
	<ul style="list-style-type: none"> <li>Describes employee benefits</li> </ul>	<input type="checkbox"/>		212, 220
	<ul style="list-style-type: none"> <li>Identifies intended employment status of charter school employees (exempt/non-exempt)</li> </ul>	<input type="checkbox"/>		212, 221-222
	<ul style="list-style-type: none"> <li>Describes how rights will be communicated to prospective employees</li> </ul>	<input type="checkbox"/>		29-30

Strengths:

Areas of Concern:

Conclusions

N	Dispute Resolution Process	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Outlines a simple process for charter and granting agency to settle disputes	<input type="checkbox"/>		215-16
	Process indicates whether it is binding on school or granting agency/fair process	<input type="checkbox"/>		215
	Step by step process for identifying/framing dispute points	<input type="checkbox"/>		215-216
	<ul style="list-style-type: none"> <li>Whether internal charter disputes may be brought to granting agency</li> </ul>	<input type="checkbox"/>		216
	<ul style="list-style-type: none"> <li>Identifies specific parties to be involved at each step</li> </ul>	<input type="checkbox"/>		215-216
	<ul style="list-style-type: none"> <li>Basic rules at each step</li> </ul>	<input type="checkbox"/>		215
	<ul style="list-style-type: none"> <li>Which results are binding</li> </ul>	<input type="checkbox"/>		215
<input type="checkbox"/>	Includes SCCOE's required dispute resolution process - <b>should be updated for renewals to include SCCOE's process)</b>	<input type="checkbox"/>		215-216

Strengths:

Areas of Concern:

Conclusions				
O	Closure of Charter School	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Outlines an adequate process to be used if the charter school closes		<input type="checkbox"/>	217-218
<input type="checkbox"/>	Process includes a final audit of the charter school that includes specific plans for disposition of all assets and liabilities of the charter school and for the maintenance and transfer of public records and pupil records (per code)		<input type="checkbox"/>	218
<input type="checkbox"/>	Process must, at a minimum, comply with all requirements of Cal. Code of Regs., title 5, section 11962.	<input type="checkbox"/>		217-218

Strengths:  
Areas of Concern:

Conclusions

REQUIRED SUPPLEMENTAL INFORMATION: Education Code § 47605(g)

i	Administrative Services	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Describes how charter administrative services will be acquired or provided		<input type="checkbox"/>	220
<input type="checkbox"/>	Describes how the day-to-day administrative operations will be handled	<input type="checkbox"/>		220

Strengths:  
Areas of Concern:

Conclusions

ii	Civil Liability	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Did the petitioners provide information regarding the potential civil liability effects, if any, upon the school, and the school district where the charter school operates or proposes to operate and upon the county board of education and SCCOE?		<input type="checkbox"/>	221-222
<input type="checkbox"/>	Appropriate insurance coverage in conformance with SCCOE risk management standards		<input type="checkbox"/>	222
<input type="checkbox"/>	Indemnification/defense/hold harmless of SCCOE		<input type="checkbox"/>	222

Strengths:  
Areas of Concern:

Conclusions

iii	Financial Plan	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	First year operational budget includes:		<input type="checkbox"/>	Supporting Documents Part 1, Budget
<input type="checkbox"/>	• Start-up costs		<input type="checkbox"/>	Budget Page 11
<input type="checkbox"/>	Cash flow for first three years		<input type="checkbox"/>	Budget Page Page 3, 18-20
<input type="checkbox"/>	Financial projections for first three years		<input type="checkbox"/>	Budget Page 12-15



Strengths:				
Areas of Concern:				
Conclusions				

iv	Labor Relations	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Specifies whether charter or local school district will be employer for EERA purposes		<input type="checkbox"/>	8
<input type="checkbox"/>	Specifies whether it is the charter school or the corporation that will be the employer	<input type="checkbox"/>		
<input type="checkbox"/>	Evidences charter's clear understanding that employees are not required to engage in collective bargaining, but they have that right if they choose to do so.	<input type="checkbox"/>		

Strengths:				
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Areas of Concern:				
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Conclusions				
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v	Planning Assumptions	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	• Number/types of students	<input type="checkbox"/>		Budget Page 3
<input type="checkbox"/>	• Number of staff	<input type="checkbox"/>		Budget Page 8
<input type="checkbox"/>	• Teacher/student ratio	<input type="checkbox"/>		Budget Page 1
<input type="checkbox"/>	• Facilities needs	<input type="checkbox"/>		Budget Page 10
<input type="checkbox"/>	• Whether the charter school will participate in the National School Lunch Program	<input type="checkbox"/>		Budget Page 2
<input type="checkbox"/>	• Costs of all major items are identified and within reasonable market ranges	<input type="checkbox"/>		Budget Page 2, 6-7
<input type="checkbox"/>	• Revenue assumptions in line with state and federal funding guidelines	<input type="checkbox"/>		Budget Page 2, 17
<input type="checkbox"/>	• Revenue from "soft sources" (e.g., donations, grants and fundraisers) less than 10% of ongoing operational costs	<input type="checkbox"/>		Budget Page 2, 17
<input type="checkbox"/>	• Timeline allows window for grant applications to be submitted and funded	<input type="checkbox"/>		Yes, if approved we have an additional 1 year to continue applying for grants.

Strengths:				
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Areas of Concern:				
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Conclusions				
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vi	Start-Up Costs (New petitions only)	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	• Clearly identifies most major start-up costs	<input type="checkbox"/>		Budget Page 11
<input type="checkbox"/>	• Staffing	<input type="checkbox"/>		Budget Page 8
<input type="checkbox"/>	• Facilities	<input type="checkbox"/>		Budget Page 10
<input type="checkbox"/>	• Equipment and Supplies	<input type="checkbox"/>		Budget Page 11
<input type="checkbox"/>	• Professional Services	<input type="checkbox"/>		Budget Page 11

<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Assumptions in line with overall school design plan</li> </ul>	<input type="checkbox"/>		Assumptions included in Budget
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Identifies potential funding source that could or would fund these costs</li> </ul>	<input type="checkbox"/>		Budget Page 2
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Timeline allows for grant and fundraising</li> </ul>	<input type="checkbox"/>		Yes, if approved we have an additional 1 y to continue applying for grants

Strengths:

Areas of Concern:

Conclusions

vii	Annual Operating Budget	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Annual revenues and expenditures clearly identified by source and expenditures are clearly identified by destination (i.e. object codes).</li> </ul>	<input type="checkbox"/>		Budget Page 12-15
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Revenue assumptions closely related to applicable state and federal funding formulas</li> </ul>	<input type="checkbox"/>		Budget Page 16-17
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Expenditure assumptions reflect school design plan</li> </ul>	<input type="checkbox"/>		Budget Page 6-7
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Expenditure assumptions reflect prevailing or market costs</li> </ul>	<input type="checkbox"/>		Budget Page 4-7
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>"Soft" revenues (e.g. fund-raises and grants) are not critical to solvency</li> </ul>	<input type="checkbox"/>		
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Strong reserve or projected ending balance (the larger of 2-5% of expenditure or \$25,000)</li> </ul>	<input type="checkbox"/>		Budget Page 1,15
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>If first year is not in balance, the long-term plan identifies solvency in future years and sources of capital sufficient to cover deficits until year budget is projected to balance.</li> </ul>	<input type="checkbox"/>		Budget Page 19-21
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Budget clearly indicates restricted versus general operating/flexible funds.</li> </ul>	<input type="checkbox"/>		Budget Page 17
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Expenditure for sufficient insurance to name SCCOE as also insured/hold harmless agreement</li> </ul>	<input type="checkbox"/>		Budget Page 7
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Expenditure sufficient for reasonably expected legal services</li> </ul>	<input type="checkbox"/>		Budget Page 7
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Expenditure for Special Education excess costs consistent with current experience in county</li> </ul>	<input type="checkbox"/>		Budget Page 7
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Description of all insurance the charter school will purchase, complete with annual cost</li> </ul>	<input type="checkbox"/>		Budget Page 5
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>First year budget premised on realistic year 1 ADA</li> </ul>	<input type="checkbox"/>		Budget Page 1

Strengths:

Areas of Concern:

Conclusions				
viii	Cash Flow Analysis	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Monthly projection of revenue receipts in line with state/federal funding disbursements</li> </ul>	<input type="checkbox"/>		Budget Page 18-20
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Expenditures projected by month and correspond with typical/reasonable schedules</li> </ul>	<input type="checkbox"/>		Budget Page 18-20
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Show positive fund balance each month and/or identify sources of working capital</li> </ul>	<input type="checkbox"/>		Budget Page 18-20

Strengths:

Areas of Concern:

Conclusions

ix	Long-term Plan	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Projects revenues and expenditures for at least three additional years (in addition to first year budget).</li> </ul>	<input type="checkbox"/>		Budget Page 12-15 Eureka! Inclusive Charter School Supporting Document Part 1: Eureka! Inclusive Charter School Multi Year Budget
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Revenue assumptions based on reasonable potential growth in state and federal revenues</li> </ul>	<input type="checkbox"/>		Budget page 2
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Revenue assumptions based on reasonable student growth projections</li> </ul>	<input type="checkbox"/>		Budget Page 2, 16-17
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Expenditure projections are inflated by reasonable cost-of-living and inflation assumptions and school growth assumptions.</li> </ul>	<input type="checkbox"/>		Budget Page 4
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Projected annual fund balances are positive or likely sources of working capital are identified to cover projected deficits.</li> </ul>	<input type="checkbox"/>		Budget Page 15, 18-21

Strengths:

Areas of Concern:

Conclusions

x	District Impact Statement	Evidence	Addressed in Petition	Page
	<ul style="list-style-type: none"> <li>Does the charter include an impact statement?</li> </ul>	<input type="checkbox"/>		19-21
	<ul style="list-style-type: none"> <li>Provides estimated numbers of students anticipated to enroll</li> </ul>	<input type="checkbox"/>		35-36
	<ul style="list-style-type: none"> <li>Identify whether or not will request district-owned facilities</li> </ul>	<input type="checkbox"/>		220-221

Strengths:

Areas of Concern:

Conclusions

xi	Grade Level, Geographic and Site Limitations	Evidence	Addressed in Petition	Page
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<ul style="list-style-type: none"> <li>Does the Petition demonstrate that it will operate a single charter school within the geographic jurisdiction of the school district?</li> </ul>	<input type="checkbox"/>		9, 19
<ul style="list-style-type: none"> <li>If not, does the Petition demonstrate any basis for an exception</li> </ul>	<input type="checkbox"/>		NA
<ul style="list-style-type: none"> <li>Does the Petition identify where the school will operate?</li> </ul>	<input type="checkbox"/>		9
<ul style="list-style-type: none"> <li>Does the Petition demonstrate that it will not serve grade levels not served by the district unless it serves all of the grade levels served by the district?</li> </ul>	<input type="checkbox"/>		9

Strengths:

Areas of Concern:

Conclusions

xii	Annual Financial Report	Evidence	Addressed in Petition	Page
	<ul style="list-style-type: none"> <li>Does the Petition demonstrate that the charter school shall provide the authorizer with a copy of an annual financial report in a format prescribed by the State Superintendent of Public Instruction?</li> </ul>	<input type="checkbox"/>		219

Strengths:

Areas of Concern:

Conclusions

xiii	Facilities / Transportation	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Specify where school intends to be located and describes facilities to be used by the charter school.</li> </ul>	<input type="checkbox"/>		220-221
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Present a written agreement (a lease or similar document) indicating the charter school's right to use the principal school site identified by the petitioners for at least the first year of the charter school's operation and evidence that the facility will be adequate for the charter school's needs. Not later than June 1, present a written agreement (or agreements) indicating the charter school's right to use any ancillary facilities planned for use in the first year of operation (any ancillary facilities or additional sites must be approved with Charter or by a material revision).</li> </ul>	<input type="checkbox"/>		220-221
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Present evidence that the facility is located in an area properly zoned for operation of a school and has been cleared for</li> </ul>	<input type="checkbox"/>		220-221

student occupancy by all appropriate local authorities.			
<input type="checkbox"/> <ul style="list-style-type: none"> <li>Transportation arrangements, if any, including compliance with IDEA and McKinney Vento (Note that if charter schools provide transportation to and/or from school or while at school, they may be subject to state and federal laws governing vehicles, drivers, etc.)</li> </ul>	<input type="checkbox"/>		126, 221

Strengths:

Areas of Concern:

Conclusions

xiv	Insurance Coverage	Evidence	Addressed in Petition	Page
<input type="checkbox"/>	Describes minimum insurance coverage consistent with SCCOE risk management requirements	<input type="checkbox"/>		220, 221-222,
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Not later than June 1, (or such earlier time as charter school may employ individuals or acquire or lease property or facilities for which insurance would be customary), submit documentation of adequate insurance coverage, including liability insurance, which shall be based on the type and amount of insurance coverage maintained in similar settings.</li> </ul>	<input type="checkbox"/>		220-222
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>Liability of district/county to handle payments if charter school defaults:               <ul style="list-style-type: none"> <li>for schools organized pursuant to Non-Profit Benefit Corporation Law</li> <li>for schools not covered by Non-Profit Benefit Corporation Law</li> <li>AB 1994</li> <li>General Assurances "Boiler Plate" Language</li> </ul> </li> </ul>	<input type="checkbox"/>		221
<input type="checkbox"/>	Indemnification/Defense/Hold Harmless of SCCOE consistent with SCCOE risk management requirements.	<input type="checkbox"/>		222

Strengths:

Areas of Concern:

Conclusions

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## AFFIRMATIONS AND DECLARATION

As the authorized Lead Petitioner, I, Tiffany Maciel, hereby certify that the information submitted in this petition for a California public charter school to be named Eureka! Inclusive Charter School (“Eureka! Inclusive” or the “Charter School”), and to be located within the boundaries of the San Jose Unified School District (“SJUSD” 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 certify that, if awarded a charter, Eureka! Inclusive will follow any and all federal, state, and local laws and regulations that apply to Eureka! Inclusive Charter School, including but not limited to:

- Eureka! Inclusive 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 or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]
- Eureka! Inclusive shall be nonsectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code section 47605(d)(1)]
- Eureka! Inclusive shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]
- Eureka! Inclusive shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non- charter public schools. [Ref. Education Code Section 47605(c)(1)]
- Eureka! Inclusive shall, on a regular basis, consult with parents, guardians, and teachers regarding the Charter School’s educational programs. [Ref. Education Code Section 47605(c)]
- Eureka! Inclusive shall admit all students who wish to attend Eureka! Inclusive, unless Eureka! Inclusive receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing. Except as required by Education Code Section 47605(d)(2), admission to Eureka! Inclusive shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(2)(B). 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(d)(2)(C). [Ref. Education Code Section 47605(d)(2)(A)-(C)]
- Eureka! Inclusive Charter School, Inc. declares that it shall be deemed the exclusive public-school employer of the employees of Eureka! Inclusive for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(b)(6)]
- Eureka! Inclusive shall adhere to all provisions of federal law relating 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.
- Eureka! Inclusive shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. California Code of Regulations, Title 5, Section 11967.5.1(f)(5)(C)]
- Eureka! Inclusive shall ensure that teachers at Eureka! Inclusive hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public

schools are required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers. [Ref. Education Code Section 47605(l)]

- Eureka! Inclusive shall at all times maintain all necessary and appropriate insurance coverage.
- Eureka! Inclusive 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 Eureka! Inclusive without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the student's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. [Ref. Education Code Section 47605(d)(3)]
- Eureka! Inclusive shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. Education Code Sections 47612(b) and 47610]
- Eureka! Inclusive 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)]
- Eureka! Inclusive shall comply with all applicable portions of the Elementary and Secondary Schools Act ("ESEA"), as reauthorized and amended by the Every Student Succeeds Act ("ESSA").
- Eureka! Inclusive shall meet or exceed the legally required minimum number of school days. [Ref. Title 5 California Code of Regulations Section 11960].
- Eureka! Inclusive shall comply with any applicable jurisdictional limitations to the locations of its facilities. [Ref. Education Code Sections 47605 and 47605.1]
- Eureka! Inclusive shall comply with the Public Records Act.
- Eureka! Inclusive shall comply with the Family Educational Rights and Privacy Act.
- Eureka! Inclusive shall comply with the Ralph M. Brown Act.
- Eureka! Inclusive shall comply with Government Code Section 1090, *et seq.*, as set forth in Education Section 47604.1.
- Eureka! Inclusive shall comply with the Political Reform Act.

Signed: \_\_\_\_\_

Tiffany Maciel, Founder and President

Lead Petitioner for Eureka! Inclusive

May 23, 2019

## EXECUTIVE SUMMARY

Eureka! Inclusive Charter School will be a TK-6<sup>th</sup> grade charter public school located within San Jose Unified School District that incorporates best practices for **intentionally inclusive education** and a **constructivist, interdisciplinary** approach to instruction that leverages technology and real-world learning. The vision of Eureka! Inclusive is to deliver an inclusive learning community where **all** students, including English learners, gifted students, typically developing, and those labelled with disabilities and learning differences, learn with and from each other and thus inspire the growth of universally designed schools across Silicon Valley and beyond.

**Inclusion** is about more than just placement in a “regular” education class. Inclusion is about recognizing the beauty of diversity and understanding that nature thrives on and flourishes in the context of diverse ecosystems. Inclusion is about fulfilling our basic need for meaning and purpose and maximizing our quality of life. Inclusion is about participating in day-to-day life as a welcomed and embraced member of the community. Inclusion can happen at home, in the workplaces, in our playgrounds and churches and civic centers. Inclusive schools are the building blocks of inclusive cities.

The neighborhood public school still possesses the greatest potential for initiating the systemic change we need to create a more inclusive society. Building strong relationships and friendships with others enriches our lives and provides a sense of belonging and security<sup>1</sup>, especially at an early age, when our personalities and personas develop at a rapid rate. Feeling loved, respected, and included is a critical component of everyone’s wellbeing. That’s exactly the type of community we want to create at Eureka!

The Eureka! Inclusive model will incorporate several key foundational beliefs and practices:

- **Relationship Based:** Relationship-based teaching commits the teacher to striving to bring children into a state of belonging and addresses the child’s emotional, as well as educational needs. Relationship based teaching embraces the emotional security that a student derives from strong family-school partnerships. Teachers maintain weekly communication with parents, welcome parents to participate in classroom social and learning activities and arrange and participate in family activities and outings.
- **Small Class Sizes and Low Adult/Student Ratios:** Our Early Education Program of TK and Kindergarten students will have 15-23 students per class. Elementary classes will have about 25-28 students. Depending on enrollment we anticipate each of these elementary classes will serve 2-4 students learning English and 2-4 students who qualify for special education services, 1-2 of whom we anticipate will have moderate to severe disabilities. At all times, there will be at a minimum two adults per classroom.
- **Co-Teaching and Collaboration:** Eureka! classrooms will implement an integrated co-teaching model. credentialed teachers will work in teams with special education teachers, occupational therapists, and language specialists. This approach has proven to reduce teacher to student ratios and enhance teacher and student relationships. Our teams will recognize potential, nurture confidence, encourage inquiry, and guide learning.

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<sup>1</sup> Centers for Disease Control and Prevention. School Connectedness: Strategies for Increasing Protective Factors Among Youth. Atlanta, GA: U.S. Department of Health and Human Services; 2009.

- **Daily Team Co-Planning Time:** Teams will meet daily to prepare for and reflect upon classroom experiences, develop lesson plans to support the interests and abilities of students, and embed curriculum into interventions and supports. The result will be that every single student will receive a significant education, one that is socially meaningful and academically effective in advancing them towards self-actualization.
- **Universal Design for Learning (UDL):** UDL is a mindset that proactively considers the range of student variabilities that make up a typical elementary school classroom. UDL is defined in the Higher Education Opportunity Act of 2008 as a "scientifically valid framework for guiding educational practice." UDL puts the burden of change where it belongs: on the curriculum itself.<sup>2</sup> Teachers will be trained to teach a heterogeneous group of students who will learn best when given Multiple Means of Representation, Multiple Means of Action and Expression, and Multiple Means of Engagement.
- **Individualized Technology Plans (ITP):** Silicon Valley Technology opens doors to classrooms around the world. Technology makes UDL implementation practical and achievable in a diverse classroom. All students will have an ITP designed to support their needs, maximize learning and enhance outcomes. The technology used at Eureka! will incorporate both effective blended learning platforms as well as a variety of other tools that will allow all students to learn at their own pace. Digital materials make it possible for the same material to be flexibly presented and accessed – even adapted on a student-to-student basis. A variety of technological supports enable Eureka! in ways that allow all children to personalize learning, but also communalize and share experiences, exchange thoughts, and form friendships.
- **Trusting Professional Communities of Practice:** For classrooms to be cultures of thinking, schools must be cultures of thinking for teachers. Eureka! Inclusive will develop a professional community in which deep and rich discussions of teaching, learning, and thinking are a fundamental part of teachers' ongoing experience. Humans are dynamic, practiced based learning provides the constant reminder that what we understand in theory does not always work in practice. In turn, what happens in practice shapes evolving theoretical concepts. Central to the success of Eureka! Inclusive is the belief that each member of the interdisciplinary team offers a professional perspective that helps everyone better understand and support the holistic development of each other, each student, and each member of the school community.
- **Professional Development (PD) and Partnerships:** Eureka! Inclusive will partner with higher education institutions to provide valuable externship opportunities as members of interdisciplinary cohorts. We have also established an MOU with SWIFT Education Center and The CHIME Institute for professional development support and technical assistance guidance throughout the school design, planning, launch and growth process.

The Eureka! Inclusive model will use research-based practices that have proven significant benefits for students in terms of both academic outcomes and social and emotional capacity building. Several of these benefits are highlighted below.

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<sup>2</sup> U.S. Department of Education. Higher Education Opportunity Act, 2008. Retrieved from <https://www.govinfo.gov/content/pkg/PLAW-110publ315/pdf/PLAW-110publ315.pdf>.

- Schools implementing a schoolwide model of equity-based inclusive education demonstrated larger student growth on annual state reading and math assessments relative to students attending comparable schools.<sup>3</sup>
- Students without disabilities made significantly greater progress in reading and math when educated in inclusive classrooms.<sup>4</sup> Likewise, engagement in the general education curriculum strongly and positively correlated with math and reading achievement for students with disabilities.<sup>5</sup>
- Students with autism who were academically and socially included at school experienced more positive developmental trajectories that extended into adulthood, engaging in fewer anti-social behaviors and demonstrating improved independent daily living skills.<sup>6</sup>
- Students with extensive support needs who spent more time integrated among their general education peers demonstrated improved metacognitive and interpersonal abilities and established more substantive networks of relationships.<sup>7</sup>
- While incorporating arts into the academic subjects of the school day increases achievement for all students, there is something remarkable about the effects of an arts curriculum on the traditionally underserved,<sup>8</sup> students for whom English is a second language,<sup>9</sup> students who have been labeled with a disability and students from families with low socioeconomic status. These three groups of students show the most “academic gains” when compared to their original starting points when they are schooled in an environment where arts are integrated with other academic subjects.
- Research suggests that the arts can have a positive impact on youth development, from birth through adolescence. For example, Menzer (2015) found that that engaging in various arts activities (such as singing, dancing, play acting, and doing crafts) at a young age is associated with positive social and emotional behaviors, including empathy, sharing, and mood control.

We expect the Eureka! Inclusive student population to reflect the demographics of the District. Preliminary surveys of parents and guardians in SJUSD demonstrate robust support for the concept of the school.

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<sup>3</sup> Choi, J. H., Meisenheimer, J. M., McCart, A. B., & Sailor, W. (2017). Improving learning for all students through equity-based inclusive reform practices: Effectiveness of a fully integrated schoolwide model on student reading and math achievement. *Remedial and Special Education, 38*(1), 28-41.

<sup>4</sup> Cole, C. M., Waldron, N., & Majd, M. (2004). Academic progress of students across inclusive and traditional settings. *Mental retardation, 42*(2), 136-144.

<sup>5</sup> Cosier, M., Causton-Theoharis, J., & Theoharis, G. (2013). Does access matter? Time in general education and achievement for students with disabilities. *Remedial and Special Education, 34*(6), 323-332. Kurth, J., & Mastergeorge, A. M. (2010). Individual education plan goals and services for adolescents with autism: Impact of age and educational setting. *The Journal of Special Education, 44*(3), 146-160. Dessemontet, R. S., Bless, G., & Morin, D. (2012). Effects of inclusion on the academic achievement and adaptive behavior of children with intellectual disabilities. *Journal of Intellectual Disability Research, 56*(6), 579-587.

<sup>6</sup> Woodman, A. C., Smith, L. E., Greenberg, J. S., & Mailick, M. R. (2016). Contextual factors predict patterns of change in functioning over 10 years among adolescents and adults with autism spectrum disorders. *Journal of Autism and Developmental Disorders, 46*(1), 176-189.

<sup>7</sup> Copeland, S. R., & Cosbey, J. (2008). Making progress in the general curriculum: Rethinking effective instructional practices. *Research and Practice for Persons with Severe Disabilities, 34*(1), 214-227. Jackson, L. B., Ryndak, D. L., & Wehmeyer, M. L. (2008). The dynamic relationship between context, curriculum, and student learning: A case for inclusive education as a research-based practice. *Research and Practice for Persons with Severe Disabilities, 34*(1), 175-195.

<sup>8</sup> Smilan, C. (2017). Visual immersion for cultural understanding and multimodal literacy. *Arts Education Policy Review 118*:4, pages 220-227.

<sup>9</sup> Martin, B. (2017). Teaching the arts as a second language: A school-wide policy approach to arts integration, *Arts Education Policy Review, 118*:2, 116-122, DOI: 10.1080/10632913.2016.1160261.

Table 1 SJUSD Enrollment by Ethnicity

Student Demographic Category	San Jose Unified CDE 2017-2018 Enrollment
Total Students	31,713
African American	779/2.5%
American Indian	104/.3%
Asian	4226/13.3%
Filipino	595/1.9%
Hispanic/Latino	16752/52.8%
Pacific Islander	117/.04%
White	7597/24%
Two or More Races	1433/4.5%
English Learners	6986/22%
Students with Disabilities	3,459/10.9%

## FOUNDERS

Eureka! Inclusive began with a set of parents who have children labelled with a variety of disabilities. The parents did not want a school that set their children apart. At the same time, they wanted a school that recognized and met the needs of students with specific disabilities. They knew from their own experience that one approach to educating students with disabilities did not fit the needs of all students with disabilities because there is not a single learning disability. There are many, and each presents a different set of challenges and opportunities in a school setting.

As they searched for a model of schooling that met the dual need of meaningfully including their children in the student population while also attending to their specific needs, the parents found the inclusive education school model and the Universal Design for Learning approach to curriculum. They realized that this schooling and curricular approach had been proven useful for students who experience marginalization not just because of a disability, but also because of their socio-economic level, race or ethnicity, gender orientation, or even their giftedness. The Eureka! Inclusive school structure embodies elements of inclusive schools recommended by



The Association for the Severely Handicapped (TASH<sup>10</sup>), the Inclusive Schools Network,<sup>11</sup> CAST, Swift Schools,<sup>12</sup> and the Santa Clara County Office of Education Inclusion Collaborative.<sup>13</sup> The ASD Nest model of micro inclusion in New York City Public schools, and The CHIME Institute<sup>14</sup> TK-8 Charter School in Woodland Hills, CA have provided invaluable inspiration and support during the design process.

## **Founding Board of Directors:**

### **Tiffany Maciel, Board President and Co-Founder**

Tiffany Maciel is a lifetime resident of San José and attended Olinder Elementary School and San José High School in San José Unified School District. She is the proud mother of two children, one with Dyslexia, and one with Asperger's Syndrome.

A strong advocate for children and equity-based social justice across all sectors of society. Tiffany is a former member of The San Jose Department of Parks and Recreation City Wide Youth Team working with at-risk students to develop college and life skills. While attending community college she was an in-home caregiver at a community based group home for developmentally disabled adult women, was a substitute teacher at The Morgan Autism Center, and volunteered with Special Olympics. Tiffany has a demonstrated history of building and leading efficient teams to successfully implement organization wide process changes, in both the global-corporate and nonprofit sectors. She currently serves as disability representative in The City of San Jose Human Services Co mission. Her ability to determine impact and to foresee the human reaction to proposed changes were key to her success. Tiffany believes in the power of shared delight and enjoys sharing music, literature, art, and time in nature with her children.

### Education

Psychology with a Minor in Anthropology and a Certification in Circle of Security Attachment Based Early Intervention

### **Dr. Emily Nusbaum, Board Secretary**

Dr. Emily A. Nusbaum's professional experiences began as an inclusion facilitator in San Francisco Unified School District. She has worked as adjunct faculty and as an Assistant Professor in teacher education/inclusive education in California and Colorado.

Dr. Nusbaum supports families in litigation against school districts with the goal of gaining general education access for their K-12 students labeled with a disability. Her teaching, research, and professional interests are focused on promoting Disability Studies within interdisciplinary and educational contexts, and in the utilization of DS as a transformative alternative to work in traditional, special education.

Dr. Nusbaum's current research is focused on advancing critical, qualitative methods by centering disability/disabled researchers. She is working on a project related to the silence/absence of disability from

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<sup>10</sup> TASH. (2017). *Inclusive Education*. Retrieved August 26, 2017, from tash.org: <http://tash.org/advocacy-issues/inclusive-education/>

<sup>11</sup> Inclusive Schools Network. (2017). Retrieved August 26, 2017, from inclusiveschools.org: <http://inclusiveschools.org>

<sup>12</sup> SWIFT Center, Schoolwide Integrated Framework for Transformation. (2017). *SWIFT Schools*. Retrieved August 26, 2017, from swiftschools.org: <http://www.swiftschools.org>

<sup>13</sup> SCCOE: Inclusion Collaborative. (2017). *Inclusion Collaborative*. Retrieved August 26, 2017, from Santa Clara County Office of Education: <http://www.sccoe.org/depts/students/inclusion-collaborative/Pages/default.aspx>

<sup>14</sup> CHIME Institute. (2017). *CHIME Institute*. Retrieved August 26, 2017, from chimeinstitute.org: <http://chimeinstitute.org>

discourses of justice in education, and the resulting erasure of disabled body/minds from educational landscapes.

Dr. Nusbaum is also invested in promoting more equitable experiences for students who identify as disabled in post-secondary education contexts.

You can learn more about Dr. Nusbaum at <https://www.usfca.edu/faculty/emily-nusbaum>

### **Michael Ramirez, Board Treasurer**

Michael Ramirez received his B.A. in Psychology from CSU Fresno and his MBA from UC Berkeley, Haas School of Business. A seasoned financial and operational professional, Michael is the CFO of the Foundation for Hispanic Education where he manages finance, human resources, facilities, compliance, risk management, IT and operations for three schools. Prior to his current job, he was the Vice President, Finance and Administration and later the CFO for National Hispanic University.

### **Elizabeth Bynum, Board Member**

Elizabeth Bynum is a graduate of Lincoln High School in San José Unified. She received her B.A. in East Asian Languages and Civilizations from Harvard University and her law degree from Columbia Law School. Her experience includes working in corporate and special education law.

Elizabeth is the mother of two beautiful daughters and is fluent in Mandarin Chinese.

### **Laurie Blandini, Board Member**

Laurie Blandini is a graduate of Mt. Pleasant High School. A passionate, dedicated, creative, and results-driven professional, she has worked in the event and tradeshow industry for over 22 years.

She was the owner of Silicon Valley Tradeshow Management and has worked with a number of well-known Silicon Valley technology companies, most recently Tivo and Immersion.

Laurie supports the Eureka! team with her expertise in budgeting, vendor management, and staffing.

### **Christine Fitzgerald, Board Member**

Christine Fitzgerald attended Chandler Tripp Elementary School and is a graduate of San José State University. Christine is a Community Advocate for the Silicon Valley Independent Living Center. She has been an active advocate for people with disabilities and the LGBT and women's movement and also serves on the Board of Directors for the Low-Income Self-Help Center. She is the current Chair of the Valley Transportation Authority's Advisory Committee for Transportation and Mobility Access.

Christine was taught at an early age that everyone has a voice and every voice counts!

### **Leland Wallace, Board Member**

Leland Wallace is a Senior Software Engineer at Apple, Inc., and has served at the company since 1989. He is currently a Mac OS X Server Platform Lead and has developed three patents during his time at Apple. In his spare time, Leland is active in the Maker, RepRap, and 3D printing communities and was a founding investor in TechShop San José. He is the owner of Wallace Educational Services, which provides STEM curriculum

design and consultation. He is a member of IEEE, the world's largest professional organization for the advancement of technology.

Leland is the proud father of five children, four of whom have been diagnosed on the Autism spectrum and one with learning disabilities. Along with his wife, Vanessa, he is an advocate for special education and mental health causes.

Leland graduated from UC Santa Cruz in 1989 with a B.S. in Computer & Information Sciences.

## **Advisory Board:**

### **Vanessa Wallace, Advisory Board and Co-Founder**

Vanessa Wallace holds a B.A. in Music from San Jose State University and has been teaching for over 25 years, including six years as a K-3 teacher. Along with her husband, Leland, she is the owner of Wallace Educational Services, offering arts and technology curriculum development and consulting services & Wallace Music Studio which provides private music instruction to both children and adults.

Vanessa has served on several committees and boards, including the CDE & Kaiser Permanente sponsored Study to Explore Early Development (SEED), the Community Advisory Committee for Special Education (San Jose Unified), and California PTA (Rachel Carson Elementary). She is an active Girl Scout Leader for two troops, a service unit volunteer, and was awarded the Outstanding Leader Award in 2011.

Professional associations include the Music Teachers National Association and the National Music Educators Association. Vanessa is the proud mother of five neurodiverse children between the ages of 13 and 29. She is a strong advocate for issues related to special education, autism spectrum disorder, and wildlife conservancy.

### **David Johnson, PhD (Academic Program Development Consultant)**

Ph.D., 1980, Social Psychology, Stanford University; 1973-1976 Master's level study, Mexican American Graduate Studies, Psychology, San José State Univ.; B.A., 1971, Psychology, Philosophy, English Literature, University of Colorado; 1967-1969, Lower division undergraduate education, philosophy major, San Luis Rey College. Sunrise Middle School, student performance analyst; National Hispanic University, Director of Development and Chair of Department of Mathematics, Science, and Computer Science.

### **Jean Novak, PhD (Early Communication Screening for English Language Learners; Interdisciplinary Team Teaching)**

Dr. Jean Novak is a bilingual professor in Speech Pathology and was the 1st Department Chair of the Communicative Disorders & Sciences Department at San Jose State University. She has worked extensively with group home children and adolescents with behavior disorders and patients with schizophrenia, and on many interdisciplinary projects at SJSU. Her areas of expertise and interest include: Autism, Down Syndrome, ADHD, Central Auditory Processing Disorders, Cerebral Palsy, Fetal Alcohol Syndrome, Schizophrenia, and Severe Behavior Disorders. She has worked with Autism Tree Project Foundation for over 10 years.

### **Andrew Silvert (Financial Consulting)**

B.S. Electrical Engineering and Computer Science; MA, Business Administration and Management (UC Berkeley); COO, Golden Valley Charter School; CEO Edpro Consulting The chart below summarizes the areas of expertise of the Founders. The Founders of Eureka! Inclusive will continue to secure additional persons with expertise as needed to establish and sustain an excellent school and ensure the effective and responsible use of public funds.

## **Founding Executive Director**

**John Ramirez, Jr.** is the proud father of two children. He shares the Eureka! Inclusive belief that no child should be excluded from the opportunity to succeed in school and life.

John is a performance-driven, forward-thinking, dynamic and accomplished leader of 23 years with broad experience in education, governing board relations, communications, human resources and fiscal management fields. He is a creative problem solver, with a proven record of creating successful strategic and operational improvement with large and diverse teams and recognized as a strategic and operational leader among government, nonprofit organizations, foundations, business leaders and community partners regionally, statewide and nationally.

### Education

- San Jose State University- Clear Professional Administrative Services Credential 2001 San Jose State University-Clear Pupil Personnel Services Credential 1996
- Harvard University, Cambridge, MA of Education –Human Development 1995
- Santa Clara University, BA Ethnic Studies 1994

### Awards

- 2010 Commendation, City of Salinas,
- 2005 ACSA Administrator of the Year,
- 2004 Alisal Betterment Association Educator of the Year

## **Founding Educator**

**Sally Mandujan** is an Education Specialist committed to the promotion of inclusive education as a benefit to all learner types in public school systems. She began her career as a tutor, scribe, and reader for peers with disabilities at both Sacramento City College and University of California at Davis while attending as an undergraduate. A family member's personal journey with recovery from serious mental illness compelled Sally to serve on the board of the National Alliance on Mental Illness as a certified family support group facilitator and resource guide and coordinator for NAMI's signature education programs.

### Education

Sally holds an Administrative Credential and has completed a Master's program focusing her thesis on the systems change and the Multi-Tiered System of Supports framework to support an LEA's process for alignment with the current policies and frameworks driving California public education system

Table 2 Eureka! Inclusive Founding Board Skill Matrix

<b>Board Member</b>	<b>Education</b>	<b>Technology &amp; Innovation</b>	<b>Finance</b>	<b>Marketing</b>	<b>Legal</b>
<b>Elizabeth Bynum</b>	X				X
<b>Laurie Martinez Blandini</b>				X	
<b>Christine Fitzgerald</b>	X	X			
<b>Dr. Emily Nusbaum</b>	X	X			
<b>Tiffany Maciel</b>	X				
<b>Michael Ramirez</b>	X		X		
<b>Leland Wallace</b>		X			

See Supporting Documents for Biographies and Resumes of the Founding Board.

## ELEMENT A: EDUCATIONAL PHILOSOPHY AND 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(b)(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, or the nature of the program operated, by the charter school, 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(b)(5)(A)(ii).*

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### MISSION AND VISION

*“Schools have more influence on the lives of young people than any other social institution except the family, and provide a setting in which friendship networks develop, socialization occurs, and norms that govern behavior are developed and reinforced.”*

*-Healthy People 2010*

Our mission is to establish an intentionally inclusive and universally designed TK-6<sup>th</sup> grade charter school reflective of the cultural, linguistic, and learning diversity of the students living in San Jose and surrounding neighborhoods. Eureka! Inclusive will provide excellent academics in a socially meaningful environment that endeavors to nurture a sense of self-worth and intrinsic value in each child. Eureka! Inclusive will provide a welcoming school environment for students that are currently underserved by traditional public and charter schools.

Our vision is that Eureka! Inclusive will serve as an inspirational educational model to other schools in San Jose Unified and that its success will promote the growth of intentionally inclusive, universally designed, relationship based, schools throughout Santa Clara County.

Our commitment to the academic success of all children is neither neutral or inconsequential. It is the pedagogical challenge of our time that we can and should meet if we are to educate and prepare students to be 21st century civically engaged members of the global community. Eureka! Inclusive will set a new standard of expectation and outcomes for student subgroups that have suffered too long under the myth of inability.

### PHILOSOPHY

*“At the core of what schools are about is relationships...You can get the curriculum right, but if the relationships are not right, the school will not succeed.”-Cavanaugh*

Eureka! Inclusive is founded on a humanistic philosophy of inclusion and diversity, which recognizes that inclusion is not merely about including one group of students, rather it is based on the value that no student should be excluded. The Eureka! Inclusive curriculum will be universally designed and emphasize the arts, humanities, and global social studies. The Charter School will connect teaching and learning meaningfully to

the outside world thereby strengthening students, the community, families, schools and the larger society. Our students will graduate confident in their abilities, connected to their peers, and prepared to take the next step on their path to becoming college, career, and community ready.

Eureka! Inclusive is the vision of parents who met serving on the Community Advisory Committee for Special Education (CACSE) in SJUSD. They met many families from across SJUSD who shared personal stories of their difficulties accessing the school-based resources and supports their children require to be life-long learners.

In the absence of a school designed to address such diversity, many children with special learning needs are denied an ordinary childhood of academic, social, and recreational opportunities,<sup>15</sup> and puts this group of children at risk to remain in a state of constant unmet needs. These children experience feelings of isolation, social exclusion, and big confusing emotions. Many children do not have the language to communicate their feelings or the maturity to understand them, instead they communicate their big feelings by acting out in big ways or shutting down in big ways.<sup>16</sup> This reality is of great concern to the founding parents of Eureka! Inclusive as there is a documented lack of alternative placements for children in grades K-6 that are expelled from district and charter schools.<sup>17</sup> These shortages profoundly impact students from all socioeconomic and cultural categories.

As a consequence of these shortages, students are frequently:

- Not identified as gifted or as possessing a learning disability. Lack of identification means these students' specific needs are unsupported in the general education setting.
- Not identified until the unsupported general education setting triggers behavioral challenges.
- Not identified until a student with a disability is academically two years behind.
- Moved from one school placement to another. As these movements occur, they tend to become increasingly restrictive<sup>18</sup>.
- When district placements fail, the alternative can be costly non-public school placements, home/hospital instruction, or home schooling.

Currently, students that cannot access the targeted educational services and interventions needed to succeed academically, have higher rates of suspensions, physical and mental illness, chronic absenteeism, involvement with the juvenile justice system, and exiting the education system before graduation. Traditionally marginalized students tragically consider, attempt, and die by suicide at higher rates. Students with high functioning autism, LGBTQ youth, and Latina students are all considered high risk. As adults, students with disabilities are less likely to attend college and have higher risks of homelessness,<sup>19</sup> unemployment, health impairments, and incarceration.<sup>20</sup>

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<sup>15</sup> Causton-Theoharis, J. & Theoharis, G. (2008). Creating inclusive schools for all students. *School Administrator*, 65(8), 24-31.

<sup>16</sup> McLeod, J. D., Uemura, R., & Rohrman, S. (2012). Adolescent Mental Health, Behavior Problems, and Academic Achievement. *Journal of Health and Social Behavior*, 53(4), 482–497. <http://doi.org/10.1177/0022146512462888>

<sup>17</sup> Santa Clara County Office of Education. Countywide Plans for Expelled Students. Retrieved from [http://www.sccoe.org/resources/teachers/Teacher%20Resources%20Doc%20Library/Countywide-Plans-2015\\_Part1.pdf](http://www.sccoe.org/resources/teachers/Teacher%20Resources%20Doc%20Library/Countywide-Plans-2015_Part1.pdf).

<sup>18</sup> [https://www.ncd.gov/sites/default/files/NCD\\_Segregation-SWD\\_508.pdf](https://www.ncd.gov/sites/default/files/NCD_Segregation-SWD_508.pdf)

<sup>19</sup> Applied Survey Research. (2015). *Homeless Point-In-Time Census & Survey 2017*. San Jose: ASR.

<sup>20</sup> 2016 Children's Mental Health Report (Rep.). (2016). Retrieved August 29, 2017, from Child Mind Institute website: [https://support.childmind.org/page/-/Downloads/Child-Mind-Institute\\_2016-Childrens-Mental-Health-Report.pdf](https://support.childmind.org/page/-/Downloads/Child-Mind-Institute_2016-Childrens-Mental-Health-Report.pdf)

The Eureka! Inclusive parent initiative is responding to the urgent call for society to reject the standards of “an appropriate education” that often predicts failure for traditionally marginalized and socially excluded children. By successfully identifying barriers, researching solutions, and bringing together experts and diverse stakeholders from the fields of education, finance, marketing, law, and child development, the founders have designed the first intentionally-inclusive and universally designed public charter school in Santa Clara County.

For students entering their school careers Eureka! Inclusive will:

- Provide a universally designed and inclusive approach to education conducive to healthy development across all domains.
- Promote academic, social and mental health.
- Prevent development of academic, social and mental health deficits.

For the students who are struggling in their current placement, Eureka! Inclusive will:

- Intervene to restore academic, social and mental health.
- Maintain current skill and promote development by providing a nurturing and supportive environment allowing children to make the academic, social, and emotional gains necessary to regain their capacities as active and engaged learners.

## HOW LEARNING BEST OCCURS

*Umuntu gaunt ngabantu.*

*“A person is a person because of other people”<sup>21</sup>*

A great deal of research has been devoted to understanding how learning best occurs. Principles outlined by psychologists Lev Vygotsky, John Bowlby, and Abraham Maslow have been affirmed repeatedly by recent research and demonstrate that learning occurs best in the context of secure relationships<sup>22</sup>, environments where each child’s basic human needs are met, and social environments rich in play. As such, the Eureka! Inclusive model is anchored by four shared principles:

1. Nurturing relationships are essential to the healthy development of all children.
2. Nurturing environments are essential to healthy explorations for all children<sup>23</sup>.
3. Equitable access to curriculum is essential to academic success for all children.
4. Childhood should be filled with wonder, joy, friends, and play!

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<sup>21</sup> [https://www.academia.edu/35996938/Truth\\_and\\_Reconciliation\\_as\\_Sites\\_of\\_Conflict\\_over\\_Meaning](https://www.academia.edu/35996938/Truth_and_Reconciliation_as_Sites_of_Conflict_over_Meaning)

<sup>22</sup> Bergin, C. and Bergin, D. (2009) Attachment in the Classroom. *Educational Psychology Review*, 21, 141-170.

<sup>23</sup> Bombèr, L. (2007) *Inside I’m Hurting; Practical Strategies for Supporting Children with Attachment Difficulties in Schools*. London: Worth Publishing. Bombèr, L



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## NURTURING RELATIONSHIPS ARE ESSENTIAL FOR THE HEALTH OF ALL CHILDREN

All children have the same basic needs<sup>24</sup> (Maslow, 1943). They are most able to benefit from a school program when their physical, emotional, psychological, social, intellectual, and creative needs are addressed together. This style of emotionally and culturally responsive teaching is based on an in-depth understanding of the principles of human attachment and child development<sup>25</sup> (Bowlby, 1969).

This suggests that improving teacher–student relationships could be a particularly powerful way to improve achievement, particularly for at-risk groups. Most of our recommendations are low cost because they simply require improved relationships with children, rather than new curriculum or infrastructure. More importantly, promoting attachment-like teacher–student relationships and school bonding should be given priority because it promotes children’s well-being.

Bergin and Bergin, 2009

Relationship-based teaching commits the teacher to striving to bring children into a state of belonging and addresses the child’s emotional, as well as educational needs. Relationship based teaching embraces the emotional security<sup>26</sup> that a student derives from strong family-school partnerships. Teachers maintain weekly communication with parents, welcome parents to participate in classroom social and learning activities and arrange and participate in family activities and outings.

Examples of how Eureka! Inclusive supports responsive relationships among educators, children and families to lay the foundation for cultivating a positive climate in classrooms.

- A school wide relationship-based approach to managing emotions and behaviors.
- Strong and consistent communication between educators and family members sets the tone for positive relationships and should occur regularly, in the family members’ preferred language during both informal and more structured times.
- Schedule designed to allow educators to develop relationships with young children through respectful, warm and considerate interactions and by taking the time to understand children’s prior experience, their cultures, languages and their individual strengths.
- Clearly stated expectations and routines help students develop an internal sense of security, a consistent monthly calendar, daily schedule, student planners, and check in systems build self-confidence and trust in teachers.
- Instructional lunches allow teachers to eat lunch with students and share engaging social conversation. During this time teachers reinforce that they care about a child’s health and delight in their company, thus strengthening the child’s sense of trust, which is necessary for building secure relationships that grow and flourish over time.

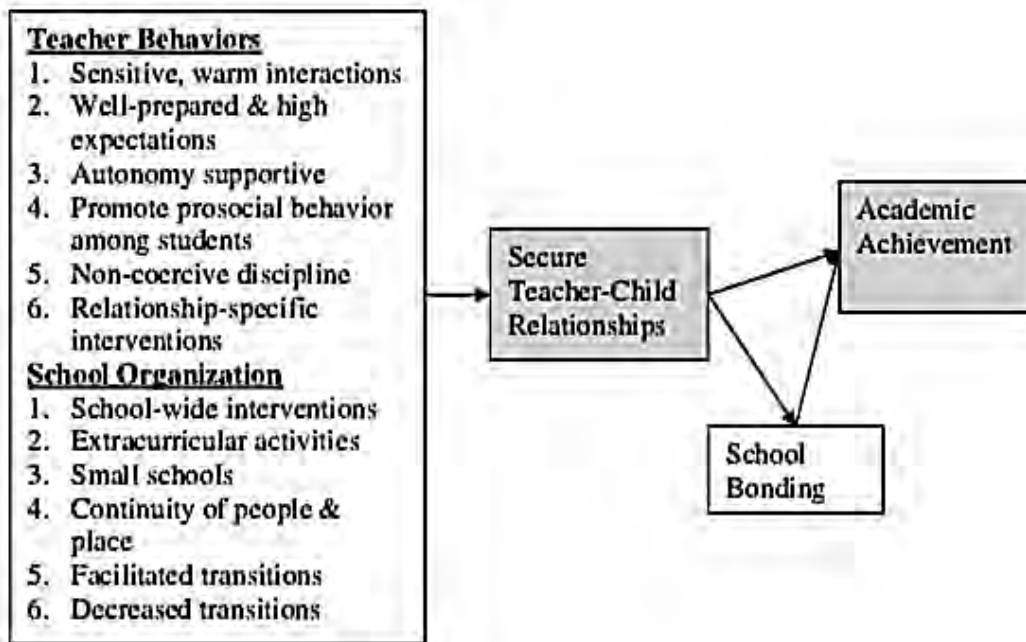
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<sup>24</sup> Maslow, A. H. (1943). [A Theory of Human Motivation](#). *Psychological Review*, 50(4), 370-96.

<sup>25</sup> <https://www.abebe.org.br/files/John-Bowlby-Attachment-Second-Edition-Attachment-and-Loss-Series-Vol-1-1983.pdf>

<sup>26</sup> Geddes, H. (2006) *Attachment in the Classroom: the links between children’s early experience, emotional wellbeing and performance in school*. London: Worth Publishing.

Figure 1 Model of How Teacher Behavior and School Organization Might Contribute to Attachment at School and Academic Achievement



## NURTURING ENVIRONMENTS ARE ESSENTIAL TO HEALTHY EXPLORATIONS FOR ALL CHILDREN

At Eureka! Inclusive, we understand the need for our school environment to be as universally designed as our curriculum. Several studies have concluded that when students feel physically and emotionally comfortable in their school environment learning improves as measured by higher student achievement<sup>27,28</sup>. Our multi-sensory classroom environments are designed to enhance multi-modal learning opportunities and provide a truly integrated educational experience. The learning that occurs within a multimodal environment is significant and the experience rich and meaningful. To further support whole brain/whole body learning concepts and language, The Zones of Regulation<sup>29</sup> are implemented throughout the classroom and school environment.

“The Zones of Regulation is a systematic, cognitive behavioral approach used to teach self-regulation by categorizing all the different ways we feel and states of alertness we experience into four concrete colored zones. The Zones framework provides strategies to teach students to become more aware of and

<sup>27</sup> Immordino-Yang, M. H., & Damasio, A. (2007). We Feel, Therefore We Learn: The Relevance of Affective and Social Neuroscience to Education. *Mind, Brain, and Education*, 1(1), 3–10. <http://doi.org/10.1111/j.1751-228X.2007.00004.x> Jiménez, T. C., Graf, V. L., & Rose, E. (2007). Gaining Access to General Education: The Promise of Universal Design for Learning Toward Greater Accessibility, 41(2).

<sup>28</sup> Gilbert, M. C., Musu-Gillette, L. E., Woolley, M. E., Karabenick, S. A., Strutchens, M. E., & Martin, W. G. (2013). Student perceptions of the classroom environment: Relations to motivation and achievement in mathematics. *Learning Environments Research*, 1–18. <http://doi.org/10.1007/s10984-013-9151-9>

<sup>29</sup> Kuypers, L.M. (2011). *The zones of regulation ©: A curriculum designed to foster self-regulation and emotional control*. San Jose, CA: Social Thinking Publishing.

independent in controlling their emotions and impulses, manage their sensory needs, and improve their ability to problem solve conflicts.”<sup>30</sup>

The Zones reinforce the use of a Universally Designed framework and cognitive behavior management strategies. This enables students to be comfortably engaged within their areas of intellectual strengths, and also receive support with learning and sensory challenges they might face. This approach maximizes intellectual capabilities and sensory/emotional regulatory capabilities and minimizes an array of barriers that may prevent a child from participating and accessing curricula. Eureka! Inclusive will have a variety of designated learning spaces and seating options for children, including quiet zones that allow children to take a break from the academic, sensory, or social demands of the larger classroom environment. Creating shared spaces conducive to living and learning for all students is critical to the universally designed environment.

*See Appendices for Zones of Regulation*

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## EQUAL ACCESS TO CURRICULUM IS ESSENTIAL TO ACADEMIC SUCCESS FOR ALL CHILDREN

Equal access to the general curriculum is the constitutional right of all students and essential to the development of each student’s abilities, talents, and passions. Eureka! Inclusive draws on research and demonstrably effective practices to educate children with a variety of learning styles, disabilities, linguistic, and socio/emotional characteristics.

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## PRINCIPLES OF UNIVERSAL DESIGN

"The design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design."—Center for Universal Design

The Center for Universal Design at the College of Design, North Carolina State University, has established seven overarching principles for all universal design<sup>31</sup>:

1. Equitable Use
2. Flexibility in Use
3. Simple and Intuitive Use
4. Perceptible Information (e.g., color contrast)
5. Tolerance for Error
6. Low Physical Effort
7. Size and Space for Approach and Use

An overview of UDL is illustrated on the next page.

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<sup>30</sup> <http://www.zonesofregulation.com/learn-more-about-the-zones.html>

<sup>31</sup> <http://universaldesign.ie/What-is-Universal-Design/The-7-Principles/7-Principals-.pdf>

Figure 2 Universal Design for Learning Guidelines



udlguidelines.cast.org | © CAST, Inc. 2018 | Suggested Citation: CAST (2018). Universal design for learning guidelines version 2.2 [graphic organizer]. Wakefield, MA: Author.

The Eureka! Inclusive curriculum is designed to support and accommodate the diversity and variability of our students. UDL provides genuine learning opportunities for all students. Learning environments are flexible enough to respond and adjust to the needs and interests of students, teachers, and members of the wider school community. In a learning environment, planned from the very beginning on principles of inclusion and equity, diversity is expected, appreciated, and developed.

Eureka! Inclusive will hire, prepare, and employ an interdisciplinary teaching staff that shares our four foundational principles. Eureka! will set inclusive policies that increase teaching and learning opportunities for all members of our community. Eureka! will raise expectations without discrimination, and above all, deliver a curriculum that is flexible and widely accessible for all learners and inclusive of students who are English Learners, visually impaired, hearing impaired, multiply disabled, or developmentally delayed. Learners of all abilities and from all backgrounds are provided with optimal levels of challenges and scaffolds and will be supported in developing learning expertise. This includes enthusiasm for learning as well as acquisition of knowledge and skills. Eureka! Inclusive will provide universally designed curriculum without barriers and boundaries.

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## CHILDHOOD SHOULD BE FILLED WITH WONDER, JOY, FRIENDS, AND PLAY!

As important to our conviction that healthy development occurs best in the context of secure relationships is our conviction that children learn best in social environments rich in play. Vygotsky<sup>32,33</sup> noted that human beings learn through interaction. When children engage with others in joyful explorations of curiosities that sense of wonder and delight send a flood of positive feelings and create a more conducive learning environment.

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## THE ROLE OF FRIENDS AND LEARNING

*“Children learn best with and from their peers”*

Friends are an often-overlooked key indicator to healthy childhood development. Research has found that children who lack friends can suffer from emotional and mental difficulties that continue to negatively impact them later in life. Students labelled with disabilities, gifted students, and English learners are groups of students that face high risk of social isolation within the traditional “norms based” school framework, resulting in reduced or unstable peer relationships.

"When students from different languages learn together, side by side, it helps the students feel valued. And when a student feels valued, it gives them a boost of acceptance, confidence and pride," Alexopolous says. "That's at the root of learning. If a teacher doesn't do that, a child will stay silent — just like I did."<sup>34</sup>

Studies show that inclusive school frameworks provide a buffer to social isolation<sup>35</sup> for students learning English as a second language. Additionally, studies consistently provide evidence that within an inclusive framework<sup>36</sup> this same group of students develop socially and academically meaningful relationships with classmates and teachers and are less likely to experience social isolation.

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<sup>32</sup> Vygotsky, L. S. (1998b). *Infancy*. In Rieber R. W. (Ed.), *The Collected Works of L.S. Vygotsky* (207-241). Vol. 5.

<sup>33</sup> Vygotsky, L. S. (1999). *Mind in Society: the Development of Higher Psychological Processes*. Cambridge, MA: Harvard University Press.

<sup>34</sup> <https://www.tolerance.org/magazine/spring-2009/lonely-language-learners>

<sup>35</sup> <https://counseling.steinhardt.nyu.edu/blog/english-language-learners/>

<sup>36</sup> Grindal, Todd & Hehir, Thomas & Freeman, Brian & Lamoreau, Renee & Borquaye, Yolanda & Burke, Samantha. (2016). *A Summary of the Research Evidence on Inclusive Education*.

Friendships provide children with opportunities to share in joyful and playful experiences, as well as opportunities to negotiate, work through misunderstandings, and generally guide and influence character. Friendships often require compromise and challenge children to understand conflicting emotions and empathize with the emotions of others. It is no surprise that having friends even affects children's school performance. Children tend to have better attitudes and feel positively connected to school and learning when they have friends<sup>37</sup>.

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## THE ROLE OF PLAY AND LEARNING

*"Play is the highest form of Research"- Albert Einstein*

Brain studies continue to uphold the role of play in learning, demonstrating that play has a positive impact on human brain development. School children who have regular periods of free play are found to pay more attention to academic tasks than children not given free play.<sup>38</sup> Research shows that sociodramatic play,<sup>39</sup> play in which children pretend together, improves performance in cognitive-linguistic<sup>40</sup> and in social affective domains.<sup>41</sup> Other research found that a child's ability to engage in symbolic play correlates with receptive language and expressive language skills.<sup>42</sup> Children most adept at engaging in symbolic play also have superior language skills.

Play is an important factor in developing the ability to solve problems that have multiple solutions. In experiments where children engage in either convergent play (where there is one solution to a problem such as putting together a puzzle from pieces) or divergent play (such as playing with blocks), children who engage in divergent play were more able than children who engaged in convergent play to solve problems with multiple solutions. They also were more creative in their problem solving than were the children who engaged in convergent play.<sup>43</sup>

The implication of this research is that play is an indispensable contributor to the acquisition of knowledge, to the ability to reason, to the establishment of self-control, to the ability to use knowledge creatively and to the ability of an individual to function well in society. Play involves exploration and invention. It is motivating. It involves us in thinking, feeling, belonging, and doing. It helps us assimilate the world. It allows the imagination to flourish. It is creative, flexible, pleasurable, satisfying, presents problems for solution and often requires the children playing together to create and agree on the rules for interaction.<sup>44</sup> For all these reasons, play is an essential component to the Eureka! Inclusive educational program.

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<sup>37</sup> <https://www.springinstitute.org/wp-content/uploads/2016/04/culturaladjustmentmentalhealthandesl2.pdf>

<sup>38</sup> Willis, J. (2009). *How Your Child Learns Best*. Naperville, IL: Sourcebooks.

<sup>39</sup> Saltz, E. D. (1977). Training Disadvantaged Preschoolers on Various Fantasy Activities: Effects on Cognitive Functioning and Impulse Control. *Child Development*, 48(2), 367.

<sup>40</sup> Neuman, S. &. (1992). Literacy objects as cultural tools: Effects of children's literacy behaviors in play. *Reading Research Quarterly*, 27, 202-225.

<sup>41</sup> Roskos, K. &. (1998). *Play as an opportunity for literacy*. New York, NY: State University of New York Press.

<sup>42</sup> Lewis, V. B. (2000). Relationships between symbolic play, functional play, verbal and non-verbal ability in young children. *International Journal of Language & Communication Disorders*, 35(1), 117-127.

<sup>43</sup> Pepler, D. &. (1981). The effect of play on convergent and divergent problem-solving. *Child Development*, 52, 1202-1210.

<sup>44</sup> Goleman, D. (2006). *Emotional Intelligence: Why it can matter more than IQ (10th anniversary edition)*. New York, NY, USA: Bantam.

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## HOW TEACHING BEST OCCURS

*“Teachers matter more to student achievement than any other aspect of schooling<sup>45</sup>.”*

For classrooms to be cultures of thinking, schools must be collaborative cultures of thinking for teachers. Eureka! Inclusive will work closely with SWIFT Schools and Chime to replicate best practices for building a professional community in which deep and rich discussions of teaching, learning, and thinking are a fundamental part of teachers’ ongoing experience. Not only does this support student learning it contributes to a factor often overlooked and undervalued in the context of successful schools.

“In trying to improve American public schools, educators, policymakers, and philanthropists are overselling the role of the highly skilled individual teacher and undervaluing the benefits that come from teacher collaborations that strengthen skills, competence, and a school’s overall social capital.<sup>46</sup>”

### **Integrated Interdisciplinary Team Teaching**

The Eureka! Inclusive model of inclusion will provide collaborative support for teachers in their classrooms. Our teaching teams are comprised of general education teachers, special education teachers, occupational therapists, and speech pathologists, all of whom will be full-time team members. Team teaching boasts many pedagogical, intellectual, and developmental advantages: it can help create a dynamic and interactive learning environment, provide <sup>47</sup>instructors with a useful way of modeling thinking within or across disciplines, and inspire a deeper understanding of diverse learning and thinking styles, and enhance richer and significant learning for students and faculty.

Recent efforts to reform our nation’s education have become overly focused on student data, with a result of an unfortunately-missed human connection needed to put that data to work. Supporting teachers’ ability to build relationships with each-other is essential. Team teaching supports the ability of individual teachers to develop meaningful relationships with their students and allows school systems to teach the whole child and instill in them the social-emotional skills needed for members of a 21st century workforce.

Research has shown the importance of maintaining personal relationships and pursuing personal passions for the overall physical and mental health wellness of teachers. Teachers that report higher levels of mental and physical health and well-being report greater satisfaction with their own performance and student performance. Building the capabilities of adult caregivers can help strengthen the environment of relationships essential to children’s lifelong learning, health, and behavior. Policies and programs that address the needs of teachers will in turn help support the healthy development and academic success of children.

At Eureka! Inclusive, teachers will have the opportunity to provide input on the schedule, hours, professional development, and the decision-making process and school policies. The Eureka! Inclusive model of inclusion will also provide a collaborative support for teachers in interdisciplinary teams. These teams will provide a great source of peer professional support, as all members share equal responsibility for the class. Eureka!

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<sup>45</sup> <https://www.rand.org/education-and-labor/projects/measuring-teacher-effectiveness/teachers-matter.html>

<sup>46</sup> [https://ssir.org/articles/entry/the\\_missing\\_link\\_in\\_school\\_reform#](https://ssir.org/articles/entry/the_missing_link_in_school_reform#)

<sup>47</sup> Teachers Matter: Understanding Teachers' Impact on Student Achievement. Santa Monica, CA: RAND Corporation, 2012. [https://www.rand.org/pubs/corporate\\_pubs/CP693z1-2012-09.html](https://www.rand.org/pubs/corporate_pubs/CP693z1-2012-09.html).

Inclusive will invest in our teachers and their well-being. This is essential to our mission of providing our students with the best educational experience. Eureka! Inclusive will support teachers with one hour of daily collaboration to reflect on teaching strategies, examine learning objectives, and review student progress. The collaborative team-teaching approach is correlated with a decrease in teacher absences, improved teacher retention. Additional professional support is cited by teachers as a contributing factor to job satisfaction.

Sample Proposed Professional Development

**Professional Development Schedule:**

*Table 3 Eureka! Professional Development Table*

WHEN	WHAT
FALL 2019	Leadership Team will begin working with SWIFT Schools as per details outlined in the MOU, <i>See Appendix A7</i>
FALL 2019	Leadership Team will continue working with CHIME as per ongoing collaborative relationship.
WINTER 2020	Notify professionals on wait list for employment with Eureka! Inclusive of interview dates and invite for pre-employment information session to review Eureka! Inclusive model in depth. Begin accepting applications.
WINTER 2020	Present to graduate student programs and open interest list.  Invite founding parents to participate in teacher selection process.
SPRING 2020	Schedule interviews for faculty and graduate extern candidates.
SPRING 2020	Send offer letters to selected candidates.
SUMMER 2020	Members of Teaching Teams offered training at CHIME.
SUMMER 2020	Onboarding: Two weeks before school starts all teaching staff will receive 10 days of professional development to review petition, curriculum, teaching strategies, technology, school-wide PBIS program, school policies, schedules, and professional learning communities.
SCHOOL YEAR: DAILY	Monday-Thursday Teaching teams meet one hour before the start of class, and 30 minutes at the end of each day.
SCHOOL YEAR: WEEKLY	School-wide Friday Morning Professional Development meeting topics determined by observed needs of teaching teams and student needs.
SCHOOL YEAR: MONTHLY	SWIFT Technical Assistance  SWIFT Schools professional Learning Community Network (could be in person or via "SKYPE" "ZOOM" Outlined in MOU
SCHOOL YEAR	CHIME Professional Development and coaching site visits
SCHOOL YEAR	Four non-student planning days.



## **Team Teaching Internal Evaluation System**

For teacher evaluation practices to lead to real professional learning, the system must include self-assessment and team assessment, reflection on practice, and professional conversation.

“Effective teacher evaluations are conducted by multiple assessors, which reduces the chance of bias and provides added perspectives, according to Danielson. They are conducted multiple times: three short classroom visits, each as brief as five to 15 minutes, are much more revealing and instructive than one 45-minute observation. And the best evaluations include the teachers themselves.”-Danielson<sup>48</sup>

The planning and reflection conferences between teacher/team and observer/observers before and after a classroom observation are key elements to building trusting professional communities of practice and nurturing each individual and team’s mastery over the four identified professional domains:<sup>49</sup>

### **Domain 1: Planning and Preparation**

Instructional planning includes a deep understanding of content and pedagogy and an understanding and appreciation of the students and what they bring to the educational experience. Understanding the content is not sufficient. The content must be transformed through instructional design into sequences of activities and exercises that make it accessible to students. All elements of the instructional design, including learning activities, materials, and strategies, must be appropriate to both the content and the students and aligned with larger instructional goals. In content and process, assessment techniques must also reflect the instructional outcomes and should serve to document student progress during and at the end of a teaching episode. In designing assessment strategies, teachers must consider their use for formative purposes. Assessments can provide diagnostic opportunities for students to demonstrate their level of understanding during the instructional sequence, while there is still time to make adjustments

### **Domain 2: The Classroom Environment**

Teachers create a learning environment through positive interpersonal interactions, efficient routines and procedures, clear and consistent standards of conduct, and a safe physical environment that supports learning. In addition, the environment encourages students to take pride in their work and to assume responsibility for their learning. Students respond to the warmth and caring of teachers, their high expectations for achievement, and their commitment to students. Students feel safe with these teachers and know that they can count on them to be fair and compassionate. The components of Domain 2 are not associated with the learning of any particular content; instead, they set the stage for all learning. The teacher establishes a comfortable and respectful classroom environment, which cultivates a culture for learning and creates a safe place for risk-taking. The atmosphere is businesslike, with non-instructional routines and procedures handled efficiently; student behavior is cooperative and non-disruptive; and the physical environment is conducive to learning.

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<sup>48</sup> <http://www.aasa.org/content.aspx?id=27122>

<sup>49</sup> <https://usny.nysed.gov/rtt/teachers-leaders/practicerrubrics/Docs/danielson-teacher-rubric.pdf>

### Domain 3: Instruction

Domain 3 contains the components that are at the heart of teaching. Teachers facilitate the engagement of students in learning, through the vision of students developing a complex understanding and participation in a community of learners. Students are engaged in meaningful work, which carries significance beyond the next test and is relevant to students' lives.

Teachers who excel in Domain 3 have finely honed instructional skills. Their work in the classroom is fluid and flexible. They can shift easily from one approach to another when the situation demands it. They seamlessly incorporate ideas and concepts from other parts of the curriculum into their explanations and activities. Their questions probe student thinking and serve to extend understanding. They are attentive to different students in the class and the degree to which they are thoughtfully engaged; they carefully monitor student understanding as they proceed through well-designed questions or activities; and make minor mid-course corrections as needed. Above all, they promote the emergence of self-directed learners fully engaged in the work at hand.

### Domain 4: Professional Responsibilities

The components in Domain 4 are associated with being a true professional educator. They encompass the roles assumed outside of and in addition to those in the classroom with students. Students rarely observe these activities; parents and the larger community observe them only intermittently. However, the activities are critical to preserving and enhancing the profession. Domain 4 consists of a wide range of professional responsibilities, from self-reflection and professional growth, to participation in a professional community, to contributions made to the profession as a whole. The components also include interactions with the families of students, contacts with the larger community and advocacy for students. Domain 4 captures the essence of professionalism by teachers. As a result of their skills in this domain, teachers are full members of the teaching profession and committed to its enhancement.

Table 4 Teacher Reflection and Evaluation Schedule

Timeline	Individual Activities	Team Evaluation
Within the first two weeks of the school year	Classroom Teacher Orientation  Evaluator will provide an overview of the classroom Teacher evaluation system to all classroom teachers.	Will be adopted to reflect effective evaluation of teaching teams
During the second quarter of the school year	Fall Summative Teaching Performance Evaluation  •Collect evidence for Domains 1 and 4 through the pre- and post-observation conference process  •Collect evidence for Domains 2 and 3 through informal observations and the first formal observation	Prior to observation teaching teams will have an opportunity to observe each other and meet to reflect on observations.  Individual activities will be performed as teams

Timeline	Individual Activities	Team Evaluation
	<ul style="list-style-type: none"> <li>•Teacher completes self-review</li> <li>•Complete the Fall Summative Teaching Performance Evaluation and record component scores in the Teaching Performance Profile and Rating (Form 1) in OnBase</li> <li>•Complete the Final Summative Teaching Performance Evaluation for continuing status teachers in good standing and record component scores in the Teaching Performance Profile and Rating</li> </ul>	
<p>During the third quarter of the school year</p>	<p>Spring and Final Summative Teaching Performance Evaluations</p> <ul style="list-style-type: none"> <li>•Collect evidence for Domains 1 and 4 through the pre- and post-observation conference process</li> <li>•Collect evidence for Domains 2 and 3 through informal observations and the second formal observation</li> <li>•Teacher completes self-review</li> <li>•Complete the Spring and Final Summative Teaching Performance Evaluations for probationary teachers and continuing status teachers requiring a Spring Summative Teaching Performance Evaluation and record component scores in the Teaching Performance Profile and Rating (Form 1) in OnBase</li> <li>•Final Summative Teaching Performance Evaluation scores will be used for teacher profiles and refinement plans.</li> </ul>	<p>Prior to observation teaching teams will have an opportunity to observe a different team, or a team teaching in a different domain, (instructional lunch, vs. core academic) each other and meet to reflect on observations</p>

Timeline	Individual Activities	Team Evaluation
Before the last day of school	<p>Development of Refinement Plans</p> <ul style="list-style-type: none"> <li>•A Professional Refinement Plan (Form 4) will be established for every teacher who receives a final rating of “Highly Effective” or “Effective” on the Teaching Performance Profile and Rating (Form 1). Prior to the end of the present school year, the evaluator, in collaboration with the teacher, will develop a plan to target an area for refinement. The professional refinement plan will be implemented throughout the next evaluation cycle.</li> </ul>	<p>Teams will have the opportunity to receive and give feedback regarding individual qualities in addition to feed back as members of a team</p>
No Timeline	<p>Development of Remediation Plans</p> <ul style="list-style-type: none"> <li>•A Professional Remediation Plan (Form 5) will be established for every teacher who receives a final rating of “Developing” or “Ineffective” on the Teaching Performance Profile and Rating (Form 1) or at any time at the discretion of the evaluator. The evaluator, in collaboration with the teacher, will develop a plan to target the areas(s) of deficiency.</li> </ul>	<p>Plans will be drafted to reflect a commitment to nurture and support colleagues with a strength- based approach that aims to build on emerging and recently acquired skills as they progress towards mastery.</p>
Prior to the first day of the school year	<p>Evaluator Review of Student Achievement Data</p> <ul style="list-style-type: none"> <li>•After a thorough review of student achievement data from the past school year, the evaluator will complete the Student Academic Progress Profile and Rating (Form 2) and the Final Teacher Evaluation Rating (Form 3) for all teachers in OnBase.</li> </ul>	<p>In addition to individual student achievement classroom culture and social emotional aspects of student development will be measured</p> <p>Individuals will be grouped by domain area that they have mastery in. Teams might be adjusted based on lagging skills, for instance a team in which all members reflect Domain 3 instructional strength, but lack Domain 1 preparation strength</p>

Timeline	Individual Activities	Team Evaluation
		may be reorganized and to join a team that lacks mastery in instructional Domain 1.

## WHAT IT MEANS TO BE AN EDUCATED PERSON IN THE 21<sup>ST</sup> CENTURY

Each human being is unique. The amalgamation of genetics, environment, experiences, and the individual’s internalization of those influences occurs differently for every individual. An educated person is one who knows himself or herself, understands the world in which he or she functions, and has the knowledge, skills and abilities to act uniquely and successfully in that world. This conception of the educated person carries with it the implication that the educated person is one who has choices, recognizes those choices, and can distinguish the choice in each instance that is most consistent with the person they are.

To achieve the quality of being an educated person, the individual must do three things: acquire the common core of knowledge, develop the talents that are unique to the individual, and cultivate the passion that gives meaning to life. Eureka! Inclusive’s educational program is designed to achieve all these qualities. The Common Core philosophy is now altering education nationally. It consists of being able to read well, to write clearly, to think mathematically, to gather information and judge its reliability accurately, and to think critically. Students educated at Eureka! Inclusive should emerge with certain characteristics indicative of having acquired common core knowledge, developed talents, and found personal passion.<sup>50</sup> These characteristics include:

- Pride in their individual human value and purpose.
- Respect for the human value and purpose of others.
- Ability to think independently, work collaboratively, and communicate effectively.
- Knowledge of technological resources that help them navigate in the 21st century.
- Confidence in their convictions and capability to follow through with solutions.
- Compassion in their actions and kindness with their words.
- Commitment to challenge the status quo to improve the human condition.
- Appreciation for nature’s beauty and their responsibility as stewards.
- Perhaps, most importantly, retaining the wonder, joy, and optimism of childhood, powered by imagination and the ability to look at the seemingly impossible and declare, “I CAN DO THAT!”

## STUDENTS TO BE SERVED

As required by Education Code Section 47605(d)(2)(A), Eureka! Inclusive will be open to all students in the State of California. Eureka! Inclusive will actively recruit a diverse student body from a range of socio-economic

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<sup>50</sup> Holistic Education, Inc. (2003). Holistic Education: An Introduction. Retrieved August 25, 2017, from Holistic Education Inc.: <http://www.holistic-education.net/visitors5.htm>

levels within SJUSD and the surrounding communities. Eureka! Inclusive will have a student population that is inclusive of students with a wide range of abilities, including typically developing, gifted, English Learners, and students requiring an IEP or 504 plan. The Charter School will serve all families that submit an application for their children in available grades up to our enrollment limit and shall conduct a public random drawing as necessary to determine enrollment in accordance with Education Code Section 47605(d)(2)(B) (See Element H for additional information).

### Enrollment and Projected Growth Plan

Eureka! Inclusive plans to enroll up to 320 students by the end of the five-year charter term. The Charter School seeks to enroll a student population that reflects the general population residing within the District. Based on outreach and need, we anticipate that our demographic will reflect a higher percentage of English learners and students with disability than the overall district average. Eureka! Inclusive will strive to reflect the District’s diversity from socioeconomic, racial, linguistic, and ability spectrum and will constantly seek to support and build community. The following table shows projected enrollment numbers by grade and year for the term of the charter petition.

*Table 5 Eureka! Inclusive Projected Enrollment and Growth*

Grade	2020-21	2021-22	2022-23	2023-24	2024-25
TK	30	45	40	40	40
K	26	35	40	40	40
1	26	26	40	40	40
2	26	26	40	40	40
3	26	32	40	40	40
4	20	32	40	40	40
5	20	20	40	40	40
6	12	20	36	36	36
<b>Total:</b>	<b>186</b>	<b>240</b>	<b>320</b>	<b>320</b>	<b>320</b>

Transitional Kindergarten through 6<sup>th</sup> grade classes will be arranged in mixed-age groupings of students. Eureka! Inclusive will have the following groupings: the Early Elementary Program (TK-K), the Primary Program (K-2<sup>nd</sup>), the Lower Elementary Program (2<sup>nd</sup>-4<sup>th</sup>), and the Upper Elementary Program (4<sup>th</sup>-6<sup>th</sup>). See below for additional information on the mixed-age grouping model.

In the mixed-age grouping model, younger students will benefit from coaching from their older peers, and there will be opportunities to form deeper relationships over time. Placement decisions will be made collaboratively with staff and families, taking into consideration far more than chronological age. In a multiage setting, how students are moved from one grouping to the next will depend both on social and academic readiness. While a

student may stay longer in one cluster, they can make up time in another. It is our goal to know students well enough to make good decisions about their academic needs.

Eureka! Inclusive will be open to any student. In particular, we are committed to providing educational opportunities and choices to those students who are underserved in the local community (e.g. students with disabilities, English Learners, students from disadvantaged socio-economic backgrounds and struggling students), with particular efforts made to work the District to identify struggling students and support them to catch up where necessary.

Described in more detail below is our rationale for serving four specific student groups: students with disabilities, English Learners, gifted students and twice exceptional students.<sup>51</sup>

Student performance at schools they might otherwise attend.

Scored Level 1 (not meeting 3<sup>rd</sup> and 5<sup>th</sup> grade Standards) ALL scores provided when data for individual grades not available

Table 6 2018 San Jose Unified School District Smarter Balanced Results

School/Trustee Area	English 3rd Grade /5 <sup>th</sup> Grade	Math 3 <sup>rd</sup> Grade/5 <sup>th</sup> Grade
Area 5: Allen at Steinbeck Students with Disabilities	53.85%/71.43% Overall 3-5 71.1%	53.85%/ <b>85.71%</b> Overall 3-5 72.73%
Area 5: Allen at Steinbeck English Learners	15.79%/ <b>61.90%</b> Overall 3-5 51.43%	36.84%/ <b>52.38%</b> Overall 3-5 52.17%
Area 4: Terrell Elementary Students with Disabilities	Overall 3-5 58.82%	Overall 3-5 52.94%
Area 4: Terrell Elementary English Learners	Overall 3-5 53.85%	Overall 3-5 50.0%
Area 3: Booksin Elementary Students With Disabilities	18.18%/16.67 Overall 3-5 33.3%	9.09%/58.33% Overall 3-5 39.39%
Area 3: Booksin Elementary English Learners	Overall 3-5 25%	Overall 3-5 28.57%

<sup>51</sup> Freedberg, L. "In Shadow of March on Washington, Schools Increasingly Segregated in California," EdSource: Aug. 28, 2013 (quoting Richard Rothstein of the Economic Policy Institute.) <http://www.edsource.org/today/2013/in-shadow-of-march-on-washington-school-segregation-deepens-in-california/37947#.UjKizYsmxs>.

School/Trustee Area	English 3rd Grade /5 <sup>th</sup> Grade	Math 3 <sup>rd</sup> Grade/5 <sup>th</sup> Grade
Area 2: Grant Elementary Students With Disabilities	81.25%/92.31% Overall 3-5	37.5%/ <b>84.62%</b> Overall 3-5
Area 2: Grant Elementary English Learners	59.09/ <b>73.33%</b> Overall 3-5 <b>61.68%</b>	45.65%/ <b>80%</b> Overall 3-5 <b>55.86%</b>
Area 1: Olinder Elementary Students With Disabilities	Overall 3-5 95.24%	Overall 3-5 85.71%
Area 1: Olinder Elementary English Learners	52.78%/51.43% Overall 3-5 <b>61.62%</b>	37.84%/ <b>74.29%</b> Overall 3-5 <b>58.82%</b>
Area 5: Discovery 2 Charter	EL All* 41.67% SWD 5 <sup>th</sup> 30.77%/6 <sup>th</sup> 36.36%	EL All* <b>58.33</b> SWD 5 <sup>th</sup> 36.46%/6 <sup>th</sup> 45.45%
Area 1: Sunrise Middle	EL6 <sup>th</sup> Grade 36.59% ELA SWD All* 48.28%	EL6 <sup>th</sup> Grade <b>58.54</b> SWD All* Grade <b>62.07%</b>



## Students with Disabilities

In SJUSD, the achievement gap becomes wider with each passing year for students with disabilities, as the following illustrates with the data presented 2017 (Source: [caaspp.cde.ca.gov](https://caaspp.cde.ca.gov)).

### Students with Disabilities CAASSP Results –

Table 7 SJUSD CAASSP Results for Students with Disabilities

Level Spring 2017	3 <sup>rd</sup>		4 <sup>th</sup>		5 <sup>th</sup>		6 <sup>th</sup>	
	ELA	Math	ELA	Math	ELA	Math	ELA	Math
Level 4 Standard Exceeded	14%	13%	12%	13%	8%	10%	5%	5%
Level 3 Standard Met	12%	13%	13%	10%	11%	5%	7%	6%
Level 2 Standard Nearly Met	16%	20%	14%	23%	13%	11%	18%	16%
Level 1 Standard Not Met	58%	53%	61%	54%	67%	74%	70%	73%
Level Fall 2018	3 <sup>rd</sup>		4 <sup>th</sup>		5 <sup>th</sup>		6 <sup>th</sup>	
	ELA	Math	ELA	Math	ELA	Math	ELA	Math
Level 4 Standard Exceeded	15.09%	9.13%	14.03%	9.03%	9.72	8.54%	4.27	6.81%
Level 3 Standard Met	7.33%	19.13%	12.59%	15.88%	12.55	7.72%	6.84	4.68%
Level 2 Standard Nearly Met	20.26%	20%	11.15%	18.77%	15.79%	13.41%	16.67%	10.64%
Level 1 Standard Not Met	57.3%	51.75%	62.23%	56.32%	61.94%	70.33%	72.22%	77.87%

Source: <https://caaspp.cde.ca.gov/sb2017/>

Source: <https://caaspp.cde.ca.gov/sb2018/ViewReport?ps=true&lstTestYear=2018&lstTestType=B&lstGroup=2&lstCounty=43&lstDistrict=69666-000&lstSchool=0000000>

Performance data reveals that about 25% of third grade students identified with disabilities tested in SJUSD are meeting or exceeding standards for ELA and Math. By sixth grade, that percentage drops to only 10% of students meeting or exceeding standards for ELA and Math. Given the extensive human and financial resources being expended, the annual monitoring of goals, and the specialized supports provided to students identified with disabilities, one would expect the scores to rise. However, outcomes reveal that the traditional education model continues to provide marginalized students with an education that is academically ineffective

and socially meaningless. In the recent SJUSD report on student connectedness only 19% of students respondents reported feeling connected to the school community.

In U.S. school systems, academic supports are provided in a variety of ways including special day classes, pull-out for academic intervention resource teaching, placement in out-of-district schools, or placement in a home or hospital instructional environment.<sup>52</sup> These approaches to support can be mixed blessings. These practices often lead to children feeling socially excluded from the larger school community, from their neighborhood, and from any regular peer group with whom they can socialize, learn, and develop. They become marginalized, and that status is a stressor in their lives.<sup>53</sup>

Students labelled with disabilities, despite protection under IDEA, are suspended, expelled, restrained, and placed under school arrest at disproportional and higher rates than any other student sub group. High suspension rates, instances of restraint, and seclusion of students with disabilities<sup>54</sup> have been identified as both a cause and an effect of high levels of stress for these children. Stress in the school environment has been identified as a contributing factor to low academic performance. People with disabilities, particularly those who are people of color, face systematic barriers to obtaining appropriate diagnoses, receiving accommodations, completing their education and pursuing the American Dream.

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<sup>52</sup> Algozzine, B., Harris, M., Mutua, K., Obiakor, F., & Rotatori, A. (2012). Making inclusion work in general education classrooms. *Education and Treatment of Children*, 35(3), 477-490. doi: 10.1353/etc.2012.0020.

<sup>53</sup> Ginsburg, K. R. (2007, January). The Importance of Play in Promoting Healthy Child Development and Maintaining Strong Parent-Child Bonds. *Pediatrics*, 119(1), 182-191.

<sup>54</sup> U.S. Department of Education Office of Civil Rights. Civil Rights Data Collection: Data Snapshot: School Discipline. Retrieved from <https://ocrdata.ed.gov/downloads/crdc-school-discipline-snapshot.pdf>.

Figure 3 Students Subjected to Seclusion by Disability Status (IDEA)

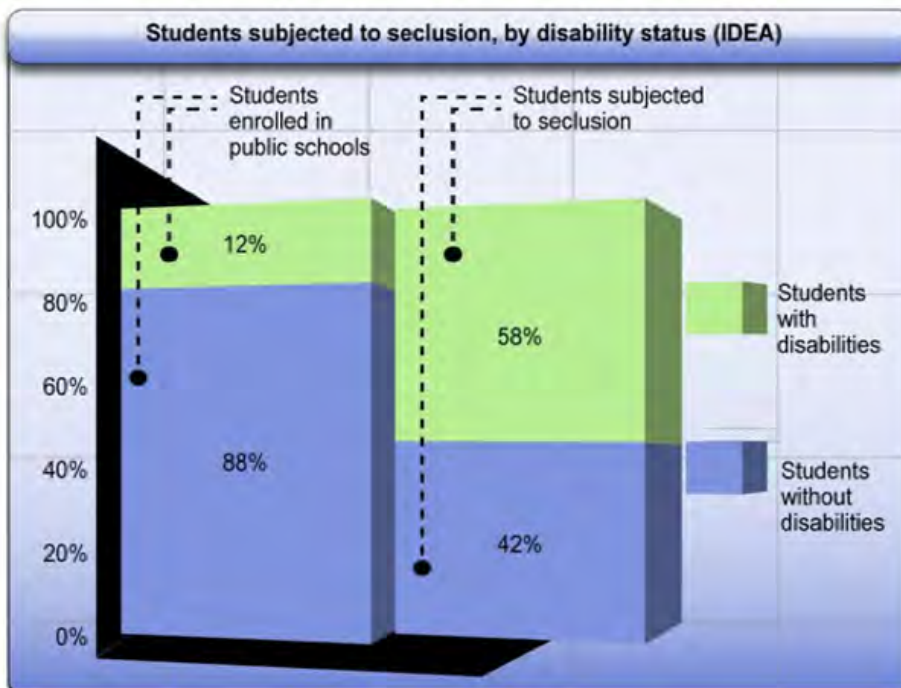


Table 8 Suspension Rates by Subgroups SJUSD & CHIME

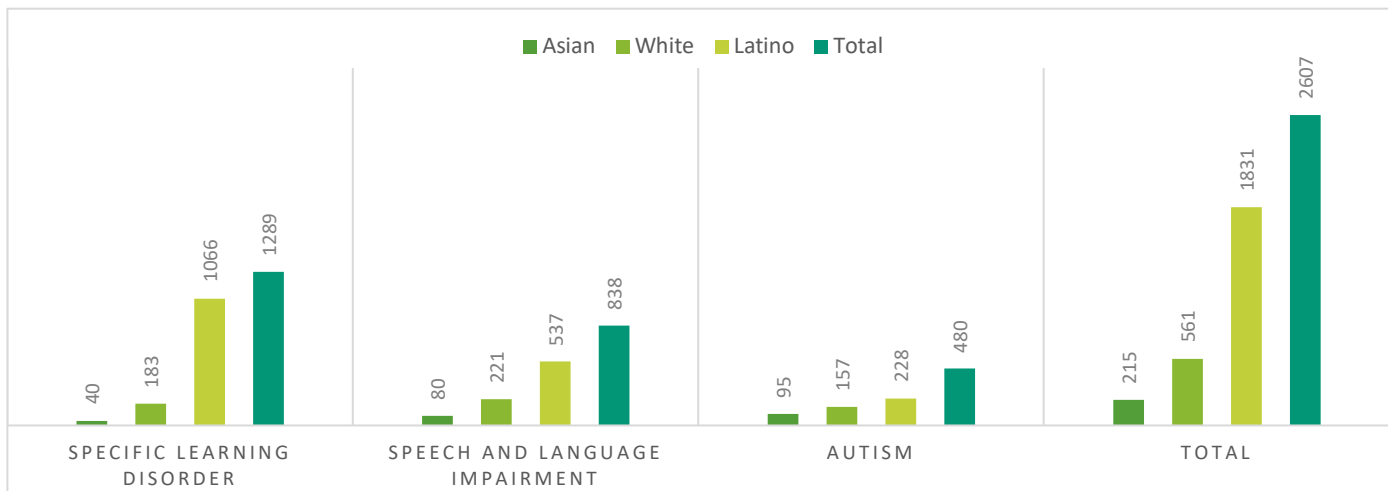
Suspension Rates: Student Sub Group/ Performance	San Jose Unified	CHIME Institute
Students with Disabilities	8.1%	.8%
English Learners	4.8%	1.8%
Socio-economically Disadvantaged	4.9%	.9%
All Students	3.2%	.4%
Highest performing Student group	.08%	.0%

Many families, especially those of color, have difficulties securing supports for their children with disabilities. These challenges only grow more complex for low-income families or single-parent households. These parents may not be fully prepared to help a child with a difference or may not know how to advocate for their child. Without a diagnosis, children can be denied access to an Individualized Education Program (IEP), 504 plan, behavior or therapy plan and can be treated poorly. According to Eric Jacobson, the Executive Director of the Georgia Developmental Disabilities Council, in Georgia “boys of color are diagnosed with conduct and

behavioral disorders<sup>55</sup> while white kids get diagnosed with autism.<sup>56</sup>” The table below illustrates the racial disproportionality that exists within special education by ethnicity and disability in San Jose Unified.

*“boys of color are diagnosed with conduct and behavioral disorders while white kids get diagnosed with autism.”*

Table 9 San Jose Unified- Special Education Enrollment by Ethnicity and Disability



Source: California Department of Education, Special Education Division Reporting Cycle: December 1, 2017

In SJUSD there is a significant gap in special education based on student ethnicity. The sample illustrated in the chart above represents the three student ethnic subgroups with representation in the three largest categories students receive special education services under in SJUSD. This is consistent with findings in most districts and not unique to San Jose Unified.

A second contributing factor to low academic performance for students with disabilities is the combination of inadequate identification of each student’s disability and the resulting provision of interventions that are ineffective because they do not target each student’s challenges adequately. Research shows that when autistic students are provided with appropriate communication and sensory regulating supports the “explosive behaviors” that often result in suspension decrease. However, based on the data we conclude that students with disabilities are not receiving the communication, social, and regulatory supports needed. This conclusion

<sup>55</sup> Such disparities are troubling since an ED classification not only affects students’ short- and long-range educational programming, but is also associated with high rates of absenteeism, high dropout rates, poor academic functioning, poor job performances (Bradley, Doolittle, & Bartolotta, 2008; Scanlon & Mellard, 2002; Wagner, Cameto, & Newman, 2003), as well as involvement in the juvenile justice system (Zabel & Nigro, 1999).

<sup>56</sup> <https://www.respectability.org/wp-content/uploads/2017/05/Disability-and-Criminal-Justice-Reform-White-Paper.pdf>

is further evidenced by the fact that students with disabilities are suspended more often than their non-disabled peers.

Furthermore, many justice-involved youth in juvenile detention and confinement, on probation and in prisons, already have been diagnosed with learning disabilities and have IEPs. Among students with disabilities, minority students with disabilities have the highest suspension rates as found by a recent study by UCLA<sup>57</sup>. This data suggests that minority students with “invisible” disabilities or unsupported autism spectrum disorder are the group most vulnerable to the school-to-prison pipeline<sup>58</sup>. As the graphic below demonstrates, students with disabilities served by IDEA represent 12% of all students, yet 58% of students subjected to seclusion in school. Disability is not a causal factor that drives people to a life of crime. Ignoring disability is a factor that puts people at a higher risk of being victimized, failing to complete their education and ultimately falling into the criminal justice system.

Eureka! Inclusive’s equity based inclusive educational model is designed to support the academic and social success of all students. We are inspired by the success of the CHIME Institute and the lower rates of suspension across all student sub-groups within the CHIME Institute’s inclusive model. See Table 9 above.

**Outcomes:**

**Key Facts Leading to More Than 750,000 People with Disabilities Behind Bars in America**

*Table 10 People with Disabilities Behind Bars in America*

<b>Children with disabilities are three times more likely to be victims of rape or sexual assault than children without disabilities. Victims of assault are more likely to commit crimes.</b>
<b>Students with disabilities are more than twice as likely to receive an out-of-school suspension as students without disabilities. Students who are suspended are more likely to drop out of school.</b>
<b>Male African American and Latino students with disabilities have the highest suspension rates of all students with disabilities.</b>
<b>Youth with disabilities only graduate high school at a rate of 61 percent, compared to 81 percent for people without disabilities – a 20-point gap in outcomes.</b>
<b>Many youth with disabilities, especially those of color, do not get the diagnoses and early interventions they need to complete school and succeed.</b>
<b>Youth with disabilities who do not complete a high school education are far more likely to interact with the criminal justice system than those who complete their degrees.</b>
<b>Two-thirds of inmates in state prisons failed to complete high school and seven out of ten people in jail are high school dropouts.</b>
<b>Every nine minutes an adult with a disability is sexually assaulted or raped.</b>

<sup>57</sup> [\*2017 Brown Center Report on American Education\*](#).

<sup>58</sup> [https://www.ncd.gov/system/files\\_force/Documents/NCD\\_School-to-PrisonReport\\_508-PDF.pdf?download=1](https://www.ncd.gov/system/files_force/Documents/NCD_School-to-PrisonReport_508-PDF.pdf?download=1)

<b>More than 60 percent of all prison inmates are functionally illiterate. Many will not gain literacy unless their disabilities are addressed as a part of their education.</b>
<b>One-quarter of homeless adults living in shelters have a serious mental illness and an estimated 46 percent have psychiatric disabilities and/or substance use disorders.</b>
<b>Despite many myths, 96 percent of violence has nothing to do with mental illness.</b>
<b>More than half of all people in prison report that they have a mental health condition. Only one-in-three people in prison and one-in-six of people in jail are receiving mental-health treatments.</b>
<b>Inmates who are deaf, hard of hearing or have other disabilities frequently are put into solitary “for their own protection,” which can cause significant mental health challenges.</b>
<b>The experience of prison or jail can worsen pre-existing mental health conditions and can indeed create new mental health disabilities among inmates who leave the system.</b>
<b>Some estimates show that between 70 and 90 percent of people released from the justice system are uninsured. This lack of access to healthcare, treatment and medication only diminishes a returning citizen’s chances of successfully reintegrating into society.</b>
<b>Ninety-five percent of the prison population will eventually be released, and each year 600,000 people leave incarceration. There is a severe lack of capacity to reintegrate them appropriately.</b>
<b>Only one in three working-age Americans with a disability has a job, despite the fact that studies show that 70 percent are striving for work. More than 78 percent of non-disabled Americans are employed.</b>
<b>Within five years, three-quarters of people who are paroled will be re-arrested and two-thirds will return to prison.<sup>19</sup></b>

<http://respectabilityusa.com/Resources/Disability%20and%20Criminal%20Justice%20Reform%20White%20Paper.pdf>

## English Learners

The “Immigrant Paradox” refers to a growing body of evidence from independent research studies that have revealed a puzzling pattern. Immigrant children entering American schools have high levels of optimism about their future and are eager students; however, this optimism begins to fade as challenges in the school environment begin to surface, and declines in academic achievement are seen across nearly all student immigrant groups after years two and three in an American school.<sup>59</sup>

These statistics are more puzzling when you consider that children immigrate from many different countries for many reasons. The parents of immigrant children fall into low as well as high educational and socioeconomic demographic groups, as well as varying levels of English language proficiency. Immigrant children often have

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<sup>59</sup> Suárez-Orozco, C. & O. (2002). Children of Immigration. Cambridge, MA, USA: Harvard University Press.

very little in common in terms of background or home experiences. What immigrant children do have in common is participation in the American school system. For all children, school represents their primary source of contact with the majority culture. It is the place where immigrant children learn the culture, norms, and values of the US society.<sup>60</sup> The focus on test scores that measure academic ability as a standard has in effect de-emphasized the importance of the social, emotional, and recreational needs of all children.<sup>61, 62</sup> This seems to be pronounced amongst English Learner students.<sup>63</sup>

Feelings of isolation and social exclusion have been expressed by the growing numbers of Asian<sup>64, 65</sup> and Hispanic students<sup>66</sup> dropping out of school altogether. According to the Center for Disease Control and Prevention's 2015 youth high-risk behavior survey, 15 percent of Latina adolescents in the U.S. have attempted suicide, a rate higher than all other adolescent groups in the United States. Several researchers hypothesize that teachers trained in cultural competence in the school setting might interpret distress signals, such as, anxiety and depression as culturally appropriate shyness.<sup>67, 68</sup> These findings suggest that schools are doing a good job of providing broad training to help teachers better understand the cultural differences amongst various groups of newcomers. However, this approach is less effective at providing training regarding the human needs of all children and might be contributing to lack of consideration of individual differences or qualities that could be the root of behavior. Alternatively, a strong relationship with school teachers has been identified as a protective factor in addressing the mental health needs of students. English Learners report feeling anxious in school for a variety of reasons.<sup>69</sup> Anxiety negatively influences language learning and has

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<sup>60</sup> Suárez-Orozco, C. &.-O. (2002). *Children of Immigration*. Cambridge, MA, USA: Harvard University Press.

<sup>61</sup> Capps, R. e. (2004). *The Health and Well Being of Young Children of Immigrants*. Washington, D.C.: The Urban Institute.

<sup>62</sup> Suárez-Orozco, C. R. (2009). Unraveling the immigrant paradox: Academic engagement and disengagement among recently arrived immigrant youth. *Youth and Society*, 41, 151-185.

<sup>63</sup> Gershberg, A. I. (2004). Recent Immigrant and ELL students and their schools. *Beyond "bilingual" education: New immigrants and public school policies in California*, 17-44.

<sup>64</sup> Suh, S. &. (2005). Understanding At-Risk American Youth. *Professional School Counseling*, 8(5), 428.

<sup>65</sup> Zhou, Z. P. (2003). School Adjustment of first-generation Chinese-American adolescents . *Psychology in the Schools*, 40, 71-84.

<sup>66</sup> Brewster, A. B. (2004). Teacher support and the school engagement of Latino middle and high school students at risk of school failure. *Child and Adolescent Social Work Journal*, 21, 47-67.

<sup>67</sup> Suárez-Morales, L. a. (2009). The impact of acculturative stress and daily hassles on pre-adolescent psychological adjustment: Examining anxiety symptoms. *Journal of Primary Prevention*, 30, 335-349.

<sup>68</sup> Spomer, M. &. (2001). A comparison of the school mental health referral profiles of young ELL and English-speaking children. *Journal of Community Psychology*, 29(1), 69-82.

<sup>69</sup> Pappahiel, N. E. (2002, February). English as a Second Language Students and English Language Anxiety: Issues in the Mainstream Classroom. *Research in the Teaching of English*, 36(3), 327-355

been found to be one of the most highly examined variables in all of psychology and education.<sup>70</sup> The most frequent finding is English Learners that describe their teachers as friendly and encouraging report higher levels of security and lower levels of anxiety within the classroom environment. See English Learner section in the Plan for Special Learners below for more detailed information on how the Charter School will effectively educate students that speak a first language other than English.

## Gifted Students

*“We want to help students develop an insatiable appetite for learning — and help them learn how to learn,” Kaplan says. “We are interested in developing intellectualism as well as intelligence<sup>71</sup>.”*

Since most students fall into the middle of the normal distribution with respect to knowledge and ability, most public schools are focused on maintaining the norm. To help students who are performing below the grade level reach that norm, schools try to provide a variety of scaffolds. Gifted students are those whose skills and abilities make it entirely possible for them to perform well beyond the norm for their grade level. Unless a school has a special gifted and talented program, these students are offered the same curriculum as other students in their class, with a note to the teacher to “differentiate” it in some meaningful way. The absence of academic offerings geared specifically to gifted students can lead to boredom as well as lack of intellectual development at the pace which they are capable. Moreover, a gifted child’s ability to develop intellectually may outpace that child’s emotional, physical and executive function development. That asynchronous development can lead to social, emotional, and behavioral problems in school.

Students who are not in the proper educational environment are likely to be alienated by peers. This can lead to social isolation, and it has been speculated that this may increase a gifted child’s risk for depression and suicide. It seems to be more of a problem for gifted children under the age of 10 who have less mobility to access intellectual peers.<sup>72</sup> Too many highly gifted children are not even in school at all, homeschooling instead after unnecessarily devastating and damaging experiences in the regular classroom.<sup>73,74, 75</sup>

Eureka! Inclusive integrated teaching teams will strive to develop a comprehensive picture of a gifted student’s strengths and weaknesses, understanding that while the student may have the ability to grasp and use academic content faster and easier than fellow classmates, the student may also be at the same or a different level compared to other classmates with respect to social and emotional development. The objective for

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<sup>70</sup> Horwitz, E. K. (2001). Language Anxiety and Achievement. *Annual Review of Applied Linguistics*, 21(112), 112-122.

<sup>71</sup> <https://rossier.usc.edu/magazine/ss2018/identifying-serving-gifted-talented-students-younger-age/>

<sup>72</sup> Neihart, M. E., Reis, S. M., Robinson, N. M., & Moon, S. M. (2002). *The Social and Emotional Development of Gifted Children: What Do We Know?*. Sourcebooks, Inc. .

<sup>73</sup> (1995, May). ABC News. Turning Point: Whiz Kids. (B. Walters, Interviewer) ABC News. New York.

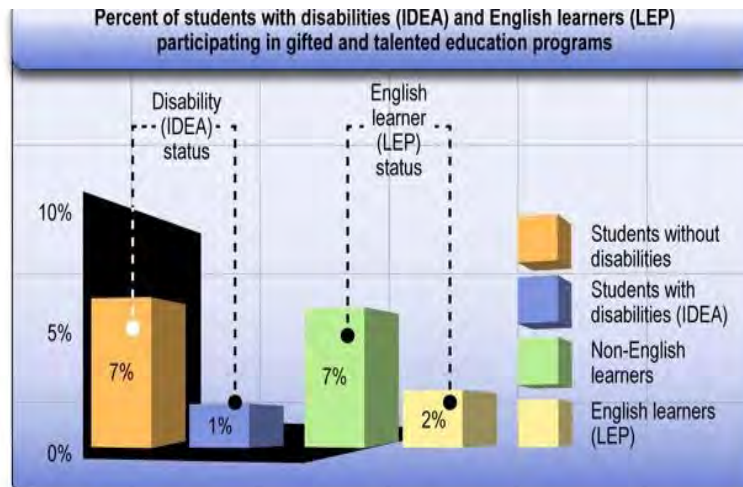
<sup>74</sup> Tolan, S. (1990). *Helping Your Highly Gifted Child*. ERIC Digest #E477, pp. 1-9.

<sup>75</sup> Gross, M. (1993). *Exceptionally Gifted Children*. London, UK: Routledge.



Eureka! Inclusive is to design an individual enrichment plan for each gifted student that allows them to move ahead intellectually at their own pace, while taking account the student's rate of emotional and social development which may be mildly to significantly different compared to their rate of intellectual development.

Figure 4 Percentage of Students with Disabilities and English Learners in GATE Programs



### Twice Exceptional Students

GATE programs traditionally have employed only intelligent quotient and achievement test scores to identify ability. While that approach maintains numerous proponents nationwide, Kaplan's investigations show that the reliance on those two criteria leads to underrepresentation of students from low-income families with cultural differences and who possess limited English language skills, are in foster care, and/or have disabilities. Many view gifted, English learner, and special education students as distinct groups. The reality is that an individual student could be all three at once!

Like students with disabilities, twice exceptional students defy easy categorization. A student may have a physical disability and be intellectually gifted. A student may have a learning disability and a behavioral challenge. A student may be gifted in mathematics and also have a reading disability. While the twice exceptional label is usually applied to a student who is intellectually gifted but who also has a disability, the reality is that educators need to understand and act on the notion that students are not unidimensional. There is increasing data that indicates the under identification of English Learners in gifted programs is a result of the language barrier. It is obvious in everyday life that an individual may be exceptional in one area and less than exceptional in another. The responsibility of those who operate a school is to develop their students to the fullest. In the case of students who have a prominent ability and a prominent disability or prominent abilities in several areas, or prominent neurological and emotional disabilities, school personnel should consider

themselves obligated to understand the nature of each exceptionality presented by a “twice” exceptional student.

Each student has magnificent possibilities. Those possibilities are hard to recognize and nurture equally in an educational framework built to bring all children to a general norm. The inclusive school model and the Universal Design for Learning curricular model together present a way to develop the student in their own right. For twice exceptional as well as for members of the other subgroups that Eureka! Inclusive will attract, school personnel will use multiple assessments to develop each student’s intellectual, social and emotional profile, outlined in our description of the universal screening process section below.

The product of such highly differentiated instruction will be students who emerge with adequate skills and understanding across the subject areas normally covered in pre-college education and who emerge with developed skills in those areas in which the individual student shows particular ability and passion. Eureka! Inclusive students will receive both a quality general education and as well as develop one or more specializations that are consistent with their own pattern of strengths and passions.

## EQUITY BASED MULTI-TIERED SYSTEM OF SUPPORTS

Our education program will be anchored by the California content and performance standards, including the California Common Core State Standards (CA CCSS), Next Generation Science Standards (NGSS), and content area frameworks for instructional design, such as the California History-Social Science Framework (hereafter referred to as State Standards). Eureka! Inclusive will implement an Inclusive School model and the Universal Design for Learning curriculum approach. Our innovative educational program will provide diverse learners with a rigorous standards-based curriculum that combines socially meaningful experiences and an academically efficient program within California's Multi-Tiered System of Supports (MTSS)<sup>76</sup>. MTSS is a comprehensive framework that begins with a whole child approach to universal screening that aligns academic, behavioral, and social-emotional learning in a fully integrated system of support for the benefit of all students

SWIFT is a national technical assistance center that works to build school capacity to provide academic and behavioral support to improve outcomes for all students<sup>77</sup>. The Schoolwide Integrated Framework for Transformation (SWIFT) is a whole school model, driven by a multi-tiered system of supports (MTSS) for all students.

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<sup>76</sup> <https://www.ocde.us/MTSS/Documents/CA%20MTSS%20Guide.pdf>

<sup>77</sup> <http://www.swiftschools.org16>

Figure 5 SWIFT Schools: An Equity Based Multi-Tiered System of Supports (MTSS)



**Multi-Tiered System of Support**

<p><b>Inclusive Academic Instruction</b></p> <ul style="list-style-type: none"> <li>Identify a comprehensive assessment system</li> <li>Create and utilize teams</li> <li>Provide universal academic supports</li> <li>Provide supplemental interventions and supports</li> <li>Provide intensified interventions and supports</li> <li>Develop guideline to implement curriculum with universal design for learning (UDL)</li> </ul>	<p><b>Inclusive Behavior Instruction</b></p> <ul style="list-style-type: none"> <li>Identify a comprehensive assessment system</li> <li>Create and utilize teams</li> <li>Provide universal behavior supports</li> <li>Provide supplemental interventions and supports</li> <li>Provide intensified interventions and supports</li> <li>Provide comprehensive behavior supports</li> </ul>	<p><b>Inclusive Social-Emotional Instruction</b></p> <ul style="list-style-type: none"> <li>Identify a comprehensive assessment system</li> <li>Create and utilize teams</li> <li>Provide universal social-emotional supports</li> <li>Provide supplemental interventions and supports</li> <li>Provide comprehensive social-emotional development supports</li> </ul>
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## All Means All

Many schools use MTSS for planning, however, change in actual teacher practice and student outcomes has been inconsistent. By partnering with SWIFT Schools Eureka! Inclusive will design and implement from day one an equity based MTSS based on the specific needs of our students and utilizing all available county, state, and federal resources. We will utilize these resources through an organized system using SWIFT Resource Inventories, Tiered Intervention Matrices, Master Schedules, and Intervention Planning Tools.

Implementing equity-based MTSS involves complex transformations of culture, systems, policies, and practices that require detailed plans over several years. To avoid the risk of MTSS becoming an empty planning convenience, SWIFT offers MTSS tools and resources along with a proven, detail method for a school-wide system.

For students with more extensive needs equity-based MTSS incorporates the principles and practices of subsystems, such as community mental health wraparound services, into the continuum of services and supports for all students. SWIFT Schools MTSS design helps schools intentionally include community-based service providers who can help to meet the complex needs of students across home, school and community settings. School teams use a Resource Inventory process in which they identify intervention and support available in the community, school, district, state and national agencies; and a Tiered Intervention Matrix with data-based decision rules to match resources from this Resource Inventory to evident student needs.

The goal of equity-based MTSS is to give all students access to special assistance when needed for as long as needed. Indeed, equity-based MTSS prevents some students' need for special assistance through such techniques as universally designed curriculum, differentiated instruction, and school-wide positive behavioral

expectations and support. Support is distributed to students using screening and progress monitoring data with entry and exit decision rules; and these rules generally start a student in the least intensive support and include exit criteria for removing support when a student no longer needs it and for intensifying support if needed

This approach to inclusion creates schools where all students, including those with extensive needs, are fully valued, welcomed, well supported, and meaningfully engaged in learning. The following highlights are based on studies of inclusive education, MTSS, and the four supporting domains of the SWIFT framework<sup>78</sup>.

As presented in the chart below, our instructional framework and teaching methodologies are designed to meet the needs of all students, including our targeted student population.

Table 11 Eureka! Inclusive Instructional Framework and Methodologies

Program Attributes	Instructional Strategies
Small School Environment	We have chosen a smaller school model for Eureka! Inclusive for several reasons. <sup>79</sup> Small school size supports the emphasis on nurturing relationships across the school community. <sup>80</sup> In addition, small school size is also compatible with the Eureka! Inclusive multi-age developmental approach to academics and classroom design and improves students' outcomes on grades and test scores. Finally, students labelled with a disability, including at-risk, newcomers, exceptional, disadvantaged, and gifted students are better served by smaller school units. <sup>81</sup>
Multi Age Classrooms	At Eureka! Inclusive, students will be grouped in multi age classrooms, within four developmental stages, based on personal interests, learning abilities, and stage of social and emotional development, rather than physical age. The multi-age system assumes that all children, even children of the same age, are different in their development and needs and construct their own knowledge in their own way. Multi-age classrooms also promote social learning and peer relationships. At Eureka! Inclusive, the intentionally inclusive, universally designed, and small school design will build a strong foundation able to uphold a model of education that seeks to support the well-being of children. <sup>82</sup> When assessing student mastery, we will consult with parents to consider additional factors, such as those outlined in an IEP, 504 plan, GATE plan,

<sup>78</sup> <http://www.swiftschools.org/talk/wondering-about-mtss>

<sup>79</sup> Amrein-Beardsley, A. (2012, April 20). Inside the Academy video interviews with Dr. John Goodlad [Video files]. Retrieved from <http://insidetheacademy.asu.edu/john-goodlad>

<sup>80</sup> Wasley, P. A., & Fine, M. (2000). *Small schools and the issue of scale*. New York: Bank Street College of Education.

<sup>81</sup> Double Disadvantage or Signs of Resilience? The Elementary School Contexts of Children From Mexican Immigrant Families American Educational Research Journal Vol 42, Issue 2, pp. 269 - 303 First published date: June-24-2016 10.3102/00028312042002269.

<sup>82</sup> Goodlad, J. I., & Anderson, R. H. (1987). *The nongraded elementary school*. Teachers College Press.

Program Attributes	Instructional Strategies
	<p>student fit, social group and needs of the student, how transitions might positively or negatively impact academic progression and development in other areas. See below for a more detailed description of multi-age groups for the Early Education Program, the Primary Program, the Middle Elementary Program and Late Elementary Program.</p>
Small Class Size	<p>All TK and Kinder classes will have about 18 students and 1<sup>st</sup> – 6<sup>th</sup> grade classes will have about 25 students, with 2-4 students labelled with a disability in each class, 1-2 of whom we anticipate will have moderate to severe disabilities. At all times, there will be at a minimum two adults per classroom. Additional special education support personnel will also be present throughout the classrooms. Small class sizes will help facilitate personalized instruction and a strong sense of community.</p>
Co-teaching and Collaboration	<p>Grade level teaching teams meet daily before school and again at the end of each day.</p> <p>Special education teachers will function as teaching partners for planning, instruction and assessment in general education classrooms. These special educators will be responsible for instruction in the general classroom environment, using a co-teaching model with general education teachers. Other specialists, such as a Speech and Language Therapist, will be assigned as appropriate to the students’ needs and deliver services in the classrooms. Specialists will demonstrate strategies and provide direct in-class service so that classroom staff can embed interventions throughout the instructional program. Students will receive more individualized attention because teachers will be able to divide the whole class into smaller parts. With the “push in” supports of various specialized resource teachers and paraprofessionals, learning time will be maximized because students will not be leaving the classroom for extra help. Instead, the model allows their needs to be met within the classroom setting and learning to occur naturally amongst and with peers.</p> <p>In light of the Charter School’s focus on collaboration, teachers’ schedules are created to ensure ample time for co-planning and sharing insights and strategies. Grade level teachers will have common prep time scheduled to collaborate and co-plan lessons. This will enable them to develop interdisciplinary units and discuss any student specific concerns and develop a response within the context of a cohesive and integrated Multi-Tiered System of Supports.</p>
Extensive Professional Development	<p>Teachers and support staff will benefit from extensive professional development opportunities by engaging in:</p> <ul style="list-style-type: none"> <li>● <u>Summer Training</u>: All teachers will participate in 5-10 days of summer professional development in partnership with SWIFT and CHIME. New teachers will receive additional summer training days for orientation.</li> <li>● <u>Professional Learning Communities</u>: At the beginning of each year, the Executive Director will oversee the formation and ongoing development of</li> </ul>

Program Attributes	Instructional Strategies
	<p>Professional Learning Communities (PLCs). Through these PLCs, teachers will become “experts” in educational topics such as EL instruction, Universally Designed Instruction, constructivism, etc.</p> <ul style="list-style-type: none"> <li>● Ongoing Professional Development: <p>The first year Eureka! will work closely with SWIFT and CHIME to develop a strong system of professional support for the entire school team. The schedule will be developed to allow the faculty time to participate in professional development. The exact focus of these professional development sessions will be determined based on observations of teaching practice and student achievement data as well as an annual Professional Development Surveys that will be administered to teachers. The facilitators for the professional development sessions will vary depending on the topic.</p> </li> <li>● <u>4 Pupil-Free PD/Data Days</u> will allow ample in-service days for teachers to intensively review student achievement benchmark results, collaborate across grade levels and subject areas, and receive additional professional development training. Additional Pupil Free days and minimum days will be considered in consultation with teachers.</li> </ul>
Constructivist Approach to Learning	<p>At Eureka! Inclusive students will acquire knowledge through a variety of instructional practices including inquiry-based learning, Universal Design for Learning and Differentiated Instruction. When teachers approach learning with an Inquiry Based Learning lens, students are intrinsically motivated to seek understanding, learning becomes an active and self-directed endeavor that is achieved by doing and experiencing. Examples of inquiry-based learning include activities that are hands-on, emphasize critical thinking and problem-solving abilities, and application within real world contexts. All students will debate, create, build, express, refine and demonstrate their learning in active ways throughout the day, working both collaboratively and individually. Creating spaces that allow children to be comfortable with not “knowing” and experiences that build a child’s confidence in their ability to “find out” as individuals and with and from peers is crucial in today’s global workforce.</p> <p>This type of active engaged learning has been shown to be successful across gender, ethnicity, ability and economic groups. It is well-established that a constructivist/inquiry-based approach to learning increases student engagement, particularly among at-risk or “different” learners. By embracing projects and hands-on learning as a core part of our model, students will be able to develop and apply problem-solving, critical and creative thinking, communication, collaboration, and other crucial skills in a variety of contexts, helping them gain confidence in their own abilities and the possibilities for their own futures, motivating them to persist in their education.</p> <p><u>Universal Design for Learning and Differentiated Instruction</u></p>

Program Attributes	Instructional Strategies
	<p>All teachers will be trained in and deploy a range of strategies to engage learners of all types. These include the use of GATE strategies, EL strategies, art enhanced, cooperative learning and inquiry-based learning. GATE plans, 504 plans, and IEPs will be reviewed regularly to ensure instructional delivery meets students' needs. Teachers are expected to teach a heterogeneous group of students that will learn best when given Multiple Means of Representation, Multiple Means of Action and Expression, and Multiple Means of Engagement. <b>See Appendices</b></p>
<p>Embedded Student Supports</p>	<p><u>Multi-Tiered Systems of Support (MTSS)</u></p> <p>Eureka! Inclusive will provide a universally designed, integrated approach to the Multi-tiered Systems of Support (MTSS) model. This approach to education has been proven effective in both the research literature and in practice in preventing the academic, social, and mental health decompensation experienced by students in marginalized groups. The MTSS model will be built into the Eureka! Inclusive framework. Teachers will work in pairs, co-teaching a universally designed curriculum comprised of guided inquiry-based learning units based on the State Standards. Each teaching team will define a clear plan for addressing all State Standards using five steps outlined by SWIFT Schools to create lessons using the Universal Design for Learning framework.<sup>83</sup></p> <p><u>Universal Screening</u></p> <p>In the context of an RTI2 prevention model, universal screening will serve as the first step in identifying students who are at risk for learning difficulties. Universal screening will be conducted three times per school year in the fall, winter, and spring. Eureka! Inclusive will develop a comprehensive universal screening protocol that addresses academics as well as individual student profiles in the following areas: mental health, behavior, sensory, communication, social, play, nutrition, digestion, and sleep.</p> <p>Each student's educational, physical, social and emotional needs will be assessed when the student enters the school, and each student's educational program and Individual Technology Plan (ITP, described below) will be designed around those needs and around each student's strengths and talents. All students will be screened upon enrollment at Eureka! Inclusive on the same early reading indicators, including phonological awareness, letter knowledge, and word and text reading. Additional screening materials will be used to determine the overall social, academic, physical,</p>

<sup>83</sup> Loui L. Nelson, S. C. (2015). Five Steps to Get Started Using UDL. Retrieved August 26, 2017, from [guide.swiftschools.org: http://guide.swiftschools.org/sites/default/files/documents/Five%20Steps%20to%20Get%20Started%20Using%20UDL.pdf](http://guide.swiftschools.org/sites/default/files/documents/Five%20Steps%20to%20Get%20Started%20Using%20UDL.pdf)

Program Attributes	Instructional Strategies
	<p>and health needs of each student. We will assess the following aspects through surveys, interviews and self-reports, and parent report inventories, and observations:</p> <ul style="list-style-type: none"> <li>● The exposure to formal learning and/or education</li> <li>● The extent/type of life experiences</li> <li>● Socio-economic issues</li> <li>● Sensory, communication, social/emotional, health profiles</li> <li>● Personal interests and learning preferences</li> </ul>
Depth and Complexity	<p>All Eureka! classrooms will receive enrichment through the Depth and Complexity Icons. This research on Depth and Complexity Icons, otherwise known as the eleven tools for mastering a subject, are based on the research of Sandra Kaplan. Her work is used throughout school districts across the country and has shaped the GATE programs for high ability students. Each of these eleven tools are considered essential elements one needs to master a subject. For example, chemists need to understand the language of a chemist, the different points of view of in chemistry, the rules that govern chemistry, the ethical decisions chemists face, etc. Likewise, a master of chess would be an expert in the language of chess, the patterns of chess games, the rules to follow, and the way the game has changed over time. When students think using these tools, they learn to approach subjects from the point of view of an expert. In doing so, they understand concepts in a deeper and more complex way</p>
Social Emotional Supports	<p>The Eureka! Inclusive SEL program will form the foundation of our School-Wide Positive Behavior Interventions and Supports (SWPBIS) program. In addition, during professional development teachers will receive training to develop trauma informed and culturally responsive awareness and teaching strategies. Additional layers of support will be added based on individual student needs. and Tier 1, Tier 2, and Tier 3 implementation of the SWPBIS program will be guided by the PBIS Technical Brief on Classroom PBIS Strategies.</p> <p>Before the beginning of the school year and as part of the school welcome week, Eureka! Inclusive teaching teams will host a parent information night to model instruction and share knowledge about vocabulary and concept. Parents will break into small groups facilitated by a member of the teaching team to ask questions, role play, share concerns, and complete social skill, self-regulation, and behavior baseline levels of functioning surveys for their child/ren. In the classroom, speech and occupational therapists will co-teach with general education teachers and students will keep a daily health and wellness journal self-reporting moods, feelings, and reflecting on actions and reactions of self and others. The program will be implemented at Eureka! Inclusive using a variety of proactive strategies and activities. Theial Thinking program is available in English and Spanish.</p>



Program Attributes	Instructional Strategies
	<p>The SEL program at Eureka! Inclusive is aimed at accomplishing five objectives:</p> <ol style="list-style-type: none"> <li>1. Self-awareness: The ability to accurately recognize one’s emotions and thoughts and their influence on behavior. This includes accurately assessing one’s strengths and limitations and possessing a well-grounded sense of confidence and optimism.</li> <li>2. Self-management: The ability to regulate one’s emotions, thoughts, and behaviors effectively in different situations. This includes managing stress, controlling impulses, motivating oneself, and setting and working toward achieving personal and academic goals.</li> <li>3. Social awareness: The ability to take the perspective of and empathize with others from diverse backgrounds and cultures, to understand social and ethical norms for behavior, and to recognize family, school, and community resources and supports.</li> <li>4. Relationship skills: The ability to establish and maintain healthy and rewarding relationships with diverse individuals and groups. This includes communicating clearly, listening actively, cooperating, resisting inappropriate social pressure, negotiating conflict constructively, and seeking and offering help when needed.</li> <li>5. Responsible decision making: The ability to make constructive and respectful choices about personal behavior and social interactions based on consideration of ethical standards, safety concerns, social norms, the realistic evaluation of consequences of various actions, and the well-being of self and others.</li> </ol> <p><b>Social Thinking<sup>84</sup></b></p> <p>The Social Thinking curriculum is based on a social cognitive framework of teaching social skills. Within this framework, students will be taught specific social skills to help them monitor their learning. Social thinking is developing an understanding about what happens when we interact with other people. The ultimate goal of Social Thinking is to teach students to reflect upon their behaviors<sup>85</sup> when they are with other people and learn to think<sup>86</sup> about the thoughts and feelings of others in order to be socially competent individuals.</p> <p><b>Zones of Regulation<sup>87</sup></b></p>

<sup>84</sup> Winner, M. G. (2005a). Think Social! A Social Thinking® curriculum for school-age students. San Jose: Think Social Publishing, Inc.

<sup>85</sup> Winner, M. G. (2007b). Social Behavior Mapping© connecting behavior, emotions, and consequences across the day. San Jose: Think Social Publishing, Inc.

<sup>86</sup> Winner, M. G. (2005b). Thinksheets for teaching social thinking and related skills. San Jose: Think Social Publishing, Inc.

<sup>87</sup> Kuypers, Leah M. (2011). The Zones of Regulation®, San Jose, CA: Think Social Publishing Inc

Program Attributes	Instructional Strategies
	<p>The Zones of Regulation is a systematic, cognitive behavior approach used to teach self-regulation by categorizing the different ways we feel and states of alertness we experience into four concrete zones. The Zones curriculum provides strategies to teach students to become more aware of, and independent in controlling their emotions and impulses, managing their sensory needs, and improving their ability to solve conflicts. Zones of Regulation incorporate Social Thinking concepts and numerous visuals to teach students to identify their feelings, their level of alertness, and to understand how their behavior impacts those around them. The exercises are meant to help students gain skill in emotional perception and learn what tools they can use to manage their feelings and states.</p> <p><b>Collaborative &amp; Proactive Solutions (CPS)</b><sup>88</sup></p> <p>The goal of CPS is to foster a collaborative partnership between adults and kids and to engage kids in solving the problems that affect their lives. As such, the CPS model is non-punitive and non-adversarial, decreases the likelihood of conflict, enhances relationships, improves communication, and helps kids and adults learn and display skills on the more positive side of human nature. The curriculum focuses on the development of empathy, resolving disagreements, taking another’s perspective, and honesty.</p>
Classroom Behavior Supports	<p>CHAMPS: Classroom management strategies are part of schoolwide efforts to create contexts that support the academic and behavioral competence of all students. CHAMPS provides a comprehensive and cohesive, evidence-based practices. We chose CHAMPS based on success at CHIME and a wide body of research that endorses the program. CHAMPS assists classroom teachers in designing (or fine tuning) a proactive and positive classroom management plan that teaches students to use responsible behavior. This effective, research-based system suggests methods for clearly communicating expectations for every classroom activity and transition time, so educators spend less time disciplining, more time teaching, and know how to motivate students to do their best.</p>
All Students Growing and Thriving: Social Justice Through Inclusivity	<p>At Eureka! Inclusive, we embrace, support, and welcome all learners and we value diversity of ability level, gender, religion, race, family, ethnicity and so forth. We believe that when children are raised in heterogeneous groups in socially just classroom environments from the outset, they learn to value all kinds of people and in turn will become adults that create community spaces and work places that embrace and welcome diversity. Eureka! Inclusive is committed to providing personalized learning</p>

<sup>88</sup>Greene, R.W. (2016). Collaborative & Proactive Solutions\*: Applications in schools and juvenile detention settings. Presented at symposium, Advances in conceptualisation and treatment of youth with oppositional defiant disorder: A comparison of two major therapeutic models, Eighth World Congress of Behavioural and Cognitive Therapies, Melbourne, Australia. [Retrieved from https://www.livesinthebalance.org/sites/default/files/CPS%20Maine.pdf](https://www.livesinthebalance.org/sites/default/files/CPS%20Maine.pdf).

Program Attributes	Instructional Strategies
	<p>supports for each individual student and teachers understand and come with a mindset that it is their responsibility to reach and teach all children.</p>
Technology	<p>All students will have an Individual Technology Plan (ITP) designed to support their needs. Technology at Eureka! will bridge the gap between students and curricula and students and peers. The goal is to provide every single student an academically effective and socially meaningful education.</p> <p>The technology used at Eureka! Inclusive will incorporate both effective blended learning platforms and a variety of student specific tools that will allow all students to learn at their own pace, as well as connect students previously separated by physical, neurological, and language barriers to each other.</p> <p>Not only will technology use make lessons more engaging for students, but interactive, standards-based online curriculum built into the Journey ELA/ELD and Go! Math package as are a variety of formative and summative assessment tools will enable teachers to access real-time data on individual, sub-group, whole class and grade level mastery of specific skills and concepts. Additional platforms will be considered to better meet the individual learning needs of specific students.</p>
Parent Partnerships	<p>Family involvement is a critical component of Eureka! Inclusive's success. We strongly believe that cultivation of each individual voice within the community will lead to inclusion of and respect for differences and multiple perspectives. In regard to their own student(s), parents/guardians will be seen as the best experts on their own children, and the school will honor parents' priorities, concerns, and goals for their children. Parents at all times will be valued members of the educational team, contributing expertise and knowledge about their individual children's characteristics, motivators, learning styles, needs and preferences. Ongoing communication with the family, as well as a respectful and collaborative approach, will help to assure meaningful participation by families. In addition to communications regarding student GATE plans, 504 plans, team meetings, and IEPs for those with identified or suspected disabilities, all families will engage in active and ongoing communication with their children's teachers and school staff. Student-led conferences with parents and teachers will be held at least twice annually (more often as needed) and include goal setting for the upcoming term.</p> <p>Families will also have the opportunity to participate in school life in a variety of ways:</p> <ul style="list-style-type: none"> <li>• <u>Extra-Curricular Community Building</u>: Eureka! will host regular community building events for families and faculty. These activities meet many needs including reinforcing learning, building community, and involving parents in the activity of their students and the school. Among these activities will be field</li> </ul>

Program Attributes	Instructional Strategies
	<p>trips that involve the whole family, family dinner and board meeting nights, a First Friday Art Walk, and Conversation Café.</p> <ul style="list-style-type: none"> <li>● <u>Parent Volunteers</u>: All parents will be encouraged (but not required) to volunteer at the school, with a wide range of activities offered, including helping in the school office or with the lunch program, helping teachers prepare (making copies, etc.), leading enrichment activities (e.g. art, technology lessons), and planning school events. A student’s admission and enrollment are not impacted for families that cannot volunteer.</li> <li>● <u>Parent Meetings and Workshops</u>: Starting with an annual Orientation for new families to discuss the goals, mission, educational approach and policies/procedures at the school, parent meetings/workshops will be held at least quarterly for staff to communicate with parents about the school and educate parents about such things as: digital citizenship, understanding individual internal student and CAASPP data, a Math night and much more.</li> <li>● <u>Family Handbook</u>: All students and their parents/guardians will be given a Family Handbook, detailing school policies and procedures (attendance, homework completion, disciplinary policies, etc.).</li> </ul>
Data Driven Instruction	<p><b>Use of Illuminate</b></p> <p>Teachers will be trained to use Illuminate to create a variety of reports on student achievement, including disaggregated data by content strand, student subgroup, grade-level and classroom. The staff will be trained to interpret data and engage in critical analysis of the data to determine how the school can address performance deficiencies or negative data trends. This data analysis will be tied to professional development on standards-based instruction so that teachers enhance their understanding of tailoring instructional methodologies to support the learning of all students.</p> <p><b>Diagnostics and Progress Assessments</b></p> <p>The school will implement a diagnostic assessment system such as the NWEA MAP assessments. These formalized diagnostic assessments provide data at least three times per year that informs student grouping, Lexile levels, math placement, intervention and enrichment needs, and pre-and re-teaching needs. In addition, a variety of formative and summative assessment tools (online curriculum data, end-of-unit curriculum tests, informal checks, observation/dialogue, standards-based quiz/test, open-ended prompts, performance tasks and presentations) enable our faculty to develop and refine their instructional strategies and provide targeted support to ensure that each and every student is meeting the defined criteria for academic success. Furthermore, quarterly assessments aligned to the Common Core standards provide ongoing data about students’ real-time mastery of grade level standards. Formative diagnostics are part of our daily teaching practice. Teachers and students collaborate</p>

Program Attributes	Instructional Strategies
	to set measurable goals that personalize individual achievements for students of varying abilities. Data-driven conversations also focus on teacher-generated grades to ensure that grading policies are fair, equitable, and focused on student proficiency (as opposed to behavior, homework completion, or compliance).

### **Multi-Age Classroom Groupings**

In each core academic area, students will be expected to achieve outcomes appropriate to their development, age and grade level. For example, some students with significant developmental delays might be expected to achieve some outcomes that are typically expected for chronologically younger students. Other students, who have more specific disabilities such as learning disabilities or orthopedic impairments, will be expected to achieve outcomes that are consistent with their chronological age peers in most areas, but may need alternative goals or special adaptations in some curriculum areas. Still other students, who are gifted and talented, may achieve outcomes that are generally expected of older students. Eureka! Inclusive will ensure that all students receive instruction in each of the four core content areas (language arts, mathematics, science, and social studies), with all courses aligned to State Standards.

The Eureka! Inclusive model will be delivered through four multi-age classroom groupings: Early Elementary Program, Primary Program, Lower Elementary Program and Upper Elementary Program. The purpose of the Eureka! Inclusive multi-age classrooms are to allow children to advance to the next level when they have mastered the skill set and developmental goals for each class. This approach is flexible, developmentally appropriate, and child-centered. Each multi-age grouping is discussed in more detail below.

### **Early Elementary Program**

Transitional Kindergarten, sometimes referred to as TK, is a publicly funded program for 4-year-olds who turn 5 between Sept. 2 and Dec. 2. Transitional kindergarten is designed to be a bridge between preschool and kindergarten.

Children who are enrolled in transitional kindergarten can enroll in traditional kindergarten classes the following year. Although there is no mandated curriculum, transitional kindergarten is modeled on a modified kindergarten curriculum that is age and developmentally appropriate. Districts and schools have flexibility with how to implement curriculum, but the California Department of Education states that transitional kindergarten is meant to closely follow guidelines in the California Preschool Learning Foundations developed by the department. Districts are expected to use those guidelines as a foundation for instruction.

Our Developmental TK and TK/Kindergarten program allows students to develop the requisite skills needed for success in Kindergarten. The goal of the Developmental TK/Kindergarten program is to provide a year during which children can learn and grow in a carefully planned environment: A framework that allows children to work on their academic, social, emotional, and physical skills. The lessons conducted are self-directed, hands on, and open-ended learning experiences

The Developmental TK program has a 3.5-hour half day program offered in the AM or PM and has a smaller class size of approximately 15 students. The day includes an instructional snack, specials classes (art, physical education, music, computers, and library), recess, and students and families are invited to all school events (celebratory days, assemblies, school wide engagement) and follows the Eureka! Inclusive academic core program.

Transitional Kinder/Kindergarten program participates in the same 5-hour schedule as the Kindergarten program and has a reduced class size of about 22 students. The program is intended for those TK aged students that are academically, socially, and emotionally prepared for a more challenging academic experience and longer day. Kindergarten aged students that require additional time to master academic, social, emotional, and physical skills also benefit from a TK/K hybrid environment. The day includes an instructional lunch, specials classes (art, physical education, music, computers, and library), recess, and school events (celebratory days, assemblies, school wide engagement) and follows a unified academic core program aligned our transitional to the California Preschool Learning Foundations standards. Per Cal. Ed. Code Section 48000(f).

The Kindergarten class increases to a size of about 25 students. The program is designed to meet the needs of children who have demonstrated and expressed an interest in academic tasks that include greater stamina and rigor than Developmental Kindergarten. Generally, students placed in Kindergarten classrooms have had previous school experience, are eager to learn, participate in the learning process, listen attentively, and are able to work independently. Kindergarteners are able to accept responsibility for themselves and their materials, express themselves to others, and are willing to try new things. A child ready for Kindergarten should additionally demonstrate the ability to work and play cooperatively with others. Throughout the year Kindergarten students will be expected to master letter identification, both upper and lower, letter sounds, early phonics skills, and will be reading texts prior to the end of the year. Students will be expected to count to 100, write and represent objects to 20, and solve addition and subtraction within 10.

### **Sample Kindergarten Readiness Checklist**

- Can your child spell/write their name?
- Does your child know their colors?
- Does your child know all of their letters?
- Does your child know all of their letter sounds?
- Does your child listen to a story and tell what it is about?
- Does your child draw a picture and tell a story to match?
- Does your child rhyme (hear a rhyme and supply a rhyme)?
- Does your child identify the beginning sound of a word?
- Does your child segment words?
- Does your child identify shapes?
- Does your child complete a complex pattern?
- Does your child write their numbers (1-10)?
- Does your child count and tell how many?
- Does your child count orally to twenty?

- Does your child identify personal information: birthdate, address, phone number?
- Does your child follow multi-step directions with ease?

The goal of the Eureka! Inclusive Early Elementary Program is to lay a strong foundation by presenting children with a breadth of knowledge and experiences to explore at their own speed. The Early Elementary grades will be divided in the following manner:

- TK (ages 4-5): Progress will be measured and aligned to California Preschool Learning Foundations and progress towards developmental milestones for 4-year olds.
- TK-K (ages 5): Standards for advancement will be based on State Standards for Kindergarten and progress towards developmental milestones for 5-year olds.
- K (ages 5-6): Standards for advancement will be based on State Standards for Kindergarten grade and progress towards developmental milestones for 5-year olds.

We expect that our children will leave the Early Elementary Program with an emerging sense of who they are as individuals in the world in relationship to their peers. They should enter primary school with a solid academic foundation, curious learning spirit and a desire to learn more from and with their peers. Key social-emotional skills that support primary school readiness are:

- Confidence – a child will be able to have a sense of control and mastery of his or her body, behavior and world
- Curiosity – a child will take interest in the world outside of him or herself
- Intentionality – a child will be able to take the initiative in activities
- Self-control – a child will be able to sit calmly
- Relatedness – a child will show concern for others
- Capacity to communicate – a child will be able to work through conflicts
- Cooperativeness – a child will be able to fully participate in a group activity

### **Primary Program**

The Primary Program will serve as an extension of the Early Elementary Program.

Early Childhood (usually defined as birth to year 8) overlaps with the early middle childhood years (defined as ages 6-12 years) this is a time of tremendous asymmetrical growth spurts, in which mastery over physical, cognitive, socio-emotional, and language developmental milestones are often “out of sync.” While from a developmental lens this pattern of asynchronistic development is considered normative and expected, within a traditional school framework developmental discrepancy across domains often contribute to additional social, emotional, physical, and academic stress. The goal of the Eureka! Inclusive primary school program is to support each child’s ability to move steadily forward on a normative developmental trajectory as they develop increasing independence in the following domains:

- Emotional regulation
- Social/Peer relationships
- Language development
- Cognitive development
- Motor skill development

The Primary Program will be configured in the following manner:

- K/1<sup>st</sup> Grade (ages 5-6): Progress will be measured and aligned to California State Standards for Kindergarten and progress towards developmental milestones for 5-year olds.
- 1<sup>st</sup>/2<sup>nd</sup> Grade (ages 6-7): Standards for advancement will be based on California State Standards for First grade and progress towards developmental milestones for 6-year olds.
- 1<sup>st</sup>/2<sup>nd</sup> Grade (ages 6-8): Standards for advancement will be based on California State Standards for second grade and progress towards developmental milestones for 7-year olds.
- We expect that our children will leave the Primary Program with a developed sense of who they are as individuals in the world and in relationship to their peers. They should enter the Lower Elementary Program with an independent learning spirit and a desire to collaborate with their peers.

English language skills that students learn by the end of the Eureka! Inclusive Primary program:

- Students begin to critically read and analyze texts
- Students identify the main topic of a multi-paragraph text as well as the focus of specific paragraphs within the text.
- Students generalize learned spelling patterns when writing words (e.g., cage badge; boy boil)
- Students participate in collaborative conversations on grade-level topics, in small and large groups, with classroom friends and adults, becoming more skilled in asking and responding to questions
- Students follow agreed-upon rules, build on others' talk in conversation by linking their comments to others, and ask for clarification and further explanation as needed.

Students in our primary education program will learn to “do math” through real-world situations and focus on fewer topics that are connected in a coherent progression within and across grade levels. Student learning focuses on the concepts and skills for addition and subtraction with a special emphasis on place value. They will learn different strategies for addition and subtraction and apply them to solving a variety of problems. Students will develop conceptual under-standings about addition and subtraction that form the building blocks for later grades. They will be able to explain why a procedure works and why an answer is correct.

- Know from memory all sums of two one-digit numbers Add/subtract within 100 (using strategies)
- Students may decide to solve a word problem using a math drawing instead of writing an equation. They use the drawing to help explain their answer.
- Students will be asked to explain their answers using drawings, objects or manipulatives to represent numeric values.

### **Lower Elementary Program**

Children in the Lower Elementary Program will be working on the developmental goals associated with Middle Childhood. Middle Childhood (usually defined as ages 6 to 12) is a time when children develop foundational skills for building healthy social relationships and learn roles that will prepare them for adolescence. Eureka! Inclusive elementary classes are designed to reflect the developmental needs of the middle childhood phase and allow children to take increasing ownership of learning.

Our Lower Elementary students will be expected to have a strong sense of what they want to learn more about, their strengths in learning, and how to apply those strengths to support areas of personal challenge.



One of the particular challenges for children during this phase of development is collaborative teamwork. The Eureka! Inclusive interdisciplinary team teaching approach will provide adult role models to students. During team collaboration time, Lower Elementary teams will address the individual needs of learners as well as the communal learning needs.

Recognizing that everyone is better at some things than others, our students will have the confidence and support needed to successfully make progress in all areas of development. Lower Elementary students are entering a stage of independence and the program will nurture and guide student independence by providing students' options to select an elective, self-design special projects to illustrate understanding and mastery of subject matters, mentor children in the Primary school, and actively participate in choosing after school activities, field trips, and school clubs.

Lower Elementary grades will be divided in the following manner:

- 2<sup>nd</sup>/3<sup>rd</sup> (ages 7-8): Standards for advancement will be based on California State Standards for third grade and progress towards developmental milestones for 7 year olds.
- 3<sup>rd</sup>/4<sup>th</sup> (ages 8-9): Standards for advancement will be based on California State Standards for fourth grade and progress towards developmental milestones for 8 year olds.
- 3<sup>rd</sup>/4<sup>th</sup> (ages 8-10): Standards for advancement will be based on California State Standards for fourth grade and progress towards developmental milestones for 9 year olds.

Students progress to the Upper Elementary Program with pride in their identity, understanding across a breadth of topics, the ability to work independently and collaboratively, and a desire to take their knowledge and apply it to real world situations.

They should enter the upper elementary program with ready to build on their foundational reading skills by improving their reading fluency and decoding longer and more difficult words and able to:

- Compare and contrast the point of view from which different stories are narrated, including the difference between first- and third-person narrations.
- Distinguish the literal and non-literal meanings of words and phrases in context (e.g., take steps)
- Explain the meaning of simple similes and metaphors (e.g., as pretty as a picture), in context

Capable of:

- Determining the main ideas and supporting details of a text read aloud or information presented in diverse media and formats, including visually, quantitatively, and orally.
- Paraphrasing portions of a text read aloud or information presented in diverse media and formats, including visually, quantitatively, and orally.

Learning also focuses on three new emphases:

1. more exposure to content-rich informational texts;
2. developing and writing opinions using evidence from books and other text resources; and
3. engaging in group and individual reading and research activities centered on more complex texts with new vocabulary.

In the lower elementary student learning focuses on the concepts and skills for multiplication and division of whole numbers and understanding fractions. They will learn strategies for using multiplication and division to solve problems. Students will also learn to add, subtract, multiply, and divide fractions using various strategies.

They will be able to:

- Explain why a procedure works and why an answer is correct.
- Fluently add and subtract multi-digit whole numbers up to 1,000,000 using the standard algorithm.
- Use a variety of models (e.g., circles, squares, rectangles, number lines) to represent and develop understanding of fractions.
- Experiment with representing problem situations in multiple ways, including writing numbers; creating math drawings; using objects; writing equations; and making a chart, list, or graph

### **Upper Elementary Program**

Children entering the Upper Elementary Program are entering the Early Adolescence stage of development (usually defined as the ages 11 to 15). Early adolescence can be characterized as the search for self. Children at this age experience rapid developmental changes – physical, intellectual, social, and emotional. They begin to look to their peers rather than their families for validation, understanding, and community. They start to develop their own autonomy and begin to build upon their experiences and prior knowledge to find meaning and purpose.

Eureka! Inclusive’s Upper Elementary Program will further nurture the personal growth of our students by pairing each student with a mentor. All Eureka! students entering the Upper Elementary Program will select a topic of personal interest and passion. By providing students daily opportunities to explore what is meaningful to them, they begin to learn about themselves, develop intrinsic motivation, and discover the power of their voice. Although community service will not be a requirement, our school framework, policies, and practices will model community engagement and the values and joy of a “work-play” ethic. We will encourage our students through academic, social, and recreational activities to be engaged members of their local and global communities. The last year at Eureka! Inclusive will culminate with a personally driven research project or showcase. This will be developed with guidance from their mentor over the span of the students middle school experience and will be a reflection of what each student believes it means to be an educated person and more importantly a human.

The Upper Elementary Program will be divided in the following manner:

- 4<sup>th</sup>/5<sup>th</sup> (ages 9-10): Standards for advancement will be based on California State Standards for fourth grade and progress towards developmental milestones for 9-year olds.
- 5<sup>th</sup>/6<sup>th</sup> (ages 10-11): Standards for advancement will be based on California State Standards for fifth grade and progress towards developmental milestones for 10-year olds.
- 5<sup>th</sup>/6<sup>th</sup> (ages 10-12): Standards for advancement will be based on California State Standards for sixth grade and progress towards developmental milestones for 11-year olds.

At this grade span, students become increasingly effective at expressing themselves and engage in meaningful collaborations with fellow students, teachers, and family members. Argument is introduced, and students evaluate claims in texts and write and present their own arguments, with clear reasons supported by text-based information. Analysis includes not only what the text says explicitly but also what inferences can be drawn.

Additionally, upper elementary students literacy standards will be integrated into history/social studies, science, and technical subjects for the strands of reading and writing. These Literacy standards extend across the different subject-area classes. Students continue to build and demonstrate effective use of grammar, punctuation, capitalization, and spelling in writing or speaking. For students to express themselves, it is important they understand how to choose words wisely, the impact of a well-crafted sentence, and how punctuation affects the pace of a written piece. Through exposure to various types of written and spoken expression such as newspapers, legislation, speeches, poetry, lyrics, and screenplays students will be:

1. Building knowledge through content-rich informational text;
2. Reading, writing, and speaking grounded in evidence from different texts, both literary and informational; and
3. Engaging in group and individual reading and research activities centered on more complex texts and developing academic language.

In the upper elementary program students move from arithmetic to algebra. Learning focuses on early expressions and equations, ratio and proportional reasoning applied to real-world problems and quantitative relationships.

By the end of grade six, students are expected to be fluent with multi-digit division and calculations with multi-digit decimals, and notice patterns that exist in ratio tables, recognizing both the additive and multiplicative properties.

Students at Eureka! Inclusive will graduate from our school prepared for success as self-motivated, competent, lifelong learners.

Students will graduate from the Upper Elementary Program with a strong sense of identity, depth of understanding across a breadth of topics, experienced at synthesizing facts to form opinions, able to articulate personal aspirations and set a plan to achieve their goals, and socially motivated to contribute to their communities.

**Self-motivated learners:** Extensive research has shown that motivation hinges on three conditions: autonomy, mastery, and a sense of purpose (Pink, 2010.) Through our student-centered (autonomy) instruction that is mastery-based and constructivist by design(mastery), our students understand the relevance of what they are learning (purpose) to become self-motivated learners.

**Competent learners:** Our instructional model emphasizes curiosity and encourages children to constantly ask “why”, while providing ample embedded student supports to ensure our students become competent learners in order to meet those expectations.

**Life-long Learners:** Our interdisciplinary teaching team approach will serve as a model for our students of life-long learners, since they demonstrate a desire to continuously improve their skills and knowledge through collaboration and professional development.

## EUREKA! INCLUSIVE UNIVERSAL INSTRUCTIONAL DESIGN

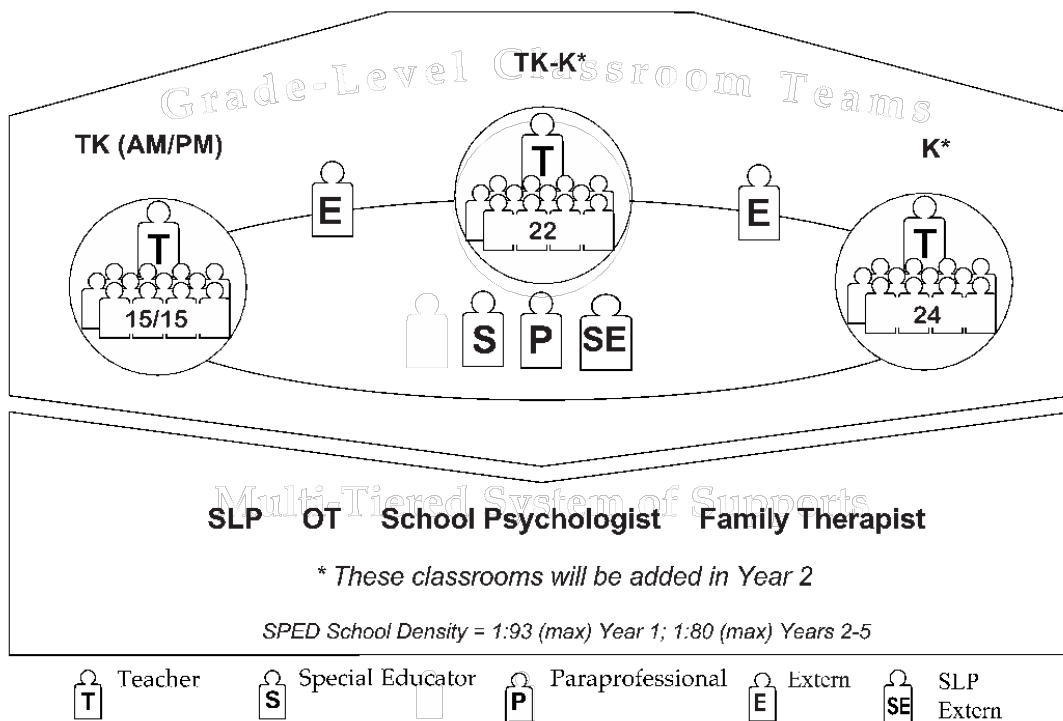
The Eureka! Inclusive model of inclusion will provide collaborative support for teachers in their classrooms. Our teaching teams are comprised of general education teachers, special education teachers, occupational therapists, and speech pathologists, all of whom are full-time team members. Team teaching boasts many pedagogical, intellectual, and developmental advantages: it can help create a dynamic and interactive learning

environment, provide instructors with a useful way of modeling thinking within or across disciplines, and inspire a deeper understanding of diverse learning and thinking styles, and enhance richer and significant learning for students and faculty. Staffing is allocated based on research that supports density model calculations.<sup>89</sup> Eureka! will implement the four-class model as illustrated below in year one. We anticipate schoolwide density of 93 students per special education teacher, with 18 (20%) of which we anticipate will have IEPs. In year two, we will switch to a three-team classroom model and an anticipated school wide density ratio of 1 special education teacher per 80 students, 16 (20%) of which we anticipate will have IEPs.

Figure 6 Three Class Service Delivery Model Early Education

## Three-Class Service Delivery Model

### Early Education

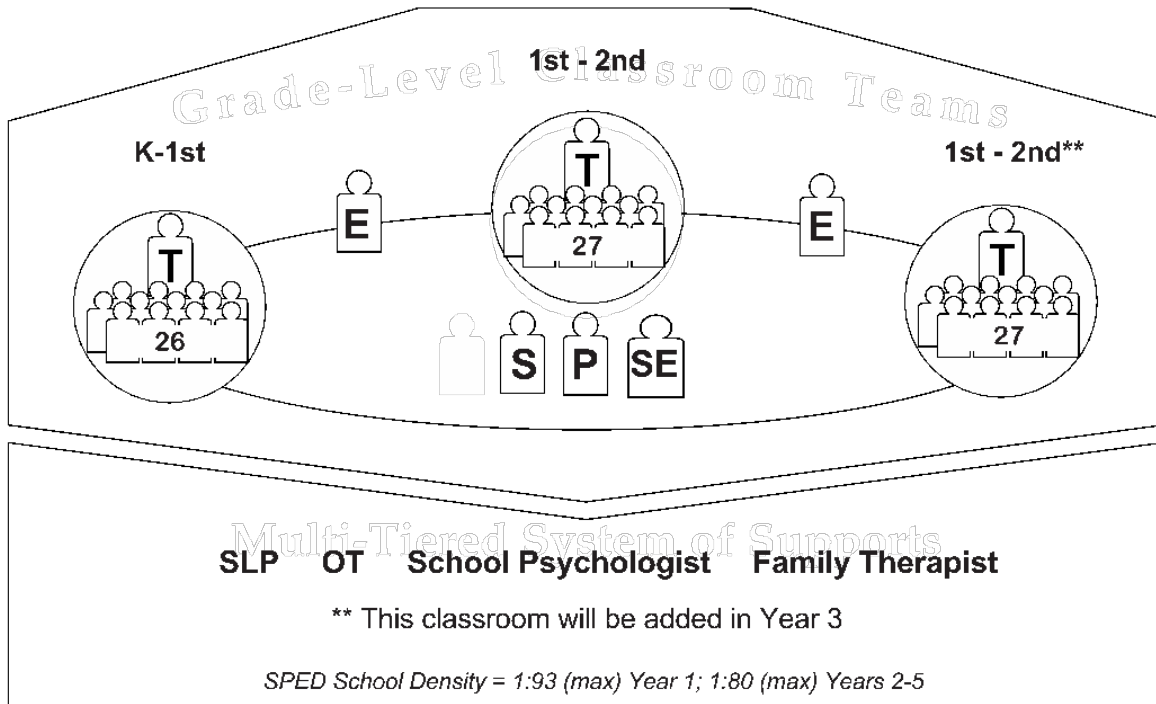


<sup>89</sup> Michael F. Giangreco and Jesse C. Suter (2015) Precarious or Purposeful? Proactively Building Inclusive Special Education Service Delivery on Solid Ground. *Inclusion*: September 2015, Vol. 3, No. 3, pp. 112-131. <https://doi.org/10.1352/2326-6988-3.3.112>

Figure 7 Three Class Service Delivery Model Primary Elementary

# Three-Class Service Delivery Model

## Primary Elementary



Teacher   
 Special Educator   
 Paraprofessional   
 Extern   
 SLP Extern

Figure 8 Three Class Service Delivery Model Lower Elementary

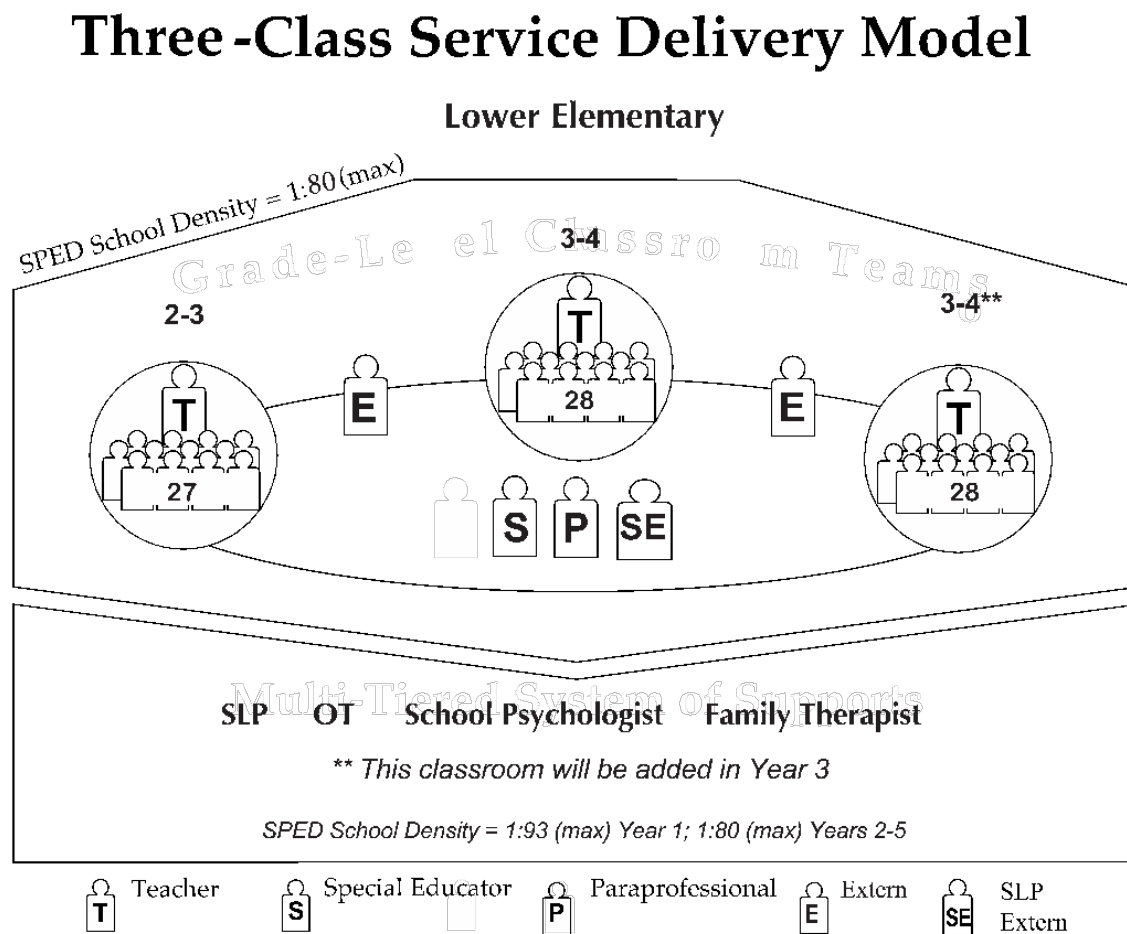
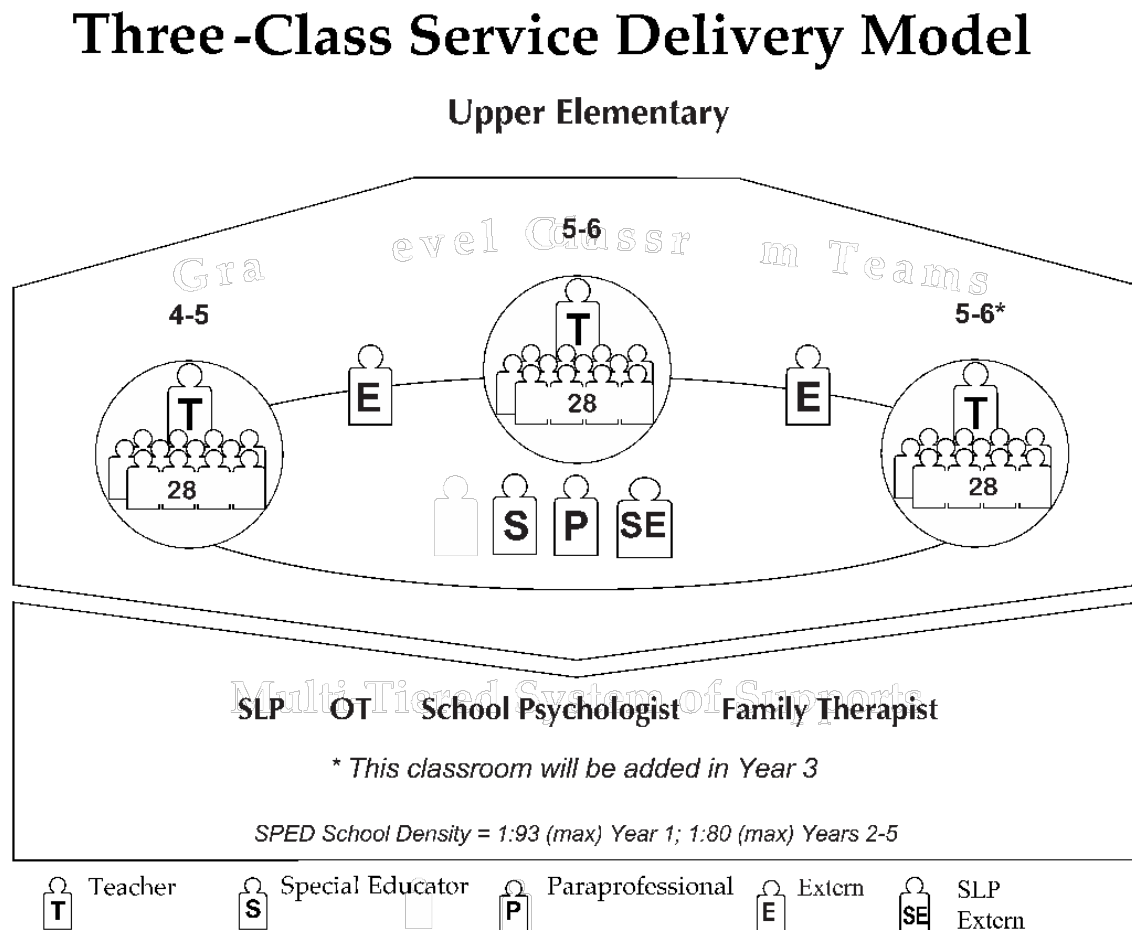


Figure 9 Three Class Service Delivery Model Upper Elementary



### UDL INSTRUCTIONAL STRATEGIES

The Universal Design for Learning (UDL) educational framework encompasses all aspects of the teaching and learning process including instructional goals, methods, materials, and assessments. UDL is intended to increase access to the curriculum by reducing physical, cognitive, intellectual, and other barriers to learning. Below are several examples of how teachers will employ UDL in the classroom to help explain a new idea, concept or task.

- Teach strategies to provide multiple means of representation
- Use artwork, architecture, music, stories, and examples from classroom experiences.
- Employ more than one type of explanation or illustration.
- Include visual and multi-modal input to students.
- Model learning by demonstrating how a problem can be solved or a learning situation can be handled.
- Build upon and link new learning to students' prior knowledge.
- Accurately identify what students already know about the subject matter being presented.
- Utilize a K-W-L approach with students to assess what they already know (K), what (W) they want to find out, and recall what they learned (L) as a means to address prior learning.

To increase students' comprehension of the material being presented, teachers will utilize a range of strategies including, but not limited to the following:

- Use analogies and metaphors to assist students' comprehension and graphic organizers, concept maps and semantic maps as aids.
- Use cross-curricular connections to tie together information in meaningful ways (e.g., linking math and science concepts, teaching literacy through the use of history).
- Provide steps or sequences for learning complex tasks.
- Use scaffolding as a temporary assistive component until mastery is achieved.
- Provide checklists, study guides and other resources for note-taking.
- Utilize a variety of technologies including interactive whiteboards, video streaming, and other computer and Internet-based software as well as tablets as augmentative/alternative communication (AAC) devices.

When using the UDL instructional approach, teachers will provide students with a myriad of options to demonstrate their learning. Several other examples are listed below.

- Allow students to use manipulatives, graphing paper and other types of hands-on materials to demonstrate what they know, as well as digital hands-on options via voice operated or touch screen technology.
- Minimize barriers to learning by providing spellcheckers, grammar checkers, word prediction software, calculators, and other devices or tools.
- Allow students to use word processors to complete assignments instead of paper and pencil.
- Encourage role playing, video interviews, performances and peer feedback.
- Use artwork, storytelling, music, and other creative options to demonstrate concept understanding.
- Allow students to create portfolios and other ways to demonstrate their learning and growth.

Teachers will also be required to design and use formative assessments during instructional lessons and units to measure students' learning, to inform decision making and to adjust instructional input. Teachers will utilize formative assessments for student pre-assessments, as well as for assessments during and after instruction. Teachers will also establish formative benchmark assessments across a grade level or within a team teaching the same course of study.

Finally, teachers will be trained to increase active student participation in the learning process by maximizing student-centered learning through the following ways:

- Use station-learning or learning centers (Multi-modal/Multi-sensory).
- Use cooperative learning structures (flexible groups, guided inquiry).
- Allow students to set their own goals and objectives (MADE by Me).
- Offer students choices of assignments related to the content matter. (intrinsic motivation)
- Design authentic assignments using "real life" applications (plan field trips, organize work-play parties, address local governing boards with concerns, host family dinner nights).
- Personalize assignments to students' experiences and interests. (relevant to life)
- Select assignments that are age and ability appropriate. (achievable)
- Allow students time for self-reflection (daily journal).
- Invite student feedback on assignments and tasks. (Child Centered)



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## PROFESSIONAL LEARNING COMMUNITIES OF PRACTICE

Eureka! Inclusive interdisciplinary teams will receive training during the first two weeks before the first day of school in the frameworks that support a universally designed and intentionally inclusive school model including:

- Adopted Curriculum/UDL
- ELD/UDL
- Technology/UDL
- Arts Enhanced Curriculum
- Multi-Modal and Multi-Sensory
- Social Emotional Learning Program
- Swift Schools Equity Based Multi-Tiered System of Supports
- Relationship Based/Emotionally Responsive Teaching

During the two weeks leading up to the first day of school all members of faculty will be provided extensive training in the core areas of the Eureka! Inclusive Model listed above. Within the context of each training, specific strategies will be outlined to address the needs of students with disabilities, English Learners, low-achieving students, and gifted students. Additionally, teachers will break into groups to develop lessons and will have the opportunity to teach and be taught. During this time, we will establish the teaching teams based on a variety of factors, including, teacher experience and a goodness of fit. While all teachers will work together, we recognize that our teachers, like our students will bring with them a variety of teaching, learning, and personal qualities that compliment and add to the vibrant learning culture of Eureka! Inclusive. As part of our commitment to give our teachers a voice, we welcome personal reflection and insight into the working conditions and partnerships that they feel bring out the best they have to offer. We will also develop the breaks and lunch schedule at this time and decide on monthly or bi-weekly pay periods.

### **Collaborative Professional Development**

Through Memorandums of Understanding, Eureka! leaders and teachers will receive intensive professional development through collaborative partnerships with The SWIFT Education Center and The CHIME institute. Our school-based leadership team and research team will continue to work with The CHIME Institute and SWIFT Schools to provide professional development to new teachers and faculty as they join Eureka! Inclusive. Through these partnerships Eureka! will join a network of inclusive schools as members of a professional learning community that collects and exchanges data as part of on-going research that is used to inform best practices for implementing equity based inclusion in schools throughout the public and private sector.

Additionally, Eureka! Inclusive has established a relationship with San Jose State Department of Communicative Disorders and will provide externships and observation opportunities for college students. As part of this relationship student externs and SJSU faculty are welcome to join our Professional Learning Community and participate in professional development activities.

We have built in two weeks professional development prior to first day of school, daily team planning time, weekly school-wide meetings, and an annual \$1,500.00 per teacher professional development allowance.

Teaching teams, will develop and practice universally designed lessons, build in scaffolds, and assess the level of understanding and accessibility of all learners, receive peer feedback, and make adjustments.

## EUREKA! INCLUSIVE CURRICULUM

The Eureka! Inclusive curriculum will be guided by state and national standards. The guiding principles from the Curriculum Frameworks for California Public Schools: Kindergarten through Grade Twelve and the Common Core State Standards/Next Generation Science Standards (CA CCCSS and NGSS) will be incorporated by each of the core content areas.

In each core academic area, students will be expected to achieve outcomes appropriate to their development, age and grade level. For example, some students with significant developmental delays might be expected to achieve some outcomes that are typically expected for chronologically younger students. Other students, who have more specific disabilities such as learning disabilities or orthopedic impairments, will be expected to achieve outcomes that are consistent with their chronological age peers in most areas, but may need

alternative goals or special adaptations in some curriculum areas. Still other students, who are gifted and talented, may achieve outcomes that are generally expected of older students. Eureka! Inclusive will ensure that all students receive instruction in each of the four core content areas (language arts, mathematics, science, and social studies), with all courses aligned to State Standards.

Please see Appendix A20-A30 for additional information about curriculum referenced below.

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### SOCIAL EMOTIONAL LEARNING PROGRAM

Social emotional learning does not happen once a week in the context of a thirty-minute lesson. Social emotional learning is happening at every moment of every day. Children develop in the context of relationships and relationships develop in the context of environments. When you build a school, you make a promise to the community to care for their children as if they were your own.

Our Promise to the Community:

Eureka! Inclusive will embrace and welcome all students with a warm, safe, friendly, engaging, encouraging academic, social, emotional environment, in which development occurs within the context of relationships. Each child will receive an education that is academically effective and socially meaningful.

School wide PBIS creates a positive school culture by clearly defining positive expectations that are taught to all students and adults (Crone & Horner, 2003; Crone, Horner, & Hawken, 2010). The Eureka! Inclusive School Wide Social Emotional Learning program is embedded into the culture and design of the school.

We view student behavior through a humanistic and relational lens and seek to understand not manage student, parent, and teacher behaviors. We recognize that every single human will experience every single emotion on any given day and will require “extra” from the people around them. Children develop in the context of relationships and relationships develop in the context of environments. With that understanding in mind, our schedule has been thoughtfully designed to anticipate the everyday contingencies of life guided by Maslow’s Hierarchy of school needs<sup>90</sup> and Brazelton’s method of anticipatory “touch points<sup>91</sup>”. We refer to this type of

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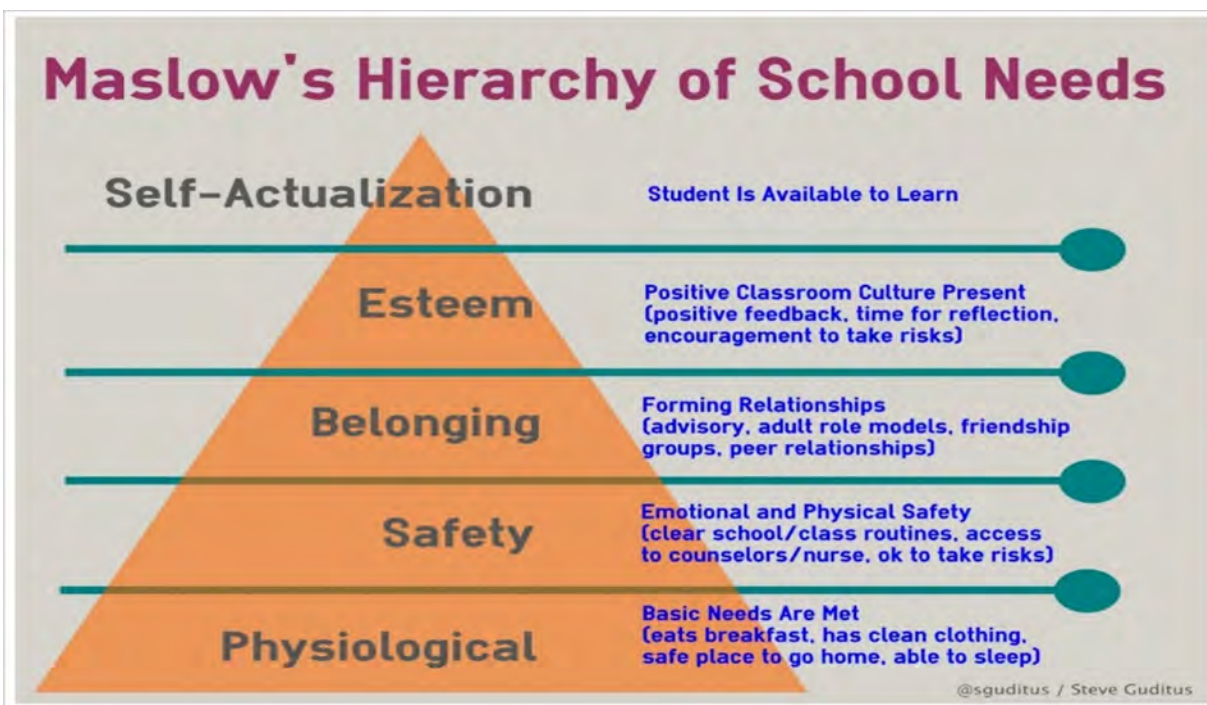
<sup>90</sup> <http://www.aasa.org/SchoolAdministratorArticle.aspx?id=7780>

<sup>91</sup> <https://www.brazeltontouchpoints.org/about/evidence-based-research/touchpoints-early-childhood-assessment-professionals/>

scheduling as “developmentally structured flexibility” by anticipating the times and activities throughout the day that tend to generate “stress” we are able to build in extra flexibility and social emotional support for our school community.

Before the beginning of the school year and as part of the school welcome week, Eureka! Inclusive teaching teams will host a parent information night to model instruction and share knowledge about vocabulary and concept. Parents will break into small groups facilitated by a member of the teaching team to ask questions, role play, share concerns, and complete social skill, self-regulation, and behavior baseline levels of functioning surveys for their child/ren. In the classroom, speech and occupational therapists will co-teach with general education teachers and students will keep a daily health and wellness journal self-reporting moods, feelings, and reflecting on actions and reactions of self and others. The program will be implemented at Eureka! Inclusive using a variety of proactive science based strategies and activities.

Figure 10 Maslow's Hierarchy of School Needs



**A Cognitive Approach to Social and Emotional Learning**

The Eureka! Inclusive SEL program will form the foundation of our School-Wide Positive Behavior Interventions and Supports (SWPBIS) program. In addition, during professional development teachers will receive training to develop trauma informed and culturally responsive awareness and teaching strategies. Additional layers of support will be added based on individual student needs. Tier1, Tier 2, and Tier 3 implementation of the SWPBIS program will be guided by the PBIS Technical Brief on Classroom PBIS Strategies.

Activities built into the day are elements of: Yoga, brain gym, mindfulness<sup>92</sup>, “Flexible Body, Flexible Brain!” Whole Body Listening, Superflex, and Zones of Regulation<sup>93</sup>.

Teaching teams will collaborate to determine the individual and group needs of each class and develop an effective program accordingly. Zones of Regulation compliments the methodology of Social Thinking<sup>94</sup>, incorporating the social thinking vocabulary and numerous visual aids to teach students to identify their feelings and levels of alertness, and to understand how their behavior impacts those around them.

The exercises are meant to help students gain skill in emotional perception and also learn what tools they can use to manage their feelings and states.

### **Social Behavior Mapping<sup>95</sup>**

Social behavior mapping will be used as needed. The method consists of building a visual flowchart that is used to “map” the consequences of any behavior in any situation – good or bad. The chart brings to light the perspectives of everyone affected by the behavior. The tool is based on the concept of the Social Emotional Chain Reaction, the idea that how we act affects how others feel; how we make others feel affects how they treat us; how we are treated affects how we feel about others and ultimately - how we feel about ourselves.

Social Behavior Mapping helps students who are having trouble seeing the chain of consequences from a given non-social behavior understand how their action can create a

### **The Social Emotional Learning Environment**

Physical environments conducive to living are conducive to learning. Eureka! Inclusive will have a school wide common set of features we believe are necessary to create a welcoming environment for all members of the community.

1. Sensory friendly: Perfume free zone, Window coverings and carpeting to absorb sound, soft and natural lighting.
2. Schedules, classroom expectations clearly posted, substitute binder with student snapshot.
3. Students have a designated space for backpacks, lunch boxes, and projects in progress.
4. Clearly defined areas to explore with materials based on children's interests determined by the initial observations and interviews, example dinosaurs, indoor sand table, magna tiles, and a treehouse
5. Free of clutter: bins and cupboards labeled. Temptations are out away: materials rotated, toys and materials not being used in cabinets.
6. Bios of staff with pictures of favorite food, color, activity, and family, etc.
7. Bios of kids with pics of their favorite things and families up

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<sup>92</sup> Turanzas, J.A., Cordon, J.R., Choca, J.P. et al. Mindfulness (2018).

<sup>93</sup> Truesdale, S.P. (1990). Whole Body Listening: Developing active auditory skills. Language, Speech and Hearing Services in Schools, 21: 183-184

<sup>94</sup><https://www.socialthinking.com/Articles?name=Research%20to%20Frameworks%20to%20Practice%20Social%20Thinkings%20Layer%20of%20Evidence>

<sup>95</sup> <http://www.cidd.unc.edu/docs/CommunityTalk/socialbehaviormappingHO.pdf>

8. Multiple work stations with paper, and crayons, pencils on each table. No assigned desks.
9. Sensory Break space: Quiet work area that can be accessed if needed and nap pad.
10. Sensory Seeking space with big comfy crash pad, and other items to support sensory input.

## **Developmentally Structured Flexibility**

We have prioritized the following times of the day in our schedule that represent periods of time that predict behavior challenges in typical schools. These tend to be periods of transition, lunch, unstructured social time, the period after lunch, and the end of the day.

### **Morning Drop Off:**

To address the separation anxiety that TK and Kinder students often experience when they begin school we ask that parents walk them to class.

Campus will be open 30 minutes prior to the beginning of class and students will be greeted at drop off by members of the school team. Students will be given a choice of an outdoor play space or an indoor quiet space. Children arriving to school without having breakfast will be able to have a healthy snack, this might be a cereal bar, piece of fruit, and milk. Making sure that students feel supported when they arrive at school is an essential first tier strategy for all students and establishes a secure routine.

### **Morning Movement:**

Research shows powerful connections between physical activity and improving memory<sup>96</sup>, concentration, and emotional health. Moving has also been shown to alter neurotransmitters and to make structural changes to the central nervous system. Stanford researchers<sup>97</sup> found that walking boosts creative inspiration. During morning movement teaching teams will divide into smaller groups based on student activity level. In these groups' teachers will do daily **health and wellness checks** with students and students will recognize what "zone" they are in a record in their student journal.

Teachers will use the **Zones Curriculum** to assist students in developing self-awareness about how internal states influence physical activity. For instance, one student might learn

On days I eat breakfast I want to run, jump, explore, and laugh with my friends.

On days I miss breakfast, I yell at my friend because he is laughing too loud and I want to be left alone.

Using **Social Thinking Curriculum** children will recognize how their actions effect the internal states of others and develop strategies using *Behavior Mapping*, and if needed, **Collaborative and Proactive Solutions** to respond in ways that are appropriate to the situation.

**Teachers** will be able to utilize the combination of the three frameworks to develop and embed supports for children that need additional support to gain and maintain self-regulatory control.

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<sup>96</sup> Journal of Experimental Psychology: Learning, Memory, and Cognition 2014, Vol. 40, No. 4, 1142–1152

<sup>97</sup> Give Your Ideas Some Legs: The Positive Effect of Walking on Creative Thinking Marily Oppezzo and Daniel L. Schwartz Stanford University

The goal of morning movement is to meet students where they are and assist in guiding them to the energy level required for the classroom environment and offer the support needed by the student to be academically and socially successful throughout the day.

Morning movement will end with teachers reviewing with students the expected behavior for the next activity using the **CHAMPS** classroom behavior management system.

Transitioning to Learning:

Monday morning or first day of the week: The teacher will review expectations, the schedule for the week and a social story or activity that introduces the new social learning concept and skill the children will be learning. Alternatively, the teacher might reintroduce a previously learned skill to address a recognized area of challenge.

Every activity will begin by reviewing the CHAMPS expectation for the activity

For instance, will this activity involve getting up and moving throughout the classroom to access materials? How will that happen? What is the level of conversation? Whole class? Small group? Or only if you have a question?

How long will the activity take? What do I do when I am finished? Some students might require individualized activity schedules, with built in breaks. Which type of break is an option for this activity? For instance, can I bounce a ball inside? Can I use indoor sand or bounce on ball chair?

Each activity will have a built in “clean-up” and reflection activity. During this time children will be asked to check their zone and record in their journal. Children that need support staying in the “learning zone” will be provided support during the transition to a new activity.

### **Instructional Lunches:**

Lunchtime is associated with increased behavioral referrals<sup>98</sup>. Eureka! Inclusive Instructional Lunch teachers<sup>99</sup> and children share family style lunches together. During this time teachers provide mini lessons on healthy eating habits, nutrition, reinforce table manners and good hygiene. Teachers are able to embed additional supports into a normative social environment for children that have sensory feeding issues or other challenges that interfere with eating during the lunchtime period. This has become a growing concern for parents and schools alike.

Instructional lunches allow teachers to eat lunch with students and share engaging social conversation. During this time teachers reinforce that they care about a child’s health and delight in their company, thus strengthening the child’s sense of trust, which is necessary for building secure relationships that grow and flourish over time<sup>100</sup>.

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<sup>98</sup> [https://www.educationworld.com/a\\_admin/admin/admin493.shtml](https://www.educationworld.com/a_admin/admin/admin493.shtml)

<sup>99</sup> <http://www.ascd.org/publications/educational-leadership/sept08/vol66/num01/A-Lunchroom-Solution.aspx>

<sup>100</sup> <https://www.theatlantic.com/education/archive/2018/12/should-parents-eat-lunch-their-children-school/577117/>

## End of the Day:

Throughout the day children will be expected to stop what they are doing and move on to a different activity. Challenging behaviors occur when children must move from a preferred to a non-preferred activity or stop in the middle of project still incomplete.

**MADE by ME** is a daily, student driven exploration period and is an extension of our belief that learning occurs naturally when humans feel safe to explore, inquire, and express. MADE by Me is a time at the end of each day when students can take the events, feelings, and findings of the day to explore and make meaning of their thoughts in their own way. By building choice into the end of the day Eureka! builds a student's capacity to "delay" gratification and leverages intrinsic motivating factors to keep students engaged in the activities of the day. Mentors work with students at all grade levels to oversee student-directed special projects, productions, and electives.

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## ENGLISH LANGUAGE ARTS

The ELA curriculum will be presented in fully inclusive classes in which learners of all abilities participate. Each classroom will contain typically developing students, gifted students, and students labelled with a disability. Teacher resources for all students are, therefore, present in the general education classrooms. Appropriate differentiation of instruction is provided for all learners' needs. Students labelled with disabilities and with a variety of language needs are given ample opportunities to participate in communicative and interactive learning activities which enhance their language acquisition, social, interpersonal, and academic skills in a language and print rich environment.

Our teachers understand that the development of each student's literacy skills is a shared responsibility. Every teacher at Eureka! Inclusive works collaboratively to develop the reading, writing, speaking, and listening skills of students. Eureka! embraces the intent and purpose of the State Standards for ELA/Literacy, and the State Board of Education's "hope and belief that all of California's students will develop the readiness for college, careers and civic life by the time they graduate from high school" and that they attain the following capacities of literate individuals as outlined by the National Governors Association (NGA) Center for Best Practices and the Council of Chief State School Officers (CCSSO):

- They demonstrate independence.
- They build strong content knowledge.
- They respond to the varying demands of audience, task, purpose, and discipline.
- They comprehend as well as critique.
- They value evidence.
- They use technology and digital media strategically and capably.
- They come to understand other perspectives and cultures.

The ELA Standards are organized into four strands: Reading, Writing, Speaking & Listening and Language. With a greater emphasis on higher-order thinking skills, there are six shifts evident in the ELA strands:

- Shift #1: An increase in the proportion of informational versus literacy text as students move up in grade levels
- Shift #2: A focus on the knowledge of the disciplines by including language and literacy skills in subjects such as Science, Math and Social Studies

- Shift #3: An increase in the significance of the complexity of text where the text's readability must include: structure of the text, background knowledge, as well as what the reader is asked to do with the text
- Shift #4: An emphasis on text-based answers requiring students to provide evidence to support their inferences and arguments
- Shift #5: Writing from sources will be emphasized as students write to persuade, explain and/or convey experiences
- Shift #6: A focus on academic language which includes: text level, paragraph level and word level in the content areas.

California Journeys-Collections K-6 ELA/ELD Program<sup>101</sup> is the state adopted ELA/ELD program used in CHIME classrooms. After reviewing the literature and observing the program while at CHIME the Eureka! board voted to implement the program at Eureka! Inclusive.

Journeys is a comprehensive K-6 English language arts program. It provides an instructional system for reading both literature and informational texts, for acquiring foundational skills, and for developing mastery of speaking, listening and writing.

Journeys scope and sequences are plans teachers can trust. They provide a pedagogical sequence that's developmentally appropriate and research-based. That way, as students embark on their literacy journey, a path is being charted for the skills and knowledge they'll need down the road.

The program has several built-in features that compliment an inclusive and universally designed approach to educating all students

- Journeys Leveled Readers for Guided Reading, by Irene Fountas, allow students to get individualized practice alongside the core coursework.
- Complete solutions for Tier I, II, and III intervention to reinforce skills, scaffold instruction, and teach key foundational skills.
- Strategic language support for English learners provides integrated support and scaffolds for every lesson, plus five days of additional instruction to develop language skills, all enabling ELs to engage with core instruction.

The program features a competence assessment system

- Weekly tests, benchmark assessments, and unit tests give teachers the tools they need to monitor student progress.
- The online dashboard gives teachers visibility into the progress of their class, providing the insights they need to develop customized lesson plans.
- Tech-enhanced questions like drag-and-drop and multi-select allow students to prepare for high-stakes assessment formats.

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<sup>101</sup> Houghton Mifflin Harcourt. Overview: Enrich the Classroom with tools that foster a love of learning. Retrieved from <https://www.hmhco.com/programs/journeys/about>.



Through the intersection of the UDL framework and the State Standards, Eureka! Inclusive will create a learning environment where:

- All students can access the standards regardless of their learning styles, language/cultural barriers, physical, sensory or emotional challenges, neurologically or emotionally based behavioral challenges.
- Students will learn the standards in different ways and at different rates. Thus, instruction must be flexible.
- All students, regardless of their learning challenges, will work toward the same set of standards.
- Multiple pathways are needed to teach content and assess student progress.
- Students must be actively engaged in their own learning.
- Students' interests and motivation are critical to learning the standards.
- Teachers need to be facilitators by structuring learning opportunities for students.
- Technology and digitally-based formats can help to remove barriers to learning.

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## ENGLISH LANGUAGE DEVELOPMENT

The school's ELD goals are directly aligned with the goals detailed in the California ELD Standards and the English Language Framework for California public schools<sup>102</sup> (ELA/ELD Framework) to ensure that English Learners are fully supported as they do the following: 1) Recognize their home languages and cultures as resources to value in their own right and to draw upon in order to build proficiency in English; 2) contribute actively to class and group discussions by asking questions, responding appropriately, and providing useful feedback; 3) demonstrate knowledge of content through oral presentations, writing, collaborative conversations, and multimedia; and 4) develop proficiency in shifting registers based on task, purpose, audience, and text type.

The Eureka! Inclusive English Language Arts curriculum is aligned to Common Core State Standards. All students at Eureka! Inclusive learn to read critically, analyze text thoughtfully, write clearly and purposefully, as well as apply academically relevant listening and speaking skills. These skills are learned in a constructivist manner in which the students build their own understanding of the ELA standards and then apply them in a wide variety of contexts.

The instructional goal is to cultivate literacy through a cohesive, comprehensive, and progressive learning sequence. The California ELA-ELD Frameworks will be used to design standards-based lessons in ELA. Faculty will incorporate content from across academic subjects. The curriculum balances oral and written language and encompasses all ELA foundations including reading, writing, speaking, and listening.

The program recognizes that English Learners “may require additional time, appropriate instructional support, and aligned assessments as they acquire both English language proficiency and content-area knowledge” (NGA/CCSSO, 2010, Application of the Standards for English Language Learners). To this end, the Journeys K-6 program provides:

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<sup>102</sup> <https://www.cde.ca.gov/sp/el/er/eldstandards.asp>

Integrated English Language Development support, such as with the English Language Support suggestions in the Teacher's Edition

- Specialized instructional support to develop academic English and content-area knowledge
- Scaffolds at the point of use in lessons
- Enhanced intervention instruction and labeling
- Supports to allow English Learners (ELs) to interact with complex texts, such as a Text X-Ray with every lesson which breaks down the structural and language features of every Anchor Text
- Zoom In on Academic Language
- An extra hour of instruction for ELs
- Varied levels of EL materials, resources, and tools (for Emerging, Expanding, and Bridging levels), with substantial, moderate, and light support, in recognition of the diversity of this population
- Language awareness activities and purposeful, meaningful language-based activities
- Opportunities for meaningful interactions with peers, teachers, and texts

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## MATHEMATICS

The mathematics curriculum at Eureka! Inclusive is structured to develop deep understanding of numerical concepts, mathematical principles, mathematical applications and how to use mathematics to solve a range of problems. Our program and instructional methodologies are directly aligned with the new CCSS in Mathematics (CCSSM), guided by the 2013 California Mathematics Frameworks. The Eureka! Inclusive mathematics curriculum draws on six major mathematical content strands: number sense, algebra, geometry, measurement, data analysis and probability, and mathematical reasoning.

The founding team reviewed several math curricula and online platforms. Based on several independent studies of student progress, teacher reviews, and test scores, Eureka! Inclusive plans to use the GO! Math curriculum across all grades (*See Appendix A22*). This curriculum is written specifically to support the Common Core State Standards and the ideal of developing 21<sup>st</sup>-century skills and incorporates the Standards for Mathematical Practice. The curriculum is focused on conceptual fluency and provides interactive lessons, research-based instructional approaches, reflects best practices, has built-in English Learner support, and provides individualized instructional resources. In this program, instructional time is devoted to developing both students content skills as well as their mathematical practices. GO Math! supports the Standards for Mathematical Practice through several specific research-based practices including: writing to learn, communicating mathematically, problem-based learning, using models and representations, scaffolding and engagement.

We will stress strong foundational conceptual understanding, a high degree of procedural skill and fluency, and the ability to apply mathematical thinking to solve problems inside and outside the classroom. Teachers will employ the following approaches to math instruction:

- Teachers take students through lessons from concrete to pictorial to abstract. They begin with a concrete approach where students learn new concepts with the help of manipulatives. They then move to pictorial examples of the same concept. Finally, they move to a more abstract stage using only numbers and symbols. This sequential approach enables each child, regardless of learning style or special need, to not only learn the concept in a rote manner, but also to fully understand the concept. Full understanding is demonstrated by when the student is able to apply the concept to novel applications.

- Students are asked to think about math, rather than simply memorize steps to solve a problem. With this math approach, teachers stress that there are often different ways to solve a problem and students are encouraged to explain their thought process to classmates. This helps students to understand the math, rather than just memorize the steps to solve a math problem. Students and teachers may work through examples and complete math exercises to develop or reinforce a concept or procedure. They may also use a Socratic method, whereby the teacher leads students in a conversation to develop a specific concept or proof. Independently or in small groups, students work on real-world problems followed by a debrief session to clarify, expand, or develop math knowledge.
- Concepts are covered throughout the grades with increasing sophistication as students grow in the understanding of mathematics and their ability to use it in practical applications. By building a strong base of foundational skills math concepts can be introduced with increasing complexity in a layering effect. Students in the upper grades have a clearer, deeper understanding of all concepts taught. To support the development of math fluency, students participate in daily math games and puzzles to support fluency.

The Mathematics program, as with all instruction at the school is fully inclusive. Students of all abilities participate in learning in the same classroom. Resources needed by the teacher to reach students at all levels are, therefore, available in each classroom.<sup>103</sup> Each day math lessons will be introduced with a whole class warm up. This is meant to activate the affective network of the brain or the “Why?” and reinforce to children the connection between math and everyday life. During the intro activity the teacher will use vocabulary from the unit, and introduce tools that the children will use, such as ruler, yard stick, tape measures, graph paper, counters, Lego blocks, geometric shapes. For example, “I am going to walk ten feet from where I am standing now, how many steps do you think I will take?” Which math tool might you use to help you make a guess and prove your hypothesis? Students will then record thoughts, questions, and insights in their math journal. At this time the teachers and externs, and specialized members of the team such as occupational therapists will circulate throughout the room to provide additional support. Depending on individual student needs some students might be using a pencil to write in a journal, others using their tablet or computer that has the accessibility features required to maximize autonomous participation in the group activity, still other students might be using pictures to express their learning. At least one adult will have checked in with each student during this warm up. Each morning warm up leads into the small group mini lesson with teachers. Students are also able to use technology to play “math games” that are provided with the Go! Math curriculum. Mini lessons after which students that have displayed mastery of the topic will move into either an independent practice quiz or an extension activity, while students that are “almost” there will learn continue to work in groups while students that require 1:1 support will be provided additional differentiation and teacher support. Additionally, Friday will be considered a “flex” day. During flex days math begins with a review of the week, and each student takes out their math journal/folder to complete and review work. Each student receives an exit ticket that allows them to spend the remainder of the math period engaged in a math activity of their choice. Student exit tickets are aligned to the standards, however, IEP goals will determine accommodations and modifications that individualize the goals for individual student mastery.

The following table illustrates a Go! Math unit.

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<sup>103</sup> Houghton-Mifflin-Harcourt. (2011). Go Math! K-8 Elementary and Middle School Mat Curriculum. Retrieved from hmhco.com: [http://www.hmhco.com/shop/education-curriculum/math/elementary-mathematics/go-math-k-8/shop-now?i=1;programId=PG0024\\*;q1=6;segment=Components;x1=grade\\_dd](http://www.hmhco.com/shop/education-curriculum/math/elementary-mathematics/go-math-k-8/shop-now?i=1;programId=PG0024*;q1=6;segment=Components;x1=grade_dd)

**Grade: 3 Topic: Go Math, Chapter 11: Perimeter and Area**

**Lesson 1-4-** 3.MD.D.8 Solve real world and mathematical problems involving perimeters of polygons, including finding the perimeter given the side lengths, finding an unknown side length, and exhibiting rectangles with the same perimeter and different areas or with the same area and different perimeters.

**Lesson 5-** 3.MD.C.5b A plane figure which can be covered without gaps or overlaps by  $n$  unit squares is said to have an area of  $n$  square units.

3.MD.C.6 Measure areas by counting unit squares (square cm, square m, square in, square ft, and improvised units).

**Lesson 6-** 3.MD.C.7 Relate area to the operations of multiplication and addition.

3.MD.C.7a Find the area of a rectangle with whole-number side lengths by tiling it, and show that the area is the same as would be found by multiplying the side lengths.

**Lesson 7-** 3.MD.C.7b Multiply side lengths to find areas of rectangles with whole-number side lengths in the context of solving real world and mathematical problems, and represent whole-number products as rectangular areas in mathematical reasoning.

**Lesson 8-** 3.MD.C.7c Use tiling to show in a concrete case that the area of a rectangle with whole-number side lengths  $a$  and  $b + c$  is the sum of  $a \times b$  and  $a \times c$ . Use area models to represent the distributive property in mathematical reasoning.

3.MD.C.7d Recognize area as additive. Find areas of rectilinear figures by decomposing them into non-overlapping rectangles and adding the areas of the non-overlapping parts, applying this technique to solve real world problems.

**Lesson 9-10-** 3.MD.D.8 Solve real world and mathematical problems involving perimeters of polygons, including finding the perimeter given the side lengths, finding an unknown side length, and exhibiting rectangles with the same perimeter and different areas or with the same area and different perimeters.

*Table 12 Sample Go Math Chapter Unit 11: Perimeter and Area*

Monday	Tuesday	Wednesday	Thursday	Friday
Week One: Intro Activity Vocabulary and Tools Review	Lesson 1	Lesson 2	Lesson 3	Flex Day
Week Two: Lesson 4	Lesson 5	Lesson 6	Mid Chapter Checkpoint Quiz	Flex Day
Week Three: Lesson 7	Lesson 8	Lesson 9	Lesson 10	Flex Day
Week Four: Intro to End of Unit Project	End of Unit Project	End of Unit Project	Assessment Review	Chapter 11 Assessment

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## UDL AND THE MATHEMATICS STANDARDS

After the student is enrolled at Eureka! Inclusive, the school will administer a pre-test to assess what students already know about the math operation or content to be taught. Through integration of our math curriculum and the UDL framework, teachers will be able to:

- Relate math to real life situations to the maximum extent possible (i.e., architecture, measurement, personal finances, baking, Legos, Bikes, doll houses, etc.).
- Break math problems down into steps to be taught. Teach math procedures such as computational skills, problem-solving skills, and statistical procedures as task analyses.
- Teach in sequence. Begin with concrete illustrations (i.e., use manipulatives to count), then move to a representational level (i.e., using artwork, buildings, visual representations of objects), and then move to an abstract level (i.e., using numbers or symbols only).
- Provide visual aids and other devices to assist students in solving math problems (i.e., graph paper, calculators, etc.).
- Create a math “study guide” to help students master content and understand the use of mathematical symbols.
- Model or demonstrate a math problem, computation or procedure so that students can directly observe the teacher “work through” the math task first.
- Utilize cooperative learning as an integral part of classroom instruction and use flexible groupings to increase student-to-student interaction and support.
- Use formative assessment as an integral part of the lesson or unit being taught to assess students’ comprehension, as well as to measure students’ progress.
- Address any anxiety associated with math. Many students become highly anxious with math content and may need reassurance and support.
- Be aware of language issues that may interfere with students’ abilities to solve word problems. Pre-teach the necessary vocabulary or concepts.
- Use interactive math software.
- Use guided inquiry-based and project-based approaches to engage students in investigating real world challenges.
- Collaborate with other grade level teachers to provide common formative and benchmark math assessments.
- Allow students to use tablets, calculators, graphic organizers

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## HISTORY AND SOCIAL SCIENCE

Eureka! Inclusive’s history and social sciences curriculum is rooted in the curriculum standards specified in the History-Social Sciences Content Standards for California Public Schools: Kindergarten through Grade Twelve, CCSS for English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects (CA CCSS for ELA/Literacy), and the 2016 ELA/ELD Framework. Our curriculum shares the same three goals as the Framework: Knowledge and Cultural Understanding, Democratic Understanding and Civic Values, and Skills Attainment and Social Participation. Students will gain an understanding of human history as well as how our society and the world work. The curriculum not only supports student acquisition of core knowledge of the world’s eras and civilizations, but also develops the critical thinking skills that historians and social scientists employ to distinguish the important from the unimportant, to recognize vital connections between the present and the past, and to appreciate universal historical themes and dilemmas.

Broad social studies themes and content cover topics of family life, cultures, community, the environment, the study of California, geography, economics, United States and world history with connections to mathematics, science, and the arts. Learning activities engage students in an inclusive classroom setting in reading rich literature and original source documents; students also experience daily opportunities to develop listening, speaking, research, and writing skills. The incorporation of geography into the study of history and social science helps students develop a spatial sense of the world, awareness of specific regions and cultures, and an ability to associate events in history with the places those events occurred.

The Core Knowledge sequence is well-aligned to our emphasis on engaging, curiosity-inspiring curricula with real world relevance through the integration of multiple subjects and arts for students, and it is for that reason that history and social science will be taught at Eureka! using the Core Knowledge curriculum. Reading and writing will be incorporated into the history and social science curriculum through examination of primary sources, reading historic literature, conducting research, and writing and presenting findings. Much of the grade level reading materials are presented with scaffolds for comprehension, particularly in the case of primary source or other high-interest or high-authenticity materials that would otherwise be above students' comprehension levels. Social studies also include instruction in expository writing.

In the Core Knowledge History Sequence, topics are taught chronologically as well as geographically. Study of Native Americans is a case in point. In kindergarten, children will begin to learn about families and communities and will also learn about types of communities including Native American communities. In first grade, students will begin looking at early American civilizations and will be introduced to the concept that, while there are many different peoples in the world, they share many commonalities. In grade two, students will learn about immigration. They will also examine the westward expansion in America and the consequent contacts between Native Americans and immigrants to America from Europe. In third grade, students will look at the various Native American groups and at where each group is located regionally. They will trace the settlement patterns of Native Americans from prehistoric times onward. And they will also learn some Native American traditional stories. In grade four, students will look at people who contributed to reform in America, including Native Americans involved in reforming the country. In grade five, students will begin to look in-depth at the various Native American cultures including the cultures of North American Native Americans and those of the Mayans, Aztecs, and Incas. They will also look at cultures and conflicts among Native Americans and between Native Americans and European immigrants. In grades six through eight, the themes of cultures, cultures in conflict, attempts at reform, regional settlements, the relationship between cultures and geographies, human and civil rights, and the folklore of the various Native American groups will be revisited in greater depth building on the exposure students had to these topics in the prior six years. The Core Knowledge Sequence will be the primary curriculum for teaching History and Social Science at Eureka!

That curriculum will be supplemented by a variety of other resources meant to engage children in active civic participation. Children will explore a breadth of social justice topics, develop personal opinions and a platform with which to express and share their opinions, and exercise their rights as citizens. During the spring quarter all classes will showcase and present to the governing political boards the historical impact of one area of social justice and how it effects the present day civic and cultural conditions of life for the children of San Jose and Santa Clara County. Eureka! Inclusive will borrow from additional frameworks to supplement and enhance student experiences.

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## SCIENCE

The Core Knowledge Sequence will be the primary curriculum for teaching science. That curriculum will be supplemented by a variety of other resources including use of multicultural influences and contributions to

science, the Biomimicry Institutes “Ask Nature” K-12 education program and use of the Engineering by Nature curriculum to introduce engineering ideas and practices at the middle school level. Global thinking and responsibility will be reinforced with the assistance of the National Science Foundation Causal learning in the Classroom (CliC). These modules are designed to complement existing curricula in environmental ecosystems and climate change science. The curriculum draws on the recommendations of the Next Generation Science Standards. The curriculum develops student exploration of recurring concepts and connections so as to build student understanding of disciplinary core ideas (DCIs) in Life Sciences, Earth and Space Sciences, and Physical Sciences. As they are exposed to the DCIs, students develop critical thinking skills, as well as creativity in scientific thought.

Our UDL framework in science combines guided hands-on approaches to science with a guided inquiry-based approach. Hands-on science engages students actively in the learning of science. Inquiry-based approaches to science instruction employ the diverse practices scientists use to study the natural world. The combination of hands-on and inquiry-based instruction is expected to teach scientific content, motivate students, and develop scientific habits of thinking and practice among Eureka! Inclusive students. A guided approach provides modeling, graphic organizers, and explicit rubrics and examples-embedding necessary scaffolds to support the needs of all learners. Communication of science is emphasized in the curriculum by a variety of means. Science Fairs and showcases encourage students to communicate their research findings. In our inclusive classroom setting, students work with their peers as members of an investigative team studying scientific phenomena. Through these interactions, they begin to develop an understanding of the necessity and benefits of long-term research.

Students will demonstrate appropriate developmental, or grade level mastery of physical, life, and Earth science. In physical science, they will demonstrate mastery of properties of objects and materials, position and motion of objects, light, heat, energy, and matter; magnetism; objects in the sky; electricity; elements, molecules and compounds. In the life science, they will demonstrate mastery of characteristics of organisms; life cycles of organisms; organisms and their environments including food chains/webs and ecosystems; respiration, digestion, waste disposal, and transport of materials systems.

The science curriculum is based on the scientific process of inquiry and is organized around the following unifying themes: systems, order and organization; evidence, models and explanation; constancy, change and measurement; evolution and equilibrium; and form and function. The Eureka! Inclusive science curriculum emphasizes science as a process of formulating and answering questions about the physical world around us while encouraging students to appreciate the natural world. By engaging students in doing science, the curriculum helps students learn to observe, question, develop hypotheses, experiment, analyze data they collect, relate them to their questions and hypotheses, and communicate results to each other. The curriculum will engage students in using the tools of scientific inquiry and will expose students to a variety of scientific approaches including model building, hypothesis testing, and disciplined investigation.

Communication of science is emphasized in the curriculum by a variety of means. Science Fairs and showcases encourage students to communicate their research findings. In our inclusive classroom setting, students work with their peers as members of an investigative team studying scientific phenomena. Through these interactions, they begin to develop an understanding of the necessity and benefits of long-term research. Students will demonstrate appropriate developmental, or grade level mastery of physical, life, and Earth science. In physical science, they will demonstrate mastery of properties of objects and materials, position and motion of objects, light, heat, energy, and matter; magnetism; objects in the sky; electricity; elements, molecules and compounds. In the life science, they will demonstrate mastery of characteristics of organisms;

life cycles of organisms; organisms and their environments including food chains/webs and ecosystems; respiration, digestion, waste disposal, and transport of materials systems within a variety of organisms. In Earth Systems Science, they will demonstrate mastery of properties of earth materials including rocks, minerals and other natural resources; the solar system; waves, wind, water and ice; and other changes in the earth and sky. Across all scientific disciplines, students will learn to ask and develop meaningful questions, make predictions based on observed patterns; conduct investigations; measure items with appropriate tools; compare and classify objects based on physical attributes; describe the relative location of objects; and document observations using pictures, numbers, written statements, and graphs. Students will come to understand how the union of science, mathematics and art informs the scientific endeavor, allowing it to be successful. Finally, science will be integrated with other subject areas, showing the importance of science as a field for furthering our understanding of our existence, our history, and our future.

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## THE ARTS

The arts have a proven ability to regulate emotions and inspire deeper thinking, both critical to a successful learning experience. Additionally, research has shown that what students learn in the arts may help them to master other subjects, such as reading, learning a second language, math, and social studies. More importantly, by introducing children to the art and poetry of the people of the world we open their hearts and minds to the many perspectives, customs, and experiences of the world. We believe this early understanding and appreciation for the different viewpoints born of different experiences is essential to developing 21st century thinkers capable of being a conscientious citizen of the world and participating in global politics.

An Arts-Enhanced Curriculum, the arts become the approach to teaching and the vehicle for learning. Students meet dual learning objectives when they engage in the creative process to explore connections between an art form and another subject area to gain greater understanding in both. For example, students meet objectives in theater (characterization, stage composition, action, expression) and in social studies. The experience is mutually reinforcing—creating a dramatization provides an authentic context for students to learn more about the social studies content and as students delve deeper into the social studies content their growing understandings impact their dramatizations

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## VISUAL AND PERFORMING ARTS

The visual and performing arts curriculum is based on the California Common Core State Standards for dance, music, theater, and visual arts, focusing five key components:

- Learning through active practice, rehearsal, and creation or performance of works in the arts
- Reading about the arts and artists
- Researching, writing, and communicating about the arts
- Reflecting on the arts in thoughtful essay or journal writing on one's observations, feelings, and ideas about the arts
- Participating in arts criticism on the basis of observation, knowledge, and criteria

Eureka! Inclusive's visual and performing arts program provides every student with opportunities to use the components listed above to develop their artistic abilities to their fullest extent. We accomplish this through instruction in drama, music, visual arts, and theater.

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## DRAMA

Dramatics will be used to emphasize and elaborate on classroom curriculum based on grade level subjects: language development, science, literature, history, and mathematics. Dramatics will also be used to enhance



our Social Emotional Learning program, utilizing created situations based on different themes, such as peer pressure, friends, making smart choices, etc. In addition, all students will participate in grade level productions throughout the school year that incorporate culture, music and visual art as well.

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## MUSIC

Eureka! Inclusive's music program uses music to enhance academic subjects whenever possible. This may include singing songs to develop phonemic awareness, build vocabulary, and explore the cultural backgrounds of our students. Our music program also is used to develop physical coordination through rhythmic movement, cooperative learning, and creative expression.

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## VISUAL ARTS

Eureka! Inclusive's young artists learn about the elements of line, shape, color, texture, space and value, by exploring a variety of materials and art-making processes from drawing and painting to printmaking and weaving. Students regularly engage in self-assessment practices developing vocabulary skills, as well aesthetic awareness of their own works and those of others.

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## MUSIC, ART, DESIGN, EXPRESSION BY ME (MADE BY ME)

MADE by Me is a STEAM inspired program that draws upon the work of Harvard's Project Zero program (Agency by Design and Artful Thinking), the Maker movement, Reggio-Emilia educational theory, Orff-Schulwerk, and the Kodaly and Dalcroze developmental methods of music education for its foundation. It aligns with the California Content Standards for Performing and Visual Arts. MADE is meant to extend our focus from the learner centered classroom to a truly child centered period of exploration.

Our MADE by ME program will be a daily, student driven exploration period and an extension of our belief that learning occurs naturally when humans feel safe to explore, inquire, and express. MADE by Me is a time at the end of each day when students can take the events, feelings, and findings of the day to explore and make meaning of their thoughts in their own way. Mentors will work with students at all grade levels to oversee student-directed inquiries and special projects. There is no ceiling on learning, and gifted students are able to be guided and encouraged to deeply explore passions. Students will attend MADE during the last hour of their school day.

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## HEALTH AND PHYSICAL EDUCATION

### Physical Fitness Test

Eureka! will administer a state-designated physical fitness test (PFT) to all students in grades five during the months of February, March, April, or May. PFT for students in California schools is the FITNESSGRAM® (California Education Code (EC) Section 60800). The main goal of the test is to help students in starting life-long habits of regular physical activity. The test has six parts that show a level of fitness that offer a degree of defense against diseases that come from inactivity.

### Morning Movement, Health, and Wellness

Movement is a large part of the Eureka! Inclusive model. We will begin each day with morning movement in addition to covering the State Standards outlined in the curriculum below. Morning movement Each morning begins with movement! Dancing, yoga, walking, and other forms of movement help children wake up their brains, improve focus, and enhance learning. Teachers also use this time to complete daily health and

wellness journals with all students. In this way children begin to connect physical states and well-being with mental and emotional well-being and functioning throughout the day.

The health and physical education curriculum is divided into two segments at Eureka! Inclusive. Students at the elementary school level will be taught using the Big Ideas curriculum and proposed supplemental curriculum for sixth grade students will be Planet Health. Both are described in greater detail below.

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## ECO-LITERACY

We will use Big Ideas, a curriculum created by the Center for Eco-literacy. It is further divided into a curriculum for students in grades K-2 and a curriculum for students in grades 3 to 6. Both curricula seek to link key ideas in food, culture, health and the environment. The curriculum is aligned with Common Core State Standards, the Next Generation Science Standards crosscutting concepts, National Health Education Standards, the College, Career, and Civic Life Standards for Social Studies, and the California Nutrition Competencies.

Nutrition and Physical Activity: K and 2

Growth and Development: K, 1, and 3

Injury Prevention and Safety: K and 1

Alcohol, Tobacco, and Other Drugs: K and 2

Mental, Emotional and Social Health: K, 2, and 3

Personal and Community Health: K, 1, and 3

Major topics covered in the K-2 curriculum include producing food, understanding behaviors toward food, maintaining health, and sustaining life. Within each of these major areas, crosscutting ideas are examined. For example, the curriculum treating production of food addresses topics such as cause and effect, systems and system models, and the relationship between energy and matter. Student engagement is promoted in many ways including planting seeds and watching plants grow, eating the foods produced, and making applesauce and jam. Students hear selections from literature pertaining to food, culture, health and the environment. And students produce writing and art around the topics they cover in the curriculum.

Major topics covered in the grades 3-6 curriculum arise under the same rubrics as for the earlier grades, namely, food, understanding behaviors, maintaining health and sustaining life. The ideas presented, however, become more sophisticated as students rise through the grades. For example, in the lower grades, the big idea proposed with respect to food is that the food we eat comes from plants or animals, most of which are raised on farms or in gardens. Learning around food expands that basic big idea. In the upper elementary grades, the big idea with respect to food is that to produce food for our society, people need to plant, grow, harvest, transport, and process crops, and raise animals for eggs, milk, and meat. This mounting sophistication in ideas is consistent with the spiral pattern employed in each of the curricula at Eureka! Each time the students spiral around to a topic, their understanding is broadened and deepened.

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## PLANET HEALTH

The Planet Health curriculum will be used in middle school. As with the Big Ideas curriculum, Planet Health is an interdisciplinary curriculum that links nutrition and physical activity. In addition to conveying content about health, nutrition, physical activity and the connections among these topics, the curriculum helps students build competencies in language arts, mathematics, science, social studies. The curriculum was created by

scientists and educators at the Harvard School of Public Health. The middle school curriculum continues the effort begun in the elementary grades to accustom students to thinking holistically about nutrition, movement, personal habits, and health. The aim of the curriculum is not just to teach content but to produce students who adopt as a way of life, healthy eating habits, exercising regularly, showing self-discipline with respect to sedentary activity and who naturally understand the interrelationships among eating choices, exercise choices, and the positive and negative contributions of everyday life choices (e.g., number of hours to watch television or play video games) to one's health and well-being. An advantage of this curriculum is that the creators of the curriculum offer many helpful aids to teachers and students. All those exposed to the curriculum have access to the curriculum website. CD-ROMs are provided containing materials used in the classroom, information for parents, and links to additional resources. Built into the curriculum are sub-programs that are meant to help students begin living healthy lives. For example, a program called Power Down is a feature of the curriculum. It consists of a two-week campaign to reduce television and other media viewing time. FitCheck is a self-assessment tool that teachers and students can use to track and improve their activity level. The combination of the elementary school and the middle school curricula should produce not only knowledgeable students but also students who adopt and maintain a healthy and physically active style of living.

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## HEALTHY EATING LEARNING OPPORTUNITIES

Healthy eating learning opportunities includes nutrition education and other activities that give children knowledge and skills to help choose and consume healthy foods and beverages. These opportunities can be present in the cafeteria, classroom, and school gardens. Nutrition education should be part of a comprehensive health education curriculum but may also be integrated throughout the school curriculum. For example, students could learn how to cook in physical health, nutrition, and science classes and how to analyze food advertisements in language arts classes. School gardens and farm-to-school activities also provide opportunities for hands-on learning about food, nutrition, and healthy eating.

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## DAILY DESIGNATED LEARNING

Eureka! Inclusive provides designated learning blocks at the same time every day for each school grouping. By implementing a master plan method of scheduling, we will effectively and efficiently utilize all teaching resources to address the needs of our students, in flexible small groups or with individualized support as needed. Another benefit of this model is that it allows us to provide a continuum of services, accessible to all students in small group or individual instruction, across a variety of areas.

Each designated learning block could include English language development, additional academic support, social skills groups, accelerated learning programs, speech therapy, occupational therapy, and independent learning time, as needed for each student.

**Continuum of Services:** Students with disabilities shall be provided special education in the least restrictive environment. To enable students with disabilities to be educated with non-disabled students to the maximum extent appropriate, specially designed instruction and supplementary services may be provided in the regular class, including, as appropriate, providing related services, resource room programs and special class programs within the general education classroom.

### 1. Eureka! Inclusive Continuum of Services

- Focus is to reduce or eliminate the impact of a disability on academic and/or behavioral progress
- Designed specifically for an individual student following individual problem-solving
- Maximize the academic engagement time of every single student

2. Integrated Co-Teaching:
  - Multi-Subject Credentialed Teacher assigned to each class
  - Education Specialists: 1->93 ratio (at all times at least 1 FTE Mild to Mod and Mod to Severe)
  - Para Professionals
  - Graduate Student Externs
3. Related Services: Embedded in classroom instruction and delivered as part of teaching teams throughout the day (at all times at least 1FTE OT , 1FTE SLP, and Part Time Mental Health Provider)
  - Speech and Language
  - Occupational Therapy
  - Mental Health Provider
  - Grad Student Externs (Anticioated)
4. Consultant Teacher: Additional experts will be brought in determined by low incident student need to work with teaching teams.
5. **Special Class:** Additional IEP supports provided during DDLH in small groups
6. **Resource Room:** Mental Health and individual counseling services, and testing will be provided in a child centered designated room that allows confidentiality. (at all times at least .25 MHP and School Psych)
7. **County Program/Non-Public School:** Determined by IEP Team on individual student basis
8. **Title III ELD** Students supported based on Level of English Language Proficiency, Additional support needed per IEP will be provided.
9. **Additional Support** needed by students that do not qualify for IEP, Individual Counseling, Gifted/Accelerated Support, Lesson Review/Catch up/Study Sessions, etc.

O=Oral W=Written M=Minutes; Each color block represents one hour and an example of how our team members would meet the additional individual needs of students.

Table 13 Daily Designated Learning Table

Team Member	Service	Monday	Tuesday	Wednesday	Thursday	Friday
Gen Ed and Extern	ELD-25 M	L 1-2(O)	L1-2(OW)	L1-2 (OW)	L1-2 (OW)	L1-2(OW)
Gen Ed	ELD-25 M	L1-2(W)	L 2-3(O)	L 2-3(W)	L3-4(O)	Level 3-4 (W)
Education Specialist SPED	Literacy 30M	Small Group	Small Group	Small Group	Small Group	Small Group
Education Specialist SPED Extern	MATH 30M	Small Group	Small Group	Small Group	Small Group	Small Group
Gen Ed and Para	Enrichment 30 M	Math	Arts	Science	Engineering	Technology
Gen Ed and Para	Enrichment 30 M	Science	Technology	Engineering	Math	Art
Rotate Depending on student need	Enrichment 60M	Special Project	Special Project	Special Project	Special Project	Special Project
SLP and OT	SLP/OT 30M	Small Group	Small Group	Small Group	Small Group	Small Group
SLP + Extern	SLP 25 M	Individual	Small Group	Individual	Small Group	Individual
OT + Extern	OT 25 M	Individual	Small Group	Individual	Small Group	Individual

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## EXTRA-CURRICULAR ACTIVITIES

In addition to the regular school curriculum, students and parents at Eureka! will have a variety of extra-curricular activities in which they may participate. These activities meet many needs including reinforcing learning, building community, and involving parents in the activity of their students and the school. Among these activities will be field trips that involve the whole family, family dinner and board meeting nights, a First Friday Art Walk, and Conversation Café.

**FIELD TRIPS:** The San José area is rich in cultural resources, and students and parents will regularly be invited to take part in field trips to these resources. Field trips will include, but will certainly not be limited to, visits to the library, the farmers' market, Children's Discovery Museum, the Tech Shop, the Computer History Museum, the San José Museum of Art, MACLA, City Hall, the Fire Department, and the post office. Through offering a variety of such experiences, we hope to minimize the impact of several obstacles to full family engagement in schooling. Those obstacles include language barriers, conflicts in schedules, and logistical considerations when students with disabilities need special arrangements to be able to visit a site. Field trips will be planned that specifically address and negate the inhibitory nature of these potential obstacles.

**NOT SO BOARD NIGHT:** It is beneficial to the school and to families that send their children to the school to participate in the governance of the school. Board meetings are the time when parents have a regular, but seldom exercised, opportunity to participate in the governance of the school. To build community and to accustom parents to participating in school governance, the school will make Board meeting nights into family friendly events. Eureka! Inclusive will provide activities for the children that do not want to participate and a social snack session during which families will discuss matters of relevance, explore ideas, get to know members of other families, and then will participate in the Board meeting. Eureka! Inclusive will provide time for student presentations and reports. Couching the Board meeting in a friendly, familial environment should encourage much fuller parental participation in board meetings than normally occurs.

**EUREKA! INCLUSIVE COMMUNITY OF FAMILIES DINNER PROJECT:** Each classroom will plan and -host a shared meal. The students will work together with teachers and family to determine day, type of meal, menu, and location. The students would choose conversation topics, create shopping lists, and develop a budget. For instance, the students in a 3<sup>rd</sup>/4<sup>th</sup> grade class might choose a Pokémon Japanese themed meal.

The Family Dinner Project is a growing movement that brings together people to celebrate food, fun and conversation about things that matter. We are a nonprofit organization currently operating from the offices of Project Zero at Harvard University. Over the past 15 years, research has shown what parents have known for a long time: Sharing a fun family meal is good for the spirit, brain and health of all family members. See *Appendix A30 for more details*.

**FIRST FRIDAY ART AND CULTURE WALK:** The Bay Area is full of neighborhoods with great historical interest, murals, architectural details, and scientific interest. Eureka! plans to sponsor a program of walks that would likely take place in the early evening, particularly near the end of the school year when daylight lasts into the evening hours or on Saturdays. These walks would engage school personnel, students and parents in shared cultural activities, shared learning, and friendly interaction with one another. The walks would be a way to build the culture of the school.

**CHILDREN'S DISCOVERY MUSEUM FAMILY SCIENCE NIGHT:** These highly successful events are designed to provide successful science investigations for students and their families. Benefits of Family Science Nights:

- Promotes inquiry-based science education
- Includes professional development in science for teachers
- Brings together families and teachers for a special evening event
- Encourages parents and children to learn together while participating in hands-on science activities
- Provides science curricula for teachers to use in the classroom

**MADE STUDENT SHOWCASE:** Eureka! students will participate in a student designed showcase of their works and passions. We anticipate science projects, theatrical productions, concerts, a gallery walk of artwork, fashion shows, speeches, poetry, “made” items, research posters, and biographies to be among the many ways Eureka! Students apply formal learning and personal passion to real world applications and expression.

**CONVERSATION CAFÉ:** Eureka! plans to experiment with informal get togethers that it is calling Conversation Café. One aim of these cafes would be to break down language barriers among families represented at the school. Parents with several language backgrounds would share the same table. Conversation topics might be prepared in advance and placed on conversation cards complete with questions and perhaps answer options. Those around the table would help each other communicate with one another. Participants might learn words in a new language, become comfortable interacting despite language differences, learn different perspectives, and engage in the practice of being mutually supportive. Parents would experience diversity as a norm.

**SCOUTING PROGRAMS:** The Boy and Girls Scouts of America are two of the most well-known, oldest and influential youth organizations, with thousands of troops nationwide, collectively including around 5 million members, (not counting all of the parents and volunteers involved in the organizations). Scouting teaches its members positive values, environmental stewardship, community involvement, and encourages physical and mental fitness, independence and personal growth. But even more than that, scouting brings children from diverse backgrounds together, forming strong bonds that last a lifetime. Eureka! is excited to work with our interested families to help form a Cub Scout Pack (grades K-5), Boy Scout Troop (grades 6-12), and Girl Scout troop (Daisies, Brownies, Juniors, Cadettes, Seniors and Ambassadors) that is open to all.

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## CURRICULAR AND INSTRUCTIONAL MATERIALS

The founding team has researched and selected curricular materials that are aligned with our inclusive framework and universally designed instructional model. When the school is operating, there will, undoubtedly, be changes in the materials chosen to convey the content of the curriculum. Below is a table showing our current choices with respect to curricular materials for each subject area. Changes in curriculum based on students’ needs will not be deemed a requirement for a material revision of this charter petition.

## EUREKA! INCLUSIVE CORE CURRICULAR MATERIAL BY CONTENT AREA

Table 14 Eureka! Inclusive Core Curricular Material

Subject Area	Curricular Materials
English/Language Arts	Journey's K-6 Core Knowledge Stories on Stage Folktales on Stage Khan Academy & Pixar: The Art of Storytelling R.L. Stine Writing program Global Read Aloud
English Language Development	Journey's K-6 Built In Supports
Math	Go! Math Khan Academy Additional Personalized Learning Platforms determined by individual student need.
Social Studies/History	Core Knowledge Project Zero Children are Citizens Project Zero/National Geographic Walk out of Eden Perspectives for a Diverse America - <a href="http://www.tolerance.org">www.tolerance.org</a> <a href="https://www.tolerance.org/classroom-resources">https://www.tolerance.org/classroom-resources</a>
Science	Core Knowledge Biomimicry: Ask Nature <a href="https://biomimicry.org/asknature/">https://biomimicry.org/asknature/</a> Biomimicry: Engineering Inspired by Nature We Are Stardust <a href="http://thegreatstory.org/stardust-kids-lessons.pdf">http://thegreatstory.org/stardust-kids-lessons.pdf</a> EcoRise: Sustainable Intelligence (K-12) <a href="http://ecorise.org/school-program/ecorise-curriculum/sustainable-intelligence/">http://ecorise.org/school-program/ecorise-curriculum/sustainable-intelligence/</a>
Physical Education & Life Science	Planet Health Eat Well and Keep Moving EcoLiteracy Instructional Lunch/Big Ideas <a href="http://www.cde.ca.gov/be/st/ss/documents/healthstandmar08.doc">www.cde.ca.gov/be/st/ss/documents/healthstandmar08.doc</a>
Visual & Performing Arts Integrated Arts Program	Core Knowledge San Jose Museum of Art Kennedy Art Center Getty Art NYC Public Schools
Social Emotional Learning	Social Thinking Zones of Regulation Collaborative and Proactive Solutions
Examples of possible On-Line Supplemental Learning Platforms	In addition to ELA and Math curriculum built in digital and technology-based supports: Curiosityville TK-2 Brain Pop grades 3-6 Khan Academy Code.org

Subject Area	Curricular Materials
Adaptive Technology	<p>Depending on student needs, we may access the following adaptive technologies<sup>104</sup></p> <ul style="list-style-type: none"> <li>• Apple products have several built in Accessibility features and are compatible with additional technologies, such as “sip and puff”</li> <li>• Spotlighttext.com: The first eBook reader specifically for people with vision loss.</li> <li>• Bookshare.org: The world’s largest online library of accessible reading materials for people with print disabilities.</li> <li>• Audible</li> <li>• Adjustable table for each type of workstation provides access to people who use wheelchairs or are short in stature.</li> <li>• Large print key labels assist people with low vision.</li> <li>• Graphic Organizers<sup>105</sup></li> <li>• Software to enlarge screen images provides access to people with low vision and learning disabilities.</li> <li>• A speech output system can be used by those with low vision, blindness, and learning disabilities.</li> <li>• Braille conversion software and a Braille printer can provide Braille output for people who are blind.</li> <li>• Trackballs provide an alternative for those who have difficulty controlling a mouse.</li> <li>• Wrist rests and keyguards assist people with limited fine motor skills.</li> <li>• Assistive Listening Systems:<sup>106</sup> <ol style="list-style-type: none"> <li>1.</li> <li>2. <b>FM Systems</b> According to the American Speech-Language-Hearing Association (ASHA), FM systems are the best choice for children with sensorineural hearing loss. The most common type of hearing loss for all ages, sensorineural hearing loss occurs when inner ear (cochlea) or nerve pathways from the inner ear to the brain are damaged.</li> </ol> </li> </ul>

<sup>104</sup> Disabilities, Opportunities, Internetworking and Technology. Adaptive Technology. Retrieved from <https://www.washington.edu/doiit/adaptive-technology>.

<sup>105</sup> Draft: Builder SOLO Edition Meets Standards. Retrieved from [http://donjohnston.com/wp-content/downloads/understanding/draftbuilder\\_national\\_standards\\_correlation.pdf](http://donjohnston.com/wp-content/downloads/understanding/draftbuilder_national_standards_correlation.pdf).

<sup>106</sup> National Association of the Deaf. Assistive Listening Systems and Devices. Retrieved from [www.nad.org/resources/technology/assistive-listening/assistive-listening-systems-and-devices/](http://www.nad.org/resources/technology/assistive-listening/assistive-listening-systems-and-devices/).



Subject Area	Curricular Materials
	<p>3. <b>Sound-field systems</b> are a strong choice for classrooms that need to assist listening for all children in the class. ASHA notes that these systems benefit not only children that have hearing loss, but those that have other auditory and learning problems, such as language the delays, central auditory processing disorder, articulation disorders and development delays. Additionally, sound-field systems can be used for students who are learning English as a second language.</p> <ul style="list-style-type: none"> <li>• Sip and Puff<sup>107</sup> systems are a type of switch device, which refers to the technology used to replace a computer keyboard or mouse.</li> </ul>

## INSTRUCTIONAL MINUTES AND DAYS

The anticipated number of minutes annually to which students will be exposed to content in each subject area will meet and exceed state requirements in each subject in accordance with Education Code Section 47612.5(a)(1). The table below outlines expected annual number of minutes of instruction and instructional days in each grade level.

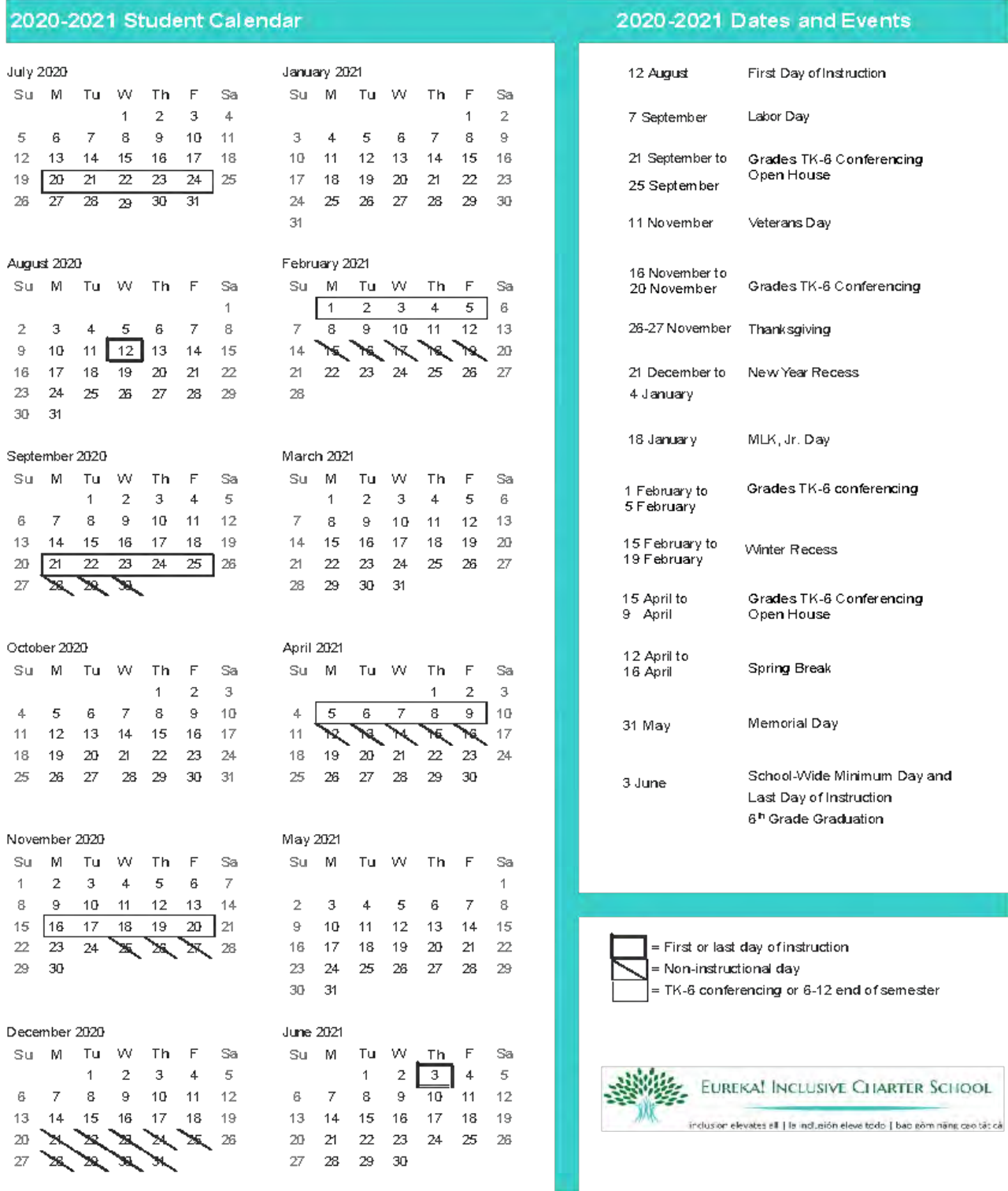
Table 15 Sample Annual instructional minutes by grade level

Grade	Grade Offered?	Total # of Instructional Days	Required Minutes Per State Law	Total Instructional Minutes
TK	Yes	184	36,000	38,640
K	Yes	184	36,000	55,200
1	Yes	184	50,400	57,960
2	Yes	184	50,400	66,240
3	Yes	184	50,400	66,240
4	Yes	184	54,000	69,000
5	Yes	184	54,000	69,000
6	Yes	184	54,000	69,000

<sup>107</sup> Origin Instruments. Sip and Puff Switch Solutions. Retrieved from [http://www.orin.com/access/sip\\_puff/](http://www.orin.com/access/sip_puff/).

# PROPOSED INSTRUCTIONAL CALENDAR 2020-2021

Figure 11 Proposed Instructional Calendar 2020-21



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## PROJECTED SCHOOL SCHEDULE

The following tables are sample schedules for the various grade levels, starting in the first year of operation.

Table 16 Early Elementary Program Sample Schedule: AM TK

TIME	ACTIVITY	INSTRUCTIONAL MINUTES
8:30-8:45	Morning Movement/Check In	15
8:45-9:15	Readers Workshop	30
9:15-9:30	Instructional Snack	15
9:30-10:00	Math	30
10:00-10:45	Designated Learning	45
10:45-11:00	Movement Break	15
11:00-11:30	Writers Workshop	30
11:30-12:00	MADE	30

Table 17 Early Elementary Program Sample PM TK

TIME	ACTIVITY	INSTRUCTIONAL MINUTES
12:00-12:15	Morning Movement/Check In	15
12:15-12:45	Readers Workshop	30
12:45-1:00	Instructional Snack	15
1:00-1:30	Math	30
1:30-2:15	Designated Learning	45
2:15-2:30	Movement Break	15
2:30-3:00	Writers Workshop	30
3:00-3:30	MADE	30

Table 18 Early Elementary Program Sample Kinder schedule

TIME	ACTIVITY	INSTRUCTIONAL MINUTES
9:00-9:15	Morning Movement/Check In	15
9:15-9:45	Readers Workshop	30
9:45-10:00	Instructional Snack	15
10:00-10:30	Writers Workshop	30
10:30-11:15	Designated Learning	45
11:15-12:00	Nutrition/Lunch	15 (30 minutes lunch & recess not included in instructional minutes)
12:00-12:45	Math	45
12:45-1:15	Social Studies/Science	30
1:15-1:50	MADE	35
1:50-2:00	Closing Circle/Journal	10

Table 19 Primary Elementary Program (K-2)

TIME	ACTIVITY	INSTRUCTIONAL MINUTES
9:00-9:15	Morning Movement/Check In	15
9:15-10:00	Readers Workshop	45
10:00-10:15	Snack/Movement Break	15
10:15-11:00	Writers Workshop	45
11:00-12:00	Designated Learning	60
12:00-12:45	Nutrition/Lunch/Recess	15 (30 minutes lunch & recess not included in instructional minutes)

<b>12:45-1:30</b>	Math	45
<b>1:30-2:00</b>	Social Studies/Science	30
<b>2:00-2:35</b>	MADE	35
<b>2:35-2:45</b>	Closing Circle/Journal	10

Table 20 Lower Elementary Program (Grades 2-4)

<b>TIME</b>	<b>ACTIVITY</b>	<b>INSTRUCTIONAL MINUTES</b>
<b>8:30-8:45</b>	Morning Movement/Check In	15
<b>8:45-9:45</b>	Designated Learning	60
<b>9:45-10:00</b>	Snack/Movement Break	15
<b>9:45-10:30</b>	Social Studies/Science	45
<b>11:00-11:45</b>	Math	60
<b>11:45-12:30</b>	Nutrition/Lunch/Recess	15 (30 minutes not included)
<b>12:30-1:15</b>	Readers Workshop	45
<b>1:15-2:00</b>	Writers Workshop	45
<b>2:00-2:45</b>	MADE	45
<b>2:45-3:00</b>	Closing Circle/Journal	15

Table 21 Upper Elementary Program (Grades 4-6)

TIME	ACTIVITY	INSTRUCTIONAL MINUTES
8:15-8:30	Morning Movement/Check In	15
8:30-9:30	Math Workshop	60
9:30-9:45	Snack/Movement Break	15
9:45-10:45	Reading	60
10:45-11:30	Writing	45
11:30-12:15	Nutrition/Lunch/Recess	15 (30 minutes not included)
12:15-1:15	Designated Learning	60
1:15-2:00	Social Studies/Science	45
2:00-3:00	MADE	60
2:00-3:15	Closing Circle/Journal	15

## CHARTER SCHOOL GOALS AND ACTIONS TO ACHIEVE THE EIGHT STATE PRIORITIES

Please see the section “Goals, Actions and Measurable Outcomes Aligned to the Eight State Priorities” in **Element B** of the charter for a description of Eureka! Inclusive’s annual goals to be achieved in the Eight State Priorities schoolwide and for all pupil subgroups, as described in Education Code Section 52060(d), and specific annual actions to achieve those goals, in accordance with Education Code Section 47605(b)(5)(A)(ii).

## PLAN FOR SPECIAL LEARNERS

Eureka! Inclusive is modeled on the CHIME Institute Community School. CHIME is an inclusive learning community where all students, their parents, and the school’s staff appreciate and value diversity in all of its forms.

Eureka! Inclusive TK-6 Charter School is dedicated to meeting the needs of every child. Thus, the educational program will be appropriate for students of various backgrounds: students who are academically low achieving, students who are academically high achieving, English Learners, and special education students. Eureka! will provide intervention professional development to address the academic needs of our students and any gaps in professional experience or training our teachers might have. Eureka! Inclusive is committed to support the ability of our teachers and instructional staff to continuously monitor all student achievement using Eureka’s MTSS support system, UDL, and assessments.

As previously stated, the Eureka! Inclusive mission values the ongoing support for an inclusive learning community where all students, their parents, and the school's staff appreciate and value diversity. This is based on the belief that important academic, social and ethical skills and attitudes are developed when students with various abilities, needs and backgrounds learn together. The Eureka! Inclusive program focuses on improving scholarship and social awareness in the community-at-large, as well as preventing future learning and social problems for students with and without disabilities.

International testing expert [Andreas Schleicher](#), director at the OECD ([Organization for Economic Co-operation and Development](#)), describes the importance of an interdisciplinary and humanistic approach when evaluating individual student learning and achievement.

*"A humanistic perspective is very important to evaluating educational results. In fact, we need to get away from looking at education with a single perspective. Evaluation can only take part place in a framework of multiple kinds of perspectives. Looking at test data from students is one perspective. Looking at teachers' views on student performance. Looking at other students — it's this kind of multiplicity of instruments that actually help us improve education."<sup>108</sup>*

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As previously stated, the Eureka! Inclusive mission values the ongoing support for an inclusive learning community where all students, their parents, and the school's staff appreciate and value diversity. This is based on the belief that important academic, social and ethical skills and attitudes are developed when students with various abilities, needs and backgrounds learn together. The Eureka! Inclusive program focuses on improving scholarship and social awareness in the community-at-large, as well as preventing future learning and social problems for students with and without disabilities.

International testing expert [Andreas Schleicher](#), director at the OECD ([Organization for Economic Co-operation and Development](#)), describes the importance of an interdisciplinary and humanistic approach when evaluating individual student learning and achievement.

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<sup>108</sup> <https://bigthink.com/ideafeed/arts-based-education-will-power-the-creative-economy>

"A humanistic perspective is very important to evaluating educational results. In fact, we need to get away from looking at education with a single perspective. Evaluation can only take part place in a framework of multiple kinds of perspectives. Looking at test data from students is one perspective. Looking at teachers' views on student performance. Looking at other students — it's this kind of multiplicity of instruments that actually help us improve education."<sup>109</sup>

Within the MTSS Framework is a three tiered, RtI based intervention program that focuses on the unique challenges that students may face. Our Response to Intervention approaches include clearly defined interventions within the school day, as well as opportunities for additional support during daily designated learning hour and as determined by IEP's. Students are regularly assessed throughout the curriculum to monitor their progress toward their curricular goals and the state standards. Utilizing our internal Northwest Evaluation Association (NWEA) results, independent work time (IWT) data, Smarter Balanced Assessment Consortium (SBAC) interim assessments, teacher observations, and student work samples we are able to determine if students are achieving appropriately through our researched based instructional approaches (Tier 1) or need additional re-teaching or remediation (Tier 2) or perhaps require more intensive interventions (Tier 3). Eureka! Inclusive implements a multi-tiered system of supports with clear Tier 1, Tier 2, and Tier 3 strategies to address academic and behavioral needs of all students. The multi-tiered system of supports is implemented using a co-teaching framework in which special and general education teachers are partners in planning, teaching, progress monitoring, and assessing students. As noted throughout this petition, special education inclusion is a core tenet of our model. The rationale for inclusion is based on the belief that important academic, social and ethical skills and attitudes are developed when students with various abilities, needs and backgrounds learn together. There is a need for schools that employ effective models for inclusion that are implemented on a school-wide basis. The special education teacher in effect moves between three classrooms providing service to students within their general education classrooms in a natural, pre-planned way. Embedded supports and related services, such as intervention specialists, speech and language therapists, and occupational therapists work closely with teachers within the learning environment, providing strategies and direct supports to address the learning needs of each individual student. Students are not pulled out of classroom to receive interventions or therapies.

Tier 2 and Tier 3 interventions are implemented within the general education classrooms, during designated learning hour, or as determined necessary by the IEP team.

Paraprofessional support is provided to meet the needs of students who are not able to independently and/or safely navigate the campus. These paraprofessionals also provide customized support, under the direction of credentialed teachers and according to the requirements of each student's IEP, throughout the day, and are valuable members of the team. All students who attend Eureka! Inclusive are provided an educational program tailored to meet his/her educational needs. The following decision rules guide the planning process for those who require additional educational supports: Students whose educational needs are identified after enrolling at Eureka! Inclusive are the focus of a meeting between the teachers and the parent/guardian. During that meeting the specifics of the concern are discussed and options for intervention are explored. If necessary, the team may determine that a consultant should be included in further discussions. Consultants can come from the school staff or individuals from the community. At this point discussions may determine that no further action be taken. However, if further assistance is necessary the case is referred to the Student Success Team

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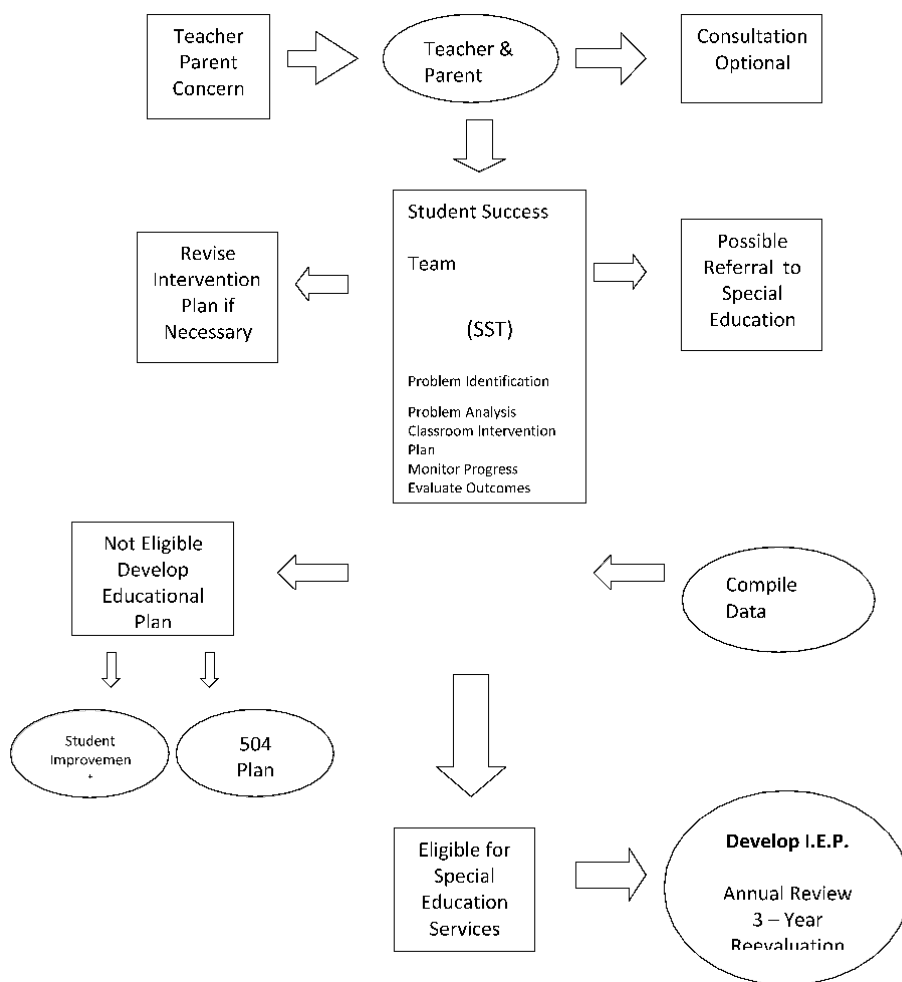
<sup>109</sup> <https://bigthink.com/ideafeed/arts-based-education-will-power-the-creative-economy>



(SST). The SST is charged with the task of understanding the education and/or behavior issue; and working with the teachers, family members, and child to create an intervention plan that addresses the problem. Over the course of a specified time the plan is monitored and evaluated. On the basis of the evaluation the SST, teachers, and parents determine if further action needs to be taken. At this point one of three actions may take place; 1) the plan was effective and all parties agree that no further action is necessary; 2) the intervention plan needs revision and the SST, teachers, parents and child engage in that new plan; or 3) the plan(s) were ineffective, it is determined that the child would benefit from additional educational services, and the child is then referred to determine eligibility for special education services.

The following flow chart might help clarify the pre-referral and referral process when dealing with students who present particular learning and/or behavioral challenges but have not been already been identified as requiring special education services:

Figure 12 Eureka! Inclusive SST Process



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## PLAN FOR ACADEMICALLY LOW ACHIEVING STUDENTS

Students perform below grade level for various reasons. Determining the root cause is essential to developing a proactive system of support that benefits the academic journey and school experience of the student.

Eureka! will use an integrated multidisciplinary team teaching approach provide research based, data driven, UDL, and personalized instruction as determined by student needs.

We will use a variety of assessment tools to identify students who fit into these categories.

After a student has enrolled in Eureka! Inclusive, baseline assessment will be given to each student. Included in the baseline assessment are the following:

- A registration packet asking families to provide information that families wish to share including student's interests/strengths, areas of need, learning preferences and other pertinent background information.
- All entering Kindergarten students will be given a baseline Kindergarten Readiness Assessment.
- All students will be given diagnostic assessments in English language arts and mathematics.

The following subsections explain the ways in which Eureka! will identify and address the needs of diverse learners.

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## ASSESSMENT AND IDENTIFICATION

As detailed below and throughout this petition, Eureka! will focus on personalized instruction for all children. Teaching teams will use a variety of in-class supports and targeted interventions for students to ensure their success. Faculty use NWEA/MAPs benchmark assessments, school-designed rubrics, text-based assessments and more to continuously assess individual student performance. Within the first six weeks of school, teachers utilize diagnostic assessments to illuminate student strengths and weaknesses in terms of their skills in reading, writing, and math.

A variety of assessment tools will be used to identify students who are academically low achieving. A diagnostic assessment in English language arts and mathematics will be administered to all new students enrolled at Eureka! Inclusive and to returning students. For English language arts, this assessment will include the Developmental Reading Assessment (DRA) or a Leveled Reading Assessment (LRA) and a writing sample. Each student will complete a baseline mathematics assessment based on the previous grade's mathematics standards. In addition, we will review CAASPP data from the previous year if available. Throughout the year, teachers will also assess students through informal measures such as standards-based checklists, observations, and Informal Reading Inventories. In addition, students will be assessed using formal methods such as writing rubrics, standards-based tests and quizzes.

Students will be considered academically low-achieving based on the following criteria:

- Scoring standard "not met" or "nearly met" on the mathematics and/or English language arts portion of the CAASPP.
- Performing significantly below their grade level peers on Eureka! Inclusive's standards-based mathematics assessments.
- Performing significantly below grade level on the DRA or an LRA.
- Performing significantly below grade level peers on writing samples.

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## FAMILY NOTIFICATION

The classroom teacher will contact the parents of students of low-achieving and at-risk students upon the recognition to discuss student performance and strategies for improvement. Parents of at-risk or low-achieving students will be invited to a team conference and are included in the development of strategies to meet the specific needs of the student. Progress towards these goals will be communicated through regular progress reports to parents and administrative staff. Additional conferences may be held for low-achieving students to academic progress and interventions.

**Low Achieving Criteria:** Students who fall below the 50th percentile on the adopted standardized test and/or fall below learning behavior, language acquisition, and fine and gross motor skills on a developmental continuum.

**At-risk Criteria:** Students who achieve at or below the 40<sup>th</sup> percentile on adopted state tests who may or may not qualify for special education services, and whose achievement potential is not being realized.

Conferences will be held for *all* families in the fall to discuss student progress and set informal learning goals. Progress towards these goals will be communicated through regular progress reports to parents and administrative staff. Additional conferences may be held for low-achieving and at-risk students to monitor academic progress and interventions.

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## INTERVENTION SERVICES

Low-achieving students will be fully integrated into the entire student body. The universally designed educational program at Eureka is designed to accommodate a full range of performance including low-achieving students. Specific practices that support low-achieving students include:

- The universally designed arts enhanced curriculum provides multiple entry points to access the curriculum and to help students access content through a variety of modalities.
- Guided inquiry instruction practices are used to make the curriculum accessible to low-achieving students (as outlined in the Instructional Approach section). Flexible, targeted grouping will be used in the daily designated learning blocks.
- During professional development days and weekly faculty collaboration times, grade level teams will discuss the academic progress of low-achieving students to develop and refine intervention supports.
- Students who demonstrate difficulty with mathematics may be grouped for targeted strategic interventions during the skills lesson. The teacher will meet with these small groups or individuals on a weekly basis during our designated learning block hour.
- Students who demonstrate difficulty with reading will be grouped according to their instructional reading level and provided with small group guided reading instruction related to their areas of need during reading workshops. Within such groupings, a variety of factors aimed at leveraging student interest, areas of strength, and intrinsic motivation will be used.

Teachers will meet with reading groups during the daily designated learning blocks. Additionally, teachers will work with each student in order to assist them in selecting independent reading material that is appropriate for each child's independent reading level. Teachers will conference with students to discuss each child's independent reading selection and ensure the child is selecting a text that is adequately matched to the child's independent reading level and to provide individualized instruction and support. Eureka will also utilize supplemental curricular materials based on individual student needs to support engagement, learning, and meaningful academic progress. Please see table of Supplemental Curricular Materials for examples.

“In California, we see a disparity in terms of identification,” Kaplan says. “While there is evidence that the potential for academic giftedness exists across all groups, many urban school districts do not manage to discover gifted and talented students from underrepresented populations with the same frequency as they do students from other societal groups. The pool of gifted students should reflect the diversity within a school. In reality, it doesn’t match, and, as long as we keep emphasizing standardized test scores, it probably won’t match.” Kaplan

- Students who demonstrate difficulty with writing will receive support in the classroom. This support will include specific mini-lessons that target the student’s writing challenges, additional support will be given during the daily designated learning block.

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### MONITORING PROGRESS

Student progress will be monitored on an ongoing basis through a combination of teacher observation, classroom assessment and benchmark assessments. If intervention supports do not lead to sufficient progress, interdisciplinary team will meet with the students’ parents, the Executive Director, and other support providers as warranted. The team will discuss observed strengths and areas of concern and brainstorm interventions. The team will designate a period for monitoring the student’s progress after which it will reconvene to evaluate the effectiveness of the interventions. Should the SST process fail to yield adequate progress, additional steps, such as a referral for special education evaluation and/or 504 services will be taken.

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### PLAN FOR ACADEMICALLY HIGH ACHIEVING STUDENTS

We anticipate that most students’ needs will be met by the engaging, challenging curriculum at Eureka! We are committed to working with students who are performing above grade level to ensure they are challenged and receive appropriate academic extensions within the classroom. The process for developing and monitoring these interventions will be similar to the process for low- achieving students.

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### ASSESSMENT AND IDENTIFICATION

variety of assessment tools will be used to identify students who are academically high achieving. GATE behaviors including but not limited to: accelerated learning pace, a "sees it once and knows it" rate of learning, student questions that are complex and higher level, a drive for knowledge that can often not be quenched, thinking "out of the box" in a way that distinguishes the child from classmates, and a discrepancy between academic and social and emotional functioning.

Gifted learners often have their own challenges that usually seem perplexing to those less knowledgeable on the subject of giftedness. Poor spelling, difficulty remembering math facts, sloppy writing, and missed assignments are a few common contradictions to the idea that gifted students are perfectionists and straight “a” student. For a variety of reasons, many children are not identified as gifted under the currently accepted and widely used testing protocols<sup>110</sup>. At Eureka! Inclusive we recognize a variety of qualities and attributes can be used to identify a student’s giftedness in a singular or several areas. A key indicator of exceptional abilities in a child is their rapid rate of learning and ability to process and synthesize information in a quick, efficient,

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<sup>110</sup> <https://rossier.usc.edu/magazine/ss2018/identifying-serving-gifted-talented-students-younger-age/>

and often unique way. Gifted learners will be provided opportunities to work together during the designated learning block hour.

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## GIFTED ENGLISH LEARNING STUDENTS

“Our aspiration is to provide all students the space and time to discover their true potential and talents. We will work to support all gifted English Learners before they become proficient in English, with enhanced, and accelerated learning opportunities. The inspiration comes from the gifted children who are in transition between two languages, two cultures, and the teachers who serve as their bridge”

Carmen Sosa, Phd and Nicholas Coangelo, Phd

According to Project GOTCHA<sup>111</sup>, the gifted/talented English Learner demonstrates the following characteristics:

### **School Based**

2. Is able to read in their native language two grade levels above their current grade.
3. Shows high ability in mathematics.
4. Is advanced in creative domains (fluency, elaboration, originality, and flexibility).
5. Is a leader in multiple settings (playground, home, clubs, etc.).

### **Language Based**

6. Demonstrates language proficiency levels that are above nongifted students who are also English Language Learners.
7. Learns multiple languages at an accelerated pace.
8. Shows the ability to code switch.
9. Wants to teach other words from their heritage language.
10. Is willing to translate for others.
11. Has superior knowledge of phrases and heritage dialects along with the ability to translate meanings in English.
12. Has a grasp on jokes related to cultural differences.

### **Culture Based**

1. Balances behaviors expected in both the heritage and the new culture.
2. Is willing to share his/her heritage culture.
3. Shows pride in his/her culture and ethnic background.
4. Demonstrates a global sense of community and respect for cultural differences.

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<sup>111</sup> <https://www.educateiowa.gov/sites/files/ed/documents/IdentifyGiftedTalentedELL.pdf>

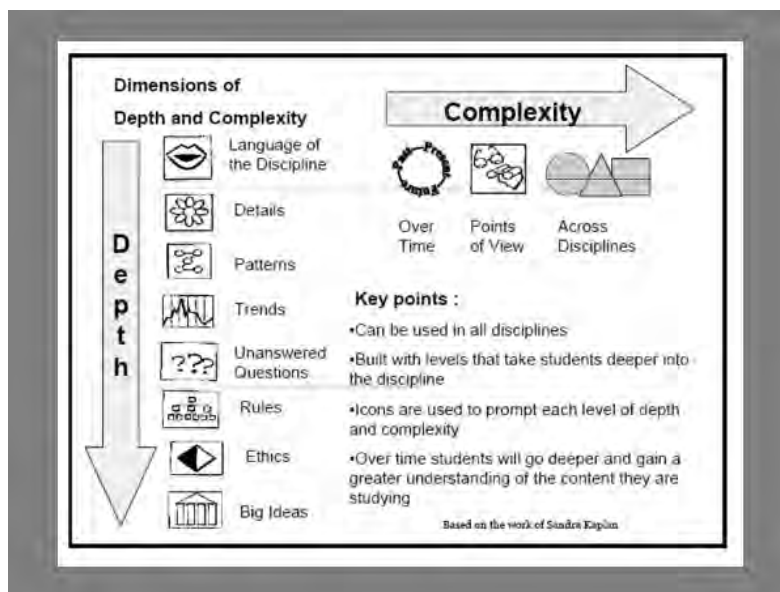
## FAMILY NOTIFICATION

The classroom teacher will contact the parents of high achieving students to discuss student performance and strategies for meeting the needs of high achieving students. Parents will be notified in writing and verbally either in person or by telephone. Student progress will be monitored on an ongoing basis through a combination of teacher observation, classroom assessment and benchmark assessments. Classroom teachers will provide regular progress reports to parents and administrative staff. Traditional classrooms are not able to effectively reach all students because of their reliance on one-size-fits all curricula, which teach to a fictional "average". One of the groups that has not been effectively reached within the general education classroom is learners with gifts and talents.

A learning environment designed using the UDL framework recognizes individual learner variability within diverse classrooms, including students who are gifted or talented. The resulting flexibility encourages multiple paths for student success. UDL allows learners with gifts and talents to succeed in the general education classroom by providing more creative or demanding options for expressing their understanding. In addition, a UDL learning environment allows students to progress at their own pace toward their personal learning goals. For gifted students, this is at an accelerated pace. When designing curricula and lesson planning, teachers will offer these students extension activities, advanced readings, or critical thinking activities, as well as allowing them to go back and review activities and lessons they have already completed.

Depth, complexity, novelty, acceleration, and a tiered curriculum are all integral components of the "universal designed" approach to teaching, and the "Kaplan depth and complexity icons" are incorporated into all classrooms.

Figure 13 Kaplan Depth and Complexity Icon



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## ENGLISH LEARNERS

Eureka! Inclusive anticipates that our classrooms will be filled with the vibrancy of the cultural, linguistic, and learning diversity reflective of the students in SJUSD. The Eureka! mission to develop an intentionally inclusive school is made possible within a UDL framework. Eureka! Inclusive teams of educators will work together to plan their instruction with all kinds of learners in mind. Eureka! Inclusive will meet all identified student needs and provide multiple program options that serve a wide range of linguistic and learning abilities. Eureka! Inclusive's model is designed to reduce stress and is built on philosophies and strategies highlighted for use with English Learners. A curriculum that is universally designed is inclusive of the students' interests and allows them to make choices in what they want to learn, including a focus on cultural themes. During daily designated learning blocks teachers will go beyond addressing intellectual talent, by including leadership, creativity, and art.

English Learners arrive to school with various levels of needs, abilities, and the same distribution of learning differences as native English speakers. However, each student arrives with an expectation that they will be cared for by their teachers, find friends to play with, and make the academic progress necessary to move them forward in life. California recognized the need to redesign curriculum to explicitly provide a roadmap of the academic knowledge, skills and experiences students would need in order to realize this very basic dream.

In the Eureka! Inclusive ELD Universally Designed Designated Daily Learning Block, students will be grouped according to several literacy ready indicators into small groups within their school level, i.e. early, primary, lower, and upper. The program will be universally designed and implement integrated arts, guided inquiry, and Sheltered instruction strategies to assist students in making meaningfully personal goals towards growth in their ability to read, write, speak, and comprehend academic English. Eureka! Inclusive recognizes that being literate in an academic discipline goes beyond simply being able to read and comprehend text; to be academically literate students must be able to think, speak, and write as a historian, scientist, mathematician, or artist.

The Common Core State Standards to provide English-language instruction that provides students with oral and written access to their native languages has at its core the UDL principle of multiple means of representation. At Eureka! students whose proficiency limits their access to complex English material can often have that material presented in the native language as a way to help them grasp the content in English. UDL guides the development of instructional features that provide English Learners enhanced access to grade-level curriculum.

For example, a student performing at grade level who recently arrived from Vietnam with limited English proficiency and fluent Vietnamese is able to access grade level content and continues to make meaningful progress academically, while also being provided necessary scaffolds and support to acquire academic English with a universally designed lesson. The UDL lesson utilizes various digital text options enabling the student to:

1. Switch between written forms of Vietnamese and English and
2. Access the read-aloud option that, with a click of a mouse, provides human voice reading of the text in whichever language the student feels most comfortable.

Additional supports might include: visual representations of relevant vocabulary; maps that link concepts with words; and options that help students connect their own cultural backgrounds to new learning activities.

Universally designed curricula for EL's provide both oral and written access to material and activities. As with most language learners, EL's tend to develop proficiency in speaking English before mastering reading and writing proficiency. Allowing such students, the option of:

1. Providing daily small group designated ELD blocks with a teacher.
2. Providing the option of writing or, when possible, audio recording, artistic representation to express their learning is also important for both learning and assessment.
3. Providing content-area texts to use at home in English (via audiobooks, read-alouds, text-to-speech, etc.) is crucial for providing more generalized access to the curriculum.

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## UDL AND ENGLISH LEARNERS

The UDL framework enables educators to plan their instruction with all kinds of learners in mind. ELs, while limited in their English proficiency, come to school with tremendous variability in their home language skills, from full oral and literate proficiency, to very limited skill sets. Rich English-language instruction that provides students with oral and written access to their native languages has at its core the UDL principle of multiple means of representation. Students whose proficiency limits their access to complex English material can often have that material presented in the native language as a way to help them grasp the content, be it in math, literacy, science, art, or other content areas, in English. Further, research that targets multiple interactions with science content has shown that ELs who are able to use their native languages to help with processing and expressing complex material are far more likely to retain that content over time, and transfer new learning to English

UDL guides the development of instructional features that can provide ELs enhanced access to a variety of grade-level curricula. For example, a recently arrived immigrant EL 4th grade student may speak, read, and write in Spanish, but still lack sufficient English proficiency to read a Native American folktale about the origin of fire. Even though her teacher does not speak any Spanish, a universally designed lesson might allow the student to compare English and Spanish versions of the story, giving her the opportunity to improve her knowledge of English while meeting the curriculum standard of reading folktales in 4th grade.

Curricula that are universally designed to meet the needs of ELs make available a host of language supports, including visual representations of relevant vocabulary, maps that link concepts with words, and options that help students connect their own cultural backgrounds to new learning activities.

Our ELD program will meet all federal and state requirements for services to English Learners. Our program addresses the process for student identification, curriculum, assessments, reporting, and resignation as well as professional development and teacher qualifications for working with EL students.

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## ASSESSMENT AND IDENTIFICATION

The orientation process at Eureka! Inclusive will strive to be inclusive and welcoming for all families. Because we anticipate most of our EL students to come from Spanish speaking households, we will have translation available at all school events in addition to translations of all written communication. For translation, we plan to utilize bilingual members of the staff as well as community members. We also will set up bilingual support for students and parents that are new to the school.



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## STUDENT IDENTIFICATION

The Charter School will meet all applicable legal requirements for English Learners, including long-term English Learners or English Learners at risk of becoming long-term English Learners, as they pertain to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. The Charter School will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents.

### Home Language Survey

Upon enrollment into the school, all parents will complete a home language survey (available in the language(s) spoken by the parents) to determine what languages are spoken in the home. The home language survey will ask families to identify (a) the language the child first learned when s/he began to talk, (b) the language the child uses most frequently at home, (c) what language the parent/guardian most frequently uses when speaking to the child, and (d) what language is spoken most by the adults in the home.

Within 30 days of initial enrollment, and annually thereafter, we will assess the English proficiency of any student whose parents have indicated that English is not the primary language in the home. We will use the English Language Proficiency Assessments for California (ELPAC). The ELPAC is California's new assessment that is used to determine the English proficiency of students whose primary language is other than English. The ELPAC is replacing the California English Language Development Test (CELDT) and is aligned with the 2012 California English Language Development Standards. The ELPAC assesses four domains: Listening, Speaking, Reading, and Writing.

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–8 whose primary language is not English to determine their English proficiency status.

A student's initial CELDT/ELPAC score determines whether he /she is classified as an English learner, and whether he or she is eligible to be classified as Initial Fluent English Proficient (IFEP). If the student is eligible for IFEP status, he or she is marked as "TBD" and evaluated for reclassification at the end of the academic year.

Our criteria for classifying a student as IFEP follow California State guidance and are as follows:

In Grades TK-1:

- On the initial ELPAC assessment, the student earns an overall score of Early Advanced (Level 4) or Advanced (Level 5). The student's Listening and Speaking domain scores must each be Intermediate (Level 3) or higher.

In Grades 2-6:

- On the initial ELPAC assessment, the student earns an overall score of Early Advanced (Level 4) or Advanced (Level 5). The student achieves Intermediate (Level 3) or higher on domain scores for Listening, Speaking, Reading, and Writing.

**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 paper–pencil 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 2–8, the test will be administered in groups, exclusive of speaking, which is administered individually. 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.

In addition, we will attempt to get a fuller picture of the student’s language profile. Through an additional survey and conversations with the student and parents, we will find out more about the languages spoken in the home as well as the student’s literacy experiences in the home language. Research indicates that a child’s fluency and literacy in the home language is an important factor when designing ELD instruction.<sup>112</sup>

EL students who score above the established cut-off on the ELPAC will be reclassified from EL status and be considered English proficient. Eureka! Inclusive will notify parents of ELPAC results within 30 days of receiving the test results from the publisher and the number of EL students will be reported to the state. The ELPAC shall be used to fulfill the requirements under the ESSA for annual English proficiency testing.

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### ASSESSMENT, MONITORING, AND RE-DESIGNATION PROCESS

Eureka! Inclusive will send notice of ELPAC testing and parental right and encourage their participation in the reclassification procedures in student’s home language. (Pursuant to 5 CCR, 11308 (c)(6) (Advisory Committees), any local reclassification procedures must be reviewed by the school district advisory committee on programs and services for English learners.)

When creating classroom assessment tools, ELD standards will be incorporated whenever possible. The following methods will be used to monitor students’ progress:

- Students will be assessed using the ELPAC at the beginning of each year by October 31.
- Staff will observe EL students according to a rubric modeled after the ELPAC in the areas of listening, speaking, reading, and writing skills.
- Staff will monitor EL student progress in language arts using school wide assessments.

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<sup>112</sup> Edwards, V. (1998). *The Power of Babel: Teaching and Learning in Multilingual Classrooms*. Stoke-on-Tent, Staffordshire, England: Trentahm Books. Handscombe, J. (1989). *A Quality Program for Learners of English as a Second Language*. In V. Allen, & P. (. Rigg, *When They Don't All Speak English: Integrating ESL Students into the Regular Classroom* (pp. 1-14). Urbana, IL: National Council of Teachers of English.

- During professional development days and weekly faculty collaboration times, staff will discuss EL progress to develop and refine teaching strategies for these students.

In general, English Learners are no longer classified as “EL” once they have attained the language skills necessary to compete with mainstream English speakers in age and grade appropriate settings in all areas of language development without the use of modified English materials.

Under current state law, students who are identified as English learners must participate in the annual administration of the ELPAC until they are identified as Reclassified Fluent English Proficient (RFEP). Our reclassification policies and procedures are developed in accordance with the reclassification criteria outlined in the California Ed Code<sup>113</sup>. An English Learner in grades 2 - 8 must meet all of the following criteria to be reclassified from English Learner to FEP status:

- Assessment of English language proficiency, using an objective assessment instrument, including, but not limited to, the state test of English language development;
- Reasonable performance on baseline and benchmark assessments and 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.
- Teacher evaluation and recommendation.
- Parent opinion and consultation.

The process for reclassification occurs annually between May and June. The teaching team will consult with parents to consider individual student progress and reclassification criteria to determine if a student should be reclassified as Fluent English Proficient. Teams will generate a spreadsheet of EL students who are eligible for reclassification. This spreadsheet will include all necessary assessment data on students who met or are close to meeting the reclassification criteria.

The teacher will then obtain official signed parental consent, which will be saved in the student’s cumulative file. Students who are moved from EL status or RFEP are documented in online databases including CALPADs. Eureka! Inclusive will monitor reclassified students’ performance for four years after reclassification in accordance with California regulations and Title III of the ESEA.

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#### ELPAC LEVELS ARE DESCRIBED BRIEFLY BELOW<sup>114</sup>.

**LEVEL 4:** English learners at this level have **fully functional** receptive and productive skills. They can use English to learn and communicate in meaningful ways that are appropriate to different tasks, purposes, and audiences in a variety of social and academic contexts. They may need occasional linguistic support to engage in familiar social and academic contexts; they may need light support to communicate on less familiar tasks and topics.

**LEVEL 3:** English learners at this level have **moderately functional** receptive and productive skills. They can sometimes use English to learn and communicate in meaningful ways in a range of topics and content areas.

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<sup>113</sup> <https://www.cde.ca.gov/sp/el/rd/>

<sup>114</sup> <https://www.elpac.org/s/pdf/ELPAC.Understanding-Your-Student-Score-Report-Guide-Summative-pg2-version.2017-18.English.pdf>

They need light to minimal linguistic support to engage in familiar social and academic contexts; they need moderate support to communicate on less familiar tasks and topics.

- **LEVEL 2:** English learners at this level have **somewhat functional** receptive and productive skills. They can use English to meet immediate communication needs but often are not able to use English to learn and communicate on topics and content areas. They need moderate-to-light linguistic support to engage in familiar social and academic contexts; they need substantial-to-moderate support to communicate on less familiar tasks and topics.
- **LEVEL 1:** English learners at this level have **limited to no functional** receptive and productive English skills. They tend to rely on learned words and phrases to communicate meaning at a basic level. They need substantial-to-moderate linguistic support to communicate in familiar social and academic contexts; they need substantial linguistic support to communicate on less familiar tasks and topics.

Reclassified students will continue to be monitored annually and tested according to ensure their continued ability to achieve mastery of state English Language Arts standards.

## INSTRUCTIONAL STRATEGIES

Eureka! Inclusive is committed to hiring an instructional staff that can meet the needs of all students, including English Learners. We will prioritize the hiring of teachers who are multilingual and have already obtained Cross-cultural, Language and Academic Development (CLAD) certificate or a Bilingual, Cross-cultural, Language and Academic Development (BCLAD) certificate.

All EL students will be fully integrated into the regular classroom setting. Our educational program is designed to reach all learners, including English Learners. We value the knowledge and experience that every student brings to the classroom. Teachers will encourage students to share that knowledge in a variety of forms so that even students with very little English proficiency can participate. Teachers also will strive to incorporate the home language(s) of the students in the classroom. This may be manifested through printed materials, audiovisual resources, and parents or other volunteers. We also recognize and appreciate the particular needs of EL students and will continually evaluate our educational program with those needs in mind.

To become proficient in English, we have three primary goals for our EL students. These goals are based on the overarching goals described in the *ESL Standards for Pre-K-12 Students*.<sup>115</sup> Those goals are (1) to use English to communicate in social settings (2) to use English to achieve academically in all content areas, and (3) to use English in socially and culturally appropriate ways. Achieving these goals will be part of their development toward reclassification. School success requires that students acquire proficiency in interpersonal communication and in academic language development.

At Eureka! Inclusive we will implement a structured immersion program for our EL students, that compliments and builds on the strategies outlined in our ELA section. The overarching structure of our plan for EL students will be based on the Sheltered Instruction Observation Protocol (SIOP) Model. The SIOP Model is a research-based model of effective instructional strategies for EL students. Using the SIOP Model teachers will design

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<sup>115</sup> TESOL. (1997). *ESL Standards for Pre K-12 Students*. Alexandria, VA: TESOL.

and evaluate three components of every lesson: (1) preparation, (2) instruction, (3) review/assessment. Teachers will be trained in the SIOP Model as part of their professional development.

**Gifted English Learning Students:** Please see additional strategies provided in the Plan for Academically High Achieving Students.

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## PLAN FOR STUDENTS WITHOUT PERMANENT HOUSING AND FOSTER YOUTH

Eureka! Inclusive is aware of the growing number of Santa Clara County unaccompanied youth living without permanent housing or shelter. The 2017 count of 2,530 reflects an increase of 175%, 509 of which are under age 18. Forty-five percent reported having been in the foster care system at some point in their life. Additionally, 294 families were identified as being without permanent housing or shelter.

All school employees will receive training to recognize and respond to signs of housing instability and food insecurity of students. We will work closely with local community organizations to connect students and families with the additional supports needed to ensure a continuum of care, active participation in all school activities, and healthy development across academic, social, emotional, and physical domains.

In addition to following applicable legal requirements in serving homeless students and foster youth, following are some common ways Eureka! Inclusive will work with families and community organizations to support the education of such students:

- Assist families with obtaining records for enrollment.
- Assess children's academic needs and provide tutoring or other support to ensure that they will be successful during the stressful time of experiencing homelessness.
- Ensure children have needed school supplies.
- Provide time and space for a student who does not have a proper study environment outside of school to complete homework or work on school projects.
- Ensure a homeless child is not punished for behavior related to his or her homelessness, such as tardiness or not completing homework, and providing support to address the behaviors.
- Remove barriers to students' participation in extracurricular activities and discuss needs of the family and the student and link them with community services.
- Provide clothing and laundry assistance.
- Connect families and students to housing, health, mental health and other services. Identification Strategies
- Coordinate with community services agencies, such as shelters, soup kitchens, food banks, street outreach teams, drop-in centers, welfare and housing agencies, public health departments, and faith-based organizations.
- Provide outreach materials and posters where there is a frequent influx of low-income families and youth in high-risk situations, including motels and campgrounds.
- Develop relationships with truancy officials and/or other attendance offices.
- Provide awareness activities for school staff (registrars, secretaries, school counselors, school social workers, school nurses, teachers, bus drivers, administrators, etc.)
- Make special efforts to identify preschool children, including asking about the siblings of school-age children.
- Use enrollment and withdrawal forms to inquire about living situations.
- Have students draw or write about where they live.
- Avoid using the word "homeless" in initial contacts with school personnel, families, or youth.

- Develop and implement an identification form and put it in each registration packet.
- Appoint a school liaison to identify and assist homeless students.
- Sort students by address in database to identify double-up situations.
- Conduct family nights to offer health checks, services, and resources.
- Conduct home visits to determine doubled-up situations and verification.
- Collaborate with other LEAs in the area.
- Collaborate with migrant education programs to assist with identification.
- Work with school counselors and outreach workers to work with families and youth.

#### Title I Strategies

- Establish a formula or other method to allocate Title I set-asides for homeless children and youth.
- Use Title I funds (including set-aside funds) to support the LEA homeless liaison position and to meet basic needs of students experiencing homelessness (clothing, supplies, health).
- Use Title I funds to provide tutoring and/or outreach services to children and youth living in shelters, transitional living programs, motels, and other temporary residencies.
- Pool Title I and McKinney-Vento funds to provide a comprehensive program for homeless students, ensuring that specific needs of children experiencing homelessness or high mobility are met.
- Ensure that the needs of children experiencing homelessness are taken into account in the needs assessments that are required for schoolwide programs.
- Make appropriate testing accommodations for children who are homeless; for example, having opportunities to make up tests if children are absent on testing day.
- Ensure that the appointed school liaison is trained to collect achievement data for all homeless students and that district records systems enable this data collection while taking into account confidentiality issues.

#### Enrollment Strategies

- Train all school enrollment staff on the legal requirements for enrollment.
- Review LEA policies and revise them as necessary.
- Develop alternative caretaker forms, enrollment forms for unaccompanied youth, and other forms to replace typical proof of guardianship, ensuring they do not create further barriers or delay enrollment.
- Accept school records directly from families and youth.
- Establish immunization databases, school-based immunization clinics, or mobile health units.
- Be sensitive about smoothly integrating new students into the classroom and school community.

#### Special Education Strategies

- Educate special education staff, including the director, regarding homeless education provisions.
- Meet with school psychologist to inform them of any homeless students with special needs.
- Have special education staff educate homeless liaisons on special education provisions.
- Be available for participating in individualized education programs (IEPs) to support parents and/or unaccompanied youth and share information.
- Give parents copies of all IEP paperwork in folder to save.
- Develop policies, procedures, and board policies for systemic changes.
- Develop memorandums of understanding between school and social services.
- Utilize County Resource Collaborative.

- Contact special education local plan area personnel in your area to share information at one of their meetings regarding homeless education and foster youth provisions.
- Contact Parent Resource Network to contact the homeless liaison if the student is homeless.

## STUDENTS WITH DISABILITIES

### Overview

Eureka! Inclusive shall adhere to all laws affecting individuals with exceptional needs, including all provisions of the Individuals with Disabilities in Education Improvement Act of 2004 (“IDEA”), its amendments, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act (“ADA”). All students are given equal access to the school, regardless of disabilities, and the school does not discriminate against any student based on his disabilities. We do not require the modification of an IEP or 504 plan as a condition of acceptance at the Charter School.

Eureka! Inclusive recognizes the importance of providing education opportunities to all students regardless of physical challenges or special needs. To that end, Eureka! Inclusive pledges to ensure that enrolled students are served in accordance with applicable federal and state law.

Our program is based on the CHIME Institute Inclusive Education model of service delivery, which is an integrated team-teaching approach universally designed to meet the needs of all students, including students with learning, behavioral, and social-emotional challenges.

**INCLUSIVE EDUCATIONAL DELIVERY MODEL:** Eureka! Inclusive is modelled on the successful CHIME inclusive education delivery model for the education of all children. Students with disabilities are educated using the best practices orientation. They receive educational programs in classrooms with their peers who do not have disabilities. Supports that are necessary for implementing their IEPs are provided within the context of those classrooms, i.e. the services come to the students and are provided in the natural flow of the classroom regimen. The implementation of the IEPs are a function of both the general and special education teachers, para-educators, and DIS personnel. Each of these individuals is fully certified and qualified to deliver the very best educational program. The implementation of students’ IEPs are provided within the context of the classroom or other contexts as determined by the IEP team.

Related services, such as language and speech or occupational therapy, are provided through an integrated model in which the service provider not only provides direct, contextually-based services, but also emphasizes the training and consultation with all team members supporting a student to ensure that strategies and tools are implemented consistently throughout a student’s school day. Related Services are implemented in a manner reflective of the student’s IEP goals.

### IDEA

Eureka! Inclusive shall be a public school of the San Jose Unified School District for purposes of special education pursuant to Education Code Section 47641(b).

If approved by the San Jose Unified Board of Education Eureka! Inclusive and the SJUSD shall develop and execute an agreement regarding special education which specifies in detail the responsibilities for provision of

special education services by the Charter School and the manner in which special education funding will flow through SJUSD to the students of the Charter School.

The details of this arrangement, or a reasonable alternative to this arrangement, will be discussed and codified in a memorandum of understanding between SJUSD and the Charter School. Nothing in this Section, however, shall be deemed to prevent the Charter School from seeking LEA status pursuant to Education Code Section 47641(a) or from contracting with a third-party to provide special education services.

The details outlined in this section serve as the best representation of how The Charter School intends to provide special education instruction and related services in accordance with the IDEA, Education Code requirements, and applicable policies and practices of the Special Education Local Plan Area ("SELPA"). The Charter School reserves the right to make written verifiable assurances that the Charter School shall become an independent LEA and join a SELPA pursuant to Education Code Section 47641(a) either on its own or with a grouping of charter school LEAs as a consortium, and the charter school plans to provide its own staffing and run its own special education program with oversight from SJUSD/SELPA IV.

## **CHILD FIND**

The Charter School will follow SJUSD/SELPA IV policies and procedures, and shall utilize SJUSD/SELPA IV forms in seeking out and identifying and serving students who may qualify for special education programs and services and for responding to record requests and parent complaints, and maintaining the confidentiality of pupil records. The Charter School will comply with SELPA IV protocol as to the delineation of duties between the District and the local school site in providing special education instruction and related services to identified pupils.

## **The Charter School's Responsibilities**

It shall be the Charter School's duty and obligation, at the Charter School's expense and cost and under the directive of the Charter School's governing body, to manage, operate, and administer the Charter School. The Charter School remains accountable and subject to the oversight of the SJUSD as provided in the Charter Schools Act, the Charter Petition, and consistent with applicable state laws. In accordance with Education Code Section 47607(a)(1)(A), the Charter School acknowledges that the SJUSD may inspect or observe any part of the Charter School at any time, with or without prior notice.

## **Funding Sources**

The SJUSD shall obtain all state and federal special education funding allocated for Charter School generated by student attendance at Eureka! Inclusive. The District shall then pass on to the Charter School all of the state and federal special education revenue that it generates. The Charter School shall also be entitled to funding provide by the SELPA to the extent that such funding and services are made available to schools within the District.

External resources of the Charter School will be considered in the Charter School's financial records upon receipt. Funding shortfalls will be the responsibility of the Charter School; however, any debt issuance by or on behalf of the Charter School must be reported to the SJUSD staff assigned for fiscal review and monitoring, including financial details and conditions of such debt.

The Charter School is fully responsible for collecting the funding entitlement generated from in lieu of property taxes directly from its sponsoring local educational agency and/or the district(s) in which the student(s)



attending the Charter School reside, and for providing sufficient support documentation to such entity(ies) to ensure the accuracy of the tax billing.

The charter school has made provisions to meet the needs of students that fall outside of allocated funding or to bridge the gap in funding. The special education contingency budget is included starting at \$50K in Year 1 and growing with projected enrollment to \$80K in year 3.

## **Staffing**

All special education services at the Charter School will be delivered by individuals or agencies qualified to provide special education services as required by California's Education Code and the IDEA. It is the Charter School's understanding that the Charter School will be responsible for the hiring, training, and employment of site staff necessary to provide special education services to its students, including, without limitation, special education teachers, paraprofessionals, and resource specialists. The Charter School shall ensure that all special education staff hired by the Charter School are qualified pursuant to District and SELPA policies, as well as meet all legal requirements. The Charter School shall be responsible for the hiring, training, and employment of itinerant staff necessary to provide special education services to Charter School students, including, without limitation, speech therapists, occupational therapists, behavioral therapists, and psychologists.

We expect to provide a Language and Speech Pathologist and an Occupational Therapist 4-5 days per week. With this extensive involvement in the school, these therapists are able to participate as full staff members on school committees and enrich the learning experience of all students by teaching class-wide lessons, leading stations within classes, and supporting curriculum implementation. Paraprofessional supports provide additional critical classroom support for all students, and may provide additional individualized support to students as needed. Eureka! Inclusive will develop a rigorous hiring process and training program for paraprofessionals in an effort to minimize turnover. Through a thorough orientation and training program, as well as mentorship and direction from general and special education teachers, we aim to treat our paraprofessionals as valued educational professionals and help them develop their own skills.

## **Notification and Coordination**

The Charter School shall follow SELPA policies as they apply to all schools for notifying school personnel regarding the discipline of special education students. The Charter School shall assist in the coordination of any communications and immediately act according to SELPA policies and education code relating to disciplining special education students.

## **Identification and Referral**

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

In the event that the Charter School receives a parent written request for assessment, it will work collaboratively with the parent to address the request. Unless otherwise appropriate pursuant to applicable State and Federal law, the Charter School and the District will provide the parent with a written assessment

plan within fifteen days of receipt of the written request and shall hold an IEP within sixty days of parent's consent to the assessment plan to consider the results of any assessment.

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

### Assessments

The term "assessments" shall have the same meaning as the term "evaluation" in the IDEA, as provided in Section 1414, Title 20 of the United States Code. The District will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with general practice and procedure and applicable law. The Charter School shall work to obtain parent/guardian consent to assess Charter School students.

### IEP Meetings

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

### IEP Development

As a school of choice parents enroll their children at Eureka! Inclusive because they are seeking an inclusive education delivery model. The Charter School understands that the decisions regarding eligibility, goals/objectives, program, services, placement, and exit from special education shall be the decision of the IEP team. Programs, services and placements shall be provided to all eligible Charter School students in accordance with the policies, procedures and requirements of the SELPA and State and Federal law within an inclusive education delivery model, described through-out this petition.

### IEP Implementation

The Charter School shall be responsible for all school site implementation of the IEP. The Charter School holds ultimate authority over implementation and supervision of services. As part of this responsibility, the Charter School shall provide the parents with timely reports on the student's progress as provided in the student's IEP, at least at least as frequently as report cards are provided for the Charter School's non-special education students. The Charter School shall also be responsible for providing all curriculum, classroom materials, classroom modifications, and assistive technology.

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

The Charter School shall comply with Education Code Section 56325 with regard to students transferring into the Charter School within the academic school year. In accordance with Education Code Section 56325(a)(1), for students who enroll in the Charter School from another school district within the State, but outside of the SELPA with a current IEP within the same academic year, the District and the Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP, in consultation with the parent, for a period not to exceed thirty (30) days, by which time the Charter School shall adopt the previously approved IEP or shall develop, adopt, and implement a new IEP that is consistent with federal and state law. In accordance with Education Code Section 56325(a)(2), in the case of an individual with exceptional needs who has an IEP and transfers into the Charter School from a district operating programs under the same special education local plan area of the Charter School within the same academic year, the District and the Charter School shall continue, without delay, to provide services **comparable** to those described in the existing approved IEP, unless the parent and the Charter School agree to develop, adopt, and implement a new IEP that is consistent with federal and state law.

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

#### Non-discrimination

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

#### Parent/Guardian Concerns and Complaints

The Charter School shall follow County, State, and Federal policies as they apply to all schools for responding to parental concerns or complaints related to special education services. The Charter School shall instruct parents/guardians to raise concerns regarding special education services, related services and rights to the Charter School.

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

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

## Due Process Hearings

The Charter School may initiate a due process hearing or request for mediation with respect to a student enrolled in the Charter School. In the event that the parents/guardians file for a due process hearing, or request mediation, the Charter School shall defend the case.

The Charter School shall have sole discretion to settle any matter in mediation or due process. The Charter School shall also have sole discretion to file an appeal from a due process hearing or take other legal action involving any Charter School student necessary to protect its rights.

## SELPA Representation

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

## Transportation

Eureka! Inclusive is a school of choice and as such transportation to and from school is the responsibility of parents/guardians, except as voluntarily offered by the Charter School or as required by law, including, but not necessarily limited to, the IDEA and the McKinney-Vento Homeless Education Assistance Act.

## Non-Public/Private School Placements

The Charter School acknowledges that it may be required to pay for or provide Charter School students with placements at locations other than at the Charter School's school site in order to provide them with a free appropriate public education. Such placements could include, without limitation, programs or services in other public school districts within the SELPA, in a County Office of Education program, in a non-public school, at home, at a hospital, or in a residential program.

## Section 504/ADA

Eureka! Inclusive shall be solely responsible for its compliance with Section 504 and the ADA. The Charter School recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of the Charter 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.

All facilities of the school are accessible for all students with disabilities in accordance with the ADA.

Eureka! Inclusive 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.

Further, the Eureka! Inclusive Board has adopted and implemented a policy, which outlines the requirements for identifying and serving students with a 504 Accommodation plan.

## Sample Section 504 Policies and Procedures

In addition to IDEA, Eureka! Inclusive Charter School follows Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act (ADA), which prohibits discrimination based on a disability.

A 504 team will be assembled by the Director of Special Education and shall include the parent/guardian and other qualified persons knowledgeable about the student, the meaning of the evaluation data, placement option, 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 a recommendation for 504 services and/or supports is appropriate. If the student has already been evaluated under the IDEA but found ineligible for special education instruction or related services under IDEA, those evaluations can 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 including those tailored to assess specific areas of educational need, and not merely those which are designed to provide a single general intelligence quotient.
- Tests are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual or speaking skills, the test results accurately reflect the student's aptitude or achievement level, or whatever factor the test purports to measure, rather than reflecting the student's impaired sensory, manual or speaking skills.

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

If the student is found by the 504 team to have a disability under Section 504, the 504 team shall be responsible for determining what, if any, accommodations or services are needed to ensure that the student receives a free and appropriate public education ("FAPE"). In developing the 504 Plan, the 504 team considers 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 describes 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, will be provided with 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 will be maintained in the student's file. Each student's 504 Plan will be reviewed as needed and on a regular basis to determine the appropriateness of the plan, needed modifications to the plan, and continued eligibility. Any student with a 504 Plan has a Confidential File Folder maintained by the 504 Case Manager. This folder is a supplement to the student's cumulative folder.

## A DAY IN THE LIFE OF A EUREKA! INCLUSIVE TEACHER

Janice Sotelo is 28, she graduated with a dual multiple subject and special education teaching credential from Sacramento State University. She drives to work excited to be part of an inclusive and supportive interdisciplinary teaching team at a school located in the neighborhood she grew up in. Employment opportunities are plentiful for Janice, however her desire to work in an inclusive school limited her choices. Janice understood from her own experiences and her understanding of critical disability theory that a separate education is not an equal education and will not work in schools that separate special education and general education students.

The first elementary school that she accepted a position with advertised an inclusive delivery model and Janice was to work with a team of three general education teachers to provide in class co-teaching support across the three first grade classrooms. The reality was that Janice was not included in curriculum and instruction planning, the students with IEPs were placed at a table in the back of the classroom and Janice was expected to provide segregated instruction within the mainstream classroom, para professionals provided support during the time Janice was not in the class.

The first year Janice tried to initiate co-teaching practices and offered to work with teachers to universally design curricular materials. Her initiative was dismissed. During the second year Janice became depressed and dreaded going to work. She felt that the instruction she was able to provide was ineffective despite her best intentions and the environment unhealthy. She saw children academically and socially isolated from their peers and could not help but remember her own experiences. Janice attended a Community Advisory Committee for Special Education meeting to meet other parents and teachers that wanted to influence inclusive practices.

By the end of her second year, despite numerous attempts to work collaboratively with other members of the student IEP team to integrate supports throughout the day for her students, little had changed. She was ready to leave the teaching profession for good and accept a job in the inclusion and diversity department of an area technology corporation. One of her students' parents asked her opinion of a new proposed charter school in a nearby district, Eureka! Inclusive. At first Janice was hesitant as she is very much a pro-union teacher and has had concerns about some charter school practices. But as she listened to the parents describe the program, she found herself getting excited about the proposed new school and agreed to research the program for the parent. She went home and looked up the website. She was impressed by the referenced inspiration programs, ASD Nest, and CHIME Institute. She was convinced when she read that Dr. Wayne Sailor of SWIFT Schools endorsed the model and would be working with the founders of Eureka! Inclusive to design the framework and provide professional development and technical support.

A year later she drives into work excited to share a great idea for the upper elementary state project with other members of her interdisciplinary team. She arrives optimistic to the team meeting and greets Ariceli, a general education teacher; Joseph, an occupational therapist; Jerome, a speech therapist, and Dr. Tsao, a family therapist. Today three graduate student externs from San Jose State University will be joining the team meeting and working with the upper elementary school interdisciplinary team to provide additional classroom and playground support.

The team members sit down to plan a universally designed unit on states for the 4/5 combo class. Using the map of the United States as a starting point, they brainstorm objectives in reading, writing, spelling, creative problem solving, science, social studies, art, music, drama, and math. Their ideas include role-playing,

cooperative group investigations of various topics, building dioramas and creating murals, writing songs and dances, field trips and hands-on activities, writing letters to state officials to investigate pending legislation, planning a trip across the state calculating mileage and expenses, and so on. These activities are multimodal, child-centered, interactive, inquiry based, collaborative, and fun. Not only do they cross traditional disciplines, but they also include academic and cognitive challenges at many levels. Additionally, activities are built to embed additional supports for students with IEPs, for instance, California might include a unit on the Gold Rush, and immigrants. Activities such as panning for gold and eating with chopsticks will be fun for all children and also provide children that need to work on fine motor skills opportunities to practice in a fun and interactive way alongside their peers. For students learning English, cognates, and additional visuals are added to highlight key terms, concepts, and vocabulary words. Special attention is made to recognize the experience of the many ethnic and cultural groups that contribute to and shape American history. students

The team discusses how to maximize the strengths of and creates groups that are balanced based on social, academic, and physical qualities. Within a broadly designed curriculum such as this, including students with varying educational needs becomes much easier.

As the morning meeting ends all members of the team are excited about their contributions and head to morning movement to greet the children. The team heads out and greet Mr. Ramirez, the Executive Director and the other teams. Teams are divided between students drop off, playground, study room, and office. Mr. Ramirez, and Joseph the OT join Janice at student drop off this morning. Together they make sure each student is greeted and asked where they would like to spend time before the bell rings, Playground or study room. Students that arrive with need for emotional support or a snack can go to the office.

The bell rings and Janice heads to class where she continues to greet her students with a warm smile. Students choose if they would like to be part of the very active movement group or the gentle movement group. Janice and 8 students make their way out to the grass area, form a circle and begin stretching, Janice reminds her students that flexible bodies help us have flexible minds. As they continue to stretch Janice shares that she had a great night of sleep but slept so well that she slept through her alarm and arrived to school without having breakfast. She asks if anybody else arrived to school without having breakfast. Two students share that they did not have breakfast yet, all of the students share how they slept the previous night. Janice notices that one student has puffy red eyes and wonders if the student is sick or has been crying. Janice jots down the information on each student's daily health and wellness sheet and morning stretch concludes. This morning, Janice asks the student that has puffy eyes to join her as class leader for the day. As the class engages in a brisk power-walk she talks to the student and learns that she had an argument with her sister before school and she was feeling sad. Janice puts her arm around the student and asks if she would like to speak with Mr. Tsao, the family therapist, privately. She says, "No" and asks if she can be Ms. Sotelo's helper all day, Janice says "of course". Janice and the students stop off at the office on their way back to class and all students are offered a granola bar and piece of fruit from the snack pantry, four of the students, including the two that did not have breakfast, accept.

Back in the classroom Janice is co teaching with Ariceli, today two externs from SJSU are working in the classroom with them. The externs circulate through the classroom providing support and reminders to students as needed.

Janice and Ariceli introduce the State Unit together. Ariceli explains the unit and Janice provides visual examples to coincide with the oral description, while her student helper passes out a unit packet to each student in the class.

The class of 26 students is divided into 5 teams, four teams of five students and two teams of three. The unit will cover 12 weeks over which time each student will personally contribute to a report on five states and all teams will produce a classroom presentation of each of their states. Teams are not fixed, and new teams will be configured as a new set of states is studied by the class. This will allow all students to work with a variety of classmates. Before announcing groups, Ariceli and Janice review and model classroom group work agreements with the kids using the CHAMPS system.

As students move into their groups, Janice and Ariceli each support a group that include children with what would be considered significant learning needs. Aaron communicates mainly with sign language, he has advanced technology skills and is a fantastic, typist, both in terms of speed and accuracy. Ariceli supports Aaron by making sure that he is offered a meaningful role as a member of the team. Janice joins a group that includes Sarah, Sarah is on the autism spectrum, and when excited she is easily dysregulated, speaking and laughing louder than usual. In the past this has resulted in some children responding negatively and hurting Sarah's feelings. Janice asks Sarah to join her and her helper for the day on a walk to the art supply room. Along the way, Janice checks in with both girls about how they are feeling, she leads the girls in a deep breathing relaxation routine. After they gather the needed supplies they begin walking back to class and Janice uses this time to remind herself and Sarah to use the restroom. Before entering the classroom, Sarah takes a drink of water and is noticeably calmer. Janice asks each of the girls to take turns reminding her of the classroom agreements for group work, use nice words and inside voice volume. While Janice is gone Ariceli joins Sara's group and talks to the students about each of their strengths, she emphasizes that she appreciates how patient and kind they are with each other and how well they work with their classmates. Sarah rejoins the group and Ariceli asks each student to share what excites them about group work, James adds that he loves making maps, Angelica wants to learn about the music and dance contributions of different immigrants, Huy is eager to learn recipes brought to states by different immigrant groups, Sarah gets very excited and says that she wants to know all about the climate and eco system of her states, she then offers that Huy might like that as well since we rely on local food chains to use in our recipes. Huy and Sarah plan to collaborate on the project.

Eduardo moved to California from Guatemala two years ago. Eduardo has been identified as gifted and is a history buff, he is creating a vocabulary list of key terms in English and Spanish using the groups Google doc shared file teaching the whole class the Spanish words for city, town, river, and so on. Ariel, has cerebral palsy and is working works closely with Eduardo. Eduardo relays important historical events, and landmarks to Ariel. Ariel using her sip and puff system navigates the Internet to locate pictures of landmarks, historical events, and cities, towns, and rivers to add to the vocabulary list Eduardo is making.

Jerry and Lin are preparing a newsletter on the project that will report on the events that made each landmark famous. Jerry is very analytical, creative and energetic he synthesis information and sees connections between topics at a level years beyond his age and grade. However, class work has been challenging as he struggles with executive functioning and writing skills. Lin has social pragmatic communication challenges and has been identified and referred by the SST team for an evaluation to determine if she qualifies for special education services. Today Lin is interviewing classmates, asking three questions that she and Ms.Sotelo came up with together. This activity was developed by SST team as part of a Tier 2 intervention in effort to help Lin make progress with social and academic goals while not yet formally qualified for an IEP. As she must initiate conversation with classmates, listen to others, participate in back and forth for the conversation exchanges on a topic that is not of her choosing and to paraphrase and transcribe conversations. Micah is artistic and detail oriented he is working on the report layout, cover art, and adding a "flair" to Jerry's ideas and information, he will also take pictures of the classmates interviewed by Lin to add to the realism of the project.



Another small group of students is preparing a role-play on the establishment of the state of Texas, exploring past and current tensions regarding borders, language, and racial issues.

Before lunch Janice leads the children in a mini lesson about the benefits of vitamin C. Today the children will make orange juice to share at lunch time. The students make guesstimates regarding how many oranges will be needed to produce a 4oz serving of juice for each member of the classroom. Each student takes turns using an automatic juicer and a hand juicer, they record their guesstimates and observations in their learning journal.

At lunch all children are encouraged to try the orange juice. Most children are eager to drink the orange juice that they made. Before the end of lunch Janice asks each child to share their play plan, several children choose soccer, Janice asks them to review agreements about playing soccer together, several others choose hopscotch, live action role playing (“LARP’ING”), a few request a story, and one little boy would like to lay down. Janice reviews the play plans with the team members that will be providing lunch time recess support. Janice joins three other teachers in the break room for a cup of tea and moment to reflect on the first part of the day. After lunch Janice co teaches with Joseph, an occupational therapist. Three students in the class have IEP goals to improve handwriting and one student, Sal, is working on self-regulation goals. Sal is particularly challenged after lunchtime recess. Joseph greets a group of students that includes Sal and finds Sal bumping playfully into other students. Joseph reminds the boys to keep their bodies to themselves and if they have too much energy to walk calmly, they can hop up and down like kangaroos. This strategy is particularly helpful to Sal. Joseph and Janice recognize that the students seem to have extra energy today, Janice offers students Theraputty and fidgets to use at their desk while she and Joseph explain the activity.

Today children will work with their group to produce a map of their state. Students can draw, color, sculpt, or cut out the shape of their state. Joseph provides specialized scissors to Thanh to help keep his fingers firmly gripped in the scissors, other materials include a tablet with touch screen for Sarah to trace the outline of her state with her finger. Janice checks in with her helper and tells her what a big help she has been while circulating throughout the room to check in with all groups and offer feedback and answer questions.

After the class cleans up Janice works with Mr.Tsao the family therapist, they lead the class interactive reading time from A Boy Called Bat. Bat is hurt and angry at his sister, the class takes turns discussing and sharing problem solving strategies that can be used when someone hurts our feelings or makes us angry.

After the story time, Janice’s helper approaches her and says, “I made my sister angry at me this morning. I spilled my cereal on her shoes, and she yelled at me. That scared me and hurt my feelings. I did not even get to say that I was sorry. When I get home, I am going to say sorry.” Janice gave her a hug and said, “When I was your age my twin brother would get mad at me and hurt my feelings too. He was very neat, and I was sort of messy, he did not like when I played with his toys without washing my hands. Saying sorry helped a lot. I bet your sister will be happy to hear it and say it back to you.”

During MADE children excitedly take their thoughts and ideas left over from the day and apply them in areas of specific interest. Many children are in the art section sculpting pottery, another group of children are working on a water pump system, and still another group have located a section of the school that has room for a garden, they took measurements and are now using the computer to research the types of plants suited to their geographic zone, and develop a planting timeline.

At the end of the day Janice makes a quick call to Devangi’s mom Seema and lets her know what is going on. Seema says “Yes, those girls, Sumatra is such a style queen and Devangi is my little rabbit hopping around

with enthusiasm and spilling things on her sister. I will talk to Sumatra about being kinder to her little sister, thank you for letting me know.”

Before leaving for the day, Janice works with one of the student externs to review and record each student daily health and wellness sheet into the computerized database as well as onto student observation sheets in each student’s portfolio. She makes note of particular students progress on IEP goals. She smiles when she records that Sal shared his art work for the first time. This is great progress as he has suffered from anxiety and fear that his work is not good enough and that students will laugh at him. During this time Janice is able to provide the externs with feedback and answer questions. They each jot down three things that worked very well and three things that require improvement to share during the team daily wrap up meeting.

## A DAY IN THE LIFE OF A EUREKA! INCLUSIVE STUDENT

Sal is in fourth grade. He is a very bright student with an abundance of energy. Sal is on the autism spectrum. He comes to Eureka! Inclusive after being home schooled for two years. Sal entered kindergarten with an IEP that placed him in a mainstream classroom with pull out services to provide small group speech 2x weekly and RSP specialized instruction to work on hand writing goals and math. Within three months Sal's behaviors became too disruptive and the IEP decided that his needs would be more appropriately served in an autism specific SDC classroom. By the beginning of second grade Sal had made little academic progress and has no friends. His parents worked with his private therapist to devise a home based social and academic plan.

Sal is academically ahead of his peers, however requires a younger peer social environment. His IEP has been carefully crafted to accentuate his many strengths and support his need to learn to navigate social situations and interactions.

Sal's day begins working with another classmate and Joseph, the occupational therapist. Joseph and Sal co-lead a group of younger students in morning movement. Developmentally they are all working on similar self-regulation goals. However, Sal has a younger brother and is quite a natural teacher. The younger students love Sal’s cartoon voice imitations. The day begins with Sal feeling confident and competent. Joseph, Sal and Sal’s classmate walk the students to their class before making their way to their class together.

This morning Sal walks over to the fidget bin and grabs a tub of Theraputty. Squeezing Theraputty is strategy that his teacher Ms. Sotelo taught him to help him stay focused on what she is saying and to help him prepare for typing and writing assignments. Ms. Sotelo notices his initiative and gives him a smile and thumbs up for across the room. Sal smiles back and is proud of himself for taking initiative without a reminder.

Today he is working in a group with two other students to determine the average yearly rainfall in California over the past ten years. Math is really frustrating for Sal, and his group mates are really good at math. Ms. Sotelo notices that Sal has left the group and is standing staring out the window. She walks over to Sal and asks if he could assist her with a demonstration. He joins Ms. Sotelo at the sink and fills up a pitcher of water and collects ten cups. Sal uses a ruler to divide each cup into inches. He works with other members of his group to fill each cup with the annual rainfall in inches and dumps the amount into a large bucket they record each year add up all of the numbers and divide by ten, to get the answer. Sal is amazed at how fun and easy that was.

During lunch Sal tries the orange juice that he made with his class, he is super strong and is pretty sure that he squeezed the most juice. Before he leaves the table, he makes a play plan to LARP with other classmates, live action role playing is his favorite part of the day, he knows every Pokémon and their powers. After lunch he is super excited and continues to LARP on the way back to class, he is having so much fun bumping into classmates. He knows that he should not, but he almost feels stuck and unable to stop. Joseph notices and asks all of the students to hop up and down like kangaroos. This feels really good. Sal hops up and down and feels his feet plant firmly in the ground, he reminds himself to use the bathroom, wash his hands, and get a drink before heading into class. As he walks in, he grabs a bin of indoor sand to use at his seat as his teachers explain the plan for the remainder of the day. He loves the story A Boy Called Bat. Bat is also on the autism spectrum. Sal recognizes some similarities but offers to the class that not every kid with autism is the same. Ms. Sotelo thanks him for his contribution. As the story ends Sal looks at his personal daily schedule and is excited that the next activity of the day is Daily designated Learning, he is working with Joseph, Eduardo, and Huy, and Lin. They are playing Zones of Regulation Bingo. "Yes!" he exclaims. He stops for a moment and reflects that he is in the yellow zone, energetic and excited. When Joseph asks, he will be ready to answer. Joseph greets the group, "Hello, I am feeling yellow today, who else is feeling a little yellow today?" Sal raises his hand and notices the other kids in the group do as well. The group heads outside for a five minute walk and talk check in. Joseph lets them know now is the time to get the extra energy out, Sal and Huy say they need to run, Eduardo and Lin, say they want to walk with Joseph. Lin likes spending time with Eduardo, he is kind and patient and teaches her Spanish. Lin has a great memory and Eduardo is impressed with her ability to speak Spanish so well. Eduardo likes his time with Jerry because Jerry speaks Spanish as well. Today, while they walk Eduardo teaches Lin Spanish words for the plants and animals that they see. As they walk back to the class to begin Zones Bingo, he checks in with the kids again about which Zone they are in. He also reviews the activity expectations, using the CHAMPS system. He looks at Lin and smiles, "I really enjoyed listening to your conversation with Eduardo, your Spanish and conversational skills are impressive." Lin smiles and says, "Gracias, Maestro." They both giggle. Joseph is aware that Lin has conversational goals and is currently being assessed by the SST team. After lunch, Joseph documents the conversation in Lin's file and lets Lin know how much he enjoyed the conversation he had with her and Eduardo. She gives him a big smile and small fist bump.

During MADE Sal chooses to draw a picture of a Gold Rush era town. He thinks that the immigrants might have been scared to travel to a new country, he was scared when he first came to Eureka! He realizes he is not scared now because he has friends and teachers that understand him and really like him. He draws a big sun in his picture and gives it to Ms. Sotelo. She remarks that the picture looks "happy" and points out the beautiful trees and big sunny sky. Sal smiles and says "I am happy." She asks if Sal wants to hang the picture in the art section or place in his portfolio, he chooses to share it with the class and hang it on the art wall. Ms. Sotelo, smiles and says, "Thank you Sal, for sharing your work and brightening our class."

As the day ends, Sal writes two great things that happened to him that day, one was that he learned he is actually really good at figuring out math problems the other was that he is good at squeezing oranges. But, he definitely does not like all of the chunks. He writes down a third...Ms. Sotelo said my artwork brightened the class.

He puts his reflection in his student learning journal and heads to the pickup spot with his friends Devangi and Huy. Mr. Ramirez asks the kids how their day was. They excitedly share high points from the day. Then Sal, warns him, "Fresh squeezed orange juice has lots of pulp, so, best bet is to just buy store bought, they have machines to annihilate the pulp out." Mr Ramirez laughs and thanks him for the sage advice. Sal and his friends continue to the pick up location, he loves being in school and having friends.

## 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 school-wide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school. Education Code Section 47605(b)(5)(B).*

Eureka! Inclusive is built around the idea that schooling should result in a student who develops along all parameters of value and to help that individual become a full participant in the life of his or her family, workplace, community, country and world. The implication of this basic principle is that pupil outcomes should be measured in each of the parameters that make a difference in the student's ability to function in these areas. Those parameters include physical development, psycho-social development, and intellectual development. We will measure student growth along each of these parameters. As discussed in Element A, Eureka is well aligned with concepts that underlie the Common Core State Standards. To fully realize the purpose of Common Core, a school must strive not only to give students the basic tools and to help students learn to use those tools in a sophisticated manner, but the school must also ensure that students are physically, socially, and mentally able to function fully in the world.

Eureka Inclusive! thus strives to develop the whole person as described in our description of a 21st Century Educated Person. In this process, it is not our aim to develop each child in the same way. Diversity is considered to be the norm. Each child has his or her own set of passions, talents, and points of view. Eureka! Inclusive's programs are designed to help each child develop in a way that is consistent with who each child is. If we are successful, each child will gain the academic tools needed for success as well as demonstrate use of those tools in ways that fit the passions and life goals of that child. With respect to measurement of outcomes this means that two types of outcome are important to measure:

1. Outcomes that indicate the extent to which the child has gained the basic tools of life taught in any school.
2. Outcomes that indicate the extent to which the child is developing along physical, social and mental health parameters suitable to the child

## GOALS, ACTIONS AND OUTCOMES ALIGNED WITH THE EIGHT STATE PRIORITIES

Eureka! Inclusive will pursue the following school wide and subgroup goals, actions and measurable outcomes as aligned with the Eight State Priorities as described in Education Code Section 52060(d). Each of these goals addresses the unique needs of students including Eureka! Inclusive's anticipated numerically significant subgroups including socioeconomically disadvantaged students, students with disabilities and English Learners.

## LOCAL CONTROL AND ACCOUNTABILITY PLAN (LCAP)

Eureka! Inclusive shall develop and annually update the LCAP in accordance with Education Code Section 47606.5 and shall use the LCAP template adopted by the State Board of Education. Eureka! Inclusive shall submit the LCAP to the District and Santa Clara County Superintendent of Schools annually on or before July 1, as required by Education Code Section 47604.33. Eureka! Inclusive reserves the right to establish additional and/or amend school-specific goals, outcomes and corresponding assessments throughout the duration of the charter through the annual LCAP update. The LCAP and any revisions necessary to implement the LCAP shall not be considered a material revision to the charter and shall be maintained by Eureka! Inclusive at the school site.

As a fully inclusive school, the founding team anticipates a diverse community of learners. As such, it is important to note that we expect our students to achieve outcomes appropriate to their development, age, and grade level. For example, a student with a significant developmental delay may be expected to achieve outcomes associated with chronologically younger students. Others with more specific disabilities, e.g. an orthopedic impairment or specific learning disability, might require special adaptations or alternative goals in some subject areas but in general are expected to achieve outcomes consistent with their age and grade level. And students that are identified as gifted and talented may achieve outcomes that are usually expected of older students. The outcomes listed below are described as required by law. We expect to adjust goals actions and expected outcomes according to our students' individual abilities and in recognition of individual student subgroup needs.

STATE PRIORITY #1— BASIC SERVICES	
The degree to which teachers are appropriately assigned (E.C. §44258.9) and fully credentialed, and every pupil has sufficient access to standards-aligned instructional materials (E.C. § 60119), and school facilities are maintained in good repair (E.C. §17002(d))	
SUBPRIORITY A – TEACHERS	
GOAL TO ACHIEVE SUBPRIORITY	<ul style="list-style-type: none"> <li>• 100% of teachers will hold a valid CA Teaching Credential.</li> <li>• 100% of teachers will have English learner authorization as defined by the CA Commission on Teaching Credentialing (CTC).</li> <li>• 100% teachers will be appropriately credentialed and assigned, including appropriate special education authorization</li> <li>• 100% of teachers will have verified department of justice clearance</li> </ul>
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> <li>• Budget allocated for employee background checks and fingerprinting.</li> <li>• Employee's required credentials along with DOJ clearance will be verified prior to the first day of employment for 100% of employees.</li> <li>• Verify all teachers are appropriately credentialed in accordance with Education Code Section 47605(l), and ESSA, as applicable.</li> </ul>
MEASURABLE OUTCOME	<ul style="list-style-type: none"> <li>• 100% of core teachers will hold a valid CA Teaching Credential with appropriate English learner authorization as defined by the CA Commission on Teaching Credentialing.</li> <li>• 100% of special education team members will hold valid CA Credential</li> </ul>

	<ul style="list-style-type: none"> <li>● Initial and annual verification of core teacher credential as reported by the CA Commission on Teacher Credentialing.</li> <li>● Parents, students, and self/peer/team members rate teacher appropriately assigned</li> <li>● Budget for Fingerprint/DOJ clearance on file for every employee</li> <li>● Annual publication of School Accountability Report Card.</li> </ul>
METHODS OF MEASUREMENT	<ul style="list-style-type: none"> <li>● Documentation of required assessments, coursework and credentials (per CTC) maintained and current for each teacher</li> </ul>
<b>SUBPRIORITY B – INSTRUCTIONAL MATERIALS</b>	
GOAL TO ACHIEVE SUBPRIORITY	<ul style="list-style-type: none"> <li>● 100% of pupils, including all student sub groups, unduplicated students, and students with exceptional needs, will have access to standards-aligned materials and additional instructional materials as outlined in our charter petition.</li> <li>● Curricular materials will be available in multiple formats as consistent with principles of UDL</li> </ul>
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> <li>● All instructional materials purchased will be aligned to CA Common Core State Standards and aligned with our charter petition.</li> <li>● Allocate school budget to purchase needed curricular materials</li> <li>● Teachers will receive professional development for UDL.</li> <li>● Teaching teams will universally design curricular materials during planning time (built into the work week schedule)</li> <li>● Budget reflects professional development estimated costs.</li> </ul>
MEASURABLE OUTCOME	<ul style="list-style-type: none"> <li>● 100% of pupils will have access to standards-aligned materials and additional instructional materials as outlined in our charter petition</li> </ul>
METHODS OF MEASUREMENT	<ul style="list-style-type: none"> <li>● Executive Director and faculty review all instructional materials before purchase pursuant to E.C. § 60119.</li> <li>● School Budget</li> <li>● CAASPP/SBAC/ELPAC</li> <li>● Review of student work and portfolios</li> <li>● Professional development attendance</li> <li>● Daily meeting Logs</li> </ul>
<b>SUBPRIORITY C – FACILITIES</b>	
GOAL TO ACHIEVE SUBPRIORITY	Maintain a clean, maintained, and safe school facility.
ACTIONS TO ACHIEVE GOAL	<p>Daily general cleaning by custodial staff will maintain and document campus cleanliness.</p> <p>Address safety hazards immediately and refer general need items to the Board for review and prioritization</p>

	Monthly facility inspections will screen for safety hazards.
MEASURABLE OUTCOME	Annually, 90% all items on Monthly site inspection checklists and 90% of Facility Inspection checklists will be in compliance/good standing  100% of identified Required Corrections will be corrected within three months.
METHODS OF MEASUREMENT	<ul style="list-style-type: none"> <li>• Annual Inspection with Facility Inspection Tool, daily spot checks, and regular walk throughs</li> <li>• Facility Maintenance reports, aligned with FIT Good Repair Standards</li> </ul>
STATE PRIORITY #2— IMPLEMENTATION OF COMMON CORE STATE STANDARDS	
Implementation of Common Core State Standards, including how EL students will be enabled to gain academic content knowledge and English language proficiency	
SUBPRIORITY A – CCSS IMPLEMENTATION	
GOAL TO ACHIEVE SUBPRIORITY	100% of teachers will participate in annual professional development on the implementation of CA Common Core State Standards (CA CCSS).  Fully implement State Standards for all students, including all student subgroups, unduplicated students and students with exceptional needs.
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> <li>• Teachers will participate in ongoing professional development on implementing CCSS-aligned curriculum and CCSS aligned assessments throughout the year, including trainings in CCSS-aligned best practices in curriculum and instruction, highlighting needs of all subgroups, including EL students.</li> <li>• CHIME Professional Development and SWIFT Schools technical assistance as per budget.</li> </ul>
MEASURABLE OUTCOME	<ul style="list-style-type: none"> <li>• 100% of teachers will participate in at least five hours of Professional Development and training with CHIME Institute and SWIFT Schools</li> <li>• 100% of teachers will professional development to build team capacity in Universal Design for Learning (UDL).as a way to craft accessible and effective learning goals, instructional methods and materials, and formative assessments to meet the demands of the Common Core for students with exceptional needs</li> </ul>
METHODS OF MEASUREMENT	<ul style="list-style-type: none"> <li>• Professional Development calendar and rosters will evidence participation by teachers in professional development activities.</li> <li>• Budget allocated professional development</li> <li>• Teacher Self- review, surveys</li> <li>• Team peer review and surveys</li> </ul>

<b>SUBPRIORITY B – EL STUDENTS &amp; ACADEMIC CONTENT KNOWLEDGE</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	100% of EL students will gain academic content knowledge through the implementation of universally designed CA CCSS.
<b>ACTIONS TO ACHIEVE GOAL</b>	<ul style="list-style-type: none"> <li>• EL students participate in English Language Arts/Literacy instruction with appropriate instructional support</li> <li>• Math and English curriculum selected will have built in EL supports aligned with CA CCSS</li> </ul>
<b>MEASURABLE OUTCOME</b>	<ul style="list-style-type: none"> <li>• Annually, 100% of EL students will gain academic content knowledge through the implementation of the CA CCSS.</li> </ul>
<b>METHODS OF MEASUREMENT</b>	<ul style="list-style-type: none"> <li>• CAASPP/SBAC</li> <li>• ELPAC</li> <li>• Review of annual, unit, and daily lesson plans.</li> <li>• Report Cards. IEP</li> </ul>
<b>SUBPRIORITY C – EL STUDENTS &amp; ENGLISH LANGUAGE PROFICIENCY</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	100% EL students will make gains in English language proficiency through the implementation of the ELD curriculum and related instructional strategies.
<b>ACTIONS TO ACHIEVE GOAL</b>	<ul style="list-style-type: none"> <li>• EL students participate in English Language Arts/Literacy instruction with appropriate instructional support.</li> <li>• Daily Designated Learning Hour to provide additional individualized academic instruction for English learners</li> <li>• Teachers will receive professional development in assessing EL students for giftedness</li> <li>• Teachers participate in professional development activities to meet specific and unique needs of EL students.</li> </ul>
<b>MEASURABLE OUTCOME</b>	EL students meet or exceed statewide English language proficiency growth within four years of initial classification.
<b>METHODS OF MEASUREMENT</b>	Student performance on ELPAC Assessment, curriculum assessments, ELD folder and reclassification documentation.
<b>STATE PRIORITY #3— PARENTAL INVOLVEMENT</b>	
Parental involvement and family engagement, including efforts the Charter School makes to seek parent input in making decisions for the Charter School, and including how the Charter School will promote parental participation in programs for unduplicated pupils and individuals with exceptional needs.	
<b>SUBPRIORITY A – ACHIEVING/MAINTAINING PARENTAL INVOLVEMENT WITH DECISION MAKING</b>	
<b>GOAL TO ACHIEVE SUBPRIORITY</b>	<ul style="list-style-type: none"> <li>• Maintain parent representation on Eureka! Inclusive Board.</li> <li>• Parent representation on Board committees and school committees.</li> <li>• Parents and students participate in teacher and staff selection process and annual review.</li> </ul>



	<ul style="list-style-type: none"> <li>● Parents participate in deciding and planning school wide social events and parent education</li> </ul>
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> <li>● Engage and recruit parents for roles in school governance, ie Board elections, and parent committees.</li> <li>● Offer mentoring and leadership training to parents.</li> <li>● Parent LCAP planning workshops</li> <li>● Advertise and inform parents of activities in multiple ways, ie. through class newsletters, emails, flyers, monthly and annual school calendar.</li> </ul>
MEASURABLE OUTCOME	<ul style="list-style-type: none"> <li>● Parent representation on Eureka! Board</li> <li>● A majority of parents contribute to decision making</li> <li>● A majority of parents attend at least 2 board meeting per year and 2 school wide social events per year</li> </ul>
METHODS OF MEASUREMENT	<ul style="list-style-type: none"> <li>● Governing Board meeting agendas and minutes identify Parent Members.</li> <li>● Parent Surveys</li> <li>● Event attendance logs</li> <li>● LCAP</li> </ul>
<b>SUBPRIORITY B – PROMOTING PARENT PARTICIPATION</b>	
GOAL TO ACHIEVE SUBPRIORITY	<ul style="list-style-type: none"> <li>● Parent representation on Board committees and school committees.</li> <li>● Parents and students participate in teacher and staff selection process and annual review.</li> <li>● Parents participate in deciding and planning school wide social events and parent education</li> </ul>
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> <li>● Parent LCAP planning workshops</li> <li>● Not So Board Night Family Board meetings</li> <li>● Family Science Night</li> <li>● First Friday Family Art Walk</li> <li>● MADE Student Showcase</li> <li>● Parent Board elections</li> <li>● Advertise and inform parents of activities through class newsletters, emails, flyers, monthly and annual school calendar.</li> </ul>
MEASURABLE OUTCOME	<ul style="list-style-type: none"> <li>● School committees will be comprised of parents.</li> <li>● A majority of parents attend at least 50% of school wide events</li> </ul>
METHODS OF MEASUREMENT	<ul style="list-style-type: none"> <li>● Parent membership on board and school committees</li> <li>● Parent Surveys</li> <li>● Event attendance logs</li> </ul>

STATE PRIORITY #4— STUDENT ACHIEVEMENT

Pupil achievement, as measured by all of the following, as applicable:

- A. California Assessment of Student Performance and Progress (CAASPP)
- B. **Not Applicable** Percentage of pupils who have successfully completed courses that satisfy UC/CSU entrance requirements, or career technical education
- C. Percentage of ELs who make progress toward English language proficiency as measured by the English Language Proficiency Assessment for California (ELPAC)
- D. EL reclassification rate
- E. **Not Applicable** Percentage of pupils who have passed an AP exam with a score of 3 or higher
- F. **Not Applicable** Percentage of pupils who participate in and demonstrate college preparedness pursuant to the Early Assessment Program (E.C. §99300 et seq.) or any subsequent assessment of college preparedness

SUBPRIORITY A – CAASPP: ELA/LITERACY AND MATHEMATICS

GOAL TO ACHIEVE SUBPRIORITY	Exceed district statewide pass-rate on CAASPP assessments by at least 10%
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> <li>● Universal Screening</li> <li>● Inclusive classroom instruction conducive to student learning.</li> <li>● Universally Designed curriculum</li> <li>● Smaller learning environments with MTSS/RTI</li> <li>● Appropriate CA CCSS aligned instructional materials universally designed</li> <li>● Implementation of a Reading Intervention program to assist at-risk students;</li> <li>● Use of instructional technology in the area of mathematics;</li> <li>● Integrated interdisciplinary team teaching in classrooms to support instruction and student learning.</li> <li>● Daily team planning time</li> <li>● Professional development with CHIME and SWIFT</li> <li>● Daily Designated Learning Hour</li> <li>● Arts enhanced curriculum</li> </ul>
MEASURABLE OUTCOME	<ul style="list-style-type: none"> <li>● Establish benchmarks for all students, including unduplicated pupils and students with exceptional needs.</li> <li>● Annually, at least 95% participation rate in the CAASPP statewide assessments</li> <li>● Exceed statewide pass-rate on CAASPP assessments by at least 10% for all students, including unduplicated pupils and students with exceptional needs.</li> </ul>
METHODS OF MEASUREMENT	<ul style="list-style-type: none"> <li>● CAASPP Score reports</li> <li>● Evidence of student learning as demonstrated by work samples and portfolios</li> <li>● Pre and post unit test results,</li> <li>● Assignment &amp; project rubrics.</li> <li>● Summative and Formative Assessments</li> <li>● Teacher observations</li> </ul>

SUBPRIORITY D – EL PROFICIENCY RATES

GOAL TO ACHIEVE	EL students will advance at least one performance level per the ELPAC each academic year
STATE PRIORITY #5— STUDENT ENGAGEMENT	
Pupil engagement, as measured by all of the following, as applicable:	
<p>A. School attendance rates/Chronic absenteeism rates</p> <p>B. Middle school dropout rates (EC §52052.1(a)(3))</p> <p>C. <b>Not Applicable</b> High school dropout rates</p> <p>D. <b>Not Applicable High</b> school graduation rates</p>	
SUBPRIORITY A – STUDENT ATTENDANCE RATES/Chronic Absenteeism	
GOAL TO ACHIEVE SUBPRIORITY	Maintain an absentee rate of 10% or less, 2% less than the statewide average and an average daily attendance rate of 96%.
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> <li>• Universal screening to identify student challenges that could interfere with regular school attendance</li> <li>• All staff receive training to recognize signs of student trauma, anxiety, and other mental health needs</li> <li>• Monitor student attendance and communicate with families as needed.</li> <li>• Provide School wide positive behavior supports</li> <li>• Part time mental health professional member of teaching teams</li> <li>• Daily health and wellness journal</li> <li>• Collaborate with community-based organizations and agencies to assist families in accessing additional resources</li> </ul>
MEASURABLE OUTCOME	Annual Average Daily Attendance will be at least 96%.
METHODS OF MEASUREMENT	Monthly, Quarterly, and Annual ADA reports; parent communication and surveys, student self-report.
SUBPRIORITY B – Middle school dropout rates (EC §52052.1(a)(3))	
GOAL TO ACHIEVE SUBPRIORITY	Sixth Grade Students will graduate academically and socially prepared to succeed in middle school.
ACTIONS TO ACHIEVE GOAL	<ul style="list-style-type: none"> <li>• Universal screening to identify student challenges that could interfere with regular school attendance</li> <li>• All staff receive training to recognize signs of student trauma, anxiety, and other mental health needs</li> <li>• Monitor student attendance and communicate with families as needed.</li> <li>• Provide School wide positive behavior supports</li> <li>• Assess Middle school readiness at the beginning of academic year for all upper elementary students.</li> <li>• Develop a middle school transition plan for all upper elementary students.</li> </ul>

	<ul style="list-style-type: none"> <li>Assist families in identifying a middle school that would fit student needs</li> <li>Collaborate with community-based organizations and agencies to assist families in accessing additional resources as necessary to ensure middle school success</li> </ul>
MEASURABLE OUTCOME	All sixth-grade students are rated academically and socially prepared to enter their chosen middle school, via self-rating, parent rating, and teaching team rating
METHODS OF MEASUREMENT	<p>Parent communication and surveys, student self-report, teacher self-report during sixth grade year at Eureka!</p> <p>Parent communication and surveys, student self-report, teacher self-report during first year in middle school.</p>
<p><b>STATE PRIORITY #6— SCHOOL CLIMATE</b></p> <p>School climate, as measured by all of the following, as applicable:</p> <ul style="list-style-type: none"> <li>A. Pupil suspension rates</li> <li>B. Pupil expulsion rates</li> <li>C. Other school safety and connectedness measures</li> </ul>	
<p><b>SUBPRIORITY A/B – PUPIL SUSPENSION AND EXPULSION RATES</b></p>	
GOAL TO ACHIEVE SUBPRIORITY	<p>Students will enjoy attending Eureka!</p> <p>Teachers will enjoy working at Eureka!</p>
ACTIONS TO ACHIEVE GOAL	<p>Team teaching approach provides teachers with ability to respond to student challenges and needs</p> <p>Engage students, parents, and teachers in the decision-making process</p> <p>Professional development to understand behavior as communication</p> <p>Daily schedule provides structured flexibility and opportunities for breaks</p> <p>Instructional lunch with teacher</p> <p>Teachers will be trained and follow the school wide Social Emotional component of our Charter which outlines our classroom management and behavior approach.</p> <p>Executive Director will work with teachers and families to understand student behavior issues and concerns.</p>
MEASURABLE OUTCOME	<p>Annually, 2% or fewer of all enrolled students will be suspended</p> <p>Annually, 1% or fewer of enrolled students will be expelled.</p>
METHODS OF MEASUREMENT	<p>Annual School Accountability Report Card &amp; Annual Report and CALPADS Report 7.1</p> <p>Discipline Incidents will be used as evidence.</p>

	<p>Eureka! created surveys</p> <p>Advisory committee feedback and minutes</p> <p>Community partnerships/referral</p> <p>California School Climate survey, School Parent Survey, California Healthy Kids Survey.</p> <p>SEL/CPS program</p> <p>Professional development schedule</p> <p>Records of lessons and activities shared by teachers.</p> <p>Yearly, unit, and daily lesson plans and student portfolios.</p>
<p><b>SUBPRIORITY C – OTHER SCHOOL SAFETY AND SCHOOL CONNECTEDNESS MEASURES (SURVEYS)</b></p>	
<p><b>GOAL TO ACHIEVE SUBPRIORITY</b></p>	<p>Eureka! Inclusive Charter School students and staff will adhere to the School Safety Plan.</p> <p>The Eureka! Inclusive Board will adopt a schoolwide suicide prevention policy developmentally aligned with the needs of children in grades TK-6.</p> <p>School community is aware of signs of childhood mental health distress and childhood death by suicide rates.</p> <p>Eureka! Inclusive students, parents, and teachers will feel valued, supported, connected, and safe.</p> <p>Eureka! Inclusive Charter School staff and parents will host various community building events and activities throughout the year</p>
<p><b>ACTIONS TO ACHIEVE GOAL</b></p>	<p>Annually, all school employees will be trained on the elements of the School Safety Plan. Students will participate in monthly Fire, Earthquake, and safety drills.</p> <p>Develop board policy based on national model suicide policy for elementary students to cover: The warning signs of suicide; How to respond when they recognize their child or another youth is at risk, Where to turn for help in the community when a crisis occurs</p> <p>Students and teachers actively participate in planning school wide social and recreation activities</p> <p>Satisfaction surveys to parents, students, and teachers annually.</p> <p>A variety of fun and engaging co-curricular opportunities will further enhance students' sense of belonging and community.</p> <p>Conversation Café for parents</p> <p>Communication and behavior support is provided at all events to support all students, including English Learners and students with exceptional needs.</p> <p>In addition to professional development listed above, teachers receive professional development in cultural competency, anti-bullying and prevention policies.</p>

<p>MEASURABLE OUTCOME</p>	<p>100% of staff will participate in at least four hours of Safe School training; Students will participate in at least eight fire, earthquake or safety drills annually.</p> <p>Eureka! will retain at least 90% of students</p> <p>Eureka! will host at least five school wide social events per year</p> <p>Students will be able to identify an adult that they trust at school and at least two students that they are friends with.</p> <p>Parents will be able to name two other parents that they feel connected to</p>
<p>METHODS OF MEASUREMENT</p>	<p>Professional Development agenda and annual drill calendars.</p> <p>Annual report and school event calendar</p> <p>Attendance/sign in sheets</p> <p>Student satisfaction assessments and evaluation documents will demonstrate students' sense of connectedness.</p> <p>Parent, student and teacher satisfaction surveys will provide information regarding their sense of connectedness and community.</p> <p>Attendance and participation by students in campus events will evidence their sense of belonging and engagement.</p> <p>Annual reenrollment documentation and class lists will reflect a return rate of at least 90%.</p>
<p><b>STATE PRIORITY #7— COURSE ACCESS</b></p> <p>The Charter School will meet the same standards district schools are held to regarding the extent to which pupils have access to, and are enrolled in, a broad course of study, including programs and services developed and provided to unduplicated students (classified as EL, FRPM-eligible, or foster youth; E.C.§42238.02) and students with exceptional needs.</p> <p>“Broad course of study” includes the following, as applicable:</p> <p><u>Grades 1-6:</u> English, mathematics, social sciences, science, visual and performing arts, health, physical education, and other as prescribed by the governing board. (E.C. §51210)</p>	
<p>GOAL TO ACHIEVE SUBPRIORITY</p>	<p>All students, including all student subgroups, unduplicated students and students with exceptional needs, will have access to academic and enrichment programs as outlined in the school’s Charter.</p> <p>Educational outcomes for foster youth will mirror that of the general student population.</p>

	<p>Decreased transfer of foster youth after a change of residence</p> <p>Increase access to the Arts.</p>
ACTIONS TO ACHIEVE GOAL	<p>School-wide PBIS and SEL supports will be available to all students during school related events, regardless of whether they are during or outside of regular school hours.</p> <p>MADE by Me program, Project Zero, Fall/Spring drama/musical productions, field trips, library visits,</p> <p>Provide teachers with professional development in elevating student achievement and engagement, cultural competency, and proficiency.</p> <p>Incoming foster youth will be assessed and provided academic support catching up if needed.</p> <p>Incoming foster youth will be assessed for mental health related needs and services.</p> <p>Eureka! will work with families and community organizations to support stability.</p> <p>Provide daily access to arts enhanced curriculum</p> <p>Provide opportunities for students to participate in MADE by Me Program</p>
MEASURABLE OUTCOME	<p>100% of all students, including all subgroups, will receive instruction in Language Arts, Math, Social Sciences/History, Science, Visual and Performing Arts and Health.</p> <p>100% of teachers will participate in professional development.</p>
METHODS OF MEASUREMENT	<p>Made by Me Showcase, Fall/Spring productions, student surveys, Master Schedule,</p> <p>Review of yearly, unit and daily lesson plans.</p> <p>Professional Development Schedules.</p> <p>CAASPP/SBAC, student portfolios,</p> <p>Attendance records, student survey, California Healthy Kids survey</p>
<p><b>STATE PRIORITY #8—OTHER STUDENT OUTCOMES</b></p> <p>The charter school will measure student performance in the academic areas required by E.C. §51210 and E.C. §512220(a)-(i) including physical education and the arts.</p>	

<p>GOAL TO ACHIEVE SUBPRIORITY</p>	<p>Eureka! Inclusive will measure student outcomes in all subject areas, including Language Arts, Math, Social Sciences/History, Science, Visual and Performing Arts and Health.</p> <p>Foster youth will meet schoolwide target academic performance growth goals</p> <p>Foster youth will regularly attend school regularly</p> <p>Foster youth will attend school social events</p> <p>Support meaningful academic success and social relationships by providing a universally designed, art enhanced curriculum that includes core academic instruction, celebrates the diversity of our student body, and integrates an appreciation for the home languages of our students and faculty.</p> <p>Student outcomes will be measured using multiple measures with the aim of measuring student performance accurately and equitably across all subgroups.</p> <p>Performance results will be used to guide provision of additional services to enhance performance and improve outcomes.</p> <p>All students, including all student subgroups, unduplicated students, and students with exceptional needs (including foster youth), will demonstrate proficiency (or above) of grade level content standards aligned with the State's priorities, or make meaningful progress as outlined in the student's IEP and/or Portfolio.</p>
<p>ACTIONS TO ACHIEVE GOAL</p>	<p>Members of teaching teams will assess student performance frequently across all subject areas using a variety of measures including formative measures that can guide instructional emphases and identify areas of needed instructional innovation and summative measures that are required by the state and that indicate how Eureka! students are performing relative to other students in the state.</p> <p>Teachers will use multiple measures of student performance, including, but not limited to, in-class tests, observation, student portfolios, and student performances, presentations and writing.</p> <p>Teachers will adjust lesson plans, small group activities, and individualized instruction as needed based on the need for adjustment as indicated by student outcomes from multiple measures of knowledge, skills, and understanding.</p>



	<p>Teaching teams will meet with parents of students that are not making meaningful progress in any subject area to determine cause and, adjust current academic goals and or supports, and provide additional testing if necessary, to determine cause and best course of action.</p> <p>All teachers will receive professional development in key features of the school model, including UDL</p> <p>Monitor student attendance and communicate with families as needed.</p> <p>School Wide Positive Behavior supports – SEL Tier 1, Tier 2, and Tier 3 supports.</p> <p>Utilize Collaborative and Proactive Solutions (CPS)</p> <p>Check-in system with supportive adult.</p> <p>Sensory-Emotional Regulation Toolbox.</p> <p>Child/Family centered proactive approach to consider school related anxiety, possible “bullying”, determine if the family is experiencing difficulties with housing and or transportation.</p> <p>Collaborate with community groups to assist families in accessing additional resources.</p>
<p>MEASURABLE OUTCOME</p>	<p>100% of students with IEPs will meet or exceed district students with IEPs in meeting annual goals stated in their IEPs.</p> <p>Foster families participate in school board committees and parent committees</p> <p>Foster families report feeling connected to school community ‘</p>
<p>METHODS OF MEASUREMENT</p>	<p>In-class quizzes and tests, computer adaptive assessments, portfolios, presentations, student writing, MADE by ME Showcase, student surveys, parent surveys, committee rosters, social event attendance logs, SBAC, California Health Kids Survey, teacher self-assessments of instructional outcomes.</p>

In addition to these standard measures, students will also be assessed with respect to personal growth. These are not assessments that gauge the student against a state or national performance norm. Rather they are assessments based on each child’s personal characteristics. In order to make these measurements, an individual development plan will be developed by the team of school personnel who will work with the student and the student’s parents or guardians. As with the normed assessments, the initial plan will be drawn up at the beginning of each school year. It will contain growth objectives in

each of the areas those creating the plan deem important for the child. Progress on each objective in the plan will be assessed mid-year and then again at the end of the academic year.

We expect the school's fundamental tenet that diversity is the norm to produce a uniform score range across all students regardless of their race, ethnicity or gender. It is reasonable to believe that this will be the case because of the premium the school places on individualized instruction. Through the team teaching approach, it will be possible to give each student the personalized attention he or she needs to succeed. This should result in one normal distribution of scores rather than clustering of members of any group at either end of the distribution.

## GOALS FOR PUPILS IN SUBGROUPS

**Gifted Students:** Each student's level of educational performance will be assessed using one or more validated test instruments (e.g., Fisher Comprehensive Assessment of Giftedness Scale, Gifted and Talented Evaluation Scale, Multiple Intelligence Survey, Raven Progressive Matrices, etc.) when the student enters the school. Based on this assessment, individual performance objectives will be set in each subject area and in any additional areas identified as areas where the student is gifted. The objectives will be listed in each student's portfolio. In general, accomplishing the objectives set forth in the IEP will be the goal for each gifted student.

It is a goal of the school to provide each gifted student with the support services needed to meet the personal growth objectives delineated by the student. In addition to performance goals, all students will have individualized plans that include social and emotional growth objectives based on each student's assessed social and emotional state. Validated measures such as the Minnesota Multiphasic Personality Inventory will be used to establish each student's baseline and to determine reasonable growth objectives. These will be placed in student and meeting the growth objectives will become a goal for each gifted student. To help each student reach his or her defined goals, the school will provide support services such as counseling, instructional strategies tailored to helping gifted students progress academically, socially, and emotionally, and team-taught classes wherein at least one member of the teaching team is skilled in providing instruction to gifted students.

**Students with disabilities:** As with gifted students, the goal setting process for students with disabilities begins with assessment. Validated test instruments will be used to determine the pattern of each student's abilities and disabilities. Examples of such instruments include the Wechsler Intelligence Scale for Children, the Woodcock-Johnson Psycho-Educational Battery, and the Brigance Comprehensive Inventory of Basic Skills. After the pattern of a student's abilities and disabilities has been identified, a set of growth objectives with respect to academic performance and social and emotional growth will be defined and placed in the student's IEP. Meeting the growth target set for each objective will be the goal with respect to each student with disabilities.

As with gifted students, it is a goal of the school to provide the support services each disabled student needs to succeed. The particular support services to be provided will be determined by each student's needs since there are many patterns of disability and an array of supports that might be needed to support the student's growth. That array may include assistive devices in the classroom, multiple

modes of presenting academic content, tutoring and other services. The school will strive to provide the student what is necessary to assure the student's success.

**English Learners:** The school has two goals concerning language for EL students. First, the school will aim to reclassify each student as English proficient in as short a time as possible given the student's initial state of facility with English. Second, the school will aim to help the student develop his or her ability in the student's first language. As in the case of the other subgroups, goal setting will begin with assessment. To assess English proficiency, students will take the TOEFL test. The test will provide a map of each child's ability to listen, read, speak, and write English. Based on test results, English language learning objectives will be determined for each student. These objectives will be placed in the student's portfolio and meeting the objectives will become a goal for the student. As with other subgroups, a goal of the school is to provide the support services that English language learners need to succeed. The student portfolio will list services that will be provided, and the success of the school in serving the student will be judged by the extent to which the student receives all needed services and the extent to which the provisions of those services help the student succeed.

**Twice Exceptional Students:** Students in this subgroup may be gifted but have a physical disability, or have a physical disability and a learning disability, or have a learning disability and a behavioral disability. First, the pattern of each student's exceptionality will be determined. Based on student abilities, disabilities and needs, a set of growth objectives will be defined for the student and placed in the student's MAP. The goal for all service providers will be to help the student meet his or her growth objectives. As with members of other subgroups, the support services needed by the twice exceptional student will be determined. The services to be provided will be listed in the MAP and the goal of the school will be to provide all the support services the student needs to succeed.

## 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. Education Code Section 47605(b)(5)(C).

Eureka! Inclusive Charter School will implement a comprehensive assessment system to measure and track student mastery of grade-level standards and requisite skills in each subject area.

Assessment result analysis will form the basis for teacher professional development and instructional planning.

Assessment data will be collected at regular intervals throughout the school year including:

baseline, formative, and summative assessments. Teachers will use these data to develop personalized reports and will disaggregate class data and observe patterns so that the assessments can be used to strategically target instruction.

Teachers and administrators will share assessment results with students and their parents. Data from assessments will be used to inform the planning of each student's individual plan each year and will be used to determine the extent to which each student is meeting development targets as outlined in the individual education plan.

Summative data will be shared with District, Santa Clara County Office of Education and California Department of Education officials who track performance of students and performance of schools under their jurisdiction, including, but not limited to: Student enrollment by grade, student enrollment by student group, teacher credentialing status, vacant teacher positions and mis-assignments, percentage of courses taught by qualified teachers, information about textbook and instructional material use and percentage of students having a copy of textbook and instructional material, school facility good repair status in all critical areas, school FIT rating, and CAASPP test results for all students and disaggregated by student group and grade. In the area of physical fitness, percentage of students meeting each standard level of the California Physical Fitness Test will be reported.

Table 22 Assessment, Purpose, Grade Levels and Administration Timeline

Assessment	Purpose	Grade	Administration Timeline
<p>Publisher-Designed Assessments (Online and paper-based)</p> <p>Internally-Created Tests and Rubrics for Performance-Based Tasks and Projects</p>	<p>Establish individual baseline/prior knowledge</p> <p>Determine expected growth over time and until mastery achieved</p> <p>Measure standards mastery in each subject</p> <p>Identify challenge areas and inform Rt1</p>	TK-6	Daily and /or weekly
Publisher-Designed Assessments (Online and paper-based)	Assess standards mastery	TK-6	End of each unit
Writing Rubrics	Assess mastery of grade-level writing standards	TK-6	Daily and/or weekly
CAASPP	State Criterion-Based Assessment in ELA and Math	3-6	<p>IABs- Every four weeks</p> <p>Performance Tasks- two per a semester</p> <p>Comprehensive= Once a year</p>
California Fitness Test	FITNESSGRAM®	5	February, March, April or May

California Science Test (CAST)	State Assessment in Science	5	Once a year
California Alternative Assessment (CAA)	Alternative assessment in ELA, Math and Science	3-6	Once a year
Illuminate Inspect	National Normed-Referenced Assessment in ELA and Math	K-2	Beginning, mid- and end-of-year
NWEA MAP	National Normed-Referenced Assessment in ELA and Math	K-6	Beginning, mid- and end-of-year
Example MobyMax	Math and Reading placement test	TK-6	BOY, MOY, EOY
Example Achieve3000	Reading Comprehension and Lexile Level	TK-6	BOY, MOY, EOY
ELPAC	Measure language acquisition	TK-6	Upon enrollment; twice annually
Digital Portfolios	Measure mastery of grade-level content	K-6	End of each semester

## SUMMATIVE PERFORMANCE MEASURES

Student growth in English language arts and mathematics will be measured with normed instruments that indicate how Eureka! Inclusive students are doing relative to other students in the State and the country. Basic physical and mental well-being will also be assessed using State sanctioned surveys. In general, students will be assessed using these instruments at the beginning of the year to establish a baseline, at the end of the fall term to determine progress and at the end of the spring term to determine overall growth.

In addition to these state-mandated measures, students will also be assessed with respect to personal growth. These are not assessments that gauge the student against a state or national performance norm. Rather they are assessments based on each child's personal characteristics. In order to make

these measurements, each student will develop personal goals with their teacher and parents or guardians. Baseline results from normed assessments will be used to set academic growth objectives in the MAP. Personal development growth goals will be determined by each student in response to the following three questions: What do you enjoy doing? What are you good at doing? What would you like to learn to do, or want to know more about? The student, parents, and teaching team will work together to determine at least one thing each person can do to support student growth along self-identified areas of interest and will be placed in the students portfolio by agreement between the student, parents and members of the teaching team. Where appropriate, personal growth goals will be based on results from psychological or other assessments. Additionally, the students portfolio will contain personal growth objectives in each of the areas those creating the plan deem important for the child. Progress on each objective in the plan will be assessed with the students mid-year and then again at the end of the academic year.

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### SUMMATIVE MEASURES TO BE EMPLOYED AT EUREKA! INCLUSIVE

In addition to the State's summative assessment, CAASPP, the school will use NWEA's MAP assessment, a nationally normed, computer adaptive assessment instrument twice a year. The NWEA MAP employs Rasch Units of measurement, also known as a RIT score. The RIT scale is an equal interval scale that extends continuously from a first grade to a twelfth-grade level. Because items in the assessment are aligned to State Standards, a student's RIT score is a good predictor of performance on the CAASPP. The NWEA MAP is also nationally normed; therefore, each student's score is also an indicator of where the student stands relative to students across the country who are at the same grade level. Eureka! Inclusive will use the NWEA norms to establish performance targets for students that will place each student on a steady, measurable trajectory toward college preparedness. The assessment will be administered at the beginning of the school year to establish a baseline for each student, at the mid-term to assess progress, and at the end of the year to measure overall growth.

Teachers will use scores on the sub-scales to assess the pattern of each student's strengths and weaknesses. Individualized instruction will be aimed in part on improving student skills in areas of weakness and on maintaining and advancing the student's strengths. The measurable objective with respect to student growth on the RIT scale is for each student to advance at least one year academically for each year the student is in school. Our overall performance objective is to have two-thirds of the students in each class achieve scores within one standard deviation of the mean. Meeting that objective would mean that most of the students in each grade are performing at grade level. This objective recognizes that not all students will perform at the same level. At the same time, it sets a reasonable growth target for each student regardless of the student's baseline performance.

Non-academic aspects of student growth will be measured for statewide comparison purposes with the California Healthy Kids Survey (CHKS). This survey gives an indication of each student's physical, mental and social health. It also provides an assessment of school climate. We will use this survey both to gauge how our students compare to other students in the state and to help us maintain a school climate conducive to continuous student development. We will use the California School Staff Survey and the California School Parent Survey to cross reference results from CHKS. Our objective is to have results align positively across the surveys. If that occurs, it will be an indicator that our students are developing in a healthy manner and that parent and staff views about the overall health of the students and the climate of the school are in accord.

In addition to employing assessments and surveys that will indicate how our students are performing relative to other students in the state and the country, Eureka! Inclusive will employ additional measures internally to assess students. These measures will be based on each student's individual education plan. Each plan will establish performance objectives in the areas that the instructional team, the student and the parents or guardians have determined to be of importance in the individual student's overall growth. There will be a formal review of progress toward meeting the objectives at the mid-term and at the end of the school year. But the instructional team will also use the objectives as guides in their daily teaching. Portfolio assessment will be used to measure and document change over time. Members of the teaching team will also meet twice weekly to assess progress. A beginning-of-week meeting will be used by team members to agree on the instructional plan for the week. An end-of-week meeting will be used by team members to assess results and to agree on any modifications that may be needed in instruction in the coming week. The combination of performance objectives in each individual education plan and weekly assessments on progress toward those objectives is expected to be effective in helping students progress steadily through the school year.

## FORMATIVE OUTCOME MEASURES

The measure of academic progress (MAP) will be used both summatively and formatively. The assessment will be administered at the beginning of the school year to establish baseline performance in math, English and science. It will be administered at mid-year to assess progress during the first term of the year. It will be administered again at the end of the year to assess overall progress. Teachers will use individual student performance on the sub-tests of MAP to determine the pattern of each student's academic strengths and weaknesses and will use the scores to guide development of lesson plans that meet each student's specific needs. The instructional teams, moreover, will use the relationship of each student's sub-scores to the target RIT scores established nationally as indicative of adequate progress toward college readiness to establish growth targets for each student in each sub-skill area.

Additional formative assessments will flow from each student's individual education plan. The plan will contain objectives and milestones in each area of development identified by the team as important for each individual child. These areas will include academic, physical, social, and mental health development. All members of the instructional team will use the plan as the guide in curriculum and auxiliary service development for each child. Observation, informal quizzes, Standards-Based Grading, and portfolio development and analysis will be used to determine student progress toward established milestones.

## STANDARDS BASED REPORT CARDS

Eureka! will use Standards Based Grading (SBG) as the method for in-class performance assessment. SBG accurately portrays student proficiency/mastery. In traditional SBG, grades are based on:

- Standards, not assessment methods;
- Levels of proficiency, not points and percentages;
- Achievement only, with behaviors reported separately; and
- Performance on assessments of learning, not learning activities.

These characteristics of standards based grading provide the rationale for using this method at Eureka:



- Grades are **accurate** when based only on more recent individual achievement on high-quality assessments of learning. They do not include behavior, however student state is documented within each unit of study.
- Grades are **consistent** when based on clearly defined and understood levels of proficiency and agreed upon processes and procedures.
- Grades are **meaningful** when they are based on standards and provide direct information about how well each student is achieving the standards.
- Grades **support learning** when de-emphasized and both teacher and learners turn their attention to an assessment model, grounded in detailed feedback, that supports students taking learning risks, making mistakes, improving over time and taking self-assessment.

Included within the concept of standards-based grading is the belief that valuable information is gained from observing a student process new information to form knowledge. Following are additional grading practices:

- Provide multiple opportunities for students to show evidence of learning, rate of learning, and style in which the standard was met.
- Assessment is conducted during the course of instruction.
- Re-assessments provide verification of student proficiency and document response to intervention.
- SBG emphasizes most recent evidence of proficiency on standards.
- SBG uses logic rules, not a calculation to determine subject grades.
- SBG ensures all assessments are high quality and standards-based.
- The SBG method develops students who are reflective learners who know how to set and achieve learning goals.

## PORTFOLIO REVIEW

Each student will build a permanent portfolio containing exemplars of the student's work in each academic area. Each student's portfolio will be built up over all the years the student attends Eureka! Inclusive and will serve as a tangible means to trace student progress in each area of academic and personal development.

A portfolio is a collection of student information from a variety of sources and domains. It is used to obtain a holistic picture of the person's academic potential. Students, or their teachers, compile work samples in various academic domains specific to the program in which they will be identified (e.g., art, photography, creative writing, etc.). Material in the portfolio can be completed in the student's heritage language, as well as in the English language whichever is more comfortable for the student.

The proposed portfolio-building instrument at Eureka! is called Seesaw: The Learning Journal. Seesaw's digital portfolio allows students to submit a variety of work such as videos, pictures, or drawings. They then can reflect on their learning through a voice recording. Students will be able to use elements of their portfolio to practice describing their work to parents and teachers. By referring to the portfolio, teachers can help students take pride in their achievements and can work with parents to send encouraging messages back to students thus reinforcing their efforts and helping maintain high

student motivation to learn. Through the tool, educators are able to facilitate communication that is supportive and builds student confidence.

## USE OF DATA TO INFORM

The objective throughout the school year is to have each student meet each of his or her milestones. Built into the process is a two-tiered safeguard system. The teaching team plans the week's instructional and auxiliary services program together at the beginning of the week and assesses outcomes at the end of the week. This process of looking forward and looking back allows for adjustments in the program that should keep each student on track. The second tier of safeguard is the mid-term review. At this point the instructional team, the student, and the student's parents or guardians review the student's progress, make any needed adjustments in objectives and milestones and renew the consensus about how progress toward meeting the milestones will be stimulated. The combination of normed assessments, regular physical, social and mental health assessment, individualized education plans with objectives and milestones, Standards-Based Grading, and development of performance portfolios constitutes the system of formative and summative assessment that will be used to ensure consistent growth of each student.

As previously referenced, Eureka! Inclusive plans to use Illuminate to make possible longitudinal tracking and reporting of student assessment data. We will enter state and local assessment data into the system as well, so teachers and staff are able to make data-driven decisions when planning professional development, designing instruction and identifying student needs. The range and flexibility of data that will be available using Illuminate will give teachers the essential information to effectively meet the needs of all students. The student achievement database will also make it possible for the Charter School to track student demographic information and grades.

## 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(b)(5)(D) and Education Code section 47604.1

## LEGAL STATUS

Eureka! Inclusive Charter School will be a directly funded independent charter school and will be operated as a California nonprofit public benefit corporation, pursuant to California law upon approval of this charter.

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

The Bylaws demonstrate the organizational designs of Eureka! Inclusive's governance structure to ensure that it remains viable and that there is active and effective representation of the Charter School stakeholders, including, but not limited to, parents and guardians. The Bylaws clearly state the authority and responsibility by which the Board conducts itself, including appointment and removal of its own members. The Bylaws also include a Conflict of Interest policy.

Eureka! Inclusive's Articles of Incorporation, which have been filed with the Secretary of State, are evidence of its status as a California nonprofit public benefit corporation.

Eureka! Inclusive has adopted a Conflict of Interest code which complies with the Political Reform Act, and the Corporations Code Conflicts of Interest rules, and which shall be updated with any charter school specific conflicts of interest laws or regulations. As required, the Conflict of Interest Code will be submitted to the County Board of Supervisors for approval.

*See for Supporting Documents our current Bylaws.*

*See Supporting Documents for Articles of Incorporation.*

*See Supporting Documents for Conflict of Interest Code.*

## GOVERNANCE PROCEDURES AND ORGANIZATION

The Charter School will be governed by its Board of Directors ("Board") pursuant to its adopted Bylaws, which shall be consistent with this charter. The governing Board's major roles and responsibilities include establishing and approving all major educational and operational policies and overseeing their

implementation; approving all major contracts; approving the Charter School's annual budget and overseeing the Charter School's fiscal affairs; and selecting and evaluating top administrative staff.

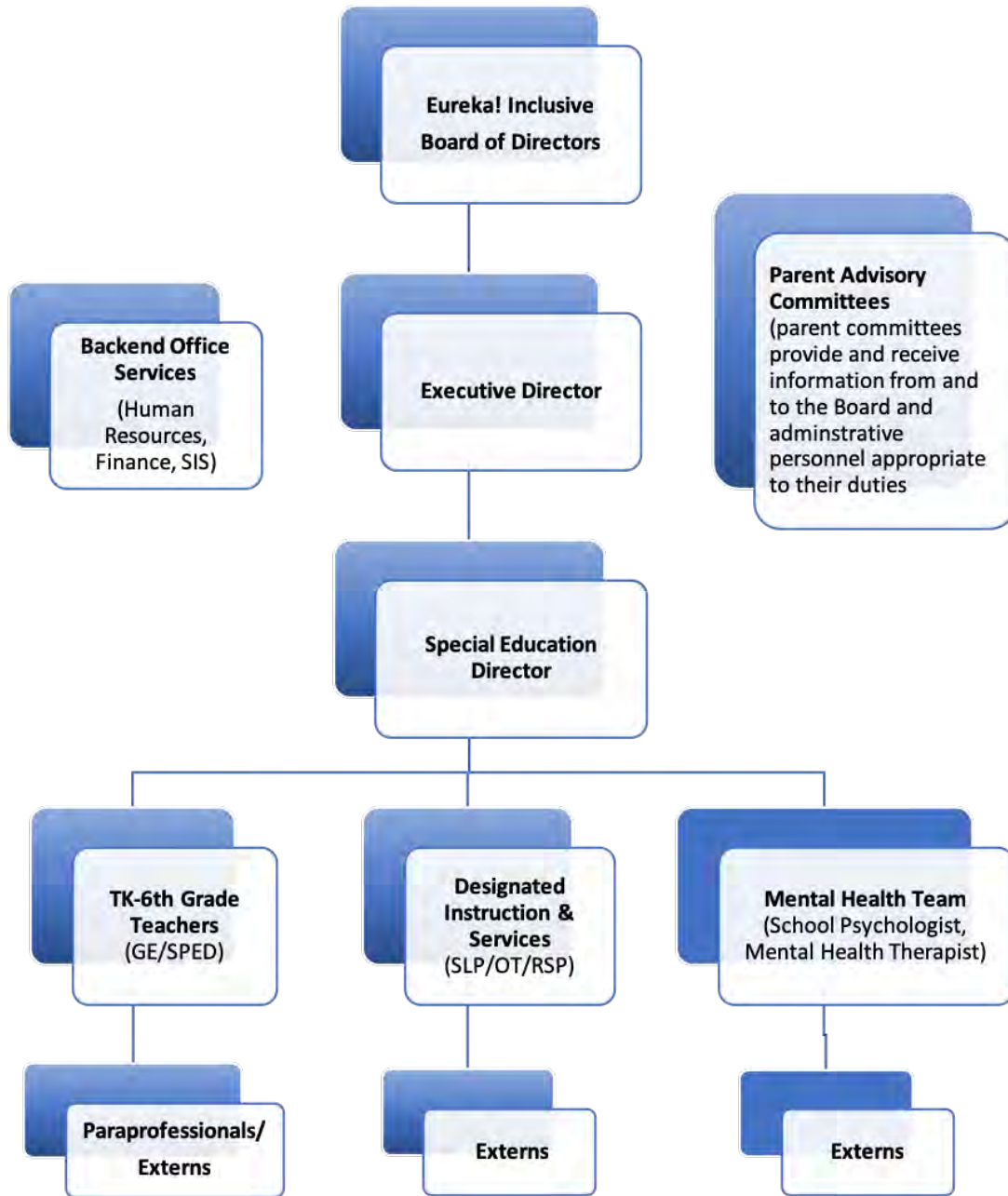
The Board of Directors meets at least quarterly during the school year, within the boundaries of San Jose Unified School District and in accordance with the Brown Act and Education Code Section 47604.1(c). Additional meetings may be called as necessary but must comply with all of the provisions of the Brown Act. At an annual meeting, the Board sets the calendar for upcoming Board meetings for the year and publishes the schedule via the Charter School's website and newsletter. Agendas for regular meetings are published in advance and distributed to each member of the Board of Directors and will be posted at a place to be determined when facilities are secured. We plan to post agendas near the entrances of the Eureka! Inclusive campus, at the entrance of the Eureka! Inclusive main office, and on the Eureka! Inclusive website for public viewing at least 72 hours in advance of scheduled regular Board meetings. Agendas for special Board meetings are posted at least 24 hours before the meeting.

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

A majority of the directors then in office shall constitute a quorum. All acts or decisions of the Board of Directors will be by majority vote of the directors in attendance, based upon the presence of a quorum. Should there be less than a majority of the directors present at the inception of any meeting, the meeting shall be adjourned. Directors may not vote by proxy. The vote or abstention of each Board member present for each action taken shall be publicly reported. In accordance with the Brown Act, directors may participate in meetings via teleconference, so long as a minimum of a quorum of directors participates within the jurisdictional boundaries of SJUSD, that all votes are taken by roll call, and other proscribed requirements for teleconference participation are met, as detailed in the Bylaws and required by the Brown Act.

The Board of Directors may, in its discretion, form Committees, each consisting of two or more directors, in accordance with the Bylaws, applicable law, and the approved charter, to accomplish the objectives and responsibilities of the Board and to ensure that the Charter School achieves its mission and goals, potentially including, but not limited to, a Finance Committee, Personnel Committee and Nominating Committee. Committee meetings are held in accordance with the Brown Act, as required. Appointments to committees of the Board of Directors shall be by majority vote of the directors then in office. The Board of Directors may appoint one or more directors as alternate members of any such committee, who may replace any absent member at any meeting.

Figure 14 Eureka! Inclusive Organizational Chart



**BOARD COMPOSITION, MEMBER SELECTIONS AND BOARD POWERS**

**COMPOSITION OF THE BOARD**

The number of Directors shall be no less than five (5) and no more than fifteen (15). The Board composition shall include at least one (1) parent or guardian of a student attending or who has attended Eureka! Inclusive Charter School. In accordance with Education Code Section 47604(c), the District may appoint a single representative on the Board of Directors. If the authorizer chooses to appoint a

director to the Board, Eureka! Inclusive may choose to appoint an additional member to ensure that the Board is maintained with an odd number of directors.

Except for the initial Board of Directors, each director shall hold office unless otherwise removed from office in accordance with the bylaws for two (2) years and until a successor director has been designated and qualified. Terms for the initial Board of Directors shall be staggered with two (2) seats serving one (1) year term, two (2) seats serving a two (2) year term, and two (2) seats serving a three (3) year term.

The Board seeks to attract a diverse set of members with a wide variety of skills, interests, and backgrounds to enrich our organization. The Board also seeks to intentionally recruit from certain backgrounds that will bring particular expertise to Eureka! Inclusive and our educational philosophy.

With that in mind, the Board seeks to recruit three to four parents to serve on the Board, including a parent who has a child with a disability, a parent whose child is an English Learner, and a parent from the neighborhood where the Charter School is located. Parent board seats will be selected via a general election in which all members of the Eureka! parent community will have a vote. The candidate with the majority of votes will fill the vacant board seat. If more than one seat is available the election may be divided to have candidates seek appointment to represent a particular student group, e.g., Students with Disability, English Learners, etc. to ensure equitable representation.

As a guiding principle, the Board strives to assure that its membership reflects the linguistic and cultural diversity of the families it serves and seeks to maintain membership on the Board which provides representation from each of the Eureka! Inclusive programs: Research, Inclusion, Arts, Technology, Design, Child Development and Education. The Board of Directors shall include but is not limited to members with expertise in education, law, finance, nonprofit management, and more. Each member of the Board must demonstrate: dedication to education, professional expertise in an area of need/relevance to Eureka's operations, service to the community, and ability to support the vision and mission of Eureka! Inclusive. Eureka! Inclusive's founding board members are: Tiffany Maciel, Emily A. Nusbaum, PhD., Christine Fitzgerald, Laurie Martinez Blandini, Leland Wallace and Elizabeth Bynum. *See Appendix J45 for Board member biographies and resumes.*

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## MEMBER SELECTION

Director candidates may be nominated by any member of the community. Additionally, the Chairman of the Board of Directors or, if none, the President may appoint a committee to designate qualified candidates for appointment to the Board of Directors at least thirty (30) days before the date of any appointment of directors. The nominating committee shall make its report at least seven (7) days before the date of such designation or at such other time as the Board of Directors may set and the Secretary shall forward to each Board member, with the notice of meeting required by these bylaws, a list of all candidates nominated by committee. All directors, except for the representative appointed by the District, shall be designated by the existing Board of Directors. Although not required, the Board strives to create an odd number of Directors for voting purposes. As indicated in applicable governance documents, Eureka! Inclusive complies with conflict of interest laws related to public entities including Govt. Code Section 1090, *et seq.*, as set forth in Education Code Section 47604.1, and the Political Reform Act.

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## BOARD POWERS

The Board will be responsible for establishing and reviewing institutional and educational policies that ensure Eureka! Inclusive is accomplishing its mission. The Board will govern and oversee the financial, legal, and instructional activities of the Charter School.

The Board of Directors is fully responsible for the operation and fiscal affairs of Eureka! Inclusive including but not limited to the following:

- Ensure Eureka! Inclusive meets its mission and goals.
- Monitor student achievement to ensure progress toward fulfillment of the mission.
- Hire, supervise, and evaluate the Executive Director.
- Engage in ongoing strategic planning.
- Act as a fiscal agent. This includes but is not limited to the receipt of funds for the operation of Eureka! Inclusive in accordance with applicable laws and the receipt of grants and donations consistent with the mission of Eureka! Inclusive.
- Approve all contractual agreements in excess of \$5,000.
- Approve and monitor Eureka! Inclusive annual budget, budget revisions, and monthly cash flow statements and ensure compliance with all fiscal policies.
- Contract with an external independent auditor to produce an annual financial audit according to generally accepted accounting practices.
- Establish operational committees as needed.
- Recruit and appoint new Board members and provide orientation training.
- Participate in fundraising to support Eureka! Inclusive.
- Execute all applicable responsibilities provided for in the California Corporations Code.
- Approve the schedule of Board meetings.
- Participate in the dispute resolution procedure and complaint procedures when necessary.
- Submit requests for material revisions as necessary to the District for consideration.
- Approve annual independent fiscal audit and performance report.
- Appoint an administrative panel to take action on recommended student expulsions as needed.

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## LEAD STAFF

Reporting to the Board of Directors, the Executive Director is responsible for the operational and fiscal vitality/sustainability of Eureka! Inclusive while ensuring that strong internal/external communication efforts are executed clearly and efficiently.

The Executive Director serves as the educational leader who spearheads the development of the Charter School's curriculum and culture. The Executive Director is responsible for building relationships with teachers and families, developing systems and structures to support the instructional and operational needs of the Charter School, and providing teachers with high quality professional development to ensure the instructional program meets the needs of all students.

## **EXECUTIVE DIRECTOR**

The Executive Director reports directly to the Board of Directors and supervises all Charter School operations in accordance with approved charters and Board policies. Serves as the leader of Eureka! Inclusive Charter School and assumes responsibilities for the direction of the instructional program, the public image of the organization, and the operation of the school facility. Serve as liaison between Eureka! and the SELPA (Special Education Local Plan Area) to ensure that Special Education services are implemented in accordance with SELPA policies and procedures. Prepare Federal and State reports as required in both the Special Education and Health Services programs. Stay current with all funding and legislative information that affects or may affect Eureka! Special Education programs. Ensure program compliance with special education laws. Attend conferences and workshops to update skills and understanding of State and Federal legal mandates for Special Education. In addition, the Executive Director will promote family-teacher relationships, develop systems and structures to support the instructional and operational needs of the Charter School, and provide teachers with high quality professional development to ensure the instructional program meets the needs of all students. Although the Executive Director may delegate appropriate powers and duties so that operational decisions can be made at various administrative levels, he is responsible for the execution of these powers and duties and establishes administrative regulations as needed to manage the Charter School.

### **Director SPECIAL EDUCATION**

The Director of Special Education will work in a team-based environment, reporting to the Executive Director. The Director of Special Education assists the Executive Director in managing structures to support the instructional and operational needs of the school and providing teachers with high quality professional development to ensure the instructional program meets the needs of all students. The Director of Special Education will provide lead support on curriculum and assessment design and faculty professional development in accordance with Eureka! Inclusive policies, and all state and federal laws. This position will coordinate Eureka! Inclusive school-site teams to ensure high quality program implementation and performance outcomes. Serve as resource to parents and community regarding their Special Education needs and concerns for their children. Under the supervision of the Executive Director, ensure that all Special Education staff is evaluated in accordance with state law and Eureka! Inclusive policy; that each pupil's Individualized Education Plan (IEP) is developed, implemented and all pupil related meetings are conducted with State and Federal laws; ensure the maintenance of pupil records and confidentiality; ensure the development of individual health plans and supporting the home services for students with medical needs. Attend management meetings as required. Serve as the Executive Director's back up liaison between Eureka! Inclusive and the SELPA (Special Education Local Plan Area) to ensure that Special Education services are implemented in accordance with SELPA policies and procedures.

Complete job descriptions and qualification for the Executive Director and Director of Special Education are included in Element E below.



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## PARENT INVOLVEMENT

Eureka! Inclusive Charter School shall not require a parent or legal guardian of a prospective or enrolled student to perform volunteer service hours, or make payment of fees or other monies, goods, or services in lieu of performing volunteer service, as a condition of his/her child's admission, continued enrollment, attendance, or participation in the Charter School's educational activities, or otherwise discriminate against a student in any manner because his/her parent cannot, has not, or will not provide volunteer service to Eureka! Inclusive Charter School.

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## FAMILY ENGAGEMENT

Eureka! Inclusive is committed to nurturing the relationships of all members of our community. Based on our interactions within and across various parent, student, and school groups, we have identified areas that are often barriers to parent engagement with each other, with the school, and in the community.

- Language Barriers: Parents that do not share a common language have difficulty arranging social activities for their children, miss out on opportunities to share resources, such as carpool and childcare.
- Conflicting Schedules: Work, commute, children in multiple schools, childcare, caring for elderly parents create conflicts for parents and prevent them from being more involved with their child's school.
- Students with Disabilities: Many parents are reluctant to participate in school or community social events and outings.

In addition to traditional barriers, the high cost of living in San Jose continues to negatively impact families with school aged children and creates several barriers to active engagement with the school community.

Eureka! Inclusive is committed to nurturing relationships with parents and values its partnerships with families for insight and guidance. We strongly believe that cultivation of each individual voice within a community leads to inclusion of, and respect for, differences and multiple perspectives.

Eureka! Inclusive will hold new parent orientations in the spring after each lottery and at the beginning of each school year to welcome new parents and families to the Eureka! Inclusive community. Eureka! will invite community agencies and nonprofit organizations to parent welcome nights to provide an overview of available resources as well as maintain a data base of resources and contacts in the main office.

Eureka! Inclusive will establish a Parent Association which requires no membership fees or dues, and all families will be members. Eureka! Inclusive will sponsor monthly meetings, and advertise via emails, fliers, and text message to encourage participation.

Additionally, regular community events will be established and in place in the first year of the Charter School's operation. Subsequent events will be maintained and decided in collaboration with the entire Eureka! Inclusive community, teachers, students, board members, and parent committees. Volunteer opportunities will be available and parental involvement will be invited. Parental involvement is enriching for all and in line with our emphasis on building nurturing relationships, nurturing environments, and strong communities.

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## ENGLISH LEARNER ADVISORY COUNCIL

Eureka! Inclusive will form an English Learner Advisory Committee in conformance with the principle behind Education Code Section 52176. The ELAC will serve as an advisory body to the Eureka! Board of Directors and the Executive Director in the four areas enumerated in Education Code Section 52176(c). The Charter School will work with parents of both English Learners and English-speaking students in developing and adopting parent involvement strategies and policies. The English Learners Advisory Council will consist of five members, including: two (2) staff members of Eureka; and three (3) parents. Meetings of the ELAC shall comply with the Brown Act.

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## ADVISORY COMMITTEES

In addition to parent representatives on the Eureka! Inclusive Board of Directors, Advisory Committees may be established as needed to advise and assist the Board of Directors, and to provide opportunities for participation by a broad spectrum of stakeholders in the governance process. Eureka! Inclusive will initially recruit a Leadership and Budget Committee, Curriculum and Instruction Committee, and Partnerships Committee. Teachers, staff, parents and community members are invited to join Eureka! Inclusive Advisory Committees. The Board of Directors will receive a report from each Committee on a regular basis.

All committees include family and teacher/staff representatives. The chairperson of each committee is responsible for convening meetings at times when most, if not all, the members of the committee can meet for conducting the committee meetings, and for reporting the outcome or progress of the meetings to the Eureka! Board of Directors. Decisions and outcomes resulting from Charter School committee meetings are shared with parents and staff via newsletters and Charter School community meetings.

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## LEADERSHIP AND BUDGET COMMITTEE

The Leadership Committee makes recommendations to the Board regarding budget, personnel and facilities, and has a lead role in the annual LCAP planning and review process. A primary focus of this committee is to provide oversight that ensure that the Budget is aligned with the values of an inclusive school model and maintains the fidelity and integrity of the founding team. This Committee helps with fundraising including grant writing. The Leadership Committee also conducts a series of meetings throughout the year to facilitate feedback and input on the Eureka! Inclusive LCAP plan and annual updates. The Leadership Committee schedules meetings with the Parent Association, holds open public meetings for all interested stakeholders, meets with teaching staff and classified staff, and collaborates with Eureka! Inclusive's Board to develop and update Eureka! Inclusive's annual LCAP.

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## CURRICULUM AND INSTRUCTION COMMITTEE

The Curriculum and Instruction Committee works collaboratively with the Executive Director and head teachers to make recommendations to the Board regarding the curriculum, instructional program, assessment of educational outcomes, and program evaluation.

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## PARTNERSHIPS COMMITTEE

The Partnerships Committee oversees internal and external partnerships with Eureka! Inclusive families and community organizations. The Partnerships Committee is a pivotal link in parent involvement and community involvement. Specific tasks may include but not be limited to the following:

- Coordinates community activities and parent forums;
- Coordinates participation of business partners and student mentors;
- Prepares parents to assume Committee responsibilities;
- Organizes community volunteer hours;
- Organizes and promotes fund raising efforts;
- Coordinates parent volunteers with extra-curricular activities; and
- Schedules and coordinates parent education activities.

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## PARENT ASSOCIATION

Eureka! Inclusive Parent Association (PA) will be originally formed during our initial enrollment. All parents will be automatic voting members. Eureka! Inclusive will provide monthly meeting space and administrative support. The date and time will be determined based on initial parent feedback. All parents at Eureka! Inclusive are members of the PA. Participation in PA events is solicited and encouraged, with a goal to recruit several officers who run the monthly meetings and run various PA events for the year. Positions on the PA Board are open to all parents and open nominations are taken from the floor at the final meeting of each school year in June. A vote of the assembled members of the PA at the June meeting comprises the voting members for the PA Board elections. At the monthly meetings, the Executive Director or designated teacher liaison provide support, information, and transfer information to the appropriate staff members and community. The PA will provide insights into the needs of our classrooms and provide assistance and support to enrich our school community. One activity that Eureka! Inclusive will initiate, is the PA's conducting a needs assessment among the Eureka! Inclusive families and teachers, and fundraising to help reach those goals.

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## HOME/SCHOOL COMMUNICATION

Informed active parents are a tremendous asset to the Charter School. To inform parents and encourage their activity on behalf of the students and the Charter School:

- The Charter School will hold orientation for new families to clarify the goals and mission of the Charter School, educational approach, and guidelines for parent participation.
- There will be a home-school agreement detailing family and school responsibilities including the obligation to embrace the Charter School's vision of an inclusive and fully accessible learning community.
- A Student/Parent Handbook providing information about the Charter School's mission, vision, goals and educational program, as well as parent expectations regarding students' attendance, behavior, homework completion, will be published annually.
- Volunteer workshops will be held for families who work in classrooms directly supporting students. Workshops are designed and implemented to support families and other volunteers to effectively provide assistance in classrooms.
- Family education forums will be held where families can learn more about best practices in education, including inclusive accessible education, individual differences represented by students in the school population, educational approaches used in the classrooms, and strategies for supporting students' learning at home and in the community.

## ELEMENT E: EMPLOYEE QUALIFICATIONS

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

### ASSURANCES

In accordance with Education Code 47605(d)(1), Eureka! Inclusive Charter School will be nonsectarian in its employment practices and all other operations. Eureka! will not discriminate against any individual (employee or pupil) on the basis of the characteristics listed in California 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), or any other characteristic prohibited by state or federal law. Eureka! Inclusive TK-6 Charter School is an employer of choice and no employee shall be forced to work at the charter school.

Eureka! Inclusive will comply with Education Code 44237 and 45125.1 regarding the requirement to fingerprint and obtain all background checks and clearance of employees and contractors. Applicants for employment must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Executive Director shall monitor compliance with this policy and report to the Board of Directors on a regular basis. The Board President will monitor fingerprinting and background clearance of the Executive Director. Employees will be assessed and examined (if necessary) for tuberculosis prior to commencing employment and working with students, and at least once each four years thereafter, as required by Education Code Section 49406. Employees must furnish all documents establishing legal employment status.

Eureka! Inclusive Charter School will comply with the provisions of Every Student Succeeds Act (ESSA)<sup>116</sup> as they apply to certificated and paraprofessional employees of charter schools. Eureka! will employ or retain teachers who hold a Commission on Teacher Credentialing certificates, permits, or other documents equivalent to that which a teacher in other public schools would be required to hold.

### GENERAL EMPLOYMENT PROVISIONS

#### ESSA AND CREDENTIALING REQUIREMENTS

Eureka! Inclusive Charter School shall ensure that all teachers meet applicable state requirements for certificated employment, including the provisions of Education Code section 47605(l) and the applicable provision of ESSA. Eureka! Inclusive Charter School shall maintain current copies of all teacher credentials and make them readily available for inspection.

Pursuant to Title 5, California Code of Regulations, Section 80003, teachers with a Multiple Subject Teaching Credential may (a) teach all subjects in a self-contained class; (b) teach in a team teaching

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<sup>116</sup> <https://www.ed.gov/essa>

setting or regroup students across classrooms; (c) teach core classes to students in grades five through eight; (d) teach any of the core subjects he/she is teaching to a single group of students in the same grade level as the core classes for less than 50% of his/her work day; and (e) teach limited-English proficient pupils and English language development classes pursuant to the requirements under Section 80003(e)(1) and (2).

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## RECRUITMENT AND TRAINING

Eureka! Inclusive desires to employ the most qualified and appropriate person available for each open position in order to carry out the school's mission. Candidates are recruited for open positions based on an assessment of the school's needs for specific skills, knowledge, and abilities. A job description that accurately describes all essential and marginal functions and duties of each position will be developed.

Job postings are disseminated through various methods to ensure a wide range of candidates. Various methods may include participating in recruitment fairs and educational conferences, advertising job openings in local, regional, and professional print and on-line media, specific to the position to be filled (e.g., career and education websites, Schools of Education, EdJoin).

The Founding Executive Director was recruited, interviewed and selected by the founding Board of Directors, with input from founding families. Future potential candidates to this position will in turn follow the same recruitment and selection process, as outlined above, with the addition of parent representatives from parent leadership groups should the parent board member seats remain vacant.

The Executive Director is responsible for overseeing the selection procedures that identify the best possible candidate for each position based on screening processes, interviews, observations, and recommendations from previous employers. Interview committees will be established, as appropriate, to rank candidates and recommend finalists. Staff, parents, and students will be invited, as appropriate, to participate in the selection process. All discussions and recommendations shall be confidential in accordance with law.

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## QUALIFICATIONS FOR ALL STAFF

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

Dedication to the Eureka! Inclusive intentionally inclusive and universally designed educational framework and belief that diversity is the norm. The child friendly, inclusive model goes beyond teaching tolerance for differences and transforms educational experiences in such a way that children come to appreciate difference as necessary to a vibrant and successful society. Moreover, children in a school environment where difference is an asset come to understand the value and necessity of cooperative effort that maximizes the impact of the strengths of all members of the group and minimizes the impact of individual weaknesses. They come to understand in a profound way the invaluable contribution diversity makes to the strength and well-being of humanity collectively.

Dedication to the Eureka! Inclusive philosophical foundation that no child should be excluded anchored by the four following principles:

1. Nurturing relationships are essential to the healthy development of all children.
2. Nurturing environments are essential to healthy explorations of all children.

3. Integrated Universal Design for Learning (UDL) is a framework to optimize teaching and learning for all people based on scientific insights into how humans learn.
4. Childhood should be filled with wonder, joy, friends, and play!

Additionally, Eureka! Inclusive employees will:

- Adhere to the belief that a child's behavior is a form of communication.
- Always assume competence and the expectation that all children will make meaningful progress
- Implement with integrity the SWPBIS non-judgmental and non-punitive classroom management system
- Respond with care to all forms of a child's distress or attempts to receive attention.
- Able to ask for assistance, clarification, and a break when needed.
- Experience working with diverse student and school community populations
- Awareness of the social, emotional and academic needs of the students across a developmental continuum.
- An asset orientation toward youth development
- Ability to plan and work collaboratively with team members to support students with a variety of learning and linguistic needs within a universally designed classroom
- Commitment to working with families as partners
- Dedication to modeling appreciation of humanity in all of its forms, value diversity as an essential a necessary
- Strong written and verbal communication
- A self-motivated lifelong learner that actively seeks to uncover the unknown and build on personal and professional passions and competencies
- Smile often, laugh out loud, enjoy a good sing along

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## EMPLOYEE POSITIONS

Employees' job descriptions and work schedules are reviewed and modified as necessary to meet the needs of the Charter School and its students. The comprehensive job descriptions and compensation structure are based on the job duties and work bases as outlined in individual employee contracts.

Eureka! Inclusive anticipates the following staff in the first year of operations (2020-2021):

- Executive Director
- Special Education Director
- School Psychologist
- General Education Teachers
- Special Education Teachers (at least 1 Mild/Moderate and 1 Moderate/Severe)
- Paraprofessionals
- Speech, Language & Communication Specialist
- Occupational Therapist
- Office Manager
- Student Data Coordinator/Enrollment/CALPADS

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## EXECUTIVE DIRECTOR

The Executive Director adheres to the philosophy and strategies to achieve Eureka! Inclusive Charter School's mission. The Executive Director reports directly to the Board of Directors and is responsible for the operational and fiscal vitality/sustainability of Eureka! Inclusive in accordance with approved charter and Board policies. The Executive Director serves as the educational leader and assumes responsibilities for the direction of the instructional program, the public image of the organization, and the operation of the school facility. In addition, the Executive Director will promote family-teacher relationships, develop systems and structures to support the instructional and operational needs of the Charter School, and provide teachers with high quality professional development to ensure the instructional program meets the needs of all students. *Although the Executive Director may delegate appropriate powers and duties so that operational decisions can be made at various administrative levels, he is responsible for the execution of these powers and duties and establishes administrative regulations as needed to manage the Charter School.*

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### EDUCATION AND EXPERIENCE:

- B.A. and/or teaching credential, preferably with a M.A., M.P.P., or Ph.D. in education.
- Minimum of three years K-8 teaching experience, preferably in urban public schools, inclusive school models, or arts integrated programs.
- Experience working in schools that serve English Learners and Students with Disabilities effectively.
- Experience coaching and developing staff.
- Experience working with a culturally, linguistically, neurodiverse student body.
- Expertise in curriculum and school program development and implementation.

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### KNOWLEDGE OF:

- Local, state, and federal laws applying to public schools.
- Laws and regulations specific to charter schools.
- Special education laws.
- Diverse learner needs and issues, including diversity and intersectionality of needs within subgroups needs.
- Inclusive based educational programs.
- Social and Emotional Learning programs.
- Budget preparation, management, and control procedures.
- Non-profit governance, program development, and implementation.

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### ABILITY TO:

- Develop and implement a long-term strategic plan to manage school growth and maintain fidelity to the Charter School's mission and vision.
- Plan, coordinate, and direct work and activities of teaching professionals.
- Ability to effectively lead an education non-profit.
- Excellent communication, community outreach and coalition skills.
- Work with the President under the supervision of Eureka! Inclusive Board Members to establish and sustain a development and outreach plan that will ensure on-going financial stability and capacity of the Eureka! Inclusive mission and vision.
- Fundraising skills to ensure The Charter School's long term continued financial viability.
- Ensures incorporation of state standards and assessments in educational program.

- In collaboration with staff, regularly evaluates educational program and makes recommendations to the Eureka! Inclusive Board.
- Monitors and analyzes student performance data and prepares reports.
- Analyzes information and develops support systems for performance improvement.
- In collaboration with staff, creates and maintains programs to meet diverse student needs

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### DUTIES AND RESPONSIBILITIES:

- Direction of the instructional program, the public image of the organization, and the operation of the school facility.
- Sharing responsibility with the Board for the operational and fiscal vitality of the school and its sustainability.
- Ensuring that strong internal and external communication efforts are executed clearly and efficiently.
- Providing for high quality professional development of staff members.
- Ensuring that the instructional program meets the needs of all students.
- Developing systems and structures to support the instructional and operational needs of the school.
- Supervision of all school operations in accordance with the approved charter and Board policies.
- Evaluation of staff including hiring and terminating in consultation with the Board.
- Serving as liaison between Eureka! and the SELPA (Special Education Local Plan Area) to ensure that special education services are implemented in accordance with SELPA policies and procedures.
- Preparing Federal and State reports as required in both the special education and health services programs.
- Staying current with all funding and legislative information that affects or may affect Eureka! special education programs and ensuring program compliance with special education laws.
- Attending conferences and workshops to update skills and understanding of State and Federal legal mandates for special education.
- Promoting family-teacher relationships.
- Developing systems and structures to support the instructional and operational needs of the Charter School.
- Providing teachers with high quality professional development to ensure the instructional program meets the needs of all students.
- Delegating appropriate powers and duties so that operational decisions can be made at various administrative levels while remaining responsible for the execution of these powers and duties
- Establishing administrative regulations as needed to manage the Charter School.

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### DIRECTOR OF SPECIAL EDUCATION

Under the supervision of the Executive Director, the Director of Special Education will supervise special educational programs for the purpose of meeting federal, state, and local laws and regulations applicable to California public charter schools. Primary job qualifications for the Director of Special Education will include the following:



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## EDUCATION AND EXPERIENCE

- Teaching experience in a variety of instructional settings.
- Valid special education teaching credential required.
- Knowledge of inclusive, accessible education and a commitment to the Charter School vision and mission.
- Experience in teaching and administration in schools that serve low-income students, English Learners, and Students with Disabilities effectively.
- Experience working with children that have mental health needs, and/or a trauma informed intervention plan.
- Demonstrated team building and leadership success.
- Fluency in Spanish and/or ASL preferable.

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## RESPONSIBILITIES

- Coordinate services and supports from school service providers as outlined in IEPs and 504 plans.
- Supervise special educational programs for the purpose of meeting federal, state and local laws and regulations applicable to California public charter schools.
- Monitor and evaluate RtI2 and MTSS implementation in classrooms.
- Maintain IEP calendar, under supervision of Executive Director.
- Lead Student Study Team to identify students that require additional supports and services, and or qualify for an IEP or 504 plan.
- Provide input for the development of matched lesson plans that maintain continuity within each grade level and from grade to grade for students with IEPs and 504 plans.
- Partner with teaching teams to implement the co-teaching model, including co-planning, co-assessment and co-instruction.
- Consciously work to ensure parity of roles with all members of the teaching team and Eureka! Inclusive faculty.
- Collaborate with parents and other team members to plan and implement an individualized program that meets the needs of each student.
- Serving as a resource to parents and the community regarding special education needs and parental concerns for the children.
- Provide continual assessment of student progress, maintain student records, and communicate student progress to parents.
- Maintain confidentiality regarding individual student information and needs.
- Continually evaluate classroom performance to meet the changing needs of students.
- Provide an effective classroom environment that reflects and facilitates the academic program.
- Collaborate with other team members to promote shared vision and ownership, including opportunities for observation, peer feedback, team teaching, and communication with other team members.
- Continue to engage in professional development opportunities throughout the school year.
- Provide for open communication with all members of the school community.
- Adapt materials and modify curriculum to ensure equal access for all students.
- Ensuring the development of individual health plans and the support of home services for students with medical needs.
- Attending management meetings as required.

- Serving as the Executive Director's backup between Eureka! Inclusive and the SELPA to ensure that special education services are implemented in accordance with SELPA policies and procedures.
- Other duties as appropriate to the specific position.

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## TEACHERS

Eureka! Inclusive Charter School anticipates hiring 7 full-time (FTE) General Education teachers and 2.0 FTE Special Education teachers in their first year of operation. General Education and Special Education Teachers will meet the mandated minimum qualifications as listed below:

- Hold at least a bachelor's degree from an accredited institution of higher education
- Hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold
- CLAD or BCLAD certification, or an equivalent recognized by the California Commission on Teacher Credentialing if teaching English Learners
- For Special Education teachers - hold the appropriate Education Specialist Instruction Credential as required by the Commission on Teacher Credentialing
- Experience in teaching in schools that serve Low-Income Students, English Learners, and Students with Disabilities effectively
- Experience working with children that have mental health needs, and/or a trauma
- Demonstrable effectiveness in teaching, mentoring, and writing
- Strong instructional leadership
- Experience participating in collaborative curriculum development, grade-level activities, and school-wide function
- Commitment to creating classroom cultures of care, thinking, exploration, and welcoming to students and families with diverse backgrounds and needs
- A deep commitment to the mission and vision of Eureka! Inclusive Charter School

In addition to the mandated minimum qualifications detailed above, Eureka! Inclusive Charter School would prefer the following:

- One teacher each with either an undergraduate degree or a subject matter authorization or specific subject matter authorization in one of the following areas: Art, Industrial Arts, Visual and Performing Arts (i.e. Music, Drama, Dance), Science, History, Health/P.E.
- Experience implementing curricula and activities to meet academic standards.
- Experience designing and implementing assessments that measure progress towards academic standards.
- Experience using assessment data to refine curriculum and inform instructional practices.

Eureka! Inclusive shall ensure that credentialed teachers who are first assigned to a TK classroom will have one of the following, by August 1, 2020:

- (1) At least 24 units in early childhood education, or childhood development, or both;

- (2) As determined by Eureka! Inclusive, professional experience in a classroom setting with preschool age children that is comparable to the 24 units of education described in paragraph (1); or
- (3) A child development permit issued by the CTC.

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## DESIGNATED INSTRUCTION & SERVICES (DIS)

Eureka! Inclusive will employ the following staff to provide Designated Instruction and Services (DIS):

- A speech and language pathologist
- A school psychologist
- An occupational therapist
- Mental Health Counselor

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## QUALIFICATIONS:

- Current California teaching credentials, permits, licenses, certificates appropriate to the discipline
- Demonstrated commitment to the Charter School vision and mission
- Demonstrated ability or potential to work as a member of a transdisciplinary team

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## RESPONSIBILITIES:

- Assess functional skills in everyday classroom and school contexts
- Select functional goals, in collaboration with parents and other professionals, to support the child's access to the core curriculum, and promote the child's independence in current and future environments
- Provide services in natural settings such as the classroom and other school areas
- Explain strategies and practices related to the discipline
- Meet with grade level teams to participate in planning to ensure activities related to individual student goals
- Provide strategies and screening for students without disabilities identified 'at risk'
- Incorporate parental collaboration into the program
- Collaborate with other team members to promote shared vision and ownership, including opportunities for observation, team teaching, and communication with other team members
- Continue to engage in professional development opportunities
- Provide for open communication with all members of the school community
- Assist with articulation between pre-school and elementary, elementary and middle, as well as between middle and high schools
- Monitor IEP, Schedule and Conduct initial assessments and Triennial.
- The school Psychologist will work directly with the Executive Director and Director of Special Education to ensure IEPs are up to date and in compliance with all laws.

The Charter School may also employ or retain qualified non-certificated instructional support staff to serve in an instructional support capacity. Those employees have an appropriate mix of subject matter expertise, professional experience, and a demonstrated capacity to work in the role of instructional support.

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## PARA-EDUCATORS

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## QUALIFICATIONS:

- Documentation of high school diploma or the equivalent
- Hold an associate degree from a recognized college or university or have completed 2 years of college with a minimum of 60 semester units (90 quarter units) from a recognized college or university
- Candidates for teaching profession are preferred
- Demonstrated competency in mathematics and language arts
- Strong interpersonal, oral and written communication skills
- Demonstrated commitment to the Charter School vision and mission
- Meet all requirements needed for compliance with the ESSA

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## RESPONSIBILITIES

- Under the supervision of teachers, assists teachers with instruction and reinforces learning experiences
- Assists with student needs, such as those related to positioning, restroom support, feeding, grooming, and mobility (may be required to lift and position students with special physical needs)
- Assists and supervises individuals and groups of students in the classroom and other campus environments (such as playground and/or outdoor activities) and in transitions from place-to place;
- Attends professional development opportunities offered by the Charter School;
- Assists in observing and recording data related to behavior and IEP goal achievement of students;
- Assists in implementing positive behavioral support strategies;
- Facilitates positive social interactions among students;
- Participates in staff development activities as appropriate;
- Performs related duties as assigned.

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## OFFICE MANAGER

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### QUALIFICATIONS

- Knowledge of: Correct English grammar, spelling, and punctuation; office methods, procedures, and practices;
- Ability to: Work independently with minimal supervision; demonstrate good judgment;
- Deal with the general public in a professional manner; independently implement routine clerical procedures;
- Consistently apply policies and procedures according to available guidelines;
- Clearly answer routine questions and explain policies and procedures;
- Apply judgment, discretion, and initiative in performing clerical work of average difficulty;
- Establish and maintain cooperative working relationships;
- Type at a corrected rate of 45 wpm; and
- Operate standard office machines and computers; and utilize software such as Microsoft Word, Excel, PowerPoint and email programs.

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## RESPONSIBILITIES

- Under general supervision, performs general clerical duties in support of the Charter School;
- Records and reports attendance to SJUSD;
- Prepares reports and data required by the District;
- Screens and directs telephone calls and visitors;
- Provides supervision and direction to other office staff as they become available;
- Serve as the receptionist to the office;
- Opens and routes all incoming correspondence and mail;
- Provides assistance and backup to the Finance Manager and Executive Director;
- Schedules meetings;
- Types and distributes correspondence, notifications, meeting announcements, and materials;
- Establishes and maintains file system including student records; and
- Performs related duties as assigned.

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## STUDENT DATA COORDINATOR

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### QUALIFICATIONS:

- Two years of work experience at least one of which is data entry, or a year of work directly related to a computer system which requires knowledge of editing and completing source data or an equivalent combination of education and experience.
- 3-5 years of experience in K-12 education preferred.
- Working knowledge of computers, Microsoft Office Suite (Word and Excel) is essential.
- Ability to operate office equipment such as printer, copier, multiline phone system, and fax machine.
- Ability to work with a high degree of accuracy and exercise independent judgment in correcting data errors or omissions.
- Ability to analyze information to produce a variety of state mandated reports.
- Bilingual a plus.

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### RESPONSIBILITIES:

#### Student Information System & Records

- Maintenance of school database within Eureka! Inclusive's SIS system, including but not limited to enrollment, demographic information, staff, and state/federal information.
- Ensure that Illuminate is accurate and up to date by regularly conducting data verification extracts/reports to remain accurate and up to date in compliance.
- Develop standard weekly, biweekly and monthly reports including but not limited to weekly enrollment, free and reduced percentages, EL, etc. for ongoing management needs.
- Prepares customized reports for internal school needs and assists in the Charter School's accountability and audit reporting.
- Maintenance and safe guarding of student cumulative records (including requesting missing documents from students' previous school) and insuring school compliance with applicable laws of confidentiality and recording keeping.

- Adhere to local, state, and federal regulations to ensure that all student information is kept confidential except as required by legal order.
- Insure school compliance with all reporting requirements for all agencies and management teams, such as Immunizations.
- Coordinates with the charter school administrator, court and other legal requests are accurate and within time frame allotted.
- Works with Executive Director to ensure all appropriate data is accurate and available for extraction, if needed, for CAASPP.

#### CALPADS reporting

- Ensure the accuracy of all information uploaded into the California Longitudinal Pupil Achievement Data System (“CALPADS”).
- Submits and certifies data for the Charter School assigned by CALPADS deadlines.
- Generate data files according to CALPADS specifications.
- Support requests from other school districts, CMOs and independent schools related to CALPADS anomalies.

## ELEMENT F: HEALTH AND SAFETY PROCEDURES

### *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 (H), inclusive, of paragraph (2) of subdivision (a) of Section 32282 and procedures for conducting tactical responses to criminal incidents.*

*(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school. Education Code Section 47605(b)(5)(F).*

In order to provide safety for all students and staff, the Eureka! Inclusive Charter School Board of Directors will adopt and implement full health and safety procedures and risk management policies at the school site in consultation with its insurance carriers and risk management experts. These procedures will be incorporated into Eureka! Inclusive Charter School's student and employee handbooks and will be reviewed on an ongoing basis by the Executive Director and Board of Directors. Eureka! Inclusive Charter School shall ensure that staff are trained annually on the health and safety policies. A full draft will be provided to the District for review at least 30 days prior to operation or as otherwise agreed upon by the District and Eureka! Inclusive Charter School. The plan is to be reviewed annually.

The following is a summary of the health and safety policies and procedures of Eureka! Inclusive Charter School, and a draft of the Health and Safety Policy is included as *Appendix F39*.

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### PROCEDURES FOR BACKGROUND CHECKS

Employees and contractors of Eureka! Inclusive Charter School will be required to submit to a criminal background check and furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1. Applicants for employment must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Charter School shall not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law, pursuant to Education Code Sections 44830.1 and 45122.1. The Executive Director of Eureka! Inclusive Charter School shall monitor compliance with this policy and report to Eureka! Inclusive Charter School Board of Directors on a regular basis. The Board President shall monitor the fingerprinting and background clearance of the Executive Director. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

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### ROLE OF STAFF AS MANDATED CHILD ABUSE REPORTERS

All employees will be mandated child abuse reporters and will follow all applicable reporting laws, the same policies and procedures used by the District. The Charter School shall provide mandated reporter training to all employees annually in accordance with Education Code Section 44691.

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### TUBERCULOSIS RISK ASSESSMENT AND EXAMINATION

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

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### IMMUNIZATIONS

All enrolled students who receive classroom-based instruction will be required to provide records documenting immunizations as is required at all public schools pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000- 6075.

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### MEDICATION IN SCHOOL

Eureka! Inclusive Charter School will adhere to Education Code Section 49423 regarding administration of medication in school.

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### EMERGENCY EPINEPHRINE AUTO-INJECTORS

The Charter School shall adhere to Education Code Section 49414 regarding the provision and use of emergency epinephrine auto-injectors by trained office staff or volunteers at the Charter School, and training for staff members.

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### VISION, HEARING, AND SCOLIOSIS

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

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### FEMININE HYGIENE PRODUCTS

The Charter School will stock at least 50% of its restrooms with feminine hygiene products, and shall not charge students for these products, pursuant to Education Code Section 35292.6.

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### NUTRITIONALLY ADEQUATE FREE OR REDUCED PRICE MEAL

The Charter School shall provide each needy student, as defined in Education Code Section 49552, with one nutritionally adequate free or reduced-price meal, as defined in Education Code Section 49553(a), during each schoolday. The Charter School shall provide this meal for any eligible student on any schoolday that the student is scheduled for educational activities, as defined in Education Code Section 49010, lasting two or more hours, at a schoolsite, resource center, meeting space, or other satellite facility operated by the Charter School.

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### SCHOOL SAFETY PLAN

The Charter School shall adopt a School Safety Plan, to be reviewed and updated by March 1 of every year, which shall include identifying appropriate strategies and programs that will provide or maintain a



high level of school safety and address the Charter School'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)-(H):

- child abuse reporting procedures
- routine and emergency disaster procedures
- policies for students who committed an act under 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
- procedures for conducting tactical responses to criminal incidents

The School Safety Plan will be submitted to SJUSD no later than 30 days prior to the beginning of the school year and will be maintained on file and available for inspection.

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## EMERGENCY PREPAREDNESS

Eureka! Inclusive Charter School shall maintain and adhere to a School Safety Plan drafted specifically to the needs of the facility in conjunction with law enforcement and the Fire Marshal. Routine fire inspections shall be conducted by an authorized This School Safety Plan will specify response protocols to varied emergency situations, including but not limited to: fire, flood, earthquake, terrorist threats, and hostage situations. If assuming a facility that was previously used as a school site, any existing emergency preparedness plan for the school site shall be used as a starting basis for updating the School Safety Plan for Eureka! Inclusive Charter School.

Eureka! Inclusive will adhere to this plan to address the need of the school site and include it in an Emergency Preparedness Handbook drafted specifically to the needs of the school site. This handbook shall include, but not be limited to, the following responses: OSHA policy compliance, fire, flood, earthquake, terrorist threats, and hostage situations and shall be submitted for District receipt and review. This handbook shall include an evacuation plan, and general school safety, facility/fire inspection, injury and illness prevention.

Emergency drills will be held periodically and as required for fire, earthquake and code red/lockdown scenarios. Staff shall be provided training on emergency and first aid response, or its equivalent. 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. Emergency team roles and responsibilities will be described in the plan and reviewed annually.

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## BLOOD BORNE PATHOGENS

Eureka! Inclusive Charter School shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the work place. The Board shall establish a written infectious control plan designed to protect employees and students from possible infection due to contact with blood borne viruses, including human immunodeficiency virus 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.

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## DRUG FREE, ALCOHOL FREE, SMOKE FREE ENVIRONMENT

Eureka! Inclusive Charter School shall function as a drug-, alcohol-, and smoke-free environment.

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## FACILITY SAFETY

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

Eureka! Inclusive Charter School shall secure a facility and shall provide the District a Certificate of Occupancy and proper clearances, as applicable to charter schools, no later than 30 days prior to the Charter School’s opening date or by a date otherwise agreed to between the District and the Charter School.

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## COMPREHENSIVE ANTI-DISCRIMINATION AND HARASSMENT POLICIES AND PROCEDURES

Eureka! Inclusive Charter School is committed to providing a school that is free from discrimination and sexual harassment, as well as any harassment based upon the actual or perceived characteristics of race, religion, creed, color, gender, gender identity, gender expression, nationality, national origin, ancestry, ethnic group identification, genetic information, age, medical condition, marital status, sexual orientation, sex and pregnancy, physical or mental disability, childbirth or related medical conditions, military and veteran status, denial of family and medical care leave, or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state, local law, ordinance or regulation. Eureka! Inclusive Charter School shall develop a comprehensive policy to prevent and immediately remediate any concerns about discrimination or harassment at the Eureka! Inclusive Charter School (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and will be addressed in accordance with Eureka! Inclusive Charter School’s anti-discrimination and harassment policies. A draft of Eureka! Inclusive Charter School’s Policy Against Harassment and Sexual Harassment, as part of the Comprehensive Complaint Policy, is included as *Appendix E38* and the full policy and procedure will be included in the Staff Handbook.

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## BULLYING PREVENTION

The Charter School shall adopt procedures for preventing acts of bullying, including cyberbullying. The Charter School 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.

## ELEMENT G: MEANS TO ACHIEVE RACIAL AND ETHNIC BALANCE

*Governing Law: The means by which the charter school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted. Education Code Section 47605(b)(5)(G).*

### DEMOGRAPHICS OF THE SAN JOSE UNIFIED SCHOOL DISTRICT

Three racial and ethnic groups comprise the majority of students in San Jose Unified School District. Fifty-three percent of students are Hispanic/Latino; twenty-four percent are non-Hispanic White; and fifteen percent are Asian. Forty-four percent of students qualify for free and reduced priced lunch and twenty-two percent of students are English Learners. Of English Learners, about ninety-percent have Spanish as their first language.

Eureka! Inclusive expects to attract a student body that reflects the general population residing within the territorial jurisdiction of the District. It is expected that, represented among these racial and ethnic groups, there will be a larger proportion of students at Eureka! Inclusive than at other schools in the District who have disabilities because the Charter School structure and the academic program of the Charter School are designed to erase barriers to learning for students who have disabilities. The Charter School structure and academic program are also designed to provide all support services that are needed to assure that students with disabilities, English Learners, and gifted students are fully included in the academic, social, and personal development programs of the Charter School.

### METHOD FOR ACHIEVING RACIAL AND ETHNIC BALANCE

In its admission practices, Eureka! Inclusive will maintain an open-door policy. The inclusive nature of the Charter School means that it welcomes every potential student regardless of race, ethnicity, socio-economic status, gender, gender identification, disability, or any other quality that a student might present. We will monitor, annually, self-evaluate, and document student demographics. We will make adjustments as necessary and implement outreach procedures that are successful in achieving racial and ethnic balance.

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### EUREKA! INCLUSIVE SPONSORED COMMUNITY EVENTS

2017: Make Music San Jose Backesto Park, Pop up Pumpkin Patch Allen neighborhood, Golfland, We Rock the Spectrum, Pop Up Drive-In Movie Allen neighborhood,

2018: MACLA Family Day, City of San Jose Children's Day Celebration, Community Screening of "Far From The Tree", Make Music San Jose, SJUSD BOE Candidate Forum at Joyce Ellington Library, Christmas in The Park, Bounce Into Summer, Inclusive Schools Week at Martin Luther King Jr. Library.

2019: MACLA Family Art Day, Annual Bounce into Summer, Make Music San Jose, Halloween Drive In Sing Along, Christmas In The Park

Ongoing: Parent Info sessions at parent homes and coffee shops across the district. Local Plan Review and Eureka! Inclusive Board Meetings at San Jose Peace and Justice Center. We have canvassed

neighborhoods and parks across the district and will continue as well as seek out additional community events.

All of the founding parents are SJUSD residents, as are founding board members. Currently we are having parents that supporter Eureka! Inclusive and have expressed meaningful interest in their children attending Eureka! Inclusive in all district trustee areas.

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## ADVERTISING

In the effort to recruit students, Eureka! Inclusive representatives will distribute information about the Charter School through various means, to include website (with Google translator application that displays pages in Spanish or Vietnamese), Facebook, and email. The founding parents will meet with members of advocacy groups for immigrants, Vietnamese Community Center, MACLA, Pragnya, agencies that provide direct service and support to families who are impoverished, families with children who have a physical, neurological, or behavioral disability, and LGBTQ support groups. Charter School hosts events at community events, in public libraries, and parks, Eureka! has arranged to have monthly board meeting at the San Jose Peace and Justice Center until a school site is established to maximize public participation and reach a variety of families that might benefit from a school like Eureka! Inclusive. We also, provide the capability for members of the community to participate via ZOOM.

In advertising and meeting with members of advocacy and service groups, Charter School personnel hope to communicate both that the Charter School welcomes students from a broad diversity of backgrounds and that the Charter School program is built so as to not only accept a diversity of students but also to provide an academic program that addresses and resolves what have historically been impediments to academic success and personal growth for members of different groups such as English learners, students with disabilities, gifted students, and economically disadvantaged students.

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## RECRUITMENT

Eureka! Inclusive personnel will staff student recruitment booths at a broad array of events throughout San Jose. By being available at a variety of events, staff will give the opportunity to enroll at the Charter School to as broad a variety of students as possible. Those who indicate an interest in enrolling a child in the Charter School may begin the enrollment process at the recruitment booth, request a home visit where the Charter School program may be discussed further, or agree to attend an open house at the Charter School where those present will be informed in-depth about the Charter School, its programs, and its guiding philosophy. At such open houses, fluent speakers of Spanish and Vietnamese will explain the Charter School program to parents who do not speak English. After Eureka! Inclusive has operated for several years, it is expected that word of mouth will become an additional means by which students will be recruited.

## ELEMENT H: ADMISSION POLICIES AND PROCEDURES

Governing Law: Admission policies and procedures, consistent with [Education Code Section 47605] subdivision (d). Education Code Section 47605(b)(5)(H).

### ASSURANCES

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#### DOCUMENTATION OF ADMISSIONS AND ENROLLMENT PROCESSES

Eureka! Inclusive Charter School 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 District upon request.

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#### HOMELESS AND FOSTER YOUTH

The Charter School shall adhere to the provisions of the McKinney-Vento Homeless Assistance Act and ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths. The Charter School shall provide specific information, in its outreach materials, websites, at community meetings, open forums, and regional center meetings, that notifies parents that Eureka! Inclusive Charter School is open to enroll and provide services for all students and provides a contact number for access to additional information regarding enrollment. Eureka! Inclusive Charter School shall comply with all applicable provisions of California Education Code Sections 48850 – 48859.

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#### NON DISCRIMINATION

The Charter School will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition or discriminate against any student based upon any of the characteristics listed in California Education Code Section 220. Eureka! Inclusive Charter School 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, immigration status, or any other characteristic that is contained in the definition of hate crimes set forth in section 422.55 of the Penal Code, 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. Eureka! Inclusive Charter School may request, at the time of, and as part of, conducting its lottery process, the provision of information necessary to apply specific admissions preferences set forth in this Charter.

Eureka! Inclusive Charter School 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.

## ADMISSION POLICIES AND PROCEDURES

The Charter School will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition.

Eureka! Inclusive will admit all pupils who wish to attend the Charter School. Eureka! Inclusive is an open enrollment, tuition-free public school with no specific requirements for admission (e.g., minimum grade point average, test scores, discipline records, artistic ability or experience, etc. Admission, except in the case of a public random drawing, will not be determined by the place of residence of the pupil or his or her parent or legal guardian within the state. No test or assessment shall be administered to students prior to acceptance and enrollment into the Charter School. The Charter School will comply with all laws establishing minimum and maximum age for public school attendance in charter schools. Admission, except in the case of a public random drawing, shall not be determined by the place of residence of the pupil or his or her parent or legal guardian within the state. In accordance with Education Code Sections 49011 and 47605(d)(2)(B)(iv), admission preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

Eureka! Inclusive is fully committed to serving all students who wish to attend, regardless of socio-economic status, race/ethnicity, academic achievement, special education needs or other “risk factors.” During the open enrollment period, from the beginning of October to the beginning of March, informational meetings will be conducted at least once a month for interested parents. The meetings will be conducted in English and Spanish either at the school site or at a location within the community surrounding the Charter School. Informational meetings will occur at times that are most convenient for parents. During the meetings, parents will receive information about the school’s programs and the application process. Parents will have the option to review the entire petition in hard copy or online. Parents will not be required to attend an information session to apply or volunteer as a condition of enrollment for their child(ren). Bilingual assistance with the completion of forms is made available to interested parents.

As a charter school, Eureka! Inclusive is a school of choice and may have more students interested in attending the Charter School than there are spaces available. Following the open enrollment period each year, and after accounting for existing students who are guaranteed enrollment in the following school year, lottery application forms submitted online or in paper form shall be counted to determine whether any grade level has received more applications than availability of space. If the number of students applying for enrollment exceeds the Charter School’s capacity, admission shall be determined by random public drawing in accordance with Education Code §47605(d)(2) as set forth below.

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### LOTTERY PROCEDURES

Public notices will be posted at the Charter School, the Charter School web site, and on Lottery Application Forms clearly stating the application deadline and date, time and location of the public drawing, and lottery procedures encouraging people to attend. Lottery forms are available on the website or in person. The intent to enroll form serves as the lottery form and asks basic student information: name, date of birth, and home address. Upon notification and confirmed enrollment registration packets will be provided to families.

Below is a general timeline for the student applications and enrollment\*:

January – March : Intent to enroll forms available

- Second week of March : Intenet to enroll forms due
- First week of April: Public random drawing conducted (if necessary). Parents not present to accept placement spot will be notified of selection by phone call and mail within one week of public drawing.
- Last week of April: Admissions notification and enrollment application packets distributed to students and parents who have been drawn in the lottery.

In accordance with state law, the following groups of students are exempted from the lottery (after year one): Students who are currently enrolled in Eureka! Inclusive

Admissions preference will be given to students in the following order:

1. Children of Founding Board members, teachers and staff (capped at 10% of the total school population)
2. Siblings of students who are residents of the district and who are admitted to or attending the Charter School
3. Residents of the District
4. Siblings of students who are admitted to or are attending the Charter School and are not residents of the District.

\*After initial year this timeline might be changed to better reflect the needs of community and will be updates in student/family handbook.

The Eureka! Inclusive Board of Directors takes all necessary efforts to ensure lottery procedures are fairly executed. The lottery will occur at an advertised and public noticed public location large enough to safely accommodate all interested parties (once school is open Eureka! campus) during the first week of April. Lottery spaces are pulled in order of grade level by the designated lottery official (appointed by the Executive Director). The lottery procedures are monitored by the Executive Director to ensure fair and accurate implementation.

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 grade level is drawn to capacity, applications continue to be drawn for positions on a wait list. Students who are not granted enrollment for the next school year remain on the waiting list until the end of the school year for which the lottery was conducted unless otherwise requested by the parent to be



taken off. The wait list does not carry over from year to year. Non-admitted students must reapply for the following year.

## ENROLLMENT PROCESS

Within one week of the lottery, families are notified by office staff in writing via the email or mail address they provided us on their application of their enrollment status (offered enrollment or placement on waiting list). Families of students who are offered enrollment are also called using the telephone number they provided on their application to be notified of their offer. Each student offered a space in the following year is required to complete an enrollment packet within two weeks of receiving the letter indicating that a spot is available for the student. The Charter School holds a pre-enrollment session after the lottery and before the confirmation deadline to supply additional information and to assist families in filling out forms.

The enrollment packet is comprised of the following:

- Completion of a student enrollment form
- Proof of Immunizations
- Home Language Survey
- Completion of Emergency Medical Information Form
- Proof of minimum age requirements
- Release of records

If a position opens during the course of the year, the office manager or other employee designated by the Executive Director shall contact the family of the student on the top of the waiting list by phone or email to offer their student admission to the school. Should the family decline the position, the next family on the list is contacted until the open position is filled. A copy of all enrollment forms, waiting lists, and lottery results are kept on file in the administrative office and are readily available for inspection by district representatives.

## SCHOOL ORIENTATION

During the initial recruiting year family information and orientation sessions will be hosted at various locations, such as libraries and community centers, pending formal possession of the final agreed upon school location.

Interested parents of prospective students are strongly encouraged to visit the Charter School during information sessions and meet with staff member to learn more about Eureka's goals and philosophy. The Executive Director or another designated staff member explains the program model to prospective parents, provides a tour of selected classrooms and delivers an overall orientation regarding expectations. Attendance at an information session in no way impacts a student's application or chances of enrollment and is not a condition of admission or enrollment. Parents and families are encouraged to attend welcoming events, workshops, and orientations. Eureka! Inclusive believes that home visits are valuable to building the strong home school connections associated with student academic and social emotional success. We will work with all families to connect in ways that are respectful of individual family needs and circumstances in the best interest of our students.

## ELEMENT I: ANNUAL INDEPENDENT FINANCIAL AUDITS

*Governing Law: The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority. (Education Code Section 47605(b)(5)(l)).*

Eureka! Inclusive's annual audit of its books and records shall be conducted in compliance with Education Code Section 47605(b)(5)(l) and 47605(m). The books and records of the Charter School will be kept in accordance with generally accepted accounting principles, and as required by applicable law, the audit will employ generally accepted accounting procedures. The audit shall be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controller's K-12 Audit Guide.

By January 1 of each year, the Eureka! Inclusive Board will appoint an Audit Committee of two or more persons.

The Audit Committee may include persons who are not members of the Board but may not include any members of the staff of the Charter School nor may it include the Executive Director or the President, Treasurer, or Secretary of the Board. In general, no one with expenditure authorization or recording responsibilities within Eureka! may serve on the committee.

The Audit Committee is responsible for recommending an independent auditor to the Board. The Charter School Board will select an independent auditor, who will have, at a minimum, a CPA and educational institution audit experience and will be approved by the State Controller on its published list as an educational audit provider. Subject to Board approval, Eureka! Inclusive will, by March 1 of each year, contract with an independent auditor. This provision will not apply if an audit firm has a multi-year contract with Eureka! Inclusive. The five year budget submitted with this petition allocates funding for an annual audit based on comparable market rates.

The Executive Director, Office Manager and back-office services provider will work with the auditor to provide the information they need to conduct a thorough audit. The annual audit will be completed and forwarded to the District, the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. The Executive Director and the Audit Committee will review the results of the audit, identify any audit exceptions or deficiencies, report them to the Board and provide recommendations to the Board regarding how to resolve the exceptions and deficiencies.

The Board will submit a report to the District describing how exceptions or deficiencies have been or will be resolved to the satisfaction of the District along with an anticipated timeline for resolution. 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 the Charter School is a public record to be provided to the public upon request.

## ELEMENT J: SUSPENSION AND EXPULSION POLICY

### *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 his or her 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 him or her 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 dis-enrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii). Education Code Section 47605(b)(5)(J).*

## DISCIPLINE POLICY

Eureka! Inclusive adheres to the belief that children do well if they can. Behavior is a student's way of expressing areas of difficulty, challenge, pain, and any range of emotion, that they are unable to process or express in more positive ways. As such, all students and families, regardless of behavior will be viewed with a philosophy of care. Non-judgmental and non-punitive actions will be taken to best address the needs of the child and support the family.

In harmony with this philosophy, Eureka! Inclusive will use the Collaborative & Proactive Solutions (CPS) model to develop its discipline policy. The CPS model is recognized as a non-punitive, empirically-supported, evidence-based treatment by the California Evidence-Based Clearinghouse for Child Welfare (CEBC). The model developed by Dr. Ross Greene is based on the premise that

challenging behavior occurs when the expectations being placed on the student exceed the student's capacity to respond adaptively, and that some students are lacking the skills to handle certain demands and expectations.

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## DESCRIPTION

CPS is a treatment model that is designed to help parents, teachers, and children (4-14) learn to collaboratively and proactively solve the problems that contribute to the children's challenging behaviors, with the goal of improving communication, cohesion, and relationships. It is made up of four modules that teaches caregivers to: (a) to identify lagging skills and unsolved problems that contribute to oppositional episodes; and (b) to prioritize which unsolved problems to focus on first.

Eureka! Inclusive begins the operationalization of this process by informing stakeholders. The discipline policy is communicated to all stakeholders through a Student Handbook, as well as a part of the voluntary two-day parent orientation during the SEL program workshop. If parents are unable to attend the orientation, additional dates will be scheduled. The discipline policy clearly describes the Charter School's policy and stipulates who participates, their roles and responsibilities, and guidelines for determining consequences for student behavior. The discipline policies are generally guided by the notion that students should be provided supportive environments, caring adults, clear expectations, and the tools needed to be held accountable for their behavior. Eureka! Inclusive approaches school-wide behavior management through the paradigm of social cognitive behavioral teaching, monitoring and rewarding students for positive behavior. This is done using a model of school-wide positive behavior support. The use of this model emphasizes a proactive approach to preventing challenging behaviors rather than a reactive approach to mitigating them. This model addresses behavior management on a continuum of three levels of support. The first level addresses a majority of students using preventative strategies outlined in our Social Emotional Learning Program (SEL); the second level addresses the approximately fifteen percent of students who have at-risk behaviors; and the third level addresses approximately five percent of students who need more individualized and specific interventions and behavior supports. The climate of Eureka! Inclusive is one of support, understanding, and respect. Every effort is made to model appropriate behavior and to be proactive in preventing the need for challenging behavior. A desire of the positive behavior support process is to maintain the child in the learning environment and implement interventions that are least restrictive to the individuals involved.

In support of our mission to educate all children, we recognize that students that have experienced or witnessed trauma, as well as, students with diverse learning styles and physical needs, often have additional co-morbid conditions. These additional conditions might negatively impact physical and/or mental health, disrupt sleeping, eating, digestion, and/or require medication. All of these factors are associated with higher incidents of behavioral challenges, acts of aggression, and academic failure. Research is clear that punitive approaches to resolving behavior do little to support the underlying cause or causes of the behavior and often result in the opposite of the desired outcome, that is behaviors increase, academic performance, and social, emotional, physical, and mental health decline. Underlying Eureka! Inclusive's progressive behavior management process is the that retaining students in their learning environment is essential, the team will meet with the family and student to determine additional supports, including the advice and support of external agencies and professionals.

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## SUSPENSION AND EXPULSION POLICY AND PROCEDURES

### Policy

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at the Charter School. In creating this policy, the Charter School has reviewed Education Code<sup>117</sup> Section 48900 *et seq.* which describes the noncharter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations.

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or upon to prevent damage to school property.

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

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

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The Charter School will follow all applicable federal and

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<https://safesupportivelearning.ed.gov/sites/default/files/disciplinecompendium/California%20School%20Discipline%20Laws%20and%20Regulations.pdf>

state laws including but not limited to 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 or guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform him or her of the basis for which the pupil is being involuntarily removed and his or her right to request a hearing to challenge the involuntary removal. If a parent, guardian, or educational rights holder requests a hearing, 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.

Eureka! Inclusive will consider all mitigating circumstances, and the impact on the victim or victims, if any, when considering options for addressing the academic, social, emotional, and physical needs of all Eureka! Inclusive students and community members in making its disciplinary decisions.

Recognizing the developmental age of our students, it is our belief that children acting out and engaging in extreme behavior are children that are often victims themselves. It is not our policy to give up on children, especially in their greatest moments of need. We will work to develop the additional outside support of Santa Clara County Children and Family services agencies to negotiate a comprehensive and compassionate intervention program while Eureka! Inclusive continues to provide academic instruction and support to the student, where possible. As stated in our statement of need, Santa Clara County students, grades K-6, who are expelled do not have the same educational options available as do their counterparts in grades 7-12. Part of our mission to address this problem is to develop a cooperative plan for maintaining an alternative educational option capable of serving this smaller, more isolated student population. Eureka! Inclusive has developed a comprehensive educational model that implements the best research and evidence based practices to address the needs of students traditionally most likely to be expelled. Eureka! Inclusive will offer a home schooling option for students that otherwise would be without an alternative option and maintain an educational alternative for expelled students in grades K-6. If for some reason a student should be placed in a juvenile detention or another type of secured facility, Eureka! Inclusive will work with the authorizing institution to maintain continuity of academic instruction and the emotional support children and families need during a crisis within our capacity as a public school and California State Department of Education guidelines.

Procedures

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## GROUPS 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 any time including but not limited to: a) while on school grounds; b)

while going to or coming from school; c) during the lunch period, whether on or off the school campus; d) during, going to, or coming from a school-sponsored activity.

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## ENUMERATED OFFENSES

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:
  - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
  - b) Willfully used force or violence upon the person of another, except self-defense.
  - c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
  - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
  - e) Committed or attempted to commit robbery or extortion.
  - f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
  - g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
  - h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.

- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Knowingly received stolen school property or private property, 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 subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is



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

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

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

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

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

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

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

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
  
- b) Willfully used force or violence upon the person of another, except self-defense.

- c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
  
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
  
- e) Committed or attempted to commit robbery or extortion.
  
- f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
  
- g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
  
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
  
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
  
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
  
- k) Knowingly received stolen school property or private property, 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 subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

- s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or students by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
- 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
    - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
    - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
    - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
    - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
  - 2) "Electronic Act" means the creation or transmission originated on or off the 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:
    - i. A message, text, sound, video, or image.
    - ii. A post on a social network Internet Web site including, but not limited to:
      - (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
      - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

- (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
  - iii. An act of cyber sexual bullying.
    - (a) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
    - (b) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

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

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

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

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

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had

obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

- b) Brandishing a knife at another person.
- c) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, et seq.
- d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n)

If it is determined by the Administrative Panel and/or Board of Directors that a student has brought a firearm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. In such instances, the pupil shall be provided due process rights of notice and a hearing as required in this policy.

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

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

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## SUSPENSION PROCEDURES

Suspensions shall be initiated according to the following procedures:

### 1. Conference

A suspension is a temporary dismissal of a student from the regular school program and school-sponsored events for the allotted time assigned by a school administrator. Suspensions can range from one to five school days, depending on the seriousness of the violation. Students are expected to complete all work assigned while they serve their suspension. Suspensions at Eureka! Inclusive will adhere to the following procedures:

Whenever a student is suspended, the parent/guardian shall also be notified by telephone call and notified in writing of the suspension, the reason for the suspension, the length of the suspension, the student's right to return to school at the end of the suspension, and any conditions for that return (i.e. a return conference with the parent/guardian) and the date of return following suspension. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

The student has a right to waive his or her participation in the hearing if he or she cannot or do not want to participate. Suspension shall be preceded, if possible, by a conference conducted by the Executive Director or the Executive Director's designee with the student and his or her parent and, whenever



practical, the teacher, supervisor or Charter School employee who referred the student to the Executive Director or designee.

The conference may be omitted if the Executive Director or designee determines that an emergency situation exists. An “emergency situation” involves a clear and present danger to the lives, safety or health of students or 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 pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense, in accordance with Education Code Section 47605(b)(5)(J)(i). This conference shall be held within two (2) school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil’s parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil’s parent or guardian at the conference.

## 2. Notice to Parents/Guardians

At the time of the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If 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 two (2) consecutive school days per suspension. Upon a recommendation of expulsion by the Executive Director or Executive Director’s designee, the pupil and the pupil’s parent/guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil’s parents, unless the pupil and the pupil’s parents fail to attend the conference.

This determination will be made by the Executive Director or designee upon either of the following: 1) the pupil’s presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil’s suspension will be extended pending the results of an expulsion hearing.

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## POLICIES REGARDING SUSPENSION

Eureka! Inclusive will actively seek alternative modes of education that allow a student to make academic and social progress towards development in a safe, healthy and normative fashion. Students and their parent(s)/caregiver(s) will sign agreements related to their understanding of and responsibility to the standards and to the behavior accountability policy as explained in the Student Handbook.

Students who violate school rules may expect consequences that may include but not be limited to the following:

1. Notices to parent(s)/caregiver(s) by telephone and/or letter
2. Parent/Team meetings consisting of parent/caregiver, staff/, and student
3. Development of a formal positive behavior support plan
4. In lieu of suspension from school – Development of strategies and adaptations to support the student in behavioral change as well as a system of more intensive home to school communication
5. Alternative educational schedule or home instruction (only in most extreme situations when expulsion would be the usual alternative and safety of other students has been affected by student behavior.)

Parent(s)/caregiver(s) and students (when appropriate) will be asked to participate in the Student Success Team (SST) if a student's behavior is not improving. The SST will develop appropriate modifications and intervention strategies. Eureka! Inclusive will seek as often as possible to use alternatives to out of school suspension. Students who continue to be behaviorally challenged within the school environment, after the positive behavioral supports have been implemented and/or who present an immediate threat to health and safety may require an alternative "in school", "reduced day" or "home school" academic program. It is important to note that the parent(s)/caregiver(s) participate on the SST and they are active partners in these decisions.

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## AUTHORITY TO EXPEL

As required by Education Code Section 47605(b)(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 of Directors following a hearing before it or by the Charter School Board of Directors upon the recommendation of a neutral and impartial Administrative Panel, to be assigned by the Board of Directors as needed. The Administrative Panel shall consist of at least three members who are certificated and neither a teacher of the pupil nor a member of the Charter School Board of Directors. 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.

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## EXPULSION PROCEDURES

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

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

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten (10) calendar days before the date of the hearing. Upon mailing the notice, it shall be deemed served upon the pupil. The school will hold a hearing adjudicated by a neutral officer, at which the student has a fair opportunity to present testimony, evidence, and witnesses, to confront and cross-examine adverse witnesses, and at which the student has the right to bring legal counsel or an advocate. 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.
9. The student has a right to request at least one postponement of the hearing in writing. The postponement can be for 30 calendar days. Any additional postponements are granted at the school board's discretion.
10. The student has a right to request in writing at least 5 days before the scheduled hearing that the hearing be conducted at a public meeting. Whether the hearing is conducted in private or public, the governing board will meet in private after the hearing to decide whether the student should be expelled. If the board admits any other person to the closed meeting where the student's fate is decided, the student, the student's parent or guardian, and/or the student's counsel must also be allowed to be present at the closed meeting.
11. A decision must be made regarding the student's punishment within 3 school days or 10 calendar days after the hearing. The hearing officer or panel may do 4 things:
  - a. Recommend suspension.
  - b. Recommend expulsion.
  - c. Suspend expulsion for up to a year, during which the student must abide by all rules, or
  - d. Reinstate the student fully with no further consequences.
12. The student has the right to appeal an expulsion decision with the County Board of Education within 30 days of the school district's action.

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## 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 pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days' notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. 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 expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, 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 his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity

conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

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## 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.

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## PRESENTATION OF EVIDENCE

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

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

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

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

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## WRITTEN NOTICE TO EXPEL

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

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

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## 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 authorizer upon request.

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## EXPELLED PUPILS/ALTERNATIVE EDUCATION

Parents/guardians of pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence. 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. Eureka! Inclusive will work to provide alternative options such as a home school program for students TK-6.

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## REHABILITATION PLANS

Students who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the Board of Directors at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one year from the date of expulsion when the pupil may reapply to the Charter School for readmission.

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## READMISSION

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

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## NOTICE TO TEACHERS

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

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## SPECIAL PROCEDURES FOR THE CONSIDERATION OF SUSPENSION AND EXPULSION OR INVOLUNTARY REMOVAL OF STUDENTS WITH DISABILITIES

### 1. Notification of the District

The Charter School shall immediately notify the District and coordinate the procedures in this policy with the District of the discipline of any student with a disability or student that the Charter School or the District 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 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, 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 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 U.S.C. Section 1415(k), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting unless the parent and the Charter School agree otherwise.

In accordance with 20 U.S.C. Section 1415(k)(3), if a parent/guardian disagrees with any decision regarding placement, or the manifestation determination, or if 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 Executive Director or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

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

## 6. Interim Alternative Educational Setting

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

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



A student who has not been identified as an individual with disabilities pursuant to IDEA and who has violated 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 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.
- d. The student is in the process of being assessed for special education.
- e. The student has a section 504 plan.

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 IDEA-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 has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

## ELEMENT K: EMPLOYEE RETIREMENT SYSTEMS

**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(b)(5)(K).

The Eureka! Inclusive Board of Directors shall determine which school-sponsored retirement plans are available to various types of staff (e.g., certificated staff, part-time staff, etc.). The Executive Director is responsible for ensuring that reporting and benefits are processed for all employees. All full-time employees (including classified and administrative staff) will contribute the required employee percentage to the Defined Contribution Plan and shall participate in federal social security.

Certificated teachers and administrators shall be a part of the State Teachers' Retirement System (STRS). Employees will accumulate service credit years in the same manner as all other members of STRS. Employees will contribute at the rate established by STRS. *See budget in Appendix J44 for additional details.*

The Charter School will provide a Defined Benefit Plan and Medicare Contributions for all full-time employees (defined as working 30 hours per week). A full-time employee is either:

- A certificated teacher who works the full instructional day on the calendar, which includes instructional days, parent/child conference days, professional development days, and instructional preparation days.
- An administrative or classified staff member who work eight hours a day, five days a week, on a year-round calendar.

The Eureka! Inclusive Board of Directors retains the option to consider any other public or private retirement plans and to coordinate such participation with existing programs, as it deems appropriate. The Executive Director shall be responsible for ensuring that appropriate arrangements for coverage are made.

## 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. Education Code Section 47605(b)(5)(L).

No student may be required to attend the Charter School. Students who reside within the District who choose not to attend Eureka! Inclusive may attend school within the District according to District policy or at another school district or school within the District through the District's intra- and inter-district transfer policies. All parents/guardians and students will be informed on admissions forms that students have no right to admission in a particular school of a district as a consequence of enrollment in the Charter School, except to the extent that such a right is extended by the District.

## ELEMENT M: RETURN RIGHTS OF EMPLOYEES

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

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

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

## ELEMENT N: DISPUTE RESOLUTION

Governing Law: The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter. Education Code Section 47605(b)(5)(N).

### DISPUTES BETWEEN THE CHARTER SCHOOL AND THE DISTRICT

The Charter School recognizes that it cannot bind the District to a dispute resolution procedure to which the District does not agree. The following policy is intended as a starting point for a discussion of dispute resolution procedures. The Charter School is willing to consider changes to the process outlined below as suggested by the District. The intent of the dispute resolution process is to clarify roles and responsibilities and ensure a fair and timely process for resolving disputes. During this time both parties agree not to release public a public statement related to the topic. The district will be encouraged to attempt to resolve any disputes amicably and reasonably without resorting to formal procedures.

Should any section of this element pertaining to resolving disputes be in conflict District policies or desired protocols, then the charter is amenable to altering said areas through a mutually agreed upon Memorandum of Understanding.

The Charter School and the District will be encouraged to attempt to resolve any disputes amicably and reasonably without resorting to formal procedures.

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

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

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

resolve the dispute either party may pursue any other remedy available under the law. All timelines and procedures in this section may be revised upon mutual written agreement of the District and the Charter School.

## INTERNAL DISPUTES

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

## ELEMENT O: CHARTER 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(b)(5)(O).

### CLOSURE PROCEDURES

The following procedures will take place in the event that Eureka! Inclusive Charter School closes. These procedures will take place regardless of the reason for school closure.

Closure of the Charter School will be documented by official action of the Eureka! Inclusive Board of Directors. The action will identify the reason for closure. The official action will also identify an entity and person or persons responsible for closure-related activities.

The Board of Directors, or the designated person responsible for closure-related activities, will promptly notify parents and students of the Charter School, the San José Unified School District, the Santa Clara County Office of Education, the Charter School's SELPA, the Charter School's landlord, the retirement systems in which the Charter School's employees participate (i.e., State Teachers' Retirement System), and the California Department of Education of the closure as well as the effective date of the closure. This notice will also include the reason for closure; the effective date of the closure; the name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure; the pupils' school districts of residence; and the manner in which parents/guardians may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.

The Board will ensure that the notification to the parents and students of the Charter School of the closure provides information to assist parents and students in obtaining their students' records and in locating suitable alternative programs. This notice will be provided promptly following the Board's decision to close the Charter School.

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

As applicable, the Charter School will provide parents, students and the County with copies of all appropriate student records and will otherwise assist students in transferring to their next school. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act ("FERPA") 20 U.S.C. § 1232g. The Charter School will ask the County to store original records of Charter School students. All student records of the Charter School shall be transferred to the County upon Charter School closure. If the County will not or cannot store the records, the Charter School shall work with the County Office of Education to determine a suitable alternative location for storage.

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

As soon as reasonably practical, the Charter School will prepare final financial records. The Charter School will also have an independent audit completed within six months after closure. The Charter School will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by the Charter School 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 the Charter School.

The Charter School will complete and file any annual reports required pursuant to Education Code section 47604.33.

On closure of the Charter School, all assets of the Charter School, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending the Charter School, remain the sole property of the Charter School and upon the dissolution of the non-profit public benefit corporation shall be distributed in accordance with the Articles of Incorporation. Any assets acquired from the County or County property will be promptly returned upon Charter School closure to the County. Eureka! Inclusive shall return 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, the Charter School shall remain solely responsible for all liabilities arising from the operation of the Charter School.

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

As specified by the Budget, the Charter School will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above.



## MISCELLANEOUS CHARTER PROVISIONS

### BUDGETS AND FINANCIAL REPORTING

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

Attached as *Appendix J44*, please find the following documents:

- Budget narrative
- A projected first year budget including startup costs
- Financial projections and cash flow for the first three years of operation

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

The Charter School shall provide reports to the District and County Superintendent of Schools as follows in accordance with Education Code Section 47604.33, and shall provide additional fiscal reports as requested by the District:

1. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code Section 47605(g) will satisfy this requirement.
2. By July 1, a local control and accountability plan (LCAP) and an annual update to the local control and accountability plan required pursuant to Education Code Section 47606.5.
3. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of the Charter School's annual, independent financial audit report for the preceding fiscal year shall be delivered to the District, State Controller, California Department of Education and County Superintendent of Schools.
4. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
5. By September 15, a final unaudited report for the full prior year. The report submitted to the District shall include an annual statement of all the Charter School's receipts and expenditures for the preceding fiscal year.

The Charter School shall provide reporting to the District as required by law and as requested by the District 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), and the LCAP.

The Charter School agrees to and submits to the right of the District 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, the Charter School shall promptly respond to all reasonable inquiries including, but not limited to, inquiries regarding its financial records from the District.

## INSURANCE

The Charter School 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 District and the Charter School's insurer. The District Board of Education shall be named as an additional insured on all policies of the Charter School. Prior to opening, the Charter School will provide evidence of the above insurance coverage to the District.

## ADMINISTRATIVE SERVICES

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

The Charter School will provide or procure its own administrative services including, but not limited to, financial management, accounts payable/receivable, payroll, human resources, and instructional program development either through its own staff or through an appropriately qualified third-party contractor.

At any time the Charter School may discuss the possibility of purchasing administrative services from the District. If the District is interested, the specific terms and cost for these services will be the subject of a memorandum of understanding between the Charter School and the District and subject to District availability and willingness to provide such services.

The Charter School will ensure that all contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. The Charter School shall approve only responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement, and in compliance with conflict of interest laws referenced herein. Consideration will be given to matters such as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

## FACILITIES

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

Eureka! Inclusive intends to seek the support of SJUSD in securing space in a District-owned facility through the annual presentation of a Proposition 39 request. Proposition 39 is a legal requirement for school districts to provide facilities for in-district students attending charter schools, as provided by Education Code Section 47614. SJUSD may charge Eureka! Inclusive a pro-rata share (based on the ratio of space allocated by the school district to the charter divided by the total space of the district) for those district facility costs, which the district pays for with unrestricted general fund revenues. See facilities projections section of the budget in *Appendix J44* for details on the number of classrooms and other spaces and total square footage to be requested.

Eureka! Inclusive will also consider leasing private facilities for the operation of the school.

The school's facilities will comply with applicable state and local building codes, federal American Disabilities Act ("ADA") access requirements and other applicable fire, health, and structural safety requirements, and will maintain on-file records that document such compliance, which will be available for inspection. A complete plan for natural disasters such as earthquakes, fire, etc., will be developed prior to the opening of the school. Eureka! Inclusive will obtain the proper Certificate of Occupancy and any other permits necessary under local ordinances for operating a school and shall provide such clearances to the District prior to the commencement of instruction.

Eureka! Inclusive shall comply with Education Code Section 47610 by either utilizing facilities that are compliant with the Field Act or that are compliant with the State Building Code. The facilities shall be approved by the local/state fire marshal for the intended use. Eureka! Inclusive agrees to test sprinkler systems, fire extinguishers and fire alarms at its facilities to ensure that they are maintained in an operable condition at all times.

## TRANSPORTATION

Eureka! Inclusive is a school of choice and as such transportation to and from school is the responsibility of parents/guardians, except as voluntarily offered by the Charter School or as required by law, including, but not necessarily limited to, the IDEA and the McKinney-Vento Homeless Education Assistance Act. The charter school has made provisions to meet the needs of students that fall outside of allocated funding or to bridge the gap in funding. The special education contingency budget is included starting at \$50K in Year 1 and growing with projected enrollment to \$80K in year 3.

## POTENTIAL CIVIL LIABILITY EFFECTS

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

The Charter School 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 authority 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. The Charter

School shall work diligently to assist the District in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other District-requested protocol to ensure the District shall not be liable for the operation of the Charter School.

Further, the Charter School intends to enter into a memorandum of understanding with the District, wherein the Charter School shall indemnify the District for the actions of the Charter School under this charter.

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

As stated above, insurance amounts shall be determined by recommendation of the District and the Charter School's insurance company for schools of similar size, location, and student population. The District shall be named an additional insured on the general liability insurance of the Charter School.

The Charter School Board shall institute appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

## CONCLUSION

By approving this charter, the District 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. The Petitioners are eager to work independently, yet cooperatively with the District to establish the highest bar for what a charter school can and should be. To this end, the Petitioners pledge to work cooperatively with the District to answer any concerns over this document and to present the District with the strongest possible proposal requesting a five year term from July 1, 2020 through June 30, 2025.

## **EUREKA! INCLUSIVE CHARTER SCHOOL: APPENDICES**

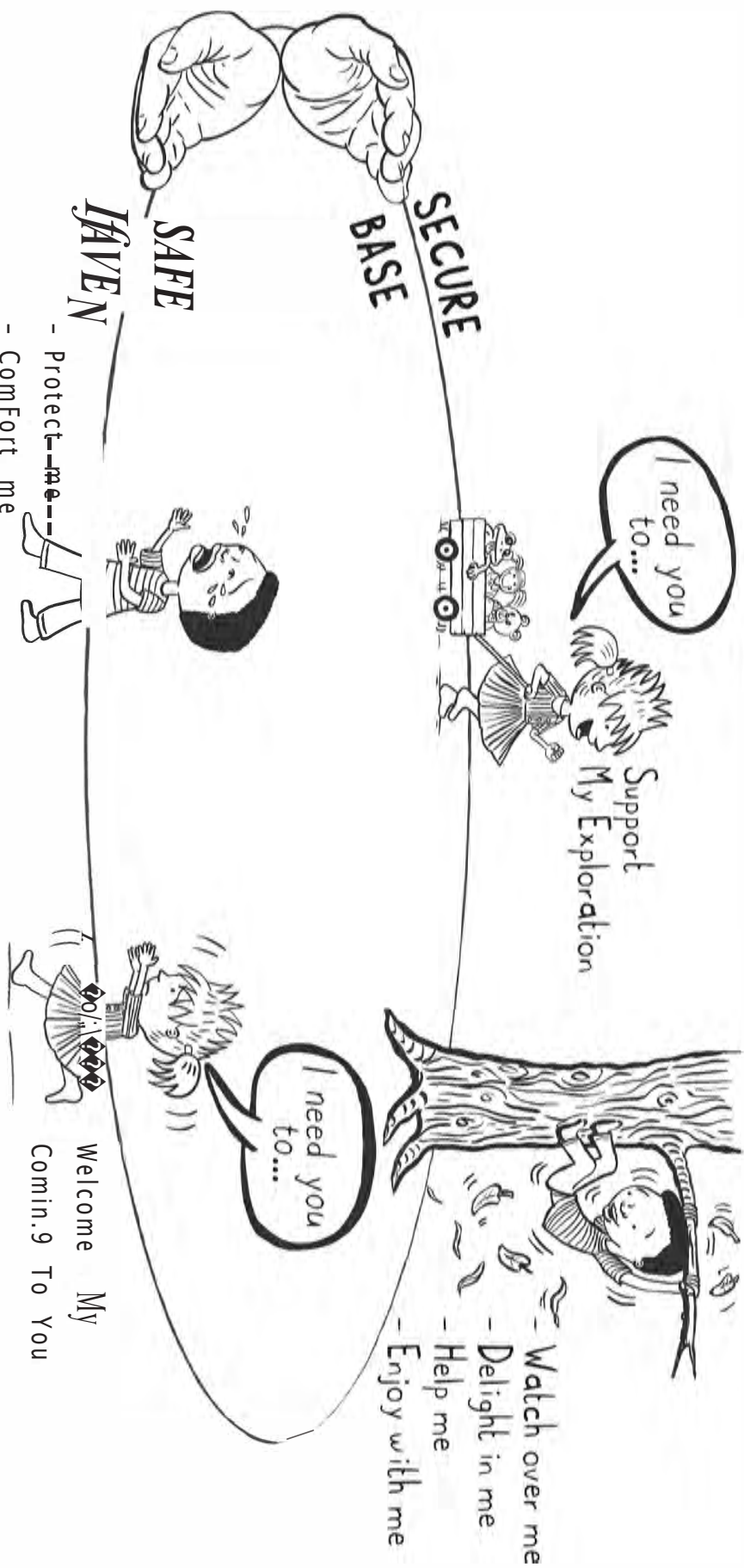
### Appendix A:

- A1. Circle of Security
- A2. Zones of Regulation
- A3. Morning Movement
- A4. UDL
- A5. UDL/Speech/EL
- A6. MTSS
- A7. SWIFT MOU
- A8. Professional Development Schedule
- A9. Danielson's Model of Teacher Evaluation
- A10. Teacher Report Form from Students
- A11. Sample Universal Screening
- A12. Social Thinking
- A13. Behavior Map Sample
- A14. CHAMPS
- A15. Collaborative and Proactive Solutions
- A16. ALSUP
- A17. ILLUMINATE
- A18. NWEA MAP Growth
- A19. KWL
- A20. CA Journeys Overview
- A21. CA Journeys Sample ELD
- A22. Go Math! Sample
- A23. Go Math! ELD

- A24. Ask Nature Science Lessons Sample
- A25. NSF Causal Learning in the Classroom (CLIC) Module
- A26. Core Knowledge US History Constitution Lesson Sample
- A27. NYC Public Schools The Moving Image Art Program Sample
- A28. Agency by Design and Artful Thinking
- A29. Fitnessgram
- A30. Family Dinner Project

# Circle of Security®

Parent Attending To The Child's Needs



- Protect me
- Comfort me
- Delight in me
- Organize my Feelings

- Watch over me
- Delight in me
- Help me
- Enjoy with me

ALWAYS BE BIGGER, STRONGER, WISER & POSSIBLE: FOLLOW MY CHILD'S NEED. WHENEVER NECESSARY: TAKE CHARGE.



# Keys to Successful School-Wide Implementation of The Zones of Regulation®

Information and Reflection compiled in partnership with Saint Paul Public Schools

## **Implementation Process:**

The Implementation Process is approached differently at each school. There is no one way to roll out the curriculum. However, schools where they feel Zones has been very successful have 4 common factors:

1. **Administrator support:** The administrator was involved in planning the Implementation of Zones School-Wide. They were at the planning meetings, trainings, use the Zones language and have visuals in their office.
2. **A Champion or Champions who take leadership:** This effort is brought forward and supported by staff who have experience using Zones with their students. Some of the staff have been Counselors, Social Workers, Special Education Teachers, and Occupational Therapists.
3. **Staff Buy-In:** Consider providing a short 10-15 minute presentation to the staff as a preview to gain enthusiasm and build momentum.
4. **A Written Implementation Plan:** Create an Implementation plan that identifies how school wide Zones will complement other school initiatives. Identify the implementation process in detail including the who, what, when and how of training staff, teaching the lessons and if they are collecting data.

## **Guidelines for Implementation Process can look like this:**

- A. Create an implementation team (your Champion of Champions) that will serve in a leadership role for guiding implementation
- B. Provide a short presentation to staff to introduce zones and create buy-in
- C. Meet with administration and the implementation team
  - a. Determine lessons taught, by whom, and to which grade levels
  - b. The who, what, where, when, why and how
  - c. Materials, resources and prep tie
- D. Provide training to ALL staff
  - a. School climate (Ross Greene's work is valuable for establishing this as a foundation)
  - b. Understanding The Zones framework
  - c. Overview of core lessons they will be using in their classrooms
  - d. The implementation plan at their school
- E. Provide information to parents and caregivers. Ideas are:
  - a. Parent night with short overview
  - b. Principals Address or School Newsletter
  - c. School Website
  - d. Informational Letter and Visual sent home
- F. Implementation
- G. Support and follow-up
  - a. Leadership team pushes into grade level meetings to provide on-going support
  - b. Open discussions and support offered at all-staff meetings

- Some schools have piloted the lessons in 3-5 classrooms with support from the “Champions”, before they take it school-wide. In that case, do an overview in partnership with the “champions” with the small group of teachers piloting. When the school moves to school wide roll out - this group of teachers will present to the rest of the staff.

### **Data Collection**

Data collection happens at a few different levels:

School-wide data: Schools identify items on the Out of Classroom referrals that may be related to self-regulation. They may track these items to see if there is a reduction in referrals.

Self-report: Some teachers ask student to fill out a pre/post survey about their own perception of their self-regulation skills before the lessons, after the lessons and then later on in the year.

Check-ins/Tallies: Some teachers have students do a daily check in using Zones (they have a visual of the zones and students can add their names to it.) In some buildings they tally as students use their toolbox.

Schools that have a room where students go to refocus have their students check-in to the room by identifying their zone and then identify their zone when they check-out.

### **PBIS**

Tier 1 - School-Wide Zones of Regulation is considered a Tier 1 Intervention in many districts. It gives teachers a common language to use to talk about how students are feeling, how they are showing their feelings, and tools they can use to get back to where they need to be in order to learn. The language around expected and unexpected behavior complements the establishment of classroom and school-wide expectations. It reinforces the work already being done in a PBIS school.

Tier 2 - In schools using Zones School wide the social workers and counselors use Zones in small groups. Special Education staff also use Zones with small groups of students.

Tier 3- Some of students have individual plans that use Zones.

# Move and Be Active

Look for opportunities to help students move throughout the school day.

There is a lot of strong evidence to support the brain-body connection when it comes to movement. In addition to promoting physical health, getting children and youth to move and be active throughout the day – even in short doses – promotes learning and mental health! In order to help children want to be physically active, it's important to make the activities FUN!

**Physical activity and learning:** Short, classroom-based physical activity breaks have been shown to increase attention and on-task behavior.<sup>1,2</sup> A majority of studies have found a positive association between physical activity breaks and cognitive skills, attitudes, and academic behavior.<sup>3,4</sup> In addition to embedding movement in the classroom, make sure that students have opportunities to participate in physical education and engage in enjoyable active play during recess and after-school.

**Physical activity and mental health:** Physical activity and exercise have both short-term and long-term effects on mental health.<sup>5,6</sup> Usually within five minutes of moderate exercise such as walking, there is positive effect on mood. In addition to helping people feel good emotionally, moderate-intensity exercise on a regular basis can help to reduce and prevent anxiety and depression.<sup>7</sup>

## Simple suggestions:

- Be creative in thinking of and implementing short (2-5 minute) activity breaks during classroom learning – especially when students seem to have low energy/attention or, when they seem to be fidgety and needing movement. Example: For elementary students, pair students and have them 'arm wrestle' or 'thumb wrestle' for 3 minutes; have students perform one yoga pose; etc.
- Visit educator Bevin Reinen's website, 'Teach, Train, Love' for 'Brain Break' music for dance clips. Use a Smart board or computer & projector to play one of the 2-3 minute dancing to music breaks. Have students get up, dance and have fun. These are appropriate for younger grades.  
<http://teachtrainlove.com/20-brain-break-clips-fight-the-fidgeting> (<http://teachtrainlove.com/20-brain-break-clips-fight-the-fidgeting>)
- Download the free poster, Roll Some Brain Breaks, from Your Therapy Source website.  
<http://www.yourtherapysource.com/rollsomefunfree.html>  
(<http://www.yourtherapysource.com/rollsomefunfree.html>) Use this poster and some dice to have children engage in upper and lower body movement.
- Make a "PICK A STICK Brain Break Cup" (idea from Pinterest <https://www.pinterest.com/search/pins/?q=pick%20a%20stick%20brain%20breaks> (<https://www.pinterest.com/search/pins/?q=pick%20a%20stick%20brain%20breaks>))



q=pick%20a%20stick%20brain%20breaks)) Grab some wooden craft sticks and write a different idea for movement on each one [e.g. slow motion walk, hop in place, stretch arms up to the sky, chair push-ups, touch your toes, etc.] . At each transition time, or when students need a break - pull one and have all the students complete the movement one or more times.

- Consider using The Drive Thru Menus for Attention and Strength Posters (Teri Bowen-Irish, OTR/L) in your classroom with elementary school students. Each poster consists of a menu of 10 short exercises that can be embedded throughout the day. A Leader's Manual provides complete instructions for implementing each activity. Available for purchase from Therapro (<http://www.therapro.com/Drive-Thru-Menu-Programs-P209352.aspx>)

<sup>1</sup> Janssen, M., Chinapaw, M. J. M., Rouh, S. P., Toussaint, H. M., van Mechelen, W., & Verhagen, E. A. L. M. (2014). A short physical activity break from cognitive tasks increases selective attention in primary school children aged 10-11. *Mental Health and Physical Activity*, 7, 129-134.

<sup>2</sup> Kibbe, D. L., et al. (2011). Ten years of TAKE 10®: Integrating physical activity with academic concepts in elementary school classrooms. *Preventive Medicine*, 52, 543-550. See [www.take10.net](http://www.take10.net) (<http://www.take10.net/>)

<sup>3</sup> Centers for Disease Control and Prevention. (2010). *The Association Between School Based Physical Activity, Including Physical Education, and Academic Performance*. U.S. Department of Health and Human Services, Atlanta, GA. Retrieved from [http://www.cdc.gov/healthyyouth/health\\_and\\_academics/pdf/pa-pe\\_paper.pdf](http://www.cdc.gov/healthyyouth/health_and_academics/pdf/pa-pe_paper.pdf) ([http://www.cdc.gov/healthyyouth/health\\_and\\_academics/pdf/pa-pe\\_paper.pdf](http://www.cdc.gov/healthyyouth/health_and_academics/pdf/pa-pe_paper.pdf))

<sup>4</sup> Howie, E. K., Beets, M. W., & Pate, R. R. (2014). Acute classroom exercise breaks improve on-task behavior in 4th and 5th grade students: A dose – response. *Mental Health and Physical Activity*, 7, 65-71.

<sup>5</sup> Weir, K. (2011). The exercise effect. *Monitor on Psychology*, 42(11), p. 48. Retrieved from <http://www.apa.org/monitor/2011/12/exercise.aspx> (<http://www.apa.org/monitor/2011/12/exercise.aspx>).

<sup>6</sup> Peluso, M. A., & Andrade, L. H. (2005). Physical activity and mental health: The association between exercise and mood. *Clinics*, 60, 61-70.

<sup>7</sup> Otto, M. W., & Smits, J. A. (2011). *Exercise for Mood and Anxiety: Proven Strategies for Overcoming Depression and Enhancing Well-being*. Oxford University Press. ISBN: 978-0-19-979100-2.

Website: Actions for Happiness - 'Take care of your body' at <http://www.actionforhappiness.org/10-keys-to-happier-living/take-care-of-your-body> (<http://www.actionforhappiness.org/10-keys-to-happier-living/take-care-of-your-body>)



## Refreshing Recess Environmental Analysis

!

Use this form to observe different environmental aspects (physical and behavioral) of both indoor and outdoor recess and check whether or not you note any concerns that may need to be addressed. Provide comments and suggestions.

School: \_\_\_\_\_ Grade Level: \_\_\_\_\_ Date: \_\_\_\_\_

Indoor Recess \_\_\_\_\_ Outdoor Recess \_\_\_\_\_ Observer: \_\_\_\_\_

Environmental Aspect	Concerns	No Concerns	Suggestions
<p><b>Playground toys &amp; equipment</b></p> <ul style="list-style-type: none"> <li>• Variety?</li> <li>• Attractive?</li> <li>• Safe?</li> <li>• Adequate amount?</li> <li>• List types of toys/equipment:</li> </ul>			
<p><b>Recess supervisors</b></p> <ul style="list-style-type: none"> <li>• Adequate # of supervisors (~1 per 30-40 students)</li> <li>• Prepared to do their jobs (provides active supervision; fosters active play &amp; games; promotes positive behaviors; able to resolve conflict; interacts positively with students)</li> </ul>			
<p><b>Behavioral expectations</b></p> <ul style="list-style-type: none"> <li>• Clearly stated and reinforced by supervisors &amp; teachers</li> <li>• Written and posted in visible location</li> </ul>			

<p><b>Students' social interaction</b></p> <ul style="list-style-type: none"> <li>• Students appear to have fun, play together &amp; get along</li> <li>• Students share materials</li> <li>• Students include each other (do not observe loners)</li> </ul>			
<p><b>Environmental Aspect</b></p>	<p>Concerns</p>	<p>No Concerns</p>	<p><b>Suggestions</b></p>
<p><b>Students' play activities &amp; games</b></p> <ul style="list-style-type: none"> <li>• Students actively engage in enjoyable play or games</li> <li>• List types of play observed:</li> </ul>			
<p><b>Students are physically active</b></p> <ul style="list-style-type: none"> <li>• Students have opportunities to run, skip, jump, and walk around</li> <li>• Students appear to enjoy active play</li> <li>• List types of active play:</li> </ul>			
<p><b>Students have opportunities to engage in adult-led structured activities?</b></p> <ul style="list-style-type: none"> <li>• Approximate percentage of time?</li> <li>• Describe some of structured activities:</li> </ul>			

<p>Students have opportunities to take part in unstructured play?</p> <ul style="list-style-type: none"> <li>• Approximate percentage of time?</li> <li>• Describe types of unstructured activities observed:</li> </ul>			
<p>Students with disabilities and/or emotional challenges – Note their participation and enjoyment in recess. Describe.</p>			
<p>Transition to and from recess Students know the established routine and cooperate in going to and leaving recess.</p>			

Describe the STRENGTHS of the current recess environment/experience!!

!  
!  
!

Describe students' at-risk of experiencing challenges during recess (social, sensory-based, motor, etc.). Identify any students who might need additional supports or accommodations in order to participate and enjoy recess!

!  
!  
!

Make SUGGESTIONS for changes that could be made to improve the recess experience so that students can enjoy playing and socializing with friends and so that supervisors can enjoy their job.!

!  
!  
!

Compiled by: \_\_\_\_\_

!

Developed by Susan Bazyk, PhD, OTR/L for *Every Moment Counts* (2014)

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# Universal Design for Learning (UDL) FACT SHEET

## Definition

UDL is an educational approach to teaching, learning and assessment, drawing on new brain research and new media technologies to respond to individual learner differences. It is an approach to designing course instruction and materials. “Barriers to learning are not, in fact, inherent in the capacities of learners, but instead arise in learners’ interactions with inflexible educational goals, materials, methods, and assessments.” Teaching Every Student in the Digital Age, p. vi Instead of trying to “fix” the student, UDL is trying to “fix” the curriculum so all students have access.

## Principles of UDL

- Multiple means of representation, to give learners various ways of acquiring information and knowledge
- Multiple means of action and expression, to provide learners alternatives for demonstrating what they know
- Multiple means of engagement, to tap into learners' interests.

## The Research Base of UDL

Multiple Intelligences theory (Gardner, 1993), one of several theories, is consistent with what we are now discovering about the learning brain – namely that students do not have one global learning capacity, but many multifaceted learning capacities, and that a disability or challenge in one area may be countered by extraordinary ability in another. There are three main areas in the UDL research: the **recognition**, **strategic**, and the **affective** networks.

**Recognition** - enabling individuals to identify and understand information, ideas and concepts.

**Strategic** – enabling individuals to plan, execute, and monitor actions and skills.

**Affective** – enabling individuals to engage with tasks, learning and with the world.

Teaching Every Student in the Digital Age, p. vi

## The Essence of UDL

Every student is addressed as an individual with unique needs, interests, and abilities.

**Why is it important for students?** When we create varied and multiple pathways for students to follow to a learning outcome, it is more likely that most students will get to the destination.



**Universal Design for Learning** - A curriculum designed approach to increase flexibility in teaching and decrease the barriers that frequently limit student access to materials and learning in classrooms (Rose & Meyer, 2002).

**Differentiated instruction** - Applies an approach to teaching and learning that gives students multiple options for taking in information and making sense of ideas. Differentiated instruction is a teaching theory based on the premise that instructional

approaches should vary and be adapted in relation to individual and diverse students in classrooms (Tomlinson, 2001).

Collected Information: Ron Rogers, OCALI

**Universal Design for Learning Center**



# Universal Design for Learning and Academic Interventions for Students with Emotional and Behavioral Disorders

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## Abstract

*This systematic review of literature offers an analysis of interventions for students with emotional and behavioral disorders (EBD) for the presence of the three principles of Universal Design for Learning (UDL), and the use of technology. UDL focuses on three core principles, (a) representation, (b) action and expression, and (c) engagement, to help educators design motivating, accessible instruction and environments to increase the participation and achievement of all learners, including those with special needs. Research indicates many evidence-based interventions exhibit indicators associated with the principle of multiple means of engagement, but few studies embed multiple means of representation or action and expression within the specified interventions. This review found that 86% of academic interventions for students with EBD aligned with at least one aspect of the UDL framework. A discussion of implications for further research related to UDL implementation for classrooms (inclusive and self-contained) serving students with EBD follows.*

## INTRODUCTION

Students with emotional and behavioral disorders (EBD) have externalizing (e.g., delinquency, aggression, noncompliance) and internalizing (e.g., anxiety, depression, somatic complaints) behavior patterns. Many students with EBD display both (Achenbach, 1991; Lane, Jolivette, Conroy, Nelson, & Benner, 2011; Walker, Ramsey, & Gresham, 2004). The behavioral patterns persist into adulthood, leading to other life challenges such as under and unemployment, divorce, the need for mental health services, and contact with the justice system (Moffitt, 1993; Lane et al., 2011; Wagner, Kutash, Duchnowski, Epstein, & Sumi 2005). Less than 5% of school-aged students in 2014 received special education services for EBD (National Center for Educational Statistics, 2016). Although prevalence estimates suggest as much as 20% of all students have EBD, these students often are unidentified and therefore unserved during their educational years (Lane et al., 2011).

Students with EBD often are described as the toughest to teach, the most likely to be placed in specialized classrooms, and most likely to fail in the school setting (Fitzpatrick & Knowlton, 2009). These students are less engaged by academic work, more likely to display off task behaviors, and more impulsive in the classroom (Swaggart, 1998). The lack of engagement and distractibility exacerbates problem behavior and academic difficulties resulting in less academic instruction, decreased exposure to academic material/course content, and fewer opportunities to learn (Carr, Taylor, & Robinson, 1991; Wehby, Symons, Canale, & Go, 1998). For example, students with EBD perform 1.2-2 grade levels behind their peers in elementary school (Trout, Nordness, Pierce, & Epstein, 2003). Unfortunately, the discrepancy worsens

with age. By the time these students reach high school, they are performing almost 3.5 grade levels behind their peers, with less than one-third of students with EBD functioning at or above grade level in any academic area (Coutinho, 1986; Epstein, Kinder & Bursuck, 1989). Despite these academic outcomes, most interventions conducted with students with EBD have focused primarily on behavior interventions and supports, often neglecting the glaring academic deficiencies found within this group of students (Ryan, Reid, & Epstein, 2004). More explicitly, eliminating aspects of curricula and instruction that function as barriers to academic learning may support appropriate student behavior while improving academic outcomes.

## APPLICATION OF UDL FOR STUDENTS WITH EBD

The three principles of UDL can be applied to the instruction of students with EBD in a variety of ways. The first principle calls for providing multiple means of representation so that students can approach information in more than one way (National Education Technology Plan, 2016). For example, if a student with an EBD struggles with reading fluency the teacher could utilize audio software to minimize frustration during independent reading time and increase comprehension (multiple means of representation). If an assignment required a student to write, but s/he lacks the necessary social skills to work on a group project, then the teacher could allow for online collaboration through a system like GoogleDocs (multiple means of action and expression). Also, teachers allowing students to choose whether to build a model, take a test, create a board game or etcetera related to the content are ways in which student interest can be recruited (multiple means of engagement). Allowing these sorts of choices for demonstrating knowledge also is a means of assessing students' content attainment in a variety of ways which also allows for multiple means of action and expression. Additionally, digital learning tools within the UDL framework can offer more flexibility and learning supports than can traditional formats for students with EBD. Furthermore, using mobile devices, laptops, and networked systems, educators are better able to individualize and customize learning experiences to align with the needs and variability of each student. Consequently, UDL could decrease externalized and internalized behaviors, lead to active engagement in the learning process, and improve academic performance of students with EBD.

## PURPOSE OF THE REVIEW

Intervention research on students with EBD has primarily focused on behavior, overlooking the importance and potential for academic interventions for this population of students. UDL may be one way to support teachers of students with EBD design accessible instruction and utilize technology to improve student academic and behavioral development despite student social and academic deficits. The purpose of this systematic literature review is to analyze academic interventions for students with EBD for the

presence of the three principles of UDL to address the following research questions:

How do academic intervention research studies that include students with EBD align with the UDL framework?

How have researchers used technology as part of interventions for students with EBD?

## RESULTS

I reviewed and analyzed 22 articles from 14 different scholarly journals that met the inclusion criteria. The included studies were represented in several journals, including *Education & Treatment of Children*, *Exceptional Children*, *Child & Youth Care Forum*, *Preventing School Failure: Alternative Education for Children and Youth*, *Journal of Special Education Technology*, *Behavior Disorders*, *Learning Disability Quarterly*, *Journal of Behavioral Education*, *Severe Behavior Disorders of Children*, *Beyond Behavior*, *Journal of Negro Education*, *Exceptionality*, *Journal of Emotional & Behavioral Disorders*. All the articles were published between 2005 and 2015. These articles became the focus of the review and are identified with an asterisk in the “References” section. Articles were categorized by whether they met one or more of the guidelines under the three principles of UDL, with two studies aligning to all three principles and three studies aligning to none of the three principles.

Table 1 shows how each of the included studies aligned with the principles of UDL. A total of four studies included technology in ways that aligned with representation options under UDL. Two studies used interventions that incorporated features aligned with the multiple means of action and expression. The bulk of studies included aspects that addressed student engagement and did so using ways that recruit interest, sustain student effort and persistence, and promote student self-regulation. Furthermore, two studies incorporated features that aligned with all three principles of the UDL framework. A total of 14 studies incorporated a form of technology as a part of their academic intervention, with technology ranging from mobile devices to a variety of software applications. In the next section, I discuss the results organized by the three domains of UDL.

### Technology as Part of Interventions for Students with EBD

Technology was used as a component of the intervention in 14 of the 22 studies (64%). Mobile devices were used in seven studies. For example, iPads were used to study whether students had greater accuracy in solving math problems, reading fluency, and as a possible reinforcement (Flower, 2014; Haydon et al., 2012; Skerbetz & Kostewicz, 2015). One video modeling study used a mobile device (iPod touch; Blood et al., 2011)—whereas the other video modeling study used a video camera and a TV (Chu & Baker, 2015). Moreover, mobile devices were also used to monitor on-task behavior, and as a self-monitoring tool (Gulchak, 2008; Will & Mason, 2014). Furthermore, Al-

phaSmart Neoboards, which are personal word processing units that have full keyboards were utilized as a writing tool (Ennis et al., 2014).

A variety of computer software was used throughout the studies included in this review. For instance, Inspiration was used to develop cognitive maps (Blankenship et al., 2005). In Evmenova et al. (2016) students used computer-based graphic organizers developed on Microsoft Word to support planning and writing of persuasive essays. Students used Microsoft Excel to enter their CBM data on a spreadsheet and graphed their effort on the embedded graph (Sutherland & Snyder, 2007). Microsoft Power Point was also used to display information to students in a variety of ways (Patterson, 2005). TELLE-Web software was used as a scaffolding tool to enhance writing performance in an online environment (Englert et al., 2007).

Lastly, the student response system was used to increase active responding (SRS; Blood 2010). SRS is a polling system that allow the students to use a small handheld device, commonly referred to as a clicker, to respond to multiple-choice and true-false questions posed by the instructor. To concluded, utilizing the SRS as a tool within the classroom greatly increased the likelihood that students would respond to questions posed by the instructor.

## DISCUSSION

The purpose of this review was to examine academic interventions for students with EBD, with and without the incorporation of technology, for the presence of the UDL framework. Research supports that effective instruction for students with EBD can lead to positive academic and behavioral outcomes (Wehby et al., 2003). Through the use of UDL and technology, schools can provide more accessible, meaningful, and engaging learning environments for all students, especially those with diverse learning needs (Rose & Meyer, 2002). This happens through the teacher systematically planning for the removal of the academic or social barrier that triggers emotional distress.

How do academic intervention research studies that include students with EBD align with the UDL framework? The results of this research indicated that academic interventions for students with EBD align with one of the three parts of the UDL framework, but few studies indicated an alignment with all three parts of the UDL framework. For instance, only two studies showed the presence of multiple means of representation and another two studies showed the presence of multiple means of action and expression. Across all the studies, 86% demonstrated some alignment with the UDL framework. Thus, 9% of the studies aligned with multiple means of representation, and another 9% of the studies aligned with action and expression. Whereas, 59% of the studies aligned with the principle of multiple means of engagement. Of the 22 studies, only 11% (n= 2) aligned with all three principles of the UDL framework.

However, 13% of the studies didn't align with any of the UDL framework principles.

The results indicate that academic interventions for students with EBD aligned to the UDL framework in limited ways. This could be due to the extra planning time needed to prepare interventions using components of the UDL framework. When teachers assess students with the action and expression principle in mind they may be intimidated by having to create multiple option opportunities for students to be assessed. The studies that did provide multiple means of representation maximized the technology available to them in the classroom, using power point, recorders to provide feedback, and the low-tech paper pencil feedback and notes. Furthermore, the two studies that provided multiple means of action and expression utilized high- and low-tech by providing students the opportunity to answer questions through SRS, and by allowing students to pick which way they would like to solve math word problems. These were simple ways to provide options within those two principles, but they all proved to be effective for students with EBD.

Multiple means of engagement was the most prevalent principle in these academic interventions for students with EBD. Out of the 22 studies, 13 aligned to one or more of the UDL guidelines for engagement within the intervention. There are a variety of reasons for this occurrence. First, providing students with choices is a very empowering way to instruct students with EBD (Skarbetz & Kostewicz, 2015). Given the cost/benefit ratio of implementing academic choice, teachers may find incorporating academic choice an effective option to assist students with EBD in inclusive settings (Skarbetz & Kostewicz, 2015). Next, providing opportunities for engagement consist of allowing students to optimize relevance, value, and authenticity which allows for the students to make an actual connection to their work. Another relevant part of increasing engagement is the fostering of collaboration and community, which was conducted in interventions such as NHT+I (citation needed).

Technology was utilized in 64% of the studies. The use of technology and its positive impact on student outcomes shows the need for more innovative intervention practices for students with EBD. These positive outcomes could be due to novelty, or the instantaneous feedback technology provides in areas such as math (Haydon et al., 2012). When using technology as a reading tool, as in making cognitive maps to increase reading comprehension, it allowed for students to see a visual representation of their thinking which is a component of multiple means of representation (Blankenship et al., 2005). Furthermore, game elements featured in iPad games (immediate feedback, correct errors, obtain clues, practice for mastery, and earn within game reinforcement such as points, stickers, awards) may promote on-task behavior, as students do not have to wait for teachers to provide such feedback (Haydon et al., 2012). Additionally, students can practice for mastery pur-

poses; whereas, a worksheet may not provide enough opportunity for mastery. Being able to access feedback without constant teacher presence appears to be a benefit to both teachers and students (Haydon et al., 2012). This is an important implication as students with EBD have academic performance deficits and struggle to remain on task. Finally, students were responsive when the intervention included technology (Blankenship et al., 2005; Flower, 2014; Haydon et al., 2012; Skarbetz & Kostewicz, 2015) and with exception of one intervention, on-task behavior increased dramatically. Thus, the use of technology with students who have EBD is a tool that should be further explored as intervention and instructional tool in efforts to develop more innovative practices for this population of students.

## CONCLUSION

Designing effective, accessible instruction for students with EBD is vital to their success in school and beyond. By identifying and removing barriers from teaching methods and curriculum materials that reliably predict problem behaviors, teachers are proactively designing their instruction to meet the academic needs of students with EBD. The UDL framework may clarify ways to better support the academic and behavioral needs for students with EBD. This study examined current research on academic interventions for students with EBD searching for the presence of the three UDL principles and their guidelines. After looking at the literature I see that certain guidelines are already occurring in classrooms. While these principles are occurring, they are not occurring under the implementation of the UDL framework. Now that these guidelines are prevalent in classrooms, we should ask ourselves if we extended and added other parts of the framework into what teachers are already doing, would that improve academic and behavioral outcomes for students with EBD? For instance, EBD classrooms for many of the studies I found are designed with some level of engagement being addressed, what happens when we layer in designs of the other principles such as representation, action and expression, or both? Questions like these open a window of opportunity in research and practice that could significantly impact the way in which we instruct students with EBD. UDL is the future of instructional design, and the sooner we start embedding it into our practice for students with EBD, the sooner they can reap the benefits of effective, accessible instruction.

## REFERENCES

- Achenbach, T. M. (1991). Integrative guide for the 1991 CBCL/4-18, YRS, & TRF profiles. Burlington: University of Vermont, Department of Psychiatry.
- \*Alter, P., Brown, E. T., & Pyle, J. (2011). A strategy-based intervention to improve math word problem-solving skills of students with emotional and behavioral disorders. *Education & Treatment of Children, 34*(4), 535–550.

- \*Barton-Arwood, S. M., Wehby, J. H., & Falk, K. B. (2005). Reading instruction for elementary-age students with emotional and behavioral disorders: *Academic and behavioral outcomes*. *Exceptional Children*, 72(1), 7.
- \*Bassette, L. A., & Taber-Doughty, T. (2013). The effects of a dog reading visitation program on academic engagement behavior in three elementary students with emotional and behavioral disabilities: A single case design. *Child & Youth Care Forum*, 42(3), 239–256.
- \*Benner, G. J., Ralston, N. C., & Feuerborn, L. (2012). The effect of the language for thinking program on the cognitive processing and social adjustment of students with emotional and behavioral disorders. *Preventing School Failure: Alternative Education for Children and Youth*, 56(1), 47–54. <https://doi.org/10.1080/1045988X.2011.555794>
- \*Blankenship, T. L., Ayres, K. M., & Langone, J. (2005). Effects of computer-based cognitive mapping on reading comprehension for students with emotional behavior disorders. *Journal of Special Education Technology*, 20(2), 15–23. [http://dx.doi.org/10.5353/th\\_b4500781](http://dx.doi.org/10.5353/th_b4500781)
- \* Blood, E. (2010). Effects of student response systems on participation and learning of students with emotional and behavioral disorders. *Behavioral Disorders*, 35(3), 214–228.
- Carr, E. G., Taylor, J. C., & Robinson, S. (1991). The effects of severe behavior problems in children on the teaching behavior of adults. *Journal of Applied Behavior Analysis*, 24, 523–535. <http://dx.doi.org/10.1901/jaba.1991.24-523>
- \*Chu, S.-Y., & Baker, S. (2015). The effects of video self-modeling on high school students with emotional and behavioral disturbances. *Preventing School Failure: Alternative Education for Children and Youth*, 59(4), 207–216. <https://doi.org/10.1080/1045988X.2014.903465>
- Coutinho, M. J. (1986). Reading achievement of students identified as behaviorally disordered at the secondary level. *Behavioral Disorders*, 11, 200–207.
- \*Englert, C. S., Zhao, Y., Dunsmore, K., Collings, N. Y., & Wolbers, K. (2007). Scaffolding the writing of students with disabilities through procedural facilitation: Using an internet-based technology to improve performance. *Learning Disability Quarterly*, 30(1), 9–29. <https://doi.org/10.2307/30035513>
- \* Ennis, R. P., Jolivette, K., Terry, N. P., Fredrick, L. D., & Alberto, P. A. (2014). Classwide teacher implementation of self-regulated strategy development for writing with students with E/BD in a residential facility. *Journal of Behavioral Education*, 24(1), 88–111. <https://doi.org/10.1007/s10864-014-9207-7>
- \* Evmenova, A. S., Regan, K., Boykin, A., Good, K., Hughes, M., MacVittie, N., ... Chirinos, D. (2016). Emphasizing planning for essay writing with a computer-based graphic organizer. *Exceptional Children*, 82(2), 170–191. <https://doi.org/http://dx.doi.org/10.1177/0014402915591697>
- Epstein, M. H., Kinder, D., & Bursuck, B. (1989). The academic status of adolescents with behavioral disorders. *Behavioral Disorders*, 14, 157–165.
- Fitzpatrick, M., & Knowlton, E. (2009). Bringing evidence-based self-directed intervention practices to the trenches for students with emotional and behavioral disorders. *Preventing School Failure*, 53(4), 253–266.
- \* Flower, A. (2014). The effect of iPad use during independent practice for students with challenging behavior. *Journal of Behavioral Education*, 23(4), 435–448. <https://doi.org/10.1007/s10864-014-9206-8>
- \* Gulchak, D. (2008). Using a mobile handheld computer to teach a student with an emotional and behavioral disorder to self-monitor attention. *Severe Behavior Disorders of Children and Youth*, 31(4), 567–581. <https://doi.org/10.1353/etc.0.0028>
- \*Haydon, T., Hawkins, R., Denune, H., Kimener, L., McCoy, D., & Basham, J. (2012). A comparison of iPads and worksheets on math skills of high school students with emotional disturbance. *Behavioral Disorders*, 37(4), 232–243.
- \*Hunter, W., & Haydon, T. (2013). Examining the effectiveness of numbered heads together for students with emotional and behavioral disorders. *Beyond Behavior*, 22(3), 40–45.
- Inspiration [Computer software]. (2000). Portland, OR: Inspiration Software, Inc.
- Lane, K. L., Jolivette, K., Conroy, M., Nelson, C. M., & Benner, G. J. (2011). Future research directions for the field of E/BD: Standing on the shoulders of giants. *Education & Treatment of Children*, 34(4), 423–443. <http://dx.doi.org/10.1353/etc.2011.0029>
- \*McKeown, D., Kimball, K., & Ledford, J. (2015). Effects of asynchronous audio feedback on the story revision practices of students with emotional/behavioral disorders. *Education & Treatment of Children*, 38(4), 541–564.
- Moffitt, T. E. (1993). Adolescence-limited and life-course-persistent antisocial behavior: A developmental taxonomy. *Psychological Review*, 100, 674–701. <http://dx.doi.org/10.1037//0033-295x.100.4.674>
- National Center for Education Statistics. (2016, May). Children and youth with disabilities. Retrieved September 29, 2016, from [http://nces.ed.gov/programs/coe/indicator\\_cgg.asp](http://nces.ed.gov/programs/coe/indicator_cgg.asp)
- Office of Education Technology. (2016). National education technology plan. Retrieved September 29, 2016, from <http://tech.ed.gov/netp/>

- \* Patterson, K. B. (2005). Increasing positive outcomes for african american males in special education with the use of guided notes. *Journal of Negro Education, 74*(4), 311–320.
- Rose, D.H., and Meyer, A. (2002). Teaching every student in the digital age: Universal Design for Learning. Alexandria, VA: Association for Supervision and Curriculum Development.
- Ryan, J. B., Reid, R., & Epstein, M. H. (2004). A review of peer-mediated intervention studies on academic achievement for students with emotional and behavior disorders. *Remedial and Special Education, 25*, 330-341. <http://dx.doi.org/10.1177/07419325040250060101>
- \* Schoenfeld, N. A., & Mathur, S. R. (2009). Effects of cognitive-behavioral intervention on the school performance of students with emotional or behavioral disorders and anxiety. *Behavioral Disorders, 34*(4), 184–195.
- \* Skerbetz, M. D., & Kostewicz, D. E. (2013). Academic choice for included students with emotional and behavioral disorders. *Preventing School Failure: Alternative Education for Children and Youth, 57*(4), 212–222. <https://doi.org/10.1080/1045988X.2012.701252>
- \* Skerbetz, M. D., & Kostewicz, D. E. (2015). Consequence choice and students with emotional and behavioral disabilities: Effects on academic engagement. *Exceptionality, 23*(1), 14–33. <https://doi.org/10.1080/09362835.2014.986603>
- \* Sutherland, K. S., & Snyder, A. (2007). Effects of reciprocal peer tutoring and self-graphing on reading fluency and classroom behavior of middle school students with emotional or behavioral disorders. *Journal of Emotional & Behavioral Disorders, 15*(2), 103–118.
- Swaggart, B. L. (1998). Implementing a cognitive behavior management program. *Intervention in School and Clinic, 33*, 235–238. <http://dx.doi.org/10.1177/105345129803300406>
- Trout, A., Nordness, P. D., Pierce, G. D., & Epstein, M. H. (2003). Research on the academic status of children with emotional and behavioral disorders: A review of the literature from 1961 to 2000. *Journal of Emotional and Behavioral Disorders, 11*, 198-21. <http://dx.doi.org/10.1177/10634266030110040201>
- UDL Guidelines 2.0. (2015, July 15). In National Center on Universal Design for Learning. Retrieved September 26, 2016, from <http://www.udlcenter.org/aboutudl/udlguidelines/aboutrepresentation>
- Wagner, M., Kutash, K., Duchnowski, A. J., Epstein, M. H., & Sumi, W. C. (2005). The children and youth we serve: A national picture of the characteristics of students with emotional disturbance receiving special education services. *Journal of Emotional and Behavioral Disorders, 13*, 79-96. <http://dx.doi.org/10.1177/10634266050130020201>
- Walker, H. M., Ramsey, E., & Gresham, F. M. (2004). Antisocial behavior in school: Evidence-based practices (2nd ed.). Belmont, CA: Wadsworth.
- Wehby, J. H., Lane, K. L., & Falk, K. B. (2003). Academic instruction for students with emotional and behavioral disorders. *Journal of Emotional and Behavioral Disorders, 11*(4), 194–197. <https://doi.org/10.1177/10634266030110040101>
- Wehby, J. H., Symons, F. J., Cana, J.A., & Go, F. J. (1998). Teaching practices in classrooms for students with emotional and behavioral disorders: Discrepancies between recommendations and observations. *Behavioral Disorders, 20*, 87-105.
- \* Wills, H. P., & Mason, B. A. (2014). Implementation of a self-monitoring application to improve on-task behavior: A high-school pilot study. *Journal of Behavioral Education, 23*(4), 421–434. <https://doi.org/10.1007/s10864-014-9204-x>

# Universal Design for Learning

## Overview

Universal Design for Learning, or UDL, is a set of principles for curriculum development that gives all students an equal opportunity to learn. It provides a blueprint for creating flexible instruction that can be customized to meet individual needs.

## Key Issues

Speech-language pathologists (SLPs) are critical members of the school community and provide a variety of services within the school. Knowledge of UDL principals and application should be foundational to how SLPs conduct evaluations and assessments as well as interventions.

The principles of Universal Design propose adapting instruction to individual student needs through multiple means of:

- presentation of information to students (e.g., digital text, audio, video, still photos, images and all in captions as appropriate);
- expression by students (e.g., writing, speaking, drawing, video-recording, assistive technology);
- engagement for students (e.g., choice of tools, adjustable levels of challenge, cognitive supports, novelty or varied grouping).

*Curriculum*, as defined in the UDL literature, has four parts:

1. instructional goals
2. methods
3. materials
4. assessments

UDL is intended to enhance access to learning by reducing physical, cognitive, intellectual, and organizational barriers and other obstacles to learning. UDL principles also lend themselves to the implementation of inclusionary practices in the classroom.

Universal Design for Learning is referred to by name in the Higher Education Opportunity Act (HEOA) of 2008 (Public Law 110-315). UDL is also mentioned in the 2004 reauthorization of the Individuals with Disabilities Education Act (IDEA).

## Questions About Universal Design for Learning

### **Is UDL just for students with disabilities?**

UDL benefits are specifically geared to students with disabilities; however, **all** students may benefit from the types of supports UDL provides. For example, video captioning is of great help to students with hearing impairments because captioning gives them a visual representation of speech. However, this support may also be beneficial to English language learners, struggling readers, and even students working in a noisy classroom. See National Center on Universal Design for Learning's website for more information.

### **Is UDL included in the Common Core State Standards?**

UDL is included in the section of the Common Core State Standards called "application to students with disabilities" [PDF]. In this section, the authors referred to the definition laid out in the Higher Education Opportunity Act of 2008 (PL 110-135). The reference to UDL in this section may give the impression that UDL is just for students with disabilities. However, UDL applies to not only students with disabilities, but also to those with no impairment. Hence, UDL should be used within general education environments. Although this is the only specific mention of UDL in the Common Core State Standards, there are many concepts embedded throughout the standards that are aligned with the UDL framework. See National Center on Universal Design for Learning's website for more information.

## Resources

- Universal Design for Learning: Meeting the Needs of All Students (*ASHA Leader* article)
- Collaborative Planning Using Universal Design for Learning (SIG 16, School-Based Issues *Perspectives* article)
- State and District-Wide Assessments and Students With Learning Disabilities: A Guide for States and School Districts, National Joint Committee on Learning Disabilities
- National Center on Universal Design for Learning  
Center for Applied Special Technology (CAST)
- Dialogue Guides on Universal Design for Learning





April 10, 2018

Santa Clara County Office of Education

Ms. Rosemary Kamei, President

Dr. MaryAnn Dewan, Superintendent

Board Members:

Joseph Di Salvo, Darcie Green, Kathleen King, Grace Mah, Claudia Rossi, Anna Song

Dear Santa Clara County Office of Education Representatives,

I am pleased to confirm that SWIFT Education Center at the University of Kansas is poised to partner with the Eureka! Inclusive Charter School in San Jose, if you approve their charter application. We were very impressed with Ms. Tiffany Maciel, founder of Eureka! Inclusive Charter School, and some of her Board associates when our team conducted observational site visits in the highly successful and inclusive Chime and Wish Charter schools in Los Angeles. The Eureka! Inclusive Charter School group is experienced and knowledgeable about what it takes to successfully include a wide and diverse population of students with IEPs in an 80/20 ratio configuration serving a PK - 8 school.

Our expertise in and commitment to inclusion is evidenced by our leadership of the U.S. Office of Special Education Programs' National Technical Assistance Center for Inclusive School Reform from 2012 until present, and by the inclusive education services that we provide to states and districts across the nation. We are prepared to contract with Eureka! Inclusive Charter School to support their inclusive education program through professional learning and technical assistance services. We look forward to working with this progressive and energetic team on this worthy venture and hope that you support their application.

Sincerely,

Two handwritten signatures in black ink. The first signature is "Wayne Sailor" and the second is "Amy McCart".

Wayne Sailor, PhD and Amy McCart, PhD  
Co-Directors, SWIFT Education Center

cc: Tiffany Maciel



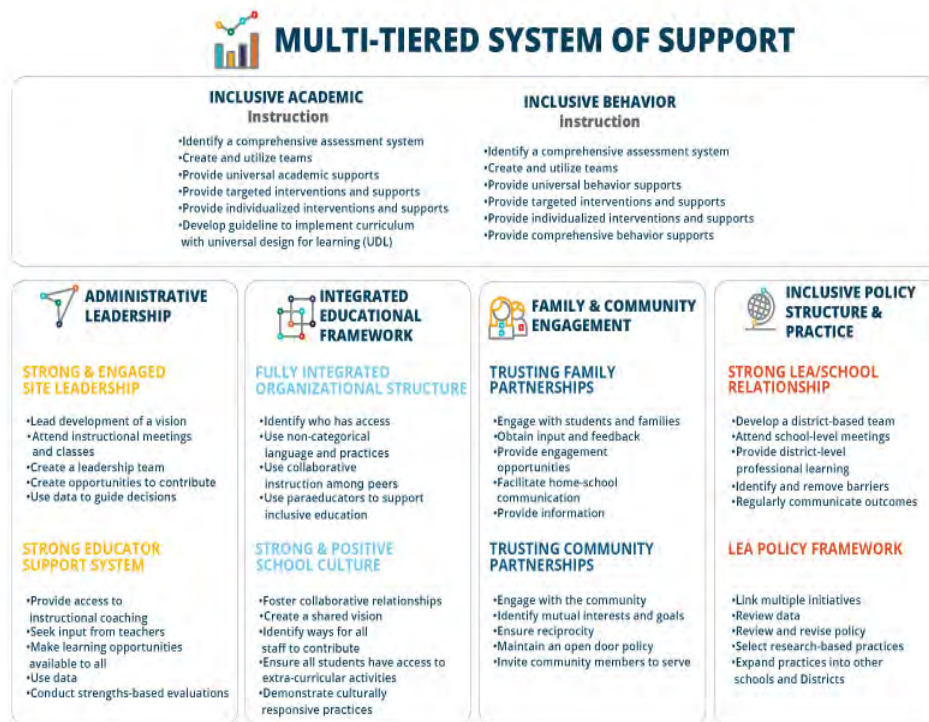
Date: January 8, 2019

To: Tiffany Maciel

From: Amy B. McCart and Wayne Sailor, Co-Directors, SWIFT Education Center & Melinda Mitchiner and Dawn Miller, Associate Directors, SWIFT Education Center

Re: Scope of Work, Timeline and Cost Proposal

SWIFT Education Center (SWIFT) provides professional learning and differentiated technical assistance (TA) to education entities through contractual agreements. These services are based on a framework for inclusive schoolwide transformation in which Multi-Tiered System of Support (MTSS) is the mechanism that drives improved student outcomes and is scaffolded by four domains of evidence-based practices (see below). Research supports the use of these four additional domains as essential components for successfully installing and sustaining MTSS. They are Administrative Leadership, Integrated Educational Framework, Family and Community Engagement, and Inclusive Policy Structure and Practice.



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SWIFT will provide differentiated technical assistance and professional development services for Eureka! School as described in the following Scope of Work.



## **Scope of Work**

SWIFT will:

- (a) jointly plan with leadership and school staff for differentiated technical assistance and professional learning, including a holistic diagnostic review each of school describing the current strengths and opportunities related to the above framework.
- (b) facilitate stakeholder engagement in aligning school vision with the transformation framework. Stakeholders include school administrators, diverse educator and service provider, families and community members.
- (c) facilitate leadership team in improvement planning by setting priorities and identifying available resources for initial implementation.
- (d) support leadership team in initial implementation activities to install new systems and practices, re-align resources, and other organizational/process improvements for improving student academic and behavior outcomes.

Key activities, timelines and durations follow on the next page. This draft proposal is for activities with Eureka! school.



Eureka! Proposal  
Prepared January 8, 2019

Key Activities	Deliverables	Time period	SWIFT Duration	Cost
<b>Expectation 1: Holistic diagnostic review</b> of school to identify strengths and opportunities for implementing transformative systems and practices				
Initial planning and development of Infrastructure for review and Implementation (for who will be involved and how to conduct the process)	<ul style="list-style-type: none"> <li>• Team membership and communication protocols</li> <li>• Tentative activity schedule</li> <li>• Data use agreement</li> </ul>	Q1-Q2	<b>2 days onsite</b>	
Team self-assessment using SWIFT Fidelity Integrity Assessment to assess current levels of implementation of schoolwide inclusive practices	<ul style="list-style-type: none"> <li>• SWIFT Fidelity Integrity Assessment (FIA) scores by school</li> </ul>	Q1	<b>1 day onsite</b> (0.5 days per site, includes prep, assessment, & debrief)	
Establish a baseline assessment of school's current strengths and opportunities related to schoolwide inclusive practices (SWIFT-FIT); data snapshot planning	<ul style="list-style-type: none"> <li>• SWIFT Fidelity of Implementation Tool (FIT) scores by school</li> </ul>	Q1-Q2	<b>2 days</b> <b>*1 day onsite; **1 day virtual</b> (1 day assessment, plus prep, assessment, report, review, & debrief; data snapshot planning)	
<b>SubTotal 1 Time</b>			<b>Onsite 4 days</b> <b>Virtual 1 day</b>	<b>\$16,000</b> <b>\$3,000</b>
Expectation 1 SWIFT price				<b>\$19,000</b>
<b>Expectation 2: Stakeholder engagement</b> to align school vision with the transformation framework. Stakeholders include school administrators, diverse educator and service provider, families and community members.				
Design: Generate statements describing an ideal school; dialogue to make sense of descriptive statements; and build consensus/ agreement	<ul style="list-style-type: none"> <li>• Collective agreement of ideal school to focus future actions</li> </ul>	Q1-Q2	<b>1 day onsite</b> (1 day onsite)	
<b>Subtotal 2 Time</b>			<b>Onsite 1 days</b>	
Expectation 2 SWIFT price				<b>\$4,000</b>
<b>Expectation 3: Improvement planning</b> by setting school's priorities and identifying available resources for initial implementation through a team-based process.				



Data Snapshot: A body of evidence review of multiple data sources with meaningful conversations about the current state of the system	<ul style="list-style-type: none"> <li>• Shared understanding of strengths and opportunities</li> <li>• Student outcome goals by school</li> <li>• Priorities for change to achieve student outcome goals by school</li> </ul>	Q2	<b>1.5 days onsite</b> (1 day plus 1/2 day team planning)	
Resource Mapping & Matching: identify the breadth of possible resources across local, state, regional, and national arenas for each priority	<ul style="list-style-type: none"> <li>• Resource Map by school</li> </ul>	Q3	<b>1.5 days onsite</b> (1 day for school plus 1/2 day for team planning)	
Priority Practice Planning: Identifying and selecting 1-3 practices to implement, systems to prepare, people to prepare, etc. for initial implementation.	<ul style="list-style-type: none"> <li>• Self assessment of stage of implementation for priority areas</li> <li>• Identification of practice/system changes to implement</li> <li>• Action plan for preparing systems and people to implement selected practices</li> </ul>	Q3-4	<b>1.5 days onsite</b> (1 day for school plus 1/2 day for team planning)	
Post SWIFT FIT assessment of school's progress related to schoolwide inclusive practices (SWIFT-FIT)	<ul style="list-style-type: none"> <li>• SWIFT Fidelity of Implementation Tool (FIT) scores by school</li> </ul>	Q4	<b>1.5 days</b> (1 day for SWIFT-FIT; 1/2 day for reports, review, & debrief)	
<b>Subtotal 3 Time</b>			<b>Onsite 6 days</b>	
SWIFT price				<b>\$24,000</b>
<b>Expectation 4:</b> Support for initial implementation activities to install new systems and practices, re-align resources, and other organizational/process improvements for improving student academic and behavior outcomes.				
			<b>1 day - virtual support</b>	
<b>Subtotal 4 Time</b>			<b>1 day virtual</b>	
SWIFT price				<b>\$3,000</b>
<b>Grand Total Time</b>				
<b>Grand Total SWIFT</b>				<b>\$50,000</b>

\* SWIFT's \$4,000 daily rate includes travel and all related expenses.  
 \*\* SWIFT's \$3,000 daily rate is for off-site support without travel costs.

Please contact Melinda Mitchiner a [mmitchiner@ku.edu](mailto:mmitchiner@ku.edu) for more information or to accept the terms of this proposal.  
 Thank you for your Interest!

# Guide to Understanding California MTSS



## Multi-Tiered System of Support

An integrated, comprehensive framework that focuses on instruction, differentiated learning, student-centered learning, individualized student needs, and the alignment of systems necessary for all students' academic, behavioral, and social success. -CDE, 2017

## Implementation Science

The study of factors that influence the full and effective use of innovations in practice. The factors are identified or developed and demonstrated in practice, to "influence the full and effective use of innovations." Each factor and the factors in combination are subject to continued study along a continuum of improvement. -NIRN, 2015

## Improvement Science

Explicitly designed to accelerate learning-by-doing. As the improvement process advances, previously invisible problems often emerge and improvement activities may need to tack in new directions. The overall goal is to develop the necessary know-how for a reform idea ultimately to spread faster and more effectively. It is an iterative process often extending over considerable periods of time. -Carnegie Foundation, 2017



## Continuous Improvement



CCSESA  
California County Superintendents  
Educational Services Association



# LCAP and MTSS Alignment



## Conditions of Learning

### Local Control Accountability Plan

The LCAP is a critical part of the new Local Control Funding Formula (LCFF). Each school district must engage parents, educators, employees and the community to establish these plans.

Students are provided with safe and properly maintained schools. Teachers are fully credentialed to teach their subject area and students are provided with a broad course of study that help them develop critical thinking skills and prepare them to be civically engaged and college and career ready.

## Engagement

Students are provided with motivating programs, coursework and opportunities where they feel respected, included socially and emotionally and cared for both in and out of the classroom. Families, schools and communities work closely together to build a strong framework for student achievement.

## Pupil Outcomes

Student achievement means improving outcomes for all students to ensure student success.

# LCAP

### Multi-Tiered System of Support

An integrated, comprehensive framework that focuses on instruction, differentiated learning, student-centered learning, individualized student needs, and the alignment of systems necessary for all students' academic, behavioral, and social success.

All students regardless of age, race, zip code, language, physical challenge, intellectual ability, capacity, or competency are provided with the most inclusive learning environment.

Families and community members are partners where they have options for meaningful involvement in students' education and in the life of the school and the school responds to family interests and involvement in a culturally responsive manner.

All students are provided with a continuum of services that address their academic, behavioral, social-emotional, health and well-being needs.

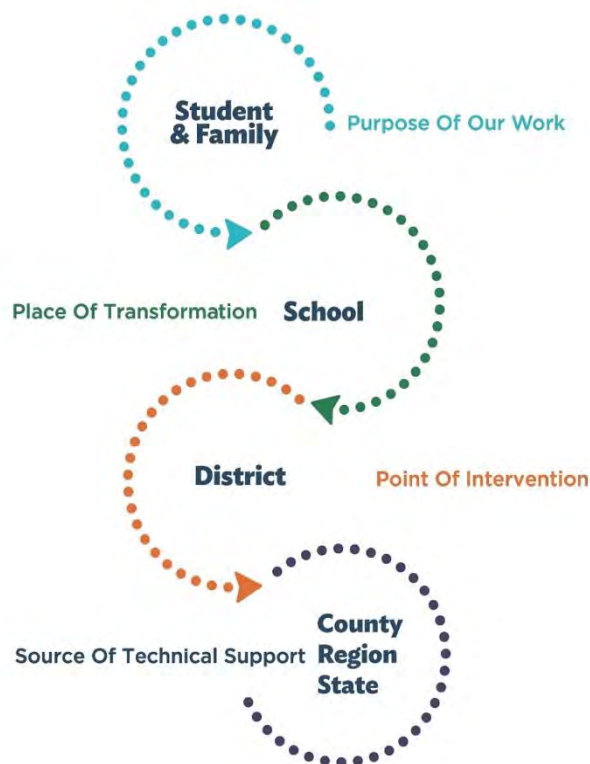
# MTSS



## Whole System Engagement

The CA MTSS Framework supports whole system engagement, involving multiple levels of involvement, in order to implement the changes required to support students in the most inclusive environment over a sustained period through the following structure:

- **Students and Family:** One coherent system of support begins with students and families. They are the **purpose of our work**.
- **School Site:** Schools have the most direct influence on students and they are the place where **transformation** occurs.
- **LEA/District:** The LEA/District is the **point of intervention** that enables sustainable school-wide transformation for improved student outcomes.
- **County, Region and State:** Sustaining the CA MTSS Framework requires technical support and professional growth which can be provided by county, regional, state agencies of education and other partners.



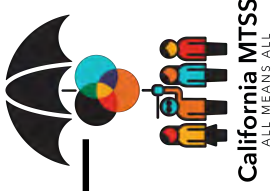
## California's Multi-Tiered System of Support (CA MTSS) Framework

The CA MTSS Framework provides the structure needed to achieve an inclusive, equitable, and positive learning environment for each and every child. The CA MTSS Framework braids numerous state, regional, county, district, school, family and community resources to provide districts and schools the supports they need to address each and every student's academic, behavioral and social-emotional learning through a continuum of support that is universally designed and differentiated to meet the needs of the whole child. Inclusive Academic Instruction supported by California's State Standards and Frameworks and Response to Instruction and Intervention (... ), Inclusive Behavior Instruction such as Positive Behavioral Intervention and Supports (PBIS) and Restorative Practices, and Inclusive Social Emotional Learning (SEL) guided by our CA SEL principles, are integrated together to create the core pillars of the CA MTSS Framework. LEAs who implement the framework will ensure culturally responsive schools that increase attendance, prevent dropouts, lower disciplinary rates, improve school climates and boost academic performance for all students.

Built into the CA MTSS Framework is a continuum of support that emphasizes universal support must be provided for all students, recognizing that some students may need supplemental support at times, and a few students may require more intensified support sometimes to be successful. Recognizing that the CA MTSS is a complex, multi-component systems-change agenda, it is necessary to introduce a set of evidence-based supports to enhance the required cultural transformation within LEAs/Districts and schools. Collectively these domains of support constitute a "scaffold" within which progress can be observed on the installation and implementation of CA MTSS. These domains of evidence-based practices include: integrated educational support, family and community engagement, strong leadership, and inclusive policies and practices.



# CA MTSS Continuum of Support



Universal Support ALL Students	Supplemental Support Some Students	Intensified Support Few Students
<p><b>Teams</b></p> <ul style="list-style-type: none"> <li>School Level</li> <li>Grade/Department Levels</li> <li>Teaching Teams</li> </ul> <p><b>Data</b></p> <ul style="list-style-type: none"> <li>Universal Screeners</li> <li>Outcome Measures</li> <li>Fidelity Data</li> </ul> <p><b>Evidence-based Practice</b></p> <ul style="list-style-type: none"> <li>Curriculum</li> <li>Instruction</li> </ul> <p><b>Continuous Improvement Process</b></p> <ul style="list-style-type: none"> <li>School and Grade Levels</li> <li>Strengths-based</li> </ul>	<p><b>Expanded Grade &amp; Teaching Teams</b></p> <ul style="list-style-type: none"> <li>Specialists</li> <li>Parents &amp; Students</li> </ul> <p><b>Data</b></p> <ul style="list-style-type: none"> <li>Decision Rules</li> <li>Daily Monitoring</li> <li>Frequent Progress Monitoring</li> <li>Intervention Fidelity Data</li> </ul> <p><b>Interventions</b></p> <ul style="list-style-type: none"> <li>Based on Identified Needs</li> <li>Frequency, Duration, &amp; Timeline Matched to Need</li> <li>Intended to be Flexible</li> </ul> <p><b>Continuous Improvement Process</b></p> <ul style="list-style-type: none"> <li>Group</li> <li>Individual Levels</li> <li>Strengths-based</li> </ul>	<p><b>Expanded Grade &amp; Teaching Teams</b></p> <ul style="list-style-type: none"> <li>Specialists</li> <li>Parents &amp; Students</li> </ul> <p><b>Data</b></p> <ul style="list-style-type: none"> <li>Decision Rules</li> <li>Daily Monitoring</li> <li>Frequent Progress Monitoring</li> <li>Intervention Fidelity Data</li> </ul> <p><b>Interventions</b></p> <ul style="list-style-type: none"> <li>Based on Identified Need</li> <li>Frequency, Duration, &amp; Timeline Matched to Need</li> <li>Intended to be Flexible</li> </ul> <p><b>Continuous Improvement Process</b></p> <ul style="list-style-type: none"> <li>Individual Level</li> <li>Strengths-based</li> </ul>

Adapted from SWIFT Education Center



## Multi-Tiered System of Support

### Inclusive Academic Instruction

- Identify a comprehensive assessment system
- Create and utilize teams
- Provide universal academic supports
- Provide supplemental interventions and supports
- Provide intensified interventions and supports
- Develop guideline to implement curriculum with universal design for learning (UDL)

### Inclusive Behavior Instruction

- Identify a comprehensive assessment system
- Create and utilize teams
- Provide universal behavior supports
- Provide supplemental interventions and supports
- Provide intensified interventions and supports
- Provide comprehensive behavior supports

### Inclusive Social-Emotional Instruction

- Identify a comprehensive assessment system
- Create and utilize teams
- Provide universal social-emotional supports
- Provide supplemental interventions and supports
- Provide comprehensive social-emotional development supports

# All Means All



## Administrative Leadership

### Strong & Engaged Site Leadership

- Lead development of a vision
- Attend instructional meetings and classes
- Create a leadership team
- Create opportunities to contribute
- Use data to guide decisions

### Strong Educator Support System

- Provide access to instructional coaching
- Seek input from teachers
- Make learning opportunities available to all
- Use data
- Conduct strengths-based evaluations



## Integrated Educational Framework

### Fully Integrated Organizational Structure

- Identify who has access
- Use non-categorical language and practices
- Use collaborative instruction among peers
- Use paraeducators to support inclusive education

### Strong & Positive School Culture

- Foster collaborative relationships
- Create a shared vision
- Identify ways for all staff to contribute
- Ensure all students have access to extra-curricular activities
- Demonstrate culturally responsive practices



## Family & Community Engagement

### Trusting Family Partnerships

- Engage with students and families
- Obtain input and feedback
- Provide engagement opportunities
- Facilitate home-school communication
- Provide information

### Trusting Community Partnerships

- Engage with the community
- Identify mutual interests and goals
- Ensure reciprocity
- Maintain an open door policy
- Invite community members to serve



## Inclusive Policy Structure & Practice

### Strong LEA / School Relationship

- Develop a district-based team
- Attend school-level meetings
- Provide district-level professional learning
- Identify and remove barriers
- Regularly communicate outcomes

### LEA Policy Framework

- Link multiple initiatives
- Review data
- Review and revise policy
- Select research-based practices
- Expand practices into other schools and Districts

## Structural Components of MTSS

<b>Multi-Tiered System of Support</b>		
<i>A continuum of research-based, system-wide practices of data-based decision making used to meet the academic, behavior, and social-emotional needs of all students.</i>		
<b>Dispositions (Beliefs)</b>	<b>Knowledge</b>	<b>Skills</b>
<p>The school community is committed to the belief that all students should be educated in the most inclusive learning environment regardless of eligibility of special education or other student support services.</p> <p>The school community is committed to collaboration opportunities between stakeholders to monitor the needs of the whole child.</p> <p>School staff are committed to continuous improvement by utilizing a School Leadership Team that includes:</p> <ul style="list-style-type: none"> <li>•administrators</li> <li>•teachers</li> <li>•para-professionals</li> <li>•specialized personnel</li> <li>•parents.</li> </ul>	<p>The school community understands that all students need a continuum of supports (universal, supplemental, intensified) to meet the needs of the whole child (academic, behavior, and social-emotional). These supports:</p> <ul style="list-style-type: none"> <li>•utilize data to inform decisions</li> <li>•have clearly defined decision rules for access and exit</li> <li>•are delivered by skilled and trained personnel.</li> </ul> <p>The school community understands in order for all students to succeed in the most inclusive learning environment, it is necessary to provide temporary supplemental and/or intensified supports, when needed, in order to access universal instruction.</p> <p>School staff understand that inclusive academic, behavior, and social-emotional instruction must be universally designed and function together to meet the needs of the whole child.</p> <p>The school community understands that in order for a Multi-Tiered System of Support to thrive, the system must be supported by:</p> <ul style="list-style-type: none"> <li>•integrated educational support</li> <li>•family and community engagement</li> <li>•administrative leadership</li> <li>•inclusive policies and practices.</li> </ul>	<p>School staff utilize teams and designated planning opportunities that support and monitor Universal Design for Learning (UDL), differentiated instruction, Culturally Responsive Teaching (CRT), and flexible grouping.</p> <p>School staff utilize comprehensive and well-functioning data systems to inform decisions regarding student needs and ensures implementation effectiveness that includes:</p> <ul style="list-style-type: none"> <li>• a valid and reliable evidence base</li> <li>•universal screeners</li> <li>•diagnostic assessments/tools</li> <li>•progress monitoring data to check student improvement</li> <li>• student outcome data (e.g. office discipline referrals, academic assessments, attendance, school climate surveys)</li> <li>• implementation data (e.g. classroom walk-throughs, instructional rounds, FIA)</li> <li>• capacity data (e.g. classroom walk-throughs, instructional rounds, FIA)</li> <li>• aggregate data analysis (e.g. classroom, grade level, student groups).</li> </ul> <p>School staff utilize effective collaboration practices include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• co-teaching</li> <li>• co-planning</li> <li>• analyzing data (e.g. screeners, diagnostic, progress monitoring).</li> </ul>

## Essential Components for a Multi-Tiered System of Support to Thrive

### Integrated Educational Supports

*Equity emerges when an educational system includes all students, personnel, and stakeholders within a positive culture and ensures full access for all students to participate in all school-related activities.*

Dispositions (Beliefs)	Knowledge	Skills
<p>The school community serves all students in the neighborhood, so that no student is intentionally placed/sent to another school/setting due to the school's lack of capacity to serve them (except extreme cases such as physical safety/psychiatric concerns or due to family preference).</p> <p>The school community is committed to a fully integrated organizational structure that utilizes state guidelines, principles, and recommendations, including but not limited to:</p> <ul style="list-style-type: none"> <li>• State Standards</li> <li>• Curriculum Frameworks</li> <li>• Dyslexia Guidelines</li> <li>• Social-Emotional Guiding Principles</li> <li>• English Learner Roadmap</li> <li>• Improving Performance of Students with Disabilities Handbook</li> <li>• Inclusive Behavior Instruction.</li> </ul> <p>The school community is committed to not categorizing students and ensuring that culturally responsive practices are utilized to educate all students.</p>	<p>The school community understands the benefits of having all students' primary placement be in the grade level of their peers.</p> <p>School staff understand how extracurricular activities, both inside and outside the school day, maximize academic, behavior, and social-emotional success for all students.</p>	<p>School staff utilize Culturally Responsive Teaching (e.g., instructional strategies, assessment, etc.) to meet student needs associated with various cultural backgrounds.</p> <p>School staff, regardless of their title, support all students.</p> <p>School staff utilize non-categorical language (e.g., building signage, personnel titles, etc.) to promote inclusivity.</p> <p>School staff monitors and reviews non-categorical service delivery practices.</p> <p>The School Leadership Team evaluates and monitors that all students have access to a fully integrated educational framework.</p>

## Essential Components for a Multi-Tiered System of Support to Thrive

### Family and Community Engagement/Partnerships

*When families, community members, and schools form partnerships in which each benefits from and supports the others, the local culture supports and sustains equity within the school's MTSS.*

Dispositions (Beliefs)	Knowledge	Skills
<p>The school community is committed to providing families with opportunities/resources to participate in the decision-making of their child's education by building positive partnerships with their students' families.</p> <p>The school community is committed to collaborating with a variety of community partners to match resources and services in the community with identified school needs.</p> <p>The school community is committed to providing equitable access to various resources that benefit the surrounding community.</p>	<p>The school community understands the key components of effective two-way communication and collaboration protocols that are inclusive of family perception, input and participation resulting in continuous improvement.</p> <p>The school community understands that family leaders play a pivotal role in school-based decision making by serving on committees.</p> <p>The school community understands the importance of evaluating the quality of community partnerships in order to ensure that school needs are being met.</p> <p>The school community understands the importance of training volunteers, providing a volunteer handbook and having a clear procedure available for community members to serve as volunteers.</p> <p>The school community understands the importance of offering school resources (e.g., space, technology) for community use and having a clear procedure available for community members to request the use of school resources.</p>	<p>School staff gather input from the community and incorporate feedback for school-based decision-making.</p> <p>School staff recruit families for various committees in order to create equitable opportunities for school-based decision-making.</p> <p>School staff provide information to families about:</p> <ul style="list-style-type: none"> <li>• School-level systems and practices regarding academic and behavioral instruction and supports</li> <li>• Student progress data</li> <li>• Results of surveys</li> <li>• Committee or team meeting decisions on which families participate as members.</li> </ul> <p>School staff identify and build relationships with community partners in order to help address identified needs through the provision of necessary resources to school staff, students, and families.</p> <p>School staff evaluate community partnerships regularly.</p>

## Essential Components for a Multi-Tiered System of Support to Thrive

### Administrative Leadership

*Equity-based MTSS thrives with strong and actively engaged administrative leaders who are committed to improving teaching and learning within a system that empowers educators and school personnel.*

Dispositions (Beliefs)	Knowledge	Skills
<p>The school community values School Leadership Teams in order to implement and sustain system transformation that continuously improves teaching and learning, including, but not limited to:</p> <ul style="list-style-type: none"> <li>• professional learning</li> <li>• instructional coaching</li> <li>• supportive/constructive personnel evaluations.</li> </ul> <p>The School Leadership Team encourages open communication with the entire school community and values their contributions in making core school decisions.</p>	<p>The school community understands the variety of methods available to them in order to provide input to the School Leadership Team that ensures success for all students.</p> <p>School staff understand that personnel evaluations are consistently used by School Leadership Teams to provide supportive feedback that identify strengths and specific opportunities for growth for continuous improvement.</p> <p>The school community understands the importance of school staff receiving ongoing professional growth opportunities, based on data and community input, that is grounded in valid and effective research, including but not limited to:</p> <ul style="list-style-type: none"> <li>• teaching demonstration</li> <li>• timely support and feedback</li> <li>• professional learning.</li> </ul>	<p>The school leadership team evaluates and monitors school governance decisions and personnel evaluations to inform professional growth opportunities to ensure student success.</p> <p>The school community utilizes regular opportunities to exchange ideas to address school issues through team meetings and/or other reciprocal communications.</p> <p>The School Leadership Team delegates authority to others to make decisions related to their primary functions.</p>



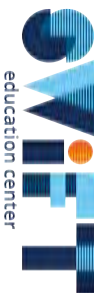
## Essential Components for a Multi-Tiered System of Support to Thrive

### Inclusive Policy Structure & Practice

*A supportive, reciprocal partnership between the school and its district or local educational agency is a vital lifeline for long-lasting equity and MTSS.*

Dispositions (Beliefs)	Knowledge	Skills
<p>The school community values the LEA/District Leadership Team's vision and mission statement that supports inclusive academic, behavior, and social-emotional learning.</p> <p>The school community values the LEA/District Leadership Team's clear and documented processes and support to remove barriers that impede inclusive policy, structure, and practice.</p>	<p>The school community understands the district's role in linking multiple initiatives and revisions of policies to support the CA MTSS Framework.</p> <p>School staff understand that LEA/District Leadership personnel are supportive partners who contribute to School Leadership Teams by attending meetings on a regular basis.</p> <p>School staff understand that the LEA/District Leadership Team utilizes LEA and site level needs assessment, data, and stakeholder input to provide support for professional growth opportunities for all staff across the LEA/district.</p> <p>School staff understand LEA/District Leadership Teams monitor the implementation of CA MTSS and regularly report outcome and fidelity data to the school board.</p>	<p>School staff utilize two-way communication opportunities to assist the LEA/District Leadership Team in improving supports for CA MTSS.</p>

Adapted with permission from Pollitt, D., McCart, A., Satter, A., Meisenheimer, J., Morsbach Sweeney, H., Horner, R., Algozzine, B., Lane, K., Roger, B., Choi, J. H., & Sailor, W. (2018). Schoolwide Integrated Framework for Transformation Fidelity of Implementation Tool, Version 2.0. Lawrence, KS: SWIFT Education Center.



# SWIFT MTSS Starter Kit

## How to Use SWIFT MTSS Starter Kit

SWIFT MTSS Starter Kit is a set of tools that can be used by schools to implement a multi-tiered system of support, or MTSS. Within an MTSS framework, schools provide all students access to the general education curriculum, and some students additional and intensified support based on their data-based needs. Screening and progress monitoring data guide decisions so that students get early access to the academic, behavioral, and social interventions and supports they need. Effective implementation of MTSS requires schools and districts to identify available resources, set clear decisions rules for when to provide additional support, and to schedule and equitably deliver resources and support when needed. The following tools can be used to guide this process.

### Resource Inventory

SWIFT MTSS begins with schools thinking creatively about how to use their existing resources for the benefit of all students. The first step in this process is to develop an inventory of all currently available resources in their school and district. The Resource Inventory tool prompts a school team to identify of a wide variety of resources used to support students, such as personnel, facilities, and curriculum. Also list are broad categories and magnitudes of student needs the school is likely to encounter. This inventory can help schools consider possible reallocation of resources to best support all students within an MTSS framework.

### Master Schedule

Once a school maps out currently available resources, they may develop a draft Master Schedule that considers how to allocate time as well as the personnel and facilities listed in the Resource Inventory. When developing the schedule, schools consider such questions as how to ensure all student have access to universal curriculum, when to deliver additional and intensified support, and how to collaboratively utilize all personnel in support of all students. In an MTSS, the schedule includes time for providing additional and intensified support and indicates who will be available to deliver it. The school is prepared to adjust its Master Schedule as student needs change.

### Tiered Intervention Matrix

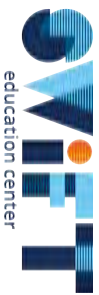
A school prepares a Tiered Intervention Matrix for each grade level and applicable subject area for teams to reference when making initial support decisions for students. The tool provides a way for schools to plan their universally available curriculum for all students; the screening criteria to identify which students may need additional and/or intensified support; the interventions and supports to consider as best matching student needs; and progress monitoring tools and criteria for changing these supports. Their completed matrices lay out the available curriculum or interventions from the Resource Inventory to consider for students who are not meeting the benchmark in the criterion as well as for students who are exceeding the benchmark. This plan may prompt revisions in the Master Schedule.

### Intervention Planning

Schools next use the Intervention Planning tool to develop intervention groups based on the data from their particular students. These plans are continuously reviewed and adjusted in light of screening and progress monitoring data, and may lead to adjustments in the Master Schedule resource allocations as student needs change.

# MTSS Resource Inventory

Resource	Intention	Task	Assignment	Questions
<b>Personnel</b>	Increase thinking about all human resources that may be accessed, regardless of current role and responsibilities	List, by position, all personnel working in the building (e.g., Teacher Algebra 1: Ms. Hardey)		
<b>Facilities</b>	List all rooms and spaces available in the building	Consider all of the space available to the school (e.g., Rm 351–small room next to cafeteria in basement)		
<b>Curriculum &amp; Interventions</b>	Identify all available instructional resources and materials used for academic, behavior, and social emotional learning instruction	List the curricular material available for core curriculum interventions and supports for academics and behavior (e.g., core reading curriculum: Wonder series)		
<b>Time Allocations &amp; Requirements</b>	Identify specified time requirements for core instruction and time currently allocated for providing additional interventions and supports.	List the current schedule for delivery of content (e.g., 120 minute daily intervention block)		
<b>Additional Resources</b>	Identify any supplementary resources available to support MTSS implementation.	List the additional resources available to meet student need across tiers (e.g., Boys & Girls Club's Homework Club)		
<b>Schoolwide Data</b>	Provide a general overview of the percentage of students who need additional support	Indicate schoolwide need as determined by data (e.g., 38% of students who may need additional reading instruction)		

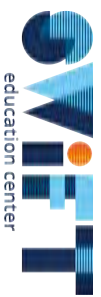


# MTSS Master Schedule

Elementary Example

## Master Schedule 2016-17

	8:50	9:00	9:30	10:00	10:30	11:00	11:30	12:00	12:30	1:00	1:30	2:00	2:30	3:10
PreK														
Williams		Breakfast					Dismissal		Arrival	Lunch				
Kindergarten														
Tang														
Green														
Brown														
Grade 1														
Demoss														
Wyer														
Duguid														
Grade 2														
Michael														
Bowser														
Grade 3														
Kalbaugh														
Bearringer														
Moore														
Grade 4														
Green														
Michael														
Grade 5														



# MTSS Master Schedule

## Elementary Example

### Master Schedule 2016-17

		8:50	9:00	9:30	10:00	10:30	11:00	11:30	12:00	12:30	1:00	1:30	2:00	2:30	3:10	
Hensel	Unified Arts 9:05-9:55 / 5th grade planning	Reading 9:55-11:55 / SE 2 co-teaches						Math 11:55-1:00		Lunch/Recess 1:00-2:00		Science/SS 2:00-2:40		LA/Writing		Dismissal
	Eberly															
Specialized Educators, Related Service Providers, Support Staff																
Sp. Educator 1	3rd Grade Reading + Intervention	IEP Paperwork		Lunch		Planning 3rd		Kindergarten Reading + Intervention								Dismissal
		IEP Paperwork		Lunch		IEP Paperwork		Lunch		2nd Grade Reading + Intervention						
Sp. Educator 2	Planning 5th	5th Grade Reading														Dismissal
Interventionist	4th Grade Reading + Intervention	4th Grade Math		Lunch		1st Grade Math/ Science/SS/ Writing		Planning 4th		Planning 1st		Dismissal				
Paraprofessional		1st Grade Reading		3rd Grade Math		5th Grade Math		Lunch		1st Grade Science/SS/ Writing		IA Training		Dismissal		
Teacher of English Learners	Grade 1	Grade 3		Grade 4		Grade 5		Lunch		Grade 2		Kindergarten		Dismissal		
		Grade 1		Grade 5		Grade 4		Lunch		Planning		Grade 1		IEP Paperwork		
Speech/ Language Pathologist	Grade 3	Grade 1														Dismissal



# Master Schedule (School Year)

## Day of the Week

### 6th Grade

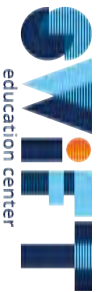
Room #	Teacher	8:13	8:55	9:33	10:15	10:53	11:31	12:09	12:47	1:29	2:09		
	Teacher 1												
	Teacher 2												
	Teacher 3												
	Teacher 4												
	Teacher 5												
	Teacher 6												
	Teacher 7												
	Teacher 8												
	Teacher 9												
	Teacher 10												
	Teacher 11												
	Teacher 12												
	Specialized Educator 1												
	Specialized Educator 2												
	Specialized Educator 3												

Key

Assigned to Other Grade

Planning

Staff Lunch



# MTSS Tiered Intervention Matrix

School/District: \_\_\_\_\_ Grade(s): \_\_\_\_\_ Date: \_\_\_\_\_  
 Curricular Area:  Literacy  Mathematics  Behavior / Social Emotional Learning

## Universal Support

What	
When	

## Universal Screening

Tools	Who Administers		When Administered	
	Additional Support	Intensified Support	Additional Support	Intensified Support
	...to meet benchmark	...when exceeding benchmark	...to meet benchmark	...when exceeding benchmark
Decision Rules	If ... then	If ... then	If ... then	If ... then

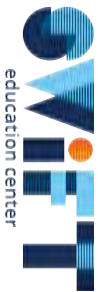
## Intervention and Support

Area identified for support	Who Administers		When Administered	
	Additional Support	Intensified Support	Additional Support	Intensified Support
	...to meet benchmark	...when exceeding benchmark	options to consider	
Skill Area				

## Progress Monitoring

Tools	Who Administers		When Administered	
	Additional Support	Intensified Support	Additional Support	Intensified Support
	...to meet benchmark	...when exceeding benchmark	...to meet benchmark	...when exceeding benchmark
Decision Rules	If ... then	If ... then	If ... then	If ... then



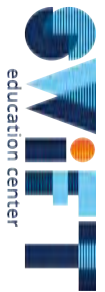


# MTSS Tiered Intervention Matrix

School/District: \_\_\_\_\_ Grade(s): \_\_\_\_\_ 1 \_\_\_\_\_ Date: \_\_\_\_\_

Curricular Area:  Literacy  Mathematics  Behavior / Social Emotional Learning

Universal Support				
WHAT	Extra emphasis provided for vocabulary strategies All students receive ELA block based on Wonders Reading Series Whole group and Small leveled book instruction Attend to UDL principles and guidelines			
WHEN	1:30-3:00 ELA Block			
Universal Screening				
Tools	Who Administers	When Administered		
DIBELS MAP	Classroom Teacher with staff covering classroom during assessments	Fall/Winter/Spring		
	Additional Support		Intensified Support	
	...to meet benchmark	...when exceeding benchmark	...to meet benchmark	...when exceeding benchmark
Decision Rules	if DIBELS Composite and/or subtest indicator yellow and/or MAP below 40 <sup>th</sup> %ile... then consider best match from interventions listed below	If DIBELS Composite indicator green AND MAP above 75 <sup>th</sup> %ile... then consider best match from interventions listed below	If DIBELS Composite and/or subtest indicator red and/or MAP below 20 <sup>th</sup> %ile... then consider best match from interventions listed below AND Intensified Support options	If DIBELS Composite indicator green and MAP above 90 <sup>th</sup> %ile... then consider best match from interventions listed below AND Intensified Support options



# MTSS Tiered Intervention Matrix

## Intervention and Support

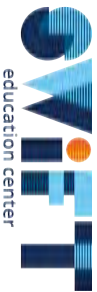
Area identified for support	Who Administrators		When Administered	
	CJ, AP, MK, JD (Available personnel as identified on Master Schedule)		8:30-9:15 (Available time as identified on master schedule)	
	Additional Support	Intensified Support	options to consider	
Phonics	...to meet benchmark	...when exceeding benchmark	Increase intervention dosage or time (frequency or duration)	
	Wonders Tier II mini lessons First Grade PALS EIR Skill specific lesson developed FAST ForWord	Literature circles Skill specific lessons developed Targeted Centers Independent or Small Group Project with Text of Choice Move ahead in curriculum as mastery is demonstrated	Change group size Provide immediate, positive corrective feedback Increase opportunities to respond	
			Break tasks into segments with specific focus goals	
Phonemic Awareness	Wonders Tier II mini lesson KPALS KEIR	Literature circles Skill specific lessons developed Targeted Centers	Increase self-monitoring	
Fluency	Read Naturally Repeated Readings	Literature circles Skill specific lessons developed Targeted Centers	Increase to generalize and integrate	
Vocabulary	Early Vocabulary Connections Words Their Way	Literature circles Skill specific lessons developed Targeted Centers		
Comprehension	PALS FAST ForWord Cognitive processing strategies	Literature circles Skill specific lessons developed Targeted Centers		



# MTSS Tiered Intervention Matrix

## Progress Monitoring

Tools	Who Administers	When Administered
DIBELS subtest matched to instruction  Assessments embedded in interventions  GOM, as appropriate  Other measures when necessary	Interventionist (Person administering intervention)	DIBELS: subtest matched to instruction – 2-4x per month  Intervention Assessment: Weekly for additional supports Daily for Intensified Supports  GOM 1x per month  Other measures frequency identified by teacher/team
	<b>Additional Support</b>	
	...to meet benchmark  If intervention progress monitoring tool indicates 3 consecutive data points at or above proficiency, then exit the intervention	...when exceeding benchmark
Decision Rules	If it indicates 3 consecutive data points not making progress, then adjust intervention or begin Intensified Support.	
	<b>Intensified Support</b>	
	...to meet benchmark  If intervention progress monitoring tool indicates 3 consecutive data points not making progress, then adjust Intensified Support	...when exceeding benchmark



# MTSS Tiered Intervention Matrix

School/District: \_\_\_\_\_ Grade(s): \_\_\_\_\_ 1 \_\_\_\_\_ Date: \_\_\_\_\_

Curricular Area:  Literacy  Mathematics  Behavior / Social Emotional Learning

Universal Support	
<b>WHAT</b>	All students receive Math block based on enVision. Whole group and Small group differentiated to meet student needs. Attend to UDL principles and guidelines
<b>WHEN</b>	9:00-10:00

Universal Screening			
Tools	Who Administers	When Administered	
DIBELS MAP	Classroom Teacher with staff covering classroom during assessments	Fall/Winter/Spring	
	<b>Additional Support</b>	<b>Intensified Support</b>	
	...to meet benchmark	...to meet benchmark	...when exceeding benchmark
Decision Rules	If DIBELS Composite and/or subtest indicator yellow and/or MAP below 40 <sup>th</sup> %ile... <b>then</b> consider best match from interventions listed below	If DIBELS Composite indicator green and MAP above 75 <sup>th</sup> %ile... <b>then</b> consider best match from interventions listed below	If DIBELS Composite and/or subtest indicator red and/or MAP below the 20 <sup>th</sup> %ile... <b>then</b> consider best match from interventions listed below AND Intensified Support options
	...when exceeding benchmark	...when exceeding benchmark	...when exceeding benchmark
			AND Intensified Support options

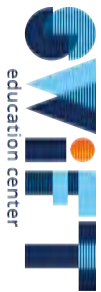
# MTSS Tiered Intervention Matrix

## Intervention and Support

Area identified for support	Who Administers	When Administered
	Additional Support	Intensified Support
	JD, AP, RH, KW (Available personnel as identified on master schedule)	10:00-10:45 (Available time as identified on master schedule)
Early Numeracy	enVision intervention or reteach PALS Do the Math Skill specific lesson Early Numeracy Intervention L1	enVision intervention Math XL Skill specific lesson Move ahead in curriculum
Computation	enVision intervention or reteach Math XL Xtra math Skill specific lesson Focus Math Intensive	enVision intervention Math XL Skill specific lesson Increase opportunities to respond Break tasks into segments with specific focus goals Increase self-monitoring
Problem Solving	Fusion Math Recovery	Independent or Small Group Project of Choice Increase to generalize and integrate

# MTSS Tiered Intervention Matrix

Progress Monitoring				
Tools	Who Administers	When Administered		
DIBELS subtest matched to instruction  Assessments embedded in interventions  GOM, as appropriate  Other measures when necessary	Interventionist (Person administering intervention)	DIBELS: subtest matched to instruction - 2-4x per month (Concepts and Applications 1x per month)  Intervention Assessment: Weekly for additional supports Daily for Intensified Supports  GOM 1x per month  Other measures frequency identified by teacher/team	<b>Additional Support</b>	
			...to meet benchmark If intervention progress monitoring tool indicates 3 consecutive data points at or above proficiency, then exit intervention.	...when exceeding benchmark
Decision Rules	If it indicates 3 consecutive data points not making progress, then adjust intervention or begin Intensified Support	If intervention progress monitoring tool indicates 3 consecutive data points not making progress, then adjust Intensified Support	<b>Intensified Support</b>	
			...to meet benchmark If intervention progress monitoring tool indicates 3 consecutive data points not making progress, then adjust Intensified Support	...when exceeding benchmark



# MTSS Tiered Intervention Matrix

School/District: \_\_\_\_\_ Grade(s): 1 Date: \_\_\_\_\_

Curricular Area:  Literacy  Mathematics  Behavior / Social Emotional Learning

Universal Support	
WHAT	All students receive Schoolwide Expectation lessons Second Step - whole group Attend to UDL principles and guidelines Reinforce expectations with literature library
WHEN	Lessons: weekly, 20 min. Reinforce: monthly Review: October

Universal Screening			
Tools	Who Administers	When Administered	
Systematic Screening for Behavior Disorders (SSBD)	Classroom Teacher with staff support during assessment	Fall/Winter/Spring	
		<b>Additional Support</b>	<b>Intensified Support</b>
	...to meet benchmark	...when exceeding benchmark	...to meet benchmark
	If Students pass Gate 2 on SSBD... then consider function of behavior and best match from interventions listed below	If a behavior plan exists or is needed then consider function of behavior and best match from interventions listed below <b>AND</b> Intensified Support options	...when exceeding benchmark
Decision Rules			

# MTSS Tiered Intervention Matrix

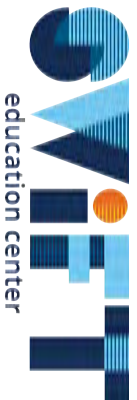
## Intervention and Support

	Who Administers AP, JG (Available personnel as identified on master schedule)	When Administered 2:00-2:30 (Available time as identified on master schedule)
Area identified for support	Additional Support	Intensified Support
	...to meet benchmark	...when exceeding benchmark options to consider
Safety	Second Step mini lessons Reteach Behavioral Contract Social Skills Club Home/Community Support Counseling	Safety Patrol Leadership Club  Increase intervention dosage or time (frequency or duration)  Change group size  Provide immediate, positive corrective feedback
	Peer model Student Ambassador Leadership Club	Increase opportunities to respond  Break tasks into segments with specific focus goals  Increase self-monitoring
Respectful	Second Step mini lessons Reteach Friendship Circles Behavioral Contract Social Skills Club Home/Community Support Counseling	Increase to generalize and integrate  Consider assessing function (FBA)  Create BIP and/or Wraparound plan
	Study Buddy Leadership Club	
Responsible	CICO Behavioral Contract Study Skills/Guidance period Home/Community Support Counseling	



# MTSS Tiered Intervention Matrix

Progress Monitoring				
Tools	Who Administers	When Administered		
Behavior Observation/ Teacher and Student Self- Assessment/ Assessments embedded in interventions	Interventionist (Person administering intervention)	Behavioral Contract and CICO data collected daily	Behavior observations and assessments: Daily or weekly depending on intensity of support	
		<b>Additional Support</b>		
Decision Rules	If predetermined goal is not met, consider making an adjustment to the intervention  If predetermined goal has been met, consider decreasing or eliminating the intervention	...to meet benchmark	...when exceeding benchmark	<b>Intensified Support</b>
		...to meet benchmark	...when exceeding benchmark	



# MTSS Tiered Intervention Matrix

Example

School/District: \_\_\_\_\_ Grade(s): 9-12 \_\_\_\_\_ Date: \_\_\_\_\_  
 Curricular Area:  Literacy  Mathematics  Behavior / Social Emotional Learning

Universal Support	
WHAT	<p>Use of student-centered teaching strategies to reinforce classroom climate protocols (<a href="https://www.facinghistory.org/resource-library/teaching-strategies">https://www.facinghistory.org/resource-library/teaching-strategies</a>) across all classes. Direct instruction of schoolwide expectations for non-classroom settings</p> <p><b>Enhancements:</b>            Re-teaching of schoolwide expectations for non-classroom settings for 9<sup>th</sup> graders Based on aggregate, schoolwide discipline referrals; (ex. to be conducted January 2017)</p>
WHEN	<p>Student-centered teaching strategies incorporated into lessons across all classes. Schoolwide expectations: Annually, 1<sup>st</sup> month of school, grades 9-12</p>

Universal Screening			
Tools	Who Administers	When Administered	
-Strengths & Difficulties Questionnaire (internalizing & externalizing behaviors) -EWS Profile	All 1 <sup>st</sup> period teachers; school psychologist coordinates day of screening, scoring and dissemination  SITeam Data Manager	1 <sup>st</sup> month & 5 <sup>th</sup> month of school  Ongoing	<b>Additional Support</b>
			...to meet benchmark <i>If S &amp; D &gt; 4            OR Office Discipline &gt; 3 ODRs            OR missing 10% or more of instructional time</i> <i>then consider function of behavior and best match from interventions listed below</i>
Decision Rules			<b>Intensified Support</b>
			...when exceeding benchmark

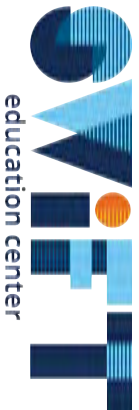
## Intervention and Support

		Who Administers	When Administered
		Multiple CICO Facilitators; 1 CICO Coordinator supports intervention overall	Daily
<b>Area identified for support</b>	<b>Additional Support</b>	...to meet benchmark	...when exceeding benchmark
	<b>Intensified Support</b>	options to consider	
Internalizing behaviors	Check-in Check-out with internalizing focus  School-based Facilitated Support Groups  Social skills small group	Increase intervention dosage or time (frequency or duration)	Change group size
Externalizing behaviors	Check-in Check-out with externalizing focus  School-based Facilitated Support Groups  Social skills small group	Provide immediate, positive corrective feedback	Increase opportunities to respond
Self Awareness	School-based Facilitated Support Groups  Social skills small group	Break tasks into segments with specific focus goals	Increase self-monitoring
Self Management	School-based Facilitated Support Groups  Executive Functioning Group	Increase to generalize and integrate	

Intervention and Support			
Area identified for support	Who Administrated		When Administered
	Coordinator supports intervention overall		Daily
	Additional Support		Intensified Support
	...to meet benchmark	...when exceeding benchmark	options to consider
Social Awareness	Diversity Club Social skills small group		
Relationship Skills	Youth Friends mentoring Social skills small group		
Responsible Decision Making	School-based Facilitated Support Groups Social skills small group		
Emergencies	Problem solving process		

## Progress Monitoring

Tools		Who Administers		When Administered	
Daily progress report Intervention monitoring	CICO Facilitators Student and/or Interventionist	Daily/weekly			
	<b>Additional Support</b>	<b>Intensified Support</b>			
	<p>...to meet benchmark CICO: If student does not reach 2 weeks of 80%, layer on an additional intervention.</p> <p>If indicator of progress indicates intervention may no longer be necessary &amp; student reports confidence with strategy, consider exiting intervention.</p> <p>If indicator of progress indicates intervention is not sufficient to address the concern, then adjust intervention or begin Intensified Supports.</p> <p>CICO: After 6 weeks on intervention and 2 consecutive weeks with 80% average student is exited from intervention.</p>	<p>...when exceeding benchmark</p>	<p>...to meet benchmark CICO: If DPR points don't meet 80% over 2 wks, engage in problem solving process</p> <p>OR</p> <p>If indicator of progress indicates intervention is not sufficient to address the concern, then adjust Intensified Supports.</p>	<p>...when exceeding benchmark</p>	
Decision Rules					



# MTSS Tiered Intervention Matrix

Example

School/District: \_\_\_\_\_ Grade(s): 9-12 Date: \_\_\_\_\_

Curricular Area:  Literacy  Mathematics  Behavior / Social Emotional Learning

## Universal Support

WHAT	Use of explicit vocabulary instruction routine used across all classes		
	Increase use of extended discussion protocols across all classes		
WHEN	Vocabulary routine and extended discussion protocols applied when appropriate across all classes		

## Universal Screening

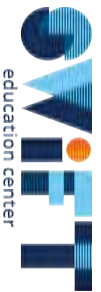
Tools	Who Administers		When Administered	
	Additional Support	Intensified Support	Additional Support	Intensified Support
Gated process: NWEA MAP - ORF - MAZE	MAP proctor and SITeam members	Fall	...	...
ORF/MAZE	Designated SITeam member	Reviewed monthly	...	...
EWS profile	...	...	...	...
Decision Rules	If < 40 <sup>th</sup> tile on MAP AND < 140 WRC OR < 95 <sup>th</sup> accuracy OR <80% on Maze OR Failure in one or more courses OR <2.0 GPA then consider best match from interventions listed below	If < 20 <sup>th</sup> tile on MAP AND < 140 WRC and < 95 <sup>th</sup> accuracy AND <80% on Maze then consider best match from interventions listed below AND Intensified Support options	...	...

Intervention and Support			
Area identified for support	Who Administers		When Administered
	Additional Support		Intensified Support
	Avaliable personnel as indicated on master schedule	...to meet benchmark	...when exceeding benchmark
Phonics and Fluency	REWARDS Expeditions Corrective Reading		Increase intervention dosage or time (frequency or duration)  Change group size
Comprehension	Explicit strategy instruction and application lessons Expeditions Reading Apprenticeship		Provide immediate, positive corrective feedback  Increase opportunities to respond
Vocabulary	Explicit vocabulary instruction and application lessons Expeditions		Break tasks into segments with specific focus goals  Increase self-monitoring  Increase to generalize and integrate

## Progress Monitoring

Progress Monitoring				
Tools	Who Administers	When Administered		
Assessments embedded in interventions  Other measures when necessary	Person teaching intervention group	Daily/weekly		
Decision Rules	<b>Additional Support</b>			
If embedded assessments indicate intervention may no longer be necessary and the student reports confidence with the strategy - consider exiting intervention.	If embedded assessments indicate intervention is not sufficient to address the concern, then adjust intervention or begin Intensified Supports.	...to meet benchmark	...when exceeding benchmark	Intensified Support
If embedded assessments indicate intervention is not sufficient to address the concern, then adjust intervention or begin Intensified Supports.	If embedded assessments indicate intervention is not sufficient to address the concern, then adjust Intensified Supports.	...to meet benchmark	...when exceeding benchmark	Intensified Support





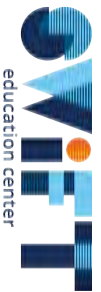
# MTSS Intervention Planning Tool

School/District: \_\_\_\_\_ Grade(s): \_\_\_\_\_ Date: \_\_\_\_\_

Curricular Area:  Literacy  Mathematics  Behavior / Social Emotional Learning

Area of Need	Student Group & Intervention	Intervention Provider	Time	Location

- Area of Need and Student Groups & Intervention are identified by screening, progress monitoring, or previous assessment; available interventions are located on the Tiered Intervention Matrix.
- N/A means Not Applicable means no current needs identified by data.
- Intervention Providers, Time, and Location are the available personnel, time, and space located on the Resource Inventory and Master Schedule.



# MTSS Intervention Planning Tool

## Example

School/District: \_\_\_\_\_ Grade(s): 1 Date: \_\_\_\_\_

Curricular Area:  Literacy  Mathematics  Behavior / Social Emotional Learning

Area of Need	Student Group & Intervention	Intervention Provider	Time	Location
Phonics	<i>Wonders Tier II mini lessons</i> Joe, Tiffany, Chris, Clifton, Mark	CJ	8:30-9:00	1 <sup>st</sup> grade classroom
	<i>Fast ForWord</i> Mike	AP	8:30-9:00	Computer Lab
Phonemic Awareness	<i>KPALS</i> Jack, Leah, Greg	MK	8:30-9:15	Library
Vocabulary	<i>Early Vocabulary Connections</i> Maria	JD	8:30-9:00	Library

- Area of Need and Student Groups & Intervention are identified by screening, progress monitoring, or previous assessment; available interventions are located on the Tiered Intervention Matrix.
- N/A means Not Applicable means no current needs identified by data.
- Intervention Providers, Time, and Location are the available personnel, time, and space located on the Resource Inventory and Master Schedule.

## “Equity as a Basis for Inclusive Educational Systems Change” Article in Brief

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Based on “Equity as a Basis for Inclusive Educational Systems Change” by Wayne Sailor, published in 2016, *Australasian Journal of Special Education*, 1-17. doi: 10.1017/jse.2016.12

### Introduction

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Rittel and Webber (1973) wrote, “The search for scientific bases for confronting problems of social policy is bound to fail, because the nature of these problems. They are ‘wicked’ problems, whereas science has developed to deal with ‘tame problems’” (p. 155). Thus, a wicked problem is one where the solution is bound up in its formulation and the context of the problem militates against its formation. Inclusion of students with disabilities in general education fits the definition of a wicked problem.

Current definitions describe disability through the medical or science-based model, implying that problems can or should be addressed through diagnosis and prescriptive cure. Defining disability this way led to the development of diagnostic categories in special education. Thus, the ever-expanding categorical specialization within special education poses a direct challenge to inclusive systems of support.

### Reframing Education as an Alternative to Inclusion

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Current frames of education rest within the logic of post-positivism (Sailor & Paul, 2004), believing students “afflicted” with disabilities benefit most from the acquisition of scientific knowledge through a specific branch of education called special education. This frame places the root cause of disability within the individual, neglecting to recognize larger, societal factors contributing to a person’s “disability” (Skrtic, 1993). Under this model, inclusion is about placing students with disabilities in general education.

The sociological, constructivist frame of education shifts the focus away from the physical placement of students toward distributing resources and supports equitably to ensure all students have the support they need to learn, regardless of the nature of their learning needs (Artiles & Kozleski, 2007, 2016). This model moves away from using the medical model of disability toward whole-school applications (Booth & Ainscow, 2011; McMaster, 2013; Sailor, 2009; Sailor & Burrello, 2013).

Replacing placement-based definitions of inclusion with whole-school, equity-based models can mitigate educational subgrouping. While equity-based models of



inclusion are consistent with the U.S. Constitution and Bill of Rights, policymakers are most likely to be swayed by scientific evidence supporting this shift. A growing body of evidence shows increased academic and social outcomes for students with disabilities who are associated with inclusive settings (Browder, Hudson & Wood, 2014; Causton & Theoharis, 2014; Courtade, Jimenez & Delano, 2014; Florian & Rouse, 2014; Jackson, Ryndak & Wehmeyer, 2008-2009; Kleinert et al., 2015; McDonnell et al., 2003; Nota, Soresi & Ferrari, 2014; Oh-Young & Filler, 2015; Peetsma, Vergeer, Roeleveld & Karsten, 2001).

## Emerging Characteristics of Equity-Based Inclusive Education

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Equity-based inclusion cannot fully occur under the present frame of education. This section presents what inclusive education looks like in practice based on a review of literature.

### *Structural Elements*

Most approaches to structuring inclusive schools to meet the needs of students with the most extensive needs follow a placement-based model, making the general education classroom the unit of analysis (Booth & Ainscow, 2011; McLeskey et al., 2012; Sailor & Burrello, 2013). Whole school models are just beginning to emerge. For example, Giangreco and Suter (2015) illustrate how a multi-tiered system of support (MTSS) can organize all school personnel (i.e., teachers, therapists, administrators, paraprofessionals) and the master schedule to meet the needs of all students, including those with the most extensive support needs.

### *Administrative Leadership*

Research consistently shows that school leadership is a powerful predictor of student achievement (DiPaola & Walther-Thomas, 2003; Fullan, 2005; Klingner, Arguelles, Hughes & Vaughn, 2001; McLeskey et al., 2014). Principals of democratically organized, as opposed to hierarchically organized, schools who build a culture of trust can affect student achievement (Tschannen-Moran, 2014).

### *Implications for Teachers*

Shifting to inclusive education requires schools to create comprehensive professional learning plans for all staff. It is recommended that administrators and academic coaches attend all professional learning sessions and teacher collaborative planning sessions (Leko & Roberts, 2014). Preservice teacher programs will need to be designed so all teachers are trained to work with all students (Sindelar et al., 2014). Specialized services for students with low-incidence issues, such as blindness or autism spectrum disorder, will always exist, but universal design for learning (UDL)



principles (CAST, 2016) can be taught to general educators to minimize the need for some specializations. Just as we do not need to segregate students with specific learning needs in separate classrooms or schools, we do not need to perpetuate separate educational systems through separate teacher preparation programs.

#### *Implications for Paraprofessionals and Teaching Assistants*

Placement-based models of inclusion rely heavily on the use paraprofessionals, with some arguing this perpetuates special education as a segregated service delivery model within the general education classroom (Tews & Lupart, 2008; Whitburn, 2013). Giangreco, Suter, and Hurley (2013) put forth a model for paraprofessionals that moves away from using them primarily as ‘velcro-aids’ toward assigning them to content areas or grade level classrooms, which fits with the whole-school model of inclusion.

#### *Instructional Innovations*

Using MTSS as the driver for whole-school inclusive education requires schools to think differently about how they utilize their space and expertise of staff to deliver evidence-based academic and behavior instruction. Emerging instructional practices that enhance whole-school MTSS applications include (a) *co-teaching*, typically between general and special educators, (b) *embedded instruction* or the practice of distributing instructional trials throughout the day in various settings and across people, places and materials in order to promote generalization of learned, discrete skills, and (c) *peer-assisted instruction*.

#### *Whole-School Inclusive Educational Arrangements*

In Sailor’s opinion, we no longer need to ask the question, “should we include students with extraordinary needs for support and services in the general education program?” The preponderance of research supports inclusive education. The question is instead, “how do we best distribute and apply all available resources to ensure all student needs are met?” Schools implementing an effective MTSS focus on academic and behavioral outcomes, utilize data-based decision making, and configure school teams to allow for collaborative problem solving. Batsche (2014) delineates parameters of MTSS including, (1) instruction is evidence-based and delivered in varying levels of intensity (tiers); (2) instructional planning involves all personnel working collaboratively; (3) roles and responsibilities of all staff are aligned and add value to student outcomes; (4) common assessments are used to evaluate the impact of MTSS on student growth; (5) instruction across tiers is integrated; (6) instruction is designed and delivered by all providers; and (7) students and families are informed partners in the instructional process.

## Conclusion

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Inclusion poses a wicked problem. Sailor argues that the problem is unsolvable because of the way the problem is framed within the greater context of education. Prevalent models for addressing learning challenges have been quasi-medical, simply locating the problem as a characteristic within the individual rather than one of interplay between student issues and the learning ecology. Reframing education as an equity issue, wherein the distribution of resources generated through rigorous research becomes available to all students on the basis of measured need for assistance, allows us to move away from the medical model. Instead, we recast “special” education as a set of particular evidence-based resources directed to specialized applications for learning issues related to physical, social/behavioral, perceptual, or cognitive characteristics of individual students. The advent of MTSS, whole-school rather than classroom-focused applications of instruction, UDL, and fully integrated teacher preparation programs enable the reframing project to emerge with successful models of application in practice (Sailor, 2015).

## Suggested Citation

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SWIFT Education Center. (2017). *Equity as a Basis for Inclusive Educational Systems Change, Research to Practice Brief*. Lawrence, KS: Author.

## References

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- Artiles, A.J. & Kozleski, E.B. (2007). Beyond convictions: Interrogating culture, history, and power in inclusive education. *Language Arts*, 84, 357-364.
- Artiles, A.J. & Kozleski, E.B. (2016). Inclusive education’s promises and trajectories. Critical notes about future research on a venerable idea. *Education Policy Analysis Archives*, 24, 43/44, 1-25. doi: 10.14507/epaa.24.1919
- Batsche, G. (2014). Multi-tiered system of supports for inclusive schools. *Handbook of effective inclusive schools: Research and practice*, 183-196.
- Booth, T. & Ainscow, M. (2011). *Index for inclusion: Developing learning and participation in schools* (3rd ed.). Bristol, UK: Centre for Studies on Inclusive Education.
- Browder, D. M., Hudson, M. E., & Wood, L. (2014). Using principles of high quality instruction in the general education classroom to provide access to the general education curriculum. *Handbook of research and practice for effective inclusive schools*, 339-351.
- Burrello, L. C., Sailor, W., & Kleinhammer-Tramill, J. (Eds.). (2012). *Unifying educational systems: Leadership and policy perspectives*. Routledge.
- CAST. (2016). About universal design for learning. Retrieved from <http://www.cast.org/our-work/about-udl.html#.Vs9bhhW6wY>

- Causton, J., & Theoharis, G. (2014). How do schools become effective and inclusive? *Handbook of effective inclusive schools: Research and practice*, 30-42.
- Courtade, G., Jimenez, B., & Delano, M. (2014). Providing effective instruction in core content areas (literacy, mathematics, science, and social studies) in inclusive schools. *Handbook of effective inclusive schools: Research and practice*, 352-362.
- DiPaola, M. F., & Walther-Thomas, C. (2003). *Principals and Special Education: The Critical Role of School Leaders*. (COPSSE Document No. IB-7E). Gainesville, FL: University of Florida, Center on Personnel Studies in Special Education.
- Florian, L., & Rouse, M. (2014). International perspectives: What can be known about effective inclusive schools? In J. McLeskey, N. L. Waldron, F. Spooner, & B. Algozzine (Eds.), *Handbook of effective inclusive schools: Research and practice* (pp. 507-520). New York, NY: Routledge. doi:10.4324/9780203102930.ch36
- Fullan, M. (2005). *Leadership & sustainability: System thinkers in action*. Thousand Oaks, CA: Corwin Press.
- Giangreco, M. F., & Suter, J. C. (2015). Precarious or purposeful? Proactively building inclusive special education service delivery on solid ground. *Inclusion*, 3(3), 112-131.
- Giangreco, M. F., Suter, J. C., & Hurley, S. M. (2013). Revisiting personnel utilization in inclusion-oriented schools. *The Journal of Special Education*, 47(2), 121-132.
- Jackson, L. B., Ryndak, D. L., & Wehmeyer, M. L. (2008-2009). The dynamic relationship between context, curriculum, and student learning: A case for inclusive education as a research-based practice. *Research and Practice for Persons with Severe Disabilities*, 33-34, 175-195. doi:10.2511/rpsd.33.4.175
- Kleinert, H., Towles-Reeves, E., Quenemoen, R., Thurlow, M., Fluegge, L., Weseman, L., & Kerbel, A (2015). Where students with the most significant cognitive disabilities are taught: Implications for general curriculum access. *Exceptional Children*, 81, 312-328. doi:10.1177/0014402914563697
- Klingner, J. K., Arguelles, M. E., Hughes, M. T., & Vaughn, S. (2001). Examining the schoolwide "spread" of research-based practices. *Learning Disability Quarterly*, 24(4), 221-234.
- Leko, M. M., & Roberts, C. A. (2014). How does professional development improve teacher practice in inclusive schools? *Handbook of effective inclusive schools: Research and practice*, 43-54.
- McDonnell, J., Thorson, N., Disher, S., Mathot-Buckner, C., Mendel, J., & Ray, L. (2003). The achievement of students with developmental disabilities and their peers without disabilities in inclusive settings: An exploratory study. *Education & Treatment of Children*, 26, 224-236.
- McLeskey, J., Landers, E., Williamson, P., & Hoppey, D. (2012). Are we moving toward educating students with disabilities in less restrictive settings? *The Journal of Special Education*, 46(3), 131-140.
- McLeskey, J., Waldron, N. L., Spooner, F., & Algozzine, B. (Eds.). (2014). *Handbook of effective inclusive schools: Research and practice*. New York, NY: Routledge.
- McMaster, C. (2013). Building inclusion for the ground up: A review of whole school re-culturing programs for sustaining inclusive change. *International Journal of Whole Schooling*, 9(2), 1-24.

- Nota, L., Soresi, S., & Ferrari, L. (2014). What are emerging trends and perspectives on inclusive schools in Italy? In J. McLeskey, N. L. Waldron, F. Spooner, & B. Algozzine (Eds.), *Handbook of effective inclusive schools: Research and practice* (pp. 521-534). New York, NY: Routledge. doi:10.4324/9780203102930.ch37
- Oh-Young, C., & Filler, J. (2015). A meta-analysis of the effects of placement on academic and social skill outcome measures of students with disabilities. *Research in Developmental Disabilities, 47*, 80-92.
- Peetsma, T., Vergeer, M., Roeleveld, J., & Karsten, S. (2001). Inclusion in education: Comparing pupils' development in special and regular education. *Educational Review, 53*, 125-135. doi:10.1080/00131910125044
- Rittel, H. W., & Webber, M. M. (1973). Dilemmas in a general theory of planning. *Policy sciences, 4*(2), 155-169.
- Sailor, W. (2009). *Making RTI work: How smart schools are reforming education through schoolwide response-to-intervention*. New York, NY: Jossey-Bass. doi: 10.1002/9781118269480
- Sailor, W. (2015). Advances in schoolwide inclusive school reform. *Remedial and Special Education, 36*, 94-99. doi: 10.1177/0741932514555021
- Sailor, W. & Burrello, L. C. (2013). Shifting perspective to frame disability policy. In L. C. Burrello, W. Sailor & J. Kleinhammer-Trammill (Eds.). *Unifying educational systems: Leadership and policy perspectives* (pp. 21-40). New York, NY: Routledge.
- Sailor, W. & Paul, J.L. (2004). Framing positive behavior support in the ongoing discourse concerning the politics of knowledge. *Journal of Positive Behavior Interventions, 6*, 37-49. doi: 10.1177/10983007040060010601
- Sindelar, P. T., Adams, A. J., & Leko, C. D. (2014). How can teacher education improve effective inclusive schools? *Handbook of effective inclusive schools: Research and practice*, 55-66.
- Skrtic, T.M. (1993). The crisis in special education knowledge: A perspective on perspective. In E.L. Meyen, G.A. Vergason, & R.J. Whelan (Eds.), *Challenges facing special education* (pp. 165-192). Denver, CO: Love.
- Tews, L., & Lupart, J. (2008). Students with disabilities' perspectives of the role and impact of paraprofessionals in inclusive education settings. *Journal of Policy and Practice in Intellectual Disabilities, 5*(1), 39-46.
- Tschannen-Moran, M. (2014). *Trust matters: Leadership for successful schools*. San Francisco, CA: Jossey-Bass.
- Whitburn, B. (2013). The Dissection of Paraprofessional Support in Inclusive Education: 'You're in Mainstream with a Chaperone'. *Australasian Journal of Special Education, 37*(2), 147-161.





schoolwide integrated framework for transformation

# Implementing Equity-Based Inclusion with Fidelity to Improve Outcomes

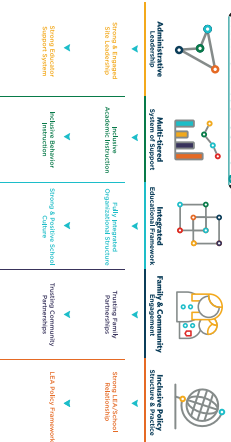
Jessica Meisenheimer, Ivonne Dibblee, & Kathleen Ellwood  
University of Kansas and Portland Public Schools



Office of Special Education Programs  
U.S. Department of Education

## SWIFT

SWIFT is a technical assistance center that builds school capacity to provide academic and behavioral support to improve outcomes for all students through equity-based inclusion. The SWIFT framework is made up of five evidence-based domains ([www.swiftschools.org](http://www.swiftschools.org)).



**Administrative Leadership** – In SWIFT schools, strong and actively engaged administrative leaders are committed to improving teaching and learning within a system that empowers educators and school personnel.

**Multi-Tiered System of Support** – A multi-tiered system of support is a continuum of research-based system-wide practices of data-based decision making used to meet the academic and behavior needs of all students.

**Integrated Educational Framework** – An integrated educational framework encompasses ALL students, personnel, and stakeholders within a positive school culture and ensures full access for ALL students to participate in all school-related activities.

**Family & Community Engagement** – Families, community members, and schools form a partnership in which each benefits from and supports the others.

**Inclusive Policy Structure & Practice** – Inclusive policy structure and practice includes a supportive, reciprocal partnership between the school and its district or local educational agency.

## SWIFT-FIT

SWIFT Fidelity of Implementation Tool (SWIFT-FIT) is a strengths-based assessment that identifies system's level structures that are indicative of inclusive teaching and learning practices. Data from this tool helps district and school leadership teams understand and make decisions about their implementation of the SWIFT framework. SWIFT-FIT contains 51 items that require multiple evidence sources and includes interviews, document review, and classroom observations. Analysis of the technical adequacy of SWIFT-FIT provides evidence of the following: content-related validity, construct-related validity, reliability, and usability. (Algozzine et al., 2014).

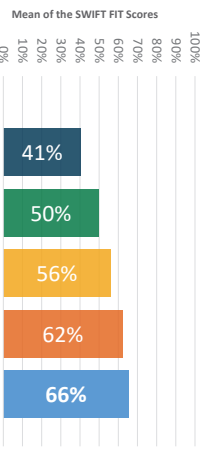
## SWIFT-FIT Data

The SWIFT framework is currently implemented in 64 schools, 17 districts, and 5 states. After 3 years of implementation, the average fidelity score measured by SWIFT-FIT (Algozzine et al., 2014) indicates overall SWIFT implementation status improved from 41% (Fall, 2013) to 66% (Spring, 2017).

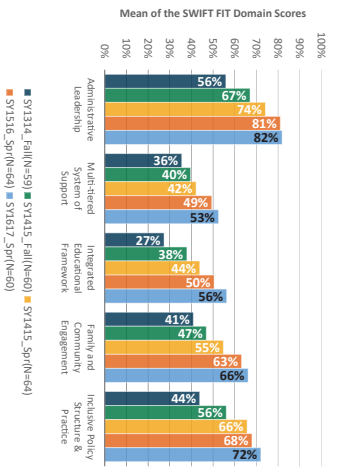
The fidelity score pattern showed that the Administrative Leadership domain had high implementation status (82%).

The total SWIFT-FIT score is well correlated with a district's capacity to implement effective innovations measured by a District Capacity Assessment (CCA) (Ward et al., 2015).

## Total Score Changes (5 State Aggregate Data)



## Domain Score Changes (5 State Aggregate Data)

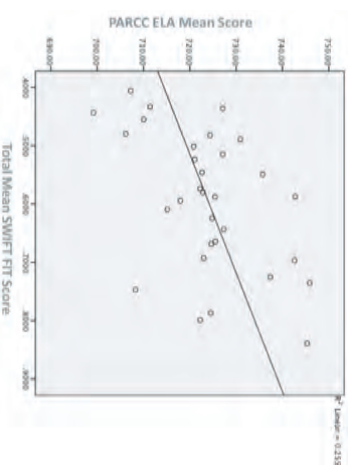


## ELA & Math Outcomes

Analysis of results from 7,906 students in 31 schools in two states shows SWIFT implementation status measured by SWIFT-FIT can significantly predict students' academic achievement on PARCC. Overall, the higher level of SWIFT implementation a school has, the better English language arts (ELA) and math achievement is expected.

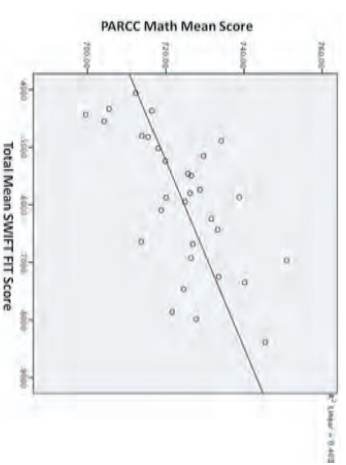
In the scatter plots, each dot represents a school. A statistically significant positive correlation between the PARCC ELA mean score and SWIFT-FIT total mean score is shown by a Pearson's r-tailed correlation ( $r = .51, p < .01$ ).

### PARCC ELA Mean Score



The correlation between PARCC Math score and SWIFT-FIT total mean score was even larger than ELA ( $r = .63, p < .01$ ).

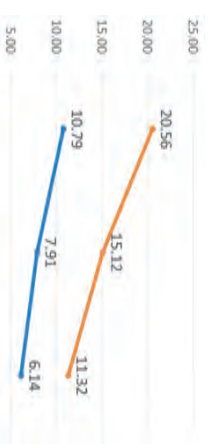
### PARCC Math Mean Score



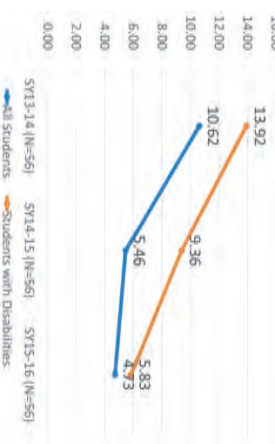
## Behavioral Outcomes

Analysis of SWIFT-FIT and behavioral outcomes indicate a reduction in out-of-school and in-school suspensions over the three-year implementation period. The charts below depict suspensions per 100 students.

### Out-of-School Suspensions per 100 Students



### In-School Suspensions per 100 Students



#### Bibliography

- 1. Algozzine, B., Sweeney, H. M., Choi, J. H., Horner, R., Sailer, W., McCart, A., ... & ... (2017). Operationalizing a preliminary technical report of the Schoolwide Inclusion Fidelity Assessment. *Journal of Implementation Research, 6*(1), 1-10. doi:10.1177/1073428216682630
  - 2. Ward, C., St. Martin, K., Horner, R., Duda, M., Ingram-West, K., Tedesco, M., Putnam, D., Buerosorio, W., & Chaparro, E. (2015). District Capacity Assessment. University of North Carolina at Chapel Hill.
- SWIFT Center produced the data for this document under U.S. Department of Education, Office of Special Education Programs Grant No. H328V120065. OSPE Project Officers: Gene Zamora Duran and Tra Diamond served as the project officers. The views expressed herein do not necessarily represent the positions or policies of the Department of Education. No official endorsement by the U.S. Department of Education of any product, commodity, service or organization named herein is intended or should be inferred. This document is in the public domain. Authorization to reproduce it in whole or in part is granted. Please cite as: Meisenheimer, J., Dibblee, I., & Ellwood, K. (2017). Implementing Equity-Based Inclusion with Fidelity to Improve Outcomes. Lawrence, KS: SWIFT Center.



**schoolwide  
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## SWiFT Mission

SWiFT is a national K-8 technical assistance center that helps whole education systems build capacity to provide academic and behavioral instruction and support for all students, including students with disabilities and those with the most extensive needs.

SWiFT's mission is to transform fragmented systems into fully integrated organizations that deliver effective academic and behavioral instruction and extra-curricular activities to all students in the school community.

SWiFT is committed to equity-based inclusion, where every child is valued and given the supports he or she needs to succeed.

**When all students are learning together with the support they need for success, everyone benefits. Equity and excellence for all results in powerful educational outcomes!**



# SWiFT Framework

Domains and features are the building blocks of the SWiFT framework. Research shows it takes administrative leadership, a multi-tiered system of support, family and community partnerships, an integrated educational framework, and inclusive policies and practices to effectively meet the needs of ALL students, including students with disabilities and those with the most extensive needs.



## SWiFT Technical Assistance

SWiFT's role is to provide differentiated technical assistance (TA) to partner states and their participating districts and schools. SWiFT TA uses a set of six evidence-based practices for building inclusive education; but every district and school partnering with SWiFT has its own starting point and travels its own path for creating and sustaining fully inclusive and equitable schools. Therefore, TA providers and TA recipients work collaboratively in teams to identify the actions and resources needed to achieve desired outcomes. SWiFT TA Teams include school transformation teams, district implementation teams, and state leadership and implementation teams. These teams work together to support transformation across the whole education system.

### The Research Behind SWiFT



Research shows us that when all students, including students with the most extensive needs, learn together and are given equitable and excellent instruction and support, they can...

- participate, learn, and excel within grade-level general education curriculum
- build meaningful social relationships
- achieve positive behavioral outcomes
- graduate from high school, college, and beyond.



**schoolwide  
integrated  
framework for  
transformation**



## La Misión de SWiFT

SWiFT es un centro de asistencia técnica nacional k-8 que ayuda a sistemas educativos completos a crear capacidad para proporcionar instrucción y apoyo académico y de conducta a todos los estudiantes, incluyendo a los estudiantes con discapacidades y a los que tienen las mayores necesidades.

La misión de SWiFT es transformar sistemas fragmentados para convertirlos en organizaciones completamente integradas que ofrecen instrucción académica y de comportamiento eficaz y actividades extra-curriculares para todos los alumnos en la comunidad escolar. SWiFT está comprometida con la inclusión basada en la equidad, donde se valora a cada niño y se le dan los apoyos que necesita para tener éxito.

**Cuando todos los  
estudiantes aprenden  
juntos con el apoyo que  
necesitan para tener éxito,  
todos se benefician. La  
equidad y la excelencia  
para todos conduce a  
resultados educativos de  
gran alcance**



# El Marco de SWIFT

Los dominios y características son los componentes básicos del marco de SWIFT. Las investigaciones demuestran que se necesita liderazgo administrativo, un sistema de varios niveles de apoyo, asociaciones con la familia y la comunidad, un marco educativo integrado y las políticas y prácticas inclusivas para responder eficazmente a las necesidades de TODOS los estudiantes, incluyendo a los estudiantes con discapacidades y los que tienen las mayores necesidades.



# Asistencia Técnica de SWiFT

El papel de SWIFT es proporcionar asistencia técnica diferenciada (TA) a los estados socios y a sus distritos y escuelas participantes. La asistencia técnica de SWIFT utiliza un conjunto de seis prácticas basadas en la evidencia para la construcción de una educación inclusiva; pero cada distrito y escuela que se asocia con SWIFT tiene su propio punto de partida y recorre su propio camino para la creación y el mantenimiento de las escuelas plenamente inclusivas y equitativas. De esa manera, tanto los proveedores de asistencia técnica como los que la reciben trabajan en colaboración en equipos para identificar las acciones y los recursos necesarios para lograr los resultados deseados. Los equipos de asistencia técnica de SWIFT incluyen equipos de transformación de escuelas, equipos de implementación del distrito y equipos de liderazgo y de implementación del estado. Estos equipos trabajan juntos para apoyar la transformación en toda la educación.

## La Investigación detrás de SWIFT



Las investigaciones nos demuestran que cuando todos los estudiantes, incluyendo a los estudiantes con las mayores necesidades, aprenden juntos y se les da un apoyo e instrucción equitativo y excelente, podrán ...

- participar, aprender y sobresalir dentro del nivel de grado en el currículo de educación general
- construir relaciones sociales significativas
- lograr resultados positivos de comportamiento
- graduarse de la escuela secundaria, la universidad y llegar aún más lejos.

## **EITK6 Professional Development Schedule**

Fall 2019: Leadership Team will begin working with SWIFT Schools as per details outlined in the MOU

Fall 2019: Leadership Team will begin working with CHIME as per details of MOU

Winter 2020: Notify professionals on wait list for employment with Eureka! Inclusive of interview dates and invite for pre-employment information session to review Eureka! Inclusive model in depth. Begin accepting applications

Winter 2020: Present to graduate student programs and open interest list.

Spring 2020: Schedule interviews for faculty and graduate extern candidates.

Spring 2020: Send offer letters to selected candidates.

Summer 2020: Members of Teaching Teams offered training at CHIME per details in MOU

Onboarding: Two weeks before school starts all teaching staff will receive 10 days of professional development to review petition, curriculum, teaching strategies, technology, school-wide PBIS program, school policies, schedules, and professional learning communities.

Daily: Monday-Thursday Teaching teams meet one hour before the start of class, and 30 minutes at the end of each day.

Weekly: School-wide Friday Morning Professional Development meeting topics determined by observed needs of teaching teams and student needs.

Monthly: Meet with other teams in the SWIFT Schools professional Learning Community Network (could be in person or via "SKYPE" "ZOOM")

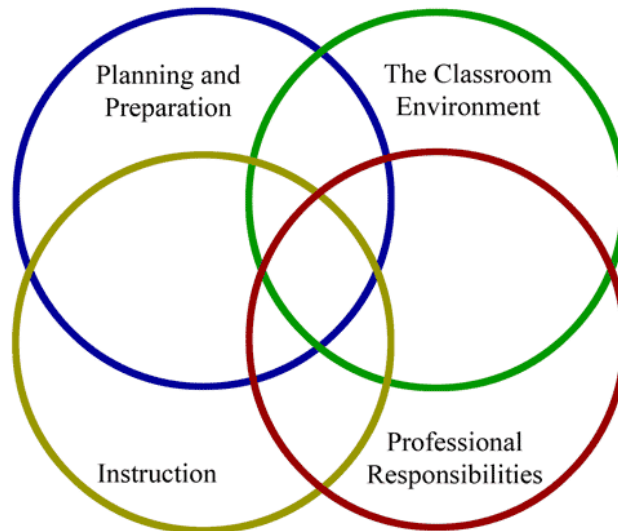
Annually: Four non-student planning days.

Annually: CHIME retreat, and each teacher has a professional development allowance to attend conferences, trainings, seminars, that will further their personal professional goals. After which teachers share new knowledge with the other members of the school teams.

The Annual Teacher Professional Development Allowance is \$1500 per teacher.

## DANIELSON'S MODEL OF TEACHER EVALUATION

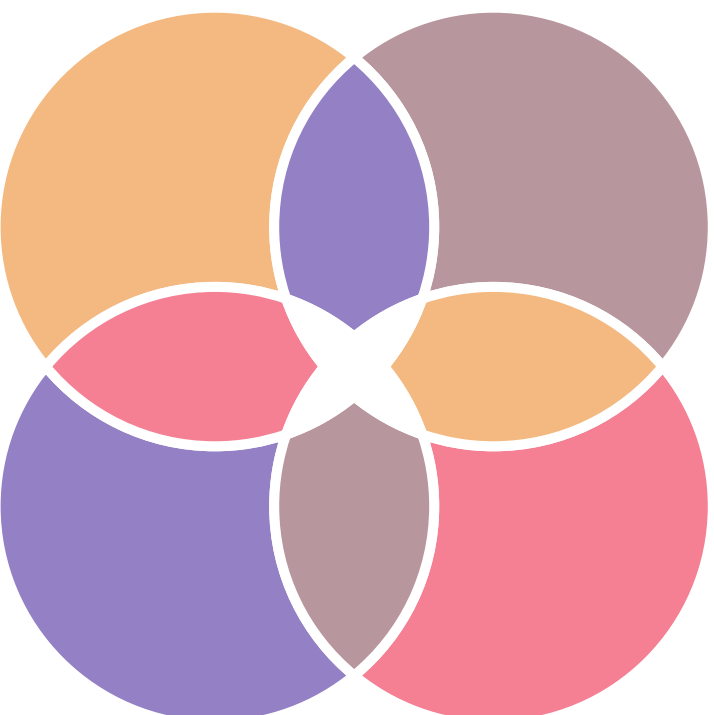
### Danielson's Four Domains



<p><b>Domain 1: Planning and Preparation</b></p> <ul style="list-style-type: none"> <li>1a - Demonstrating Knowledge of Content and Pedagogy</li> <li>1b - Demonstrating Knowledge of Students</li> <li>1c - Setting Instructional Outcomes</li> <li>1d - Demonstrating Knowledge of Resources</li> <li>1e - Designing Coherent Instruction</li> <li>1f - Designing Student Assessments</li> </ul>	<p><b>Domain 2: Classroom Environment</b></p> <ul style="list-style-type: none"> <li>2a - Creating an Environment of Respect and Rapport</li> <li>2b - Establishing a Culture for Learning</li> <li>2c - Managing Classroom Procedures</li> <li>2d - Managing Student Behavior</li> <li>2e - Organizing Physical Space</li> </ul>
<p><b>Domain 3: Instruction</b></p> <ul style="list-style-type: none"> <li>3a - Communicating With Students</li> <li>3b - Using Questioning and Discussion Techniques</li> <li>3c - Engaging Students in Learning</li> <li>3d - Using Assessment in Instruction</li> <li>3e - Demonstrating Flexibility and Responsiveness</li> </ul>	<p><b>Domain 4: Professional Responsibilities</b></p> <ul style="list-style-type: none"> <li>4a - Reflecting on Teaching</li> <li>4b - Maintaining Accurate Records</li> <li>4c - Communicating with Families</li> <li>4d - Participating in a Professional Community</li> <li>4e - Growing and Developing Professionally</li> <li>4f - Showing Professionalism</li> </ul>

Courtesy of [www.danielsongroup.org](http://www.danielsongroup.org)

# Crosswalk between Universal Design for Learning (UDL) and the Danielson Framework for Teaching (FFT)





## Danielson FFT/UDL Crosswalk

### Purpose

We are all learners. In fact, we believe that educators are life-long learners who persistently strive to hone their craft. We also believe that effective teaching leads to expert learning. Both the Universal Design for Learning framework (UDL) and the Danielson Framework for Teaching (FFT) offer guidance to educators on how to support ALL their students in becoming expert learners.

The Crosswalk between the UDL and Danielson FFT frameworks grew out of a need among UDL experts in the field. As teachers strengthen their practices by infusing the principles of UDL in their work, their performance within the Danielson FFT will improve. The purpose of this Crosswalk, therefore, is to offer an instrument that explicitly provides teachers with the critical connections they need to enhance their planning, instruction, and professional practice.

This Crosswalk was developed through a collaborative project that included the following partners: Baltimore County Public Schools (MD), CAST, Danielson Group, Howard County Public Schools (MD), Lakeview Public Schools (St. Clair Shores, MI), and Towson University (MD).

### Universal Design for Learning

The graphic is titled "Universal Design for Learning Guidelines" and is organized into a 3x3 grid. Each cell contains a brain image with a specific region highlighted, a title, and a list of bullet points. The columns are: 1. Engagement (green brain), 2. Representation (purple brain), 3. Action & Expression (blue brain). The rows are: 1. Multiple Means of Engagement, 2. Multiple Means of Representation, 3. Multiple Means of Action & Expression.

Provide Multiple Means of Engagement	Provide Multiple Means of Representation	Provide Multiple Means of Action & Expression
<b>Provide options for self-regulation and persistence</b> <ul style="list-style-type: none"><li>• Recognize individual differences in learning styles and preferences</li><li>• Provide personalizing and self-paced learning opportunities</li><li>• Offer choices and autonomy</li><li>• Encourage self-reflection and metacognition</li><li>• Provide meaningful and relevant content</li></ul>	<b>Provide options for comprehension</b> <ul style="list-style-type: none"><li>• Activate or enhance background knowledge</li><li>• Present content in multiple formats (text, audio, video, etc.)</li><li>• Offer visual aids and annotations</li><li>• Provide opportunities for summarization and synthesis</li><li>• Encourage critical thinking and analysis</li></ul>	<b>Provide options for executive functions</b> <ul style="list-style-type: none"><li>• Offer multiple ways to organize and manage information</li><li>• Provide opportunities for planning and problem-solving</li><li>• Offer multiple ways to demonstrate learning</li><li>• Encourage self-monitoring and reflection</li><li>• Provide opportunities for feedback and revision</li></ul>
<b>Provide options for sustaining effort and persistence</b> <ul style="list-style-type: none"><li>• Recognize individual differences in learning styles and preferences</li><li>• Provide personalizing and self-paced learning opportunities</li><li>• Offer choices and autonomy</li><li>• Encourage self-reflection and metacognition</li><li>• Provide meaningful and relevant content</li></ul>	<b>Provide options for linguistic, mathematical, expansion, and symbol</b> <ul style="list-style-type: none"><li>• Offer multiple ways to represent information</li><li>• Provide opportunities for summarization and synthesis</li><li>• Encourage critical thinking and analysis</li><li>• Offer multiple ways to demonstrate learning</li><li>• Encourage self-monitoring and reflection</li></ul>	<b>Provide options for perception</b> <ul style="list-style-type: none"><li>• Offer multiple ways to represent information</li><li>• Provide opportunities for summarization and synthesis</li><li>• Encourage critical thinking and analysis</li><li>• Offer multiple ways to demonstrate learning</li><li>• Encourage self-monitoring and reflection</li></ul>
<b>Provide options for recruiting interest</b> <ul style="list-style-type: none"><li>• Recognize individual differences in learning styles and preferences</li><li>• Provide personalizing and self-paced learning opportunities</li><li>• Offer choices and autonomy</li><li>• Encourage self-reflection and metacognition</li><li>• Provide meaningful and relevant content</li></ul>	<b>Provide options for physical action</b> <ul style="list-style-type: none"><li>• Offer multiple ways to represent information</li><li>• Provide opportunities for summarization and synthesis</li><li>• Encourage critical thinking and analysis</li><li>• Offer multiple ways to demonstrate learning</li><li>• Encourage self-monitoring and reflection</li></ul>	<b>Provide options for social interaction</b> <ul style="list-style-type: none"><li>• Offer multiple ways to represent information</li><li>• Provide opportunities for summarization and synthesis</li><li>• Encourage critical thinking and analysis</li><li>• Offer multiple ways to demonstrate learning</li><li>• Encourage self-monitoring and reflection</li></ul>

Source: Meyer, Rose & Gordon (2014). © CAST. Used with permission.

Universal Design for Learning (UDL) is a framework for teaching and learning that offers all individuals equal opportunities to learn (Hall, Meyer & Rose, 2012). The UDL framework, defined in the Higher Education Opportunity Act of 2008 as a “*scientifically valid framework for guiding educational practice*,” is derived from research on neurodiversity and the learning sciences (Rabalate, 2011). Educators who utilize the UDL framework accept learner variability as a strength to be leveraged, not a challenge to be overcome. Instead of focusing on intrinsic learner deficits or challenges, this framework offers guidance to educators about those areas where they can expect learners to vary naturally, allowing them to plan for this variability in advance (Rose & Meyer, 2002).

The ultimate goal of applying UDL to instruction is to help all learners to develop into *expert learners*—learners who can assess their own learning needs, monitor their own progress, and regulate and sustain their interests, effort, and persistence during learning tasks (CAST, 2012). By utilizing UDL framework, educators design learning experiences that provide the opportunity for all learners to have access to, participate in, and progress in the general education curriculum.

## Danielson FFT/UDL Crosswalk

According to Rose and Meyer (2002), UDL is based on three broad principles, which are aligned with three networks in the brain that are involved in the learning processes:

1. Multiple means for representing information to students (corresponding to the recognition network),
2. Multiple means for action and expression by students (corresponding to the strategic network), and
3. Multiple means for engagement of students (corresponding to the affective network).

Using the UDL Principles, educators offer options for how information is presented, how students respond or demonstrate their knowledge and skills, and how students are engaged in learning. Associated with each principle are a series of guidelines and checkpoints to help educators design instruction to meet the needs of students with the natural variability that exists in all classrooms (CAST, 2011).

### Charlotte Danielson’s Framework for Teaching

The Framework for Teaching identifies those aspects of a teacher’s responsibilities and teaching practice that have been documented through empirical studies and theoretical research as promoting improved student learning. The Framework seeks to define what teachers know and do in the exercise of their professional practice. It provides a definition of quality teaching practices and ensures a common language to talk about teaching for ALL students. In addition, the Framework describes all aspects of teaching practice, and captures the work of teachers across various settings.

Diverse learners are present in every classroom – whether the setting is a general education classroom, a co-taught classroom or a special education classroom. Teachers should be prepared to provide rich educational opportunities for students with myriad skills, interests, challenges, and cultural experiences.

The centerpiece of the Framework is student engagement, which is defined not as “busy” or “on task,” but as “intellectually active.” Furthermore, the hallmark of distinguished-level practice in the Framework is that teachers have been able to create a community of learners in which students assume a large part of the responsibility for the success of a lesson and their own learning.

<p><b>DOMAIN 1: Planning and Preparation</b></p> <p><b>1a Demonstrating Knowledge of Content and Pedagogy</b></p> <ul style="list-style-type: none"> <li>• Content and the structure of the discipline</li> <li>• Prerequisite relationships</li> <li>• Content-related pedagogy</li> </ul> <p><b>1b Demonstrating Knowledge of Students</b></p> <ul style="list-style-type: none"> <li>• Critical and subject-matter development</li> <li>• Learning process</li> <li>• Special needs</li> <li>• Students’ skills, knowledge, and language proficiency</li> <li>• Students’ interests and cultural heritage</li> </ul> <p><b>1c Setting Instructional Outcomes</b></p> <ul style="list-style-type: none"> <li>• Value, sequence, and alignment</li> <li>• Clarity</li> <li>• Balance</li> <li>• Suitability for diverse learners</li> </ul> <p><b>1d Demonstrating Knowledge of Resources</b></p> <ul style="list-style-type: none"> <li>• In-classroom use</li> <li>• To extend content knowledge and pedagogy</li> <li>• Resources for students</li> </ul> <p><b>1e Designing Coherent Instruction</b></p> <ul style="list-style-type: none"> <li>• Learning activities</li> <li>• Instructional materials and resources</li> <li>• Instructional groups</li> <li>• Lesson and unit structure</li> </ul> <p><b>1f Designing Student Assessments</b></p> <ul style="list-style-type: none"> <li>• Congruence with instructional outcomes</li> <li>• Criteria and standards</li> <li>• Design of formative assessments</li> <li>• Use for planning</li> </ul>	<p><b>DOMAIN 2: The Classroom Environment</b></p> <p><b>2a Creating an Environment of Respect and Rapport</b></p> <ul style="list-style-type: none"> <li>• Foster interaction with students, including both words and actions</li> <li>• Student interaction with students, including both words and actions</li> </ul> <p><b>2b Establishing a Culture for Learning</b></p> <ul style="list-style-type: none"> <li>• Importance of content and of learning</li> <li>• Expectations for learning and achievement</li> <li>• Student pride in work</li> </ul> <p><b>2c Managing Classroom Procedures</b></p> <ul style="list-style-type: none"> <li>• Instructional groups</li> <li>• Transitions</li> <li>• Materials and supplies</li> <li>• Performance of classroom routines</li> <li>• Supervision of volunteers and paraprofessionals</li> </ul> <p><b>2d Managing Student Behavior</b></p> <ul style="list-style-type: none"> <li>• Expectations</li> <li>• Monitoring student behavior</li> <li>• Response to student misbehavior</li> </ul> <p><b>2e Organizing Physical Space</b></p> <ul style="list-style-type: none"> <li>• Safety and accessibility</li> <li>• Arrangement of furniture and use of physical resources</li> </ul>
<p><b>DOMAIN 4: Professional Responsibilities</b></p> <p><b>4a Reflecting on Teaching</b></p> <ul style="list-style-type: none"> <li>• Memory</li> <li>• Use in future teaching</li> </ul> <p><b>4b Maintaining Accurate Records</b></p> <ul style="list-style-type: none"> <li>• Student completion of assignments</li> <li>• Student progress in learning</li> <li>• Non-instructional records</li> </ul> <p><b>4c Communicating with Families</b></p> <ul style="list-style-type: none"> <li>• Information about the instructional program</li> <li>• Information about individual students</li> </ul> <p><b>4d Participating in a Professional Community</b></p> <ul style="list-style-type: none"> <li>• Relationships with colleagues</li> <li>• Participation in school and district projects</li> <li>• Involvement in culture of professional inquiry</li> <li>• Service to the school</li> </ul> <p><b>4e Growing and Developing Professionally</b></p> <ul style="list-style-type: none"> <li>• Enhancement of content knowledge and pedagogical skill</li> <li>• Responsiveness to feedback from colleagues</li> <li>• Service to the profession</li> </ul> <p><b>4f Showing Professionalism</b></p> <ul style="list-style-type: none"> <li>• Integrity/physical conduct</li> <li>• Service to students</li> <li>• Advocacy</li> <li>• Decision-making</li> <li>• Compliance with school and district regulation</li> </ul>	<p><b>DOMAIN 3: Instruction</b></p> <p><b>3a Communicating With Students</b></p> <ul style="list-style-type: none"> <li>• Expectations for learning</li> <li>• Directions for activities</li> <li>• Use of oral and written language</li> </ul> <p><b>3b Using Questioning and Discussion Techniques</b></p> <ul style="list-style-type: none"> <li>• Quality of questions/prompts</li> <li>• Discussion techniques</li> <li>• Student participation</li> </ul> <p><b>3c Engaging Students in Learning</b></p> <ul style="list-style-type: none"> <li>• Activities and assignments</li> <li>• Grouping of students</li> <li>• Instructional materials and resources</li> <li>• Structure and pacing</li> </ul> <p><b>3d Using Assessment in Instruction</b></p> <ul style="list-style-type: none"> <li>• Assessment criteria</li> <li>• Monitoring of student learning</li> <li>• Feedback to students</li> <li>• Student self-assessment and monitoring of progress</li> </ul> <p><b>3e Demonstrating Flexibility and Responsiveness</b></p> <ul style="list-style-type: none"> <li>• Lesson adjustment</li> <li>• Response to students</li> <li>• Flexibility</li> </ul>

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## Danielson FFT/UDL Crosswalk

Using the Framework for Teaching during pre- and post-observation conferences allows for meaningful conversations around the planning and instruction of specially designed lessons that addresses the individualized needs of all students.

### *A Word About Levels of Performance:*

In the 2013 Edition of the Framework for Teaching, Charlotte Danielson provides “Critical Attributes” for four levels of performance for each of the 22 components in the Framework. These critical attributes provide essential guidance for observers in distinguishing between unsatisfactory, basic, proficient and distinguished levels of performance.

It is important to note that teaching at the proficient level of performance is considered good solid teaching. Proficient teaching is characterized by “teacher-directed success,” while distinguished-level teaching is characterized by “student-directed success.” The 2013 Evaluation Instrument provides critical attributes for each level of performance for each component (<http://danielsongroup.org/books-materials/>) as well as selected examples of what that might look like in the classroom. The teacher’s role in designing and ensuring opportunities for students to take ownership of their learning is highlighted in these resources. Observers and teachers can use the Framework for Teaching to talk about how to incorporate student ownership of learning in all classrooms. Professional conversations include supporting the teacher in the design of lessons that support multiple means of engagement, representation and action and expression. School administrators and teachers can collaborate to design and support learner variability in multiple ways so students take ownership for their learning.

### **Scenario: Meet Maria**



Maria is a fifth year teacher and as she approaches her first observation of the school year, she is reflecting on the Charlotte Danielson

Framework for Teaching and trying to connect this evaluation tool to the principles of Universal Design for Learning.

As Maria continues to develop her design of instructions and assessments, she wants to progress beyond earning basic and proficient ratings on the Danielson Rubric to proficient and distinguished ratings by incorporating the principles of UDL. As you move through this document, you will be able to follow Maria’s progression through the four domains of the Charlotte Danielson framework, linking her actions to the principles of UDL

## Danielson FFT/UDL Crosswalk

### UDL Principles and Guidelines

#### *Provide Multiple Means of Representation: the “what” of learning*

**GUIDELINE 1: PROVIDE OPTIONS FOR PERCEPTION:** options that customize the display of information; options that provide alternatives for auditory information; and options that provide alternatives for visual information.

**GUIDELINE 2: PROVIDE OPTIONS FOR LANGUAGE AND SYMBOLS:** options that clarify vocabulary and symbols; options that clarify syntax and structure; options that support decoding text, mathematical notation, and symbols; options that promote understanding across languages; and options that illustrate through multiple media.

**GUIDELINE 3: PROVIDE OPTIONS FOR COMPREHENSION:** options that supply or activate background knowledge; options that highlight patterns, critical features, big ideas, and relationships; options that guide information processing, visualization, and manipulation; and options that maximize transfer and generalization.

#### *Provide Multiple Means of Action and Expression: the “how” of learning*

**GUIDELINE 4: PROVIDE OPTIONS FOR PHYSICAL ACTION:** options that vary methods of response and navigation; and options for accessing tools and assistive technologies.

**GUIDELINE 5: PROVIDE OPTIONS FOR EXPRESSIVE SKILLS AND COMMUNICATION:** options in the use of multiple media for communication; options for multiple tools for composition and construction; and options for building fluencies with graduated levels of supports for practice and performance.

**GUIDELINE 6: PROVIDE OPTIONS FOR EXECUTIVE FUNCTIONS:** options that guide effective goal-setting; options that support planning and strategy development; options that facilitate managing information and resources; and options that enhance capacity for monitoring progress.

#### *Provide Multiple Means of Engagement: the “why” of learning*

**GUIDELINE 7: PROVIDE OPTIONS FOR RECRUITING INTEREST:** options that increase individual choice and autonomy; options that enhance relevance, value, and authenticity; and options that minimize threats and distractions.

**GUIDELINE 8: PROVIDE OPTIONS FOR SUSTAINING EFFORT AND PERSISTENCE:** options that heighten salience of goals and objectives; options that vary levels of challenge and support; options that foster collaboration and community and options that increase mastery-oriented feedback.

**GUIDELINE 9: PROVIDE OPTIONS FOR SELF-REGULATION:** options that promote expectations and beliefs that optimize motivation; options that facilitate personal coping skills and strategies; and options that develop self-assessment and reflection.

## Danielson FFT/UDL Crosswalk

### Scenario 1: Planning and Preparation

In preparation for her pre-observation conference, Maria reviews the Charlotte Danielson Framework for Teaching. Her first steps include reviewing the last unit's post-assessment. She wants to be able to **demonstrate her knowledge of her students**, especially the student preferences and their feedback on the instruction. Reviewing the student comments, Maria makes note of the misconceptions that she will need to address in the new unit. She crafts a letter to send home to parents explaining the new unit of study, including resources that will support student learning at home and a description of the major assessments that will accompany the learning unit. To encourage student engagement, Maria plans to share her curriculum map showcasing the links between lessons from the previous unit and the new unit. Learning outcomes, content topics, skills and assessments are all part of the curriculum map. **Her instructional outcomes are written in student friendly language** and the students' involvement in the assessments is planned.

In her pre-observation conference, her supervisor shares how her lesson plan aligns with 1a, 1b, 1c, 1d, and 1e of the Danielson FFT. After Maria identifies 1f (i.e., designing student assessments) as an area that she wants to work on for future growth, her supervisor encourages her to meet with colleagues who are proficient in designing student assessments to find effective assessment models. In **compiling the resources** for the lessons in the unit, she wants her supervisor to know how **her materials are challenging and aligned with the curriculum**.

Maria also reflects on what she knows about the Universal Design for Learning principles. To provide multiple means of representation, Maria plans for several different ways she can display information via a multitude of presentation modes. For example, Maria plans to use an engaging video clip to hook the students to the learning objectives; she will offer students the option to listen to or read a transcript of the video; and visuals are a key component of her direct instruction. Student choice is embedded in her lesson to promote strategic thinking, executive functions, and comprehension. To offer multiple means of engagement, group work, independent work and collaborative partner work are built into the lesson. Maria will also guide a discussion after the initial 'starter' to gather important information about students' interests and prior knowledge of the topic. To afford multiple means of action and expression, Maria will supply guided and scaffolded notes that allow students to choose which level of note-taking they will use.

After the note-taking activity, Maria will implement a formative assessment — a closing activity connected to the benchmarks — to monitor her students' progress. Each student will have a choice as to how they will express their knowledge. Their options will include a verbal, written, technological based response, or a pictorial representation. She will offer the students a clear rubric for their products that is linked directly to the benchmarks addressed in the lesson.

### DOMAIN 1: Planning and Preparation

#### 1a Demonstrating Knowledge of Content and Pedagogy

- Content and the structure of the discipline
- Prerequisite relationships
- Content-related pedagogy

#### 1b Demonstrating Knowledge of Students

- Child and adolescent development
- Learning process
- Special needs
- Students' skills, knowledge, and language proficiency
- Students' interests and cultural heritage

#### 1c Setting Instructional Outcomes

- Value, sequence, and alignment
- Clarity
- Balance
- Suitability for diverse learners

#### 1d Demonstrating Knowledge of Resources

- For classroom use
- To extend content knowledge and pedagogy
- Resources for students

#### 1e Designing Coherent Instruction

- Learning activities
- Instructional materials and resources
- Instructional groups
- Lesson and unit structure

#### 1f Designing Student Assessments

- Congruence with instructional outcomes
- Criteria and standards
- Design of formative assessments
- Use for planning

## Danielson FFT/UDL Crosswalk

Below is a chart showing the Danielson components in the first column, the critical attributes associated with each component in the second column, and the UDL Principles & Guidelines that apply to each component and its critical attributes in the third column.

Danielson Component	Critical Attributes	UDL Principles and Guidelines
1a: Demonstrating Knowledge of Content and Pedagogy	<p><b>Proficient Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>The teacher can identify important concepts of the discipline and their relationships to one another.</li> <li>The teacher provides clear explanations of the content.</li> <li>The teacher answers students' questions accurately and provides feedback that furthers their learning.</li> <li>Instructional strategies in unit and lesson plans are entirely suitable to the content.</li> </ul> <p><b>Distinguished Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>The teacher cites intra- and interdisciplinary content relationships.</li> <li>The teacher's plans demonstrate awareness of possible student misconceptions and how they can be addressed.</li> <li>The teacher's plans reflect recent developments in content-related pedagogy.</li> </ul>	<p>Demonstrate intra- and interdisciplinary content relationships, awareness of how to address possible student misconceptions, and recent developments in content-related pedagogy by applying these UDL strategies:</p> <p><b>Representation:</b></p> <ul style="list-style-type: none"> <li><u>Provide options for language, mathematical expressions, and symbols</u> — options that define vocabulary and symbols, clarify syntax and structure, decode text or mathematical notation, promote cross-linguistic understanding, and illustrate key concepts non-linguistically.</li> <li><u>Provide options for comprehension</u> — options that provide or activate background knowledge; highlight critical features, big ideas, and relationships; guide information processing; and support memory and transfer.</li> </ul>
1b: Demonstrating Knowledge of Students	<p><b>Proficient Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>The teacher knows, for groups of students, their levels of cognitive development.</li> <li>The teacher is aware of the different cultural groups in the class.</li> <li>The teacher has a good idea of the range of interests of students in the class.</li> <li>The teacher has identified "high," "medium," and "low" groups of students within the class.</li> <li>The teacher is well informed about students' cultural heritages and incorporates this knowledge in lesson planning.</li> <li>The teacher is aware of the special needs represented by students in the class.</li> </ul> <p><b>Distinguished Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>The teacher uses ongoing methods to assess students' skills and designs instruction accordingly.</li> <li>The teacher seeks out information from all students about their cultural heritages.</li> <li>The teacher maintains a system of updated student records and incorporates medical and/or learning needs into lesson plans.</li> </ul>	<p>Include ongoing methods for student assessment, address student cultural heritages, maintain a system of updated student records and incorporate student information and needs into lesson planning by applying these UDL strategies:</p> <p><b>Representation:</b></p> <ul style="list-style-type: none"> <li><u>Provide options for language, mathematical expressions, and symbols</u> — options that promote cross-linguistic understanding.</li> <li><u>Provide options for comprehension</u> — options that provide or activate background knowledge</li> </ul> <p><b>Action and Expression:</b></p> <ul style="list-style-type: none"> <li><u>Provide options for executive functions</u> — options that guide effective goal-setting, support planning and strategy development, facilitate managing information and resources, and enhance capacity for monitoring progress.</li> </ul> <p><b>Engagement:</b></p> <ul style="list-style-type: none"> <li><u>Provide options for sustaining effort and persistence</u> — options that heighten salience of goals and objectives, and increase mastery-oriented feedback.</li> <li><u>Provide options for self-regulation</u> — options that guide personal goal-setting and expectations, and develop self-assessment and reflection.</li> </ul>

## Danielson FFT/UDL Crosswalk

Danielson Component	Critical Attributes	UDL Principles and Guidelines
<p>1c: Setting Instructional Outcomes</p>	<p><b>Proficient Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• Outcomes represent high expectations and rigor.</li> <li>• Outcomes are related to “big ideas” of the discipline.</li> <li>• Outcomes are written in terms of what students will learn rather than do.</li> <li>• Outcomes represent a range of types: factual knowledge, conceptual understanding, reasoning, social interaction, management, and communication.</li> <li>• Outcomes, differentiated where necessary, are suitable to groups of students in the class.</li> </ul> <p><b>Distinguished Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• The teacher’s plans reference curricular frameworks or blueprints to ensure accurate sequencing.</li> <li>• The teacher connects outcomes to previous and future learning.</li> <li>• Outcomes are differentiated to encourage individual students to take educational risks.</li> </ul>	<p>Connect outcomes to previous and future learning and differentiate outcomes by applying these UDL strategies:</p> <p><b>Representation:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for comprehension</u> — options that provide or activate background knowledge; highlight critical features; big ideas, and relationships; guide information processing; and support memory and transfer.</li> </ul> <p><b>Action and Expression:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for expression and communication</u> — options in media for communication, tools for composition and problem solving, and scaffolds for practice and performance.</li> </ul> <p><b>Engagement:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for self-regulation</u> — options that guide personal goal-setting and expectations; scaffold coping skills and strategies; and develop self-assessment and reflection.</li> </ul>
<p>1d: Demonstrating Knowledge of Resources</p>	<p><b>Proficient Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• Texts are at varied levels.</li> <li>• Texts are supplemented by guest speakers and field experiences.</li> <li>• The teacher facilitates the use of Internet resources.</li> <li>• Resources are multidisciplinary.</li> <li>• The teacher expands her knowledge through professional learning groups and organizations.</li> <li>• The teacher pursues options offered by universities.</li> <li>• The teacher provides lists of resources outside the classroom for students to draw on.</li> </ul> <p><b>Distinguished Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• The texts are matched to student skill level.</li> <li>• The teacher has ongoing relationships with colleges and universities that support student learning.</li> <li>• The teacher maintains a log of resources for student reference.</li> <li>• The teacher pursues apprenticeships to increase discipline knowledge.</li> <li>• The teacher facilitates student contact with resources outside the classroom.</li> </ul>	<p>Offer texts matched to student skill levels and facilitate student contact with resources outside the classroom by applying these UDL strategies:</p> <p><b>Representation:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for perception</u> — options that customize the display of information; provide alternatives for auditory information; and provide alternatives for visual information.</li> <li>• <u>Provide options for language, mathematical expressions, and symbols</u> — options that define vocabulary and symbols; clarify syntax and structure; decode text or mathematical notation; promote cross-linguistic understanding; and illustrate key concepts non-linguistically.</li> <li>• <u>Provide options for comprehension</u> — options that provide or activate background knowledge; highlight critical features; big ideas, and relationships; guide information processing; and support memory and transfer.</li> </ul>

## Danielson FFT/UDL Crosswalk

Danielson Component	Critical Attributes	UDL Principles and Guidelines
<p>1e: Designing Coherent Instruction</p>	<p><b>Proficient Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• Learning activities are matched to instructional outcomes.</li> <li>• Activities provide opportunity for higher-level thinking.</li> <li>• The teacher provides a variety of appropriately challenging materials and resources.</li> <li>• Instructional student groups are organized thoughtfully to maximize learning and build on students' strengths.</li> <li>• The plan for the lesson or unit is well structured, with reasonable time allocations.</li> </ul> <p><b>Distinguished Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• Activities permit student choice.</li> <li>• Learning experiences connect to other disciplines.</li> <li>• The teacher provides a variety of appropriately challenging resources that are differentiated for students in the class.</li> <li>• Lesson plans differentiate for individual student needs.</li> </ul>	<p>Offer student choice, connect with other disciplines, provide a variety of appropriately challenging resources and differentiate for individual needs by applying these UDL strategies:</p> <p><b>Representation:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for perception</u> — options that customize the display of information; provide alternatives for auditory information; and provide alternatives for visual information.</li> <li>• <u>Provide options for language, mathematical expressions, and symbols</u> — options that define vocabulary and symbols, clarify syntax and structure, decode text or mathematical notation, promote cross-linguistic understanding, and illustrate key concepts non-linguistically.</li> <li>• <u>Provide options for comprehension</u> — options that provide or activate background knowledge; highlight critical features, big ideas, and relationships; guide information processing; and support memory and transfer.</li> </ul> <p><b>Action &amp; Expression:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for physical action</u> — options in the mode of physical response, in the means of navigation, and for accessing tools and assistive technologies.</li> <li>• <u>Provide options for expression and communication</u> — options in media for communication, tools for composition and problem solving, and scaffolds for practice and performance.</li> <li>• <u>Provide options for executive functions</u> — options that guide effective goal-setting, support planning and strategy development, facilitate managing information and resources, and enhance capacity for monitoring progress.</li> </ul> <p><b>Engagement:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for recruiting interest</u> — options that increase individual choice and autonomy; enhance relevance, value, and authenticity; and reduce threats and distractions.</li> <li>• <u>Provide options for sustaining effort and persistence</u> — options that heighten salience of goals and objectives, vary levels of challenge and support, foster collaboration and communication, and increase mastery-oriented feedback</li> <li>• <u>Provide options for self-regulation</u> — options that guide personal goal-setting and expectations, scaffold coping skills and strategies, and develop self-assessment and reflection.</li> </ul>



## Danielson FFT/UDL Crosswalk

Danielson Component	Critical Attributes	UDL Principles and Guidelines
<p>1f: Designing Student Assessments</p>	<p><b>Proficient Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• All the learning outcomes have a method for assessment.</li> <li>• Assessment types match learning expectations.</li> <li>• Plans indicate modified assessments when they are necessary for some students.</li> <li>• Assessment criteria are clearly written.</li> <li>• Plans include formative assessments to use during instruction.</li> <li>• Lesson plans indicate possible adjustments based on formative assessment data.</li> </ul> <p><b>Distinguished Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• Assessments provide opportunities for student choice.</li> <li>• Students participate in designing assessments for their own work.</li> <li>• Teacher-designed assessments are authentic, with real-world application as appropriate.</li> <li>• Students develop rubrics according to teacher-specified learning objectives.</li> <li>• Students are actively involved in collecting information from formative assessments and provide input.</li> </ul>	<p>Utilize authentic assessments that offer students choice and options for participating in the design of their own assessments and data collection, including well-developed rubrics by applying these UDL strategies:</p> <p><b>Action and Expression:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for expression and communication</u> — options in media for communication, tools for composition and problem solving, and scaffolds for practice and performance.</li> <li>• <u>Provide options for executive functions</u> — options that guide effective goal-setting, support planning and strategy development, facilitate managing information and resources, and enhance capacity for monitoring progress.</li> </ul> <p><b>Engagement:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for recruiting interest</u> — options that <del>engage</del> <u>engage</u> <del>interest</del> <u>interest</u> and autonomy and enhance relevance, value, and authenticity.</li> <li>• <u>Provide options for sustaining effort and persistence</u> — options that heighten salience of goals and objectives, vary levels of challenge and support, foster collaboration and communication, and increase mastery-oriented feedback.</li> <li>• <u>Provide options for self-regulation</u> — options that guide personal goal-setting and expectations and develop self-assessment and reflection.</li> </ul>

## Danielson FFT/UDL Crosswalk

### DOMAIN 2: The Classroom Environment

<b>2a</b>	<b>Creating an Environment of Respect and Rapport</b> <ul style="list-style-type: none"><li>• Teacher interaction with students, including both words and actions</li><li>• Student interaction with students, including both words and actions</li></ul>
<b>2b</b>	<b>Establishing a Culture for Learning</b> <ul style="list-style-type: none"><li>• Importance of content and of learning</li><li>• Expectations for learning and achievement</li><li>• Student pride in work</li></ul>
<b>2c</b>	<b>Managing Classroom Procedures</b> <ul style="list-style-type: none"><li>• Instructional groups</li><li>• Transitions</li><li>• Materials and supplies</li><li>• Performance of classroom routines</li><li>• Supervision of volunteers and paraprofessionals</li></ul>
<b>2d</b>	<b>Managing Student Behavior</b> <ul style="list-style-type: none"><li>• Expectations</li><li>• Monitoring student behavior</li><li>• Response to student misbehavior</li></ul>
<b>2e</b>	<b>Organizing Physical Space</b> <ul style="list-style-type: none"><li>• Safety and accessibility</li><li>• Arrangement of furniture and use of physical resources</li></ul>

### Scenario 2: The Classroom Environment

The staff at Maria's school was trained in the school-wide PBIS system. In order to **create an environment of respect and rapport**, she has utilized skills and techniques from this training to continually develop and strengthen a positive learning environment. She begins class by greeting each student at the door as they enter the classroom to help them feel welcomed.

Maria knows that a smoothly functioning classroom is a prerequisite to good instruction and high levels of student engagement. She **establishes and monitors routines and procedures** for the smooth operation of the classroom. The daily agenda is displayed and objectives/essential questions are posted so that students have a clear understanding of the day's expectations. Clear routines have been established, which is obvious as students immediately access their materials and begin working on their class "starter."

After Maria takes attendance, she walks through the room to provide students with targeted guidance and encouragement as they complete the task. For any of her students that begin immediately without prompting, Maria hands them a positive behavior reward to reinforce students' practices as they strengthen their classroom routines. In order to establish the appropriate culture for learning, Maria verbalizes and uses a visual to explain the specific behavioral expectations for the peer editing activity that they are about to begin.

Maria **monitors student behavior and establishes clear standards of conduct**. As Maria walks around the room to monitor each student's progress, she notices that several students were giving positive feedback to their partners in the peer review process. She observes one student who appears to be off task. As she approaches this student, she hears the peer-editing partner remind the disruptive student of the expectations that were clearly defined by Maria at the beginning of the activity. The students then continue the activity as Maria walks by them and she quietly thanks them for getting back on task. The behaviors demonstrated by the students are a result of the embedded routines and the relationships Maria has established with her students.

## Danielson FFT/UDL Crosswalk

Below is a chart showing the Danielson components in the first column, the critical attributes associated with each component in the second column, and the UDL Principles & Guidelines that apply to each component and its critical attributes in the third column.

Danielson Component	Critical Attributes	UDL Principles and Guidelines
<p>2a: Creating an Environment of Respect and Rapport</p>	<p><b>Proficient Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• Talk between the teacher and students and among students is uniformly respectful.</li> <li>• The teacher successfully responds to disrespectful behavior among students.</li> <li>• Students participate willingly, but may be somewhat hesitant to offer their ideas in front of classmates.</li> <li>• The teacher makes general connections with individual students.</li> <li>• Students exhibit respect for the teacher.</li> </ul> <p><b>Distinguished Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• The teacher demonstrates knowledge and caring about individual students' lives beyond the class and school.</li> <li>• There is no disrespectful behavior among students.</li> <li>• When necessary, students respectfully correct one another.</li> <li>• Students participate without fear of put-downs or ridicule from either the teacher or other students.</li> <li>• The teacher respects and encourages students' efforts.</li> </ul>	<p>Create a classroom climate of mutual respect in which students feel genuinely cared for by applying these UDL strategies:</p> <p><b>Engagement:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for recruiting interest</u> — options that reduce threats and distractions.</li> <li>• <u>Provide options for self-regulation</u> — options that guide personal goal-setting and expectations, scaffold coping skills and strategies, and develop self-assessment and reflection.</li> </ul>
<p>2b: Establishing a Culture for Learning</p>	<p><b>Proficient Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• The teacher communicates the importance of the content and the conviction that with hard work all students can master the material.</li> <li>• The teacher demonstrates a high regard for students' abilities.</li> <li>• The teacher conveys an expectation of high levels of student effort.</li> <li>• Students expend good effort to complete work of high quality.</li> <li>• The teacher insists on precise use of language by students.</li> </ul> <p><b>Distinguished Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• The teacher communicates passion for the subject.</li> <li>• The teacher conveys the satisfaction that accompanies a deep understanding of complex content.</li> <li>• Students indicate through their questions and comments a desire to understand the content.</li> <li>• Students assist their classmates in understanding the content.</li> <li>• Students take initiative in improving the quality of their work.</li> <li>• Students correct one another in their use of language.</li> </ul>	<p>Establish a risk-free environment where students are encouraged to connect to the content, seek understanding and support peers while pursuing academic excellence by applying these UDL strategies:</p> <p><b>Action &amp; Expression:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for expression and communication</u> — options in media for communication, tools for composition and problem solving, and scaffolds for practice and performance.</li> </ul> <p><b>Engagement:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for sustaining effort and persistence</u> — options that heighten salience of goals and objectives, vary levels of challenge and support, foster collaboration and communication, and increase mastery-oriented feedback.</li> <li>• <u>Provide options for self-regulation</u> — options that guide personal goal-setting and expectations, scaffold coping skills and strategies, and develop self-assessment and reflection.</li> </ul>

## Danielson FFT/UDL Crosswalk

Danielson Component	Critical Attributes	UDL Principles and Guidelines
<p>Zc: Managing Classroom Procedures</p>	<p><b>Proficient Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• Students are productively engaged during small-group or independent work.</li> <li>• Transitions between large- and small-group activities are smooth.</li> <li>• Routines for distribution and collection of materials and supplies work efficiently.</li> <li>• Classroom routines function smoothly.</li> <li>• Volunteers and paraprofessionals work with minimal supervision.</li> </ul> <p><b>Distinguished Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• With minimal prompting by the teacher, students ensure that their time is used productively.</li> <li>• Students take initiative in distributing and collecting materials efficiently.</li> <li>• Students themselves ensure that transitions and other routines are accomplished smoothly.</li> <li>• Volunteers and paraprofessionals take initiative in their work in the class.</li> </ul>	<p>Implement classroom routines with clear expectations to ensure student productivity by applying these UDL strategies:</p> <p><b>Action &amp; Expression:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for physical action</u> — options in the mode of physical response, in the means of navigation, and for accessing tools and assistive technologies.</li> <li>• <u>Provide options for executive functions</u> — options that facilitate managing information and resources, and enhance capacity for monitoring progress.</li> </ul> <p><b>Engagement:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for self-regulation</u> — options that guide expectations, scaffold coping skills and strategies, and develop self-assessment and reflection.</li> </ul>
<p>Zd: Managing Student Behavior</p>	<p><b>Proficient Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• Standards of conduct appear to have been established and implemented successfully.</li> <li>• Overall, student behavior is generally appropriate.</li> <li>• The teacher frequently monitors student behavior.</li> <li>• The teacher’s response to student misbehavior is effective.</li> </ul> <p><b>Distinguished Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• Student behavior is entirely appropriate; any student misbehavior is very minor and swiftly handled.</li> <li>• The teacher silently and subtly monitors student behavior.</li> <li>• Students respectfully intervene with classmates at appropriate moments to ensure compliance with standards of conduct.</li> </ul>	<p>Develop clear behavioral expectations in which students demonstrate self-monitoring and intervene to correct peers’ misbehaviors to ensure the standards of conduct are met with minimal teacher intervention by applying these UDL strategies:</p> <p><b>Action &amp; Expression:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for executive functions</u> — options that enhance capacity for monitoring progress.</li> </ul> <p><b>Engagement:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for recruiting interest</u> — options that increase individual choice and autonomy, enhance relevance, value, and authenticity, and reduce threats and distractions.</li> <li>• <u>Provide options for self-regulation</u> — options that guide expectations, scaffold coping skills and strategies, and develop self-assessment and reflection.</li> </ul>

## Danielson FFT/UDL Crosswalk

Danielson Component	Critical Attributes	UDL Principles and Guidelines
<p>2e: Organizing Physical Space</p>	<p><b>Proficient Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• The classroom is safe, and all students are able to see and hear the teacher or see the board.</li> <li>• The classroom is arranged to support the instructional goals and learning activities.</li> <li>• The teacher makes appropriate use of available technology.</li> </ul> <p><b>Distinguished Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• Modifications are made to the physical environment to accommodate students with special needs.</li> <li>• There is total alignment between the learning activities and the physical environment.</li> <li>• Students take the initiative to adjust the physical environment.</li> <li>• The teacher and students make extensive and imaginative use of available technology.</li> </ul>	<p>Arrange furniture and deploy high- and low-tech resources to promote optimum learning, allowing access for all learners by applying these UDL strategies:</p> <p><b>Representation:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for perception</u> — options that customize the display of information; provide alternatives for auditory information; and provide alternatives for visual information.</li> </ul> <p><b>Action &amp; Expression:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for physical action</u> — options in the mode of physical response, in the means of navigation, and for accessing tools and assistive technologies.</li> </ul>

## Danielson FFT/UDL Crosswalk

### Scenario 3: Instruction

DOMAIN 3: Instruction	
<b>3a Communicating With Students</b>	<ul style="list-style-type: none"><li>• Expectations for learning</li><li>• Directions for activities</li><li>• Explanations of content</li><li>• Use of oral and written language</li></ul>
<b>3b Using Questioning and Discussion Techniques</b>	<ul style="list-style-type: none"><li>• Quality of questions/prompts</li><li>• Discussion techniques</li><li>• Student participation</li></ul>
<b>3c Engaging Students in Learning</b>	<ul style="list-style-type: none"><li>• Activities and assignments</li><li>• Grouping of students</li><li>• Instructional materials and resources</li><li>• Structure and pacing</li></ul>
<b>3d Using Assessment in Instruction</b>	<ul style="list-style-type: none"><li>• Assessment criteria</li><li>• Monitoring of student learning</li><li>• Feedback to students</li><li>• Student self-assessment and monitoring of progress</li></ul>
<b>3e Demonstrating Flexibility and Responsiveness</b>	<ul style="list-style-type: none"><li>• Lesson adjustment</li><li>• Response to students</li><li>• Persistence</li></ul>

Maria is especially keen to ensure that all of her students are **engaged in learning** throughout her lessons. During her pre observation conference, Maria held a discussion with her supervisor related to comments from her last observation. Maria knew that **student engagement in learning** is the centerpiece of the Framework for Teaching and together they decided to focus efforts on improving student engagement. They agreed that one way in which **engagement** would be improved would be if lessons supported more **student-driven** opportunities.

Maria determined that although she could not offer her students a choice regarding the learning objective itself, she could offer them **choices** in how that objective could be reached. She planned to offer her students choices in the **context** for achieving the objective, as well as in the **tools** and **supports** available. Maria indicated that she would be addressing this area of needed growth in her teaching practice by applying UDL strategies.

The math lesson focused on the Common Core State Standards for geometric measurement, specifically, calculating area and perimeter. Maria targeted four **elements** in her planning: **activities and assignments, grouping of students, instructional materials and resources, and structure and pacing**. She anticipated that her planning would result in students remaining highly motivated to work and **persist** even when the **tasks were challenging**. Students were given a task to do independently, then to discuss with a table group, followed by a reporting out from each table. She knew that this **grouping structure** would support individualized pacing while still allowing for time for closure.

Students were asked to use a variety of manipulative materials to create different representations, **discern patterns, and make predictions**. Students pre-determined which of several tools would be most suitable to solve their geometry problems. They were also given the option to create their own materials. One option was using three-dimensional Lego bricks of any color to construct a rectangle or square according to problem specifications. She offered a hint that using the nubs on top of the bricks might assist in calculating the area and the perimeter of each shape they created. Another option she provided was graph paper ruled in  $\frac{1}{4}$ " squares, pencils, and rulers. A third option involved the use of two-dimensional paper shapes. Finally, ipads were available for those who preferred to work with a geometry software program.

Once students working independently were satisfied with their results, they could seek out other students, using different materials, to share their unique paths to solving the problems. Students were allowed to determine whether they remain in their small group to complete another section of the activity, or work independently. Finally, they were asked to develop two or three summary statements that would support their methodology. Since Maria knows that much of student learning results from their **reflection on what they have done**, she wanted to ensure that the lesson included **time for reflection and closure**.

## Danielson FFT/UDL Crosswalk

Below is a chart showing the Danielson components in the first column, the critical attributes associated with each component in the second column, and the UDL Principles & Guidelines that apply to each component and its critical attributes in the third column.

Danielson Component	Critical Attributes	UDL Principles and Guidelines
<p>3a: Communicating with Students</p>	<p><b>Proficient Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• The teacher states clearly, at some point during the lesson, what the students will be learning.</li> <li>• The teacher’s explanation of content is clear and invites student participation and thinking.</li> <li>• The teacher makes no content errors.</li> <li>• The teacher describes specific strategies students might use, inviting students to interpret them in the context of what they’re learning.</li> <li>• Students engage with the learning task, indicating that they understand what they are to do.</li> <li>• If appropriate, the teacher models the process to be followed in the task.</li> <li>• The teacher’s vocabulary and usage are correct and entirely suited to the lesson, including, where appropriate, explanations of academic vocabulary.</li> <li>• The teacher’s vocabulary is appropriate to students’ ages and levels of development.</li> </ul> <p><b>Distinguished Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• If asked, students are able to explain what they are learning and where it fits into the larger curriculum context.</li> <li>• The teacher explains content clearly and imaginatively, using metaphors and analogies to bring content to life.</li> <li>• The teacher points out possible areas for misunderstanding.</li> <li>• The teacher invites students to explain the content to their classmates.</li> <li>• Students suggest other strategies they might use in approaching a challenge or analysis.</li> <li>• The teacher uses rich language, offering brief vocabulary lessons where appropriate, both for general vocabulary and for the discipline.</li> <li>• Students use academic language correctly.</li> </ul>	<p>Establish communicative paths that ensure content is clearly understood by students who can demonstrate their understanding of what they are learning and why by applying these UDL strategies:</p> <p><b>Representation:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for perception</u> — options that customize the display of information, provide alternatives for auditory information, and provide alternatives for visual information.</li> <li>• <u>Provide options for language, mathematical expressions, and symbols</u> — define vocabulary and symbols, clarify syntax and structure, decode text and mathematical notation, promote cross-linguistic understanding, illustrate key concepts non-linguistically.</li> <li>• <u>Provide options for comprehension</u> — provide or activate background knowledge, highlight critical features, big ideas and relationships, guide information processing, support memory and transfer.</li> </ul> <p><b>Action and Expression:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for expression and communication</u> — option in media for communication, tools for composition and problem solving, and scaffolds for practice and performance.</li> <li>• <u>Provide options for executive functions</u> — options that guide effective goal-setting, support planning and strategy development, facilitate managing information and resources, and enhance capacity for monitoring progress.</li> </ul> <p><b>Engagement:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for recruiting interest</u> — options that increase individual choice and autonomy and enhance relevance, value, and authenticity.</li> <li>• <u>Provide options for sustaining effort and persistence</u> — options that heighten salience of goals and objectives, vary levels of challenge and support, foster collaboration and communication, and increase mastery-oriented feedback</li> </ul>

## Danielson FFT/UDL Crosswalk

Danielson Component	Critical Attributes	UDL Principles and Guidelines
<p>3b: Using Questioning and Discussion Techniques</p>	<p><b>Proficient Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• The teacher uses open-ended questions, inviting students to think and/or offer multiple possible answers.</li> <li>• The teacher makes effective use of wait time.</li> <li>• Discussions enable students to talk to one another without ongoing mediation by teacher.</li> <li>• The teacher calls on most students, even those who don't initially volunteer.</li> <li>• Many students actively engage in the discussion.</li> <li>• The teacher asks students to justify their reasoning, and most attempt to do so.</li> </ul> <p><b>Distinguished Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• Students initiate higher-order questions.</li> <li>• The teacher builds on and uses student responses to questions in order to deepen student understanding.</li> <li>• Students extend the discussion, enriching it.</li> <li>• Students invite comments from their classmates during a discussion and challenge one another's thinking.</li> <li>• Virtually all students are engaged in the discussion.</li> </ul>	<p>Utilize student responses to questions in order to deepen student understanding and ensure that all students are engaged in discussion utilizing a variety of means to promote interaction by applying these UDL strategies:</p> <p><b>Representation:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for perception</u> — customize the display of information, provide alternatives for auditory and visual information.</li> <li>• <u>Provide options for language, mathematical expressions, and symbols</u> — define vocabulary and symbols, clarify syntax and structure, decode text and mathematical notation, promote cross-linguistic understanding, illustrate key concepts non-linguistically.</li> <li>• <u>Provide options for comprehension</u> — provide or activate background knowledge, highlight critical features, big ideas and relationships, guide information processing, support memory and transfer.</li> </ul> <p><b>Action and Expression:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for expression and communication</u> — option in media for communication, tools for composition and problem solving, and scaffolds for practice and performance</li> <li>• <u>Provide options for physical action</u> — options in the mode of physical response, in the means of navigation, and for accessing tools and assistive technologies.</li> </ul> <p><b>Engagement:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for recruiting interest</u> — options that increase individual choice and autonomy and enhance relevance, value, and authenticity.</li> <li>• <u>Provide options for sustaining effort and persistence</u> — options that heighten salience of goals and objectives, vary levels of challenge and support, foster collaboration and communication, and increase mastery-oriented feedback.</li> </ul>



## Danielson FFT/UDL Crosswalk

Danielson Component	Critical Attributes	UDL Principles and Guidelines
<p>3c: Engaging Students in Learning</p>	<p><b>Proficient Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• Most students are intellectually engaged in the lesson.</li> <li>• Most learning tasks have multiple correct responses or approaches and/or encourage higher-order thinking.</li> <li>• Students are invited to explain their thinking as part of completing tasks.</li> <li>• Materials and resources support the learning goals and require intellectual engagement, as appropriate.</li> <li>• The pacing of the lesson provides students the time needed to be intellectually engaged.</li> <li>• The teacher uses groupings that are suitable to the lesson activities.</li> </ul> <p><b>Distinguished Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• Virtually all students are intellectually engaged in the lesson.</li> <li>• Lesson activities require high-level student thinking and explanations of their thinking.</li> <li>• Students take initiative to improve the lesson by (1) modifying a learning task to make it more meaningful or relevant to their needs, (2) suggesting modifications to the grouping patterns used, and/or (3) suggesting modifications or additions to the materials being used.</li> <li>• Students have an opportunity for reflection and closure on the lesson to consolidate their understanding.</li> </ul>	<p>Plan and execute lessons that support “minds on” engagement by applying these UDL strategies:</p> <p><b>Representation:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for perception</u> — options that customize the display of information; provide alternatives for auditory information; and provide alternatives for visual information.</li> <li>• <u>Provide options for language, mathematical expressions, and symbols</u> — options that define vocabulary and symbols, clarify syntax and structure, decode text or mathematical notation, promote cross-linguistic understanding, and illustrate key concepts non-linguistically.</li> <li>• <u>Provide options for comprehension</u> — options that provide or activate background knowledge; highlight critical features; big ideas, and relationships; guide information processing; and support memory and transfer.</li> </ul> <p><b>Action &amp; Expression:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for physical action</u> — options in the mode of physical response, in the means of navigation, and for accessing tools and assistive technologies.</li> <li>• <u>Provide options for expression and communication</u> — option in media for communication, tools for composition and problem solving, and scaffolds for practice and performance.</li> <li>• <u>Provide options for executive functions</u> — options that guide effective goal-setting, support planning and strategy development, facilitate managing information and resources, and enhance capacity for monitoring progress.</li> </ul> <p><b>Engagement:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for recruiting interest</u> — options that increase individual choice and autonomy and enhance relevance, value, and authenticity.</li> <li>• <u>Provide options for sustaining effort and persistence</u> — options that heighten salience of goals and objectives, vary levels of challenge and support, foster collaboration and communication, and increase mastery-oriented feedback</li> <li>• <u>Provide options for self-regulation</u> — options that guide personal goal-setting and expectations and develop self-assessment and reflection.</li> </ul>

## Danielson FFT/UDL Crosswalk

Danielson Component	Critical Attributes	UDL Principles and Guidelines
<p>3d: Using Assessment in Instruction</p>	<p><b>Proficient Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• The teacher makes the standards of high-quality work clear to students.</li> <li>• The teacher elicits evidence of student understanding.</li> <li>• Students are invited to assess their own work and make improvements; most of them do so.</li> </ul> <p><b>Distinguished Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• Students indicate that they clearly understand the characteristics of high-quality work, and there is evidence that students have helped establish the evaluation criteria.</li> <li>• The teacher is constantly “taking the pulse” of the class; monitoring of student understanding is sophisticated and continuous and makes use of strategies to elicit information about individual student understanding.</li> <li>• Students monitor their own understanding, either on their own initiative or as a result of tasks set by the teacher.</li> <li>• High-quality feedback comes from many sources, including students; it is specific and focused on improvement.</li> </ul>	<p>Utilize formative and summative assessments to support adjustments in lesson planning and implementation. Embed student self-assessment into lesson routines and ensure high quality, specific feedback from the teacher and peers which is focused on improvement by applying these UDL strategies:</p> <p><b>Representation:</b></p> <ul style="list-style-type: none"> <li>• Provide options for language, mathematical expressions, and symbols — options that define vocabulary and symbols, clarify syntax and structure, decode text or mathematical notation, promote cross-linguistic understanding, and illustrate key concepts non-linguistically.</li> <li>• Provide options for <u>comprehension</u> — options that highlight critical features, big ideas, and relationships; guide information processing; and support memory and transfer.</li> </ul> <p><b>Action &amp; Expression:</b></p> <ul style="list-style-type: none"> <li>• Provide options for <u>executive functions</u> — options that guide effective goal-setting, support planning and strategy development, facilitate managing information and resources, and enhance capacity for monitoring progress.</li> </ul> <p><b>Engagement:</b></p> <ul style="list-style-type: none"> <li>• Provide options for <u>sustaining effort and persistence</u> — options that heighten salience of goals and objectives, vary levels of challenge and support, foster collaboration and communication, and increase mastery-oriented feedback</li> <li>• Provide options for <u>self-regulation</u> — options that guide personal goal-setting and expectations and develop self-assessment and reflection.</li> </ul>

## Danielson FFT/UDL Crosswalk

Danielson Component	Critical Attributes	UDL Principles and Guidelines
<p>3e: Demonstrating Flexibility and Responsiveness</p>	<p><b>Proficient Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• The teacher incorporates students' interests and questions into the heart of the lesson.</li> <li>• The teacher conveys to students that she has other approaches to try when the student's experience difficulty.</li> <li>• In reflecting on practice, the teacher cites multiple approaches undertaken to reach students having difficulty.</li> <li>• When improvising becomes necessary, the teacher makes adjustments to the lesson.</li> </ul> <p><b>Distinguished Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>• The teacher seizes on a teachable moment to enhance a lesson.</li> <li>• The teacher conveys to students that she won't consider a lesson "finished" until every student understands and that she has a broad range of approaches to use.</li> <li>• In reflecting on practice, the teacher can cite others in the school and beyond whom he has contacted for assistance in reaching some students.</li> <li>• The teacher's adjustments to the lesson, when they are needed, are designed to assist individual students.</li> </ul>	<p>To ensure that all students understand the lesson concepts, use a broad range of approaches to make ongoing adjustments to the lesson by applying these UDL strategies</p> <p><b>Representation:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for perception</u> — options that customize the display of information; provide alternatives for auditory information; and provide alternatives for visual information.</li> <li>• <u>Provide options for language, mathematical expressions, and symbols</u> — options that define vocabulary and symbols, clarify syntax and structure, decode text or mathematical notation, promote cross-linguistic understanding, and illustrate key concepts non-linguistically.</li> <li>• <u>Provide options for comprehension</u> — options that provide or activate background knowledge; highlight critical features; big ideas, and relationships; guide information processing; and support memory and transfer.</li> </ul> <p><b>Action &amp; Expression:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for expression and communication</u> — options in media for communication, tools for composition and problem solving, and scaffolds for practice and performance.</li> <li>• <u>Provide options for executive functions</u> — options that guide effective goal-setting, support planning and strategy development, facilitate managing information and resources, and enhance capacity for monitoring progress.</li> </ul> <p><b>Engagement:</b></p> <ul style="list-style-type: none"> <li>• <u>Provide options for recruiting interest</u> — options that increase individual choice and autonomy and enhance relevance, value, and authenticity.</li> <li>• <u>Provide options for sustaining effort and persistence</u> — options that heighten salience of goals and objectives, vary levels of challenge and support, foster collaboration and communication, and increase mastery-oriented feedback</li> </ul>

## Danielson FFT/UDL Crosswalk

### DOMAIN 4: Professional Responsibilities

- 4a Reflecting on Teaching**
- Accuracy
  - Use in future teaching
- 4b Maintaining Accurate Records**
- Student completion of assignments
  - Student progress in learning
  - Noninstructional records
- 4c Communicating with Families**
- Information about the instructional program
  - Information about individual students
  - Engagement of families in the instructional program
- 4d Participating in a Professional Community**
- Relationships with colleagues
  - Participation in school and district projects
  - Involvement in culture of professional inquiry
  - Service to the school
- 4e Growing and Developing Professionally**
- Enhancement of content knowledge and pedagogical skill
  - Receptivity to feedback from colleagues
  - Service to the profession
- 4f Showing Professionalism**
- Integrity/ethical conduct
  - Service to students
  - Advocacy
  - Decision-making
  - Compliance with school and district regulation

### Scenario 4: Professional Responsibilities

Maria understands the importance of **maintaining accurate records**. She knows that without an efficient and effective system, it will be very difficult to **monitor student learning to adjust instruction**. She inherited a system from last year's teacher which consists of placing raw data sheets into a three-ring binder in a chronological fashion. Whenever she needs to review progress and plan for next steps in the instructional process, she must flip through 10 or 20 sheets per student. As a result, she feels as if she is drowning in paper. She knows this is not working. Her supervisor has helped her to understand that central to the process of **growing and developing professionally** is the willingness to seek feedback and support from colleagues.

As part of **participating in the school's professional community**, Maria is encouraged to solicit the expertise of her veteran colleagues in order to find another way to represent the rich data that she has on each of her students. Maria makes an appointment with several of her colleagues, each of whom shares a unique system of aggregating student data. After a careful review, Maria opts to adopt a graphing system that provides a nice one-page visual representation of the data.

She is ready to tackle her next data-related challenge. As she reflects on **If, planning for assessment**, she is beginning to design practices and processes for better record keeping. Her **reflection** also involves her desire to involve her **students** in the process of **contributing to and maintaining records**. She plans to begin by having them record assignment completion. Then, she wants to gradually introduce asking the students to maintain data files indicating their own learning on targeted objectives. She knows that this will require providing students with multiple means of action and expression. She lays out bingo markers, stickers, and felt tipped pens and creates assignment charts for each student. For some charts she uses icons to represent the assignments, and for others she uses text. Finally, for some students she creates an online excel spreadsheet of assignments, asking students to shade the cell when an assignment is turned in. **Students choose** how they want to represent the completion of their assignments. When one student suggests that he graph the assignments using a bar chart format, Maria provides the materials for him to construct his unique record.

In the next phase Maria holds a conference with each of her students and asks each student to reflect on his or her learning. She asks her students how they would like to show progress in their learning and which area they would like to record. One student indicates that he is learning lots of new reading vocabulary. He wants to build a "word bank" that he can take home and show to his parents. Each time he masters a word, he will write it on cardstock and insert it into a container which he will bring home once a week. Another student would like to show his progress in reading fluency. He says he is reading out loud faster and more smoothly every day. He wants to show his progress my recording himself on his ipad and timing how long it takes him to read a five-sentence paragraph. A third student indicates that he is now able to write complicated sentences using his vocabulary words. He says he thinks it would show progress for him to write an email to his parents using as many of those words as he can. Maria helps each student to determine a data system that will work for him or her.

## Danielson FFT/UDL Crosswalk

Danielson Component	Critical Attributes	UDL Principles and Guidelines
4a: Reflecting on Teaching	<p><b>Proficient Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>The teacher accurately assesses the effectiveness of instructional activities used.</li> <li>The teacher identifies specific ways in which a lesson might be improved.</li> </ul> <p><b>Distinguished Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>The teacher's assessment of the lesson is thoughtful and includes specific indicators of effectiveness.</li> <li>The teacher's suggestions for improvement draw on an extensive repertoire.</li> </ul>	<p>The teacher incorporates feedback from multiple sources in order to improve effectiveness of teaching.</p> <p><b>Possible examples:</b></p> <p>The teacher uses <b>multiple means of representation</b> to support her reflections on teaching. These may include student surveys, peer observations, self-assessment of videos of her own teaching as well as student progress reports.</p>
4b: Maintaining Accurate Records	<p><b>Proficient Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>The teacher's process for recording completion of student work is efficient and effective; students have access to information about completed and/or missing assignments.</li> <li>The teacher has an efficient and effective process for recording student attainment of learning goals; students are able to see how they're progressing.</li> <li>The teacher's process for recording non-instructional information is both efficient and effective.</li> </ul> <p><b>Distinguished Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>The teacher's process for recording completion of student work is efficient and effective; students have access to information about completed and/or missing assignments.</li> <li>The teacher has an efficient and effective process for recording student attainment of learning goals; students are able to see how they're progressing.</li> <li>The teacher's process for recording non-instructional information is both efficient and effective.</li> </ul>	<p>Efficient and effective record keeping and data analysis inform the instructional process.</p> <p><b>Possible examples:</b></p> <p>Records are comprehensive and include information on: student acquisition of core curriculum skills and knowledge; specific IEP objectives including behavioral and social skills; and use of accommodations and modifications.</p> <p>The teacher benefits from <b>multiple means of representing</b> data on student progress including criterion referenced checklists, pacing guides provided by the school district, attainment of IEP objectives, and student self-assessment.</p> <p>The teacher incorporates student contributions to their own portfolios.</p>
4c: Communicating with Families	<p><b>Proficient Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>The teacher regularly makes information about the instructional program available.</li> <li>The teacher regularly sends home information about student progress.</li> <li>The teacher develops activities designed to engage families successfully and appropriately in their children's learning.</li> <li>Most of the teacher's communications are appropriate to families' cultural norms.</li> </ul> <p><b>Distinguished Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>Students regularly develop materials to inform their families about the instructional program.</li> <li>Students maintain accurate records about their individual learning progress and frequently share this information with families.</li> <li>Students contribute to regular and ongoing projects designed to engage families in the learning process.</li> <li>All of the teacher's communications are highly sensitive to families' cultural norms.</li> </ul>	<p>The teacher provides opportunities for families to understand both the instructional program and their child's progress; offers engagement opportunities to families so that they can participate in learning activities; frequently sends home culturally appropriate information; and establishes two-way communication between the teacher and families by using <b>these UDL strategies:</b></p> <p><b>Representation:</b></p> <ul style="list-style-type: none"> <li><u>Provide options for perception</u> — options that customize the display of information; provide alternatives for auditory information; and provide alternatives for visual information.</li> <li><u>Provide options for language, mathematical expressions, and symbols</u> — options that define vocabulary and symbols and promote cross-linguistic understanding.</li> </ul> <p><b>Action &amp; Expression:</b></p> <ul style="list-style-type: none"> <li><u>Provide options for expression and communication</u> — options in media for communication</li> </ul>

## Danielson FFT/UDL Crosswalk

Danielson Component	Critical Attributes	UDL Principles and Guidelines
4d: Participating in the Professional Community	<p><b>Proficient Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>The teacher has supportive and collaborative relationships with colleagues.</li> <li>The teacher regularly participates in activities related to professional inquiry.</li> <li>The teacher frequently volunteers to participate in school events and school district and community projects.</li> </ul> <p><b>Distinguished Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>The teacher takes a leadership role in promoting activities related to professional inquiry.</li> <li>The teacher regularly contributes to and leads events that positively impact school life.</li> <li>The teacher regularly contributes to and leads significant district and community projects.</li> </ul>	<p>The teacher actively engages with colleagues in professional inquiry.</p> <p><b>Possible examples:</b></p> <p>The teacher works with his/her colleagues to share strategies, plan joint efforts and plan for the success of individual students.</p> <p>Colleagues provide mutual support and respect and seek ways to improve their practice and contribute to the life of the school.</p> <p>The teacher engages his/her peers in professional discourse using <b>multiple means of engagement</b> which may include shared Moodles, Google docs, lunch bunch pair and shares, posting of lessons and resources in support of grade level objectives, inter visitations followed by debriefs, after school turnkey trainings.</p>
4e: Growing and Developing Professionally	<p><b>Proficient Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>The teacher seeks regular opportunities for continued professional development.</li> <li>The teacher welcomes colleagues and supervisors into the classroom for the purposes of gaining insight from their feedback.</li> <li>The teacher actively participates in organizations designed to contribute to the profession.</li> </ul> <p><b>Distinguished Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>The teacher seeks regular opportunities for continued professional development, including initiating action research.</li> <li>The teacher actively seeks feedback from supervisors and colleagues.</li> <li>The teacher takes an active leadership role in professional organizations in order to contribute to the profession.</li> </ul>	<p>The teacher is an expert learner who continually seeks to enhance his/her own knowledge and skills.</p> <p><b>Possible examples:</b></p> <p>The teacher attends courses and workshops; regularly engages in academic reading; participates in learning networks with colleagues, freely sharing insights; participates in professional organizations supporting academic inquiry.</p> <p>The teacher uses tools such as survey monkey to discern priority areas in need of professional development. He/she shares electronic lesson plans with colleagues. He/she attends webinars and participates in book discussions.</p>

## Danielson FFT/UDL Crosswalk

Danielson Component	Critical Attributes	UDL Principles and Guidelines
4f: Showing Professionalism	<p><b>Proficient Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>The teacher is honest and known for having high standards of integrity.</li> <li>The teacher actively addresses student needs.</li> <li>The teacher actively works to provide opportunities for student success.</li> <li>The teacher willingly participates in team and departmental decision making.</li> <li>The teacher complies completely with district regulations.</li> </ul> <p><b>Distinguished Level Critical Attributes</b></p> <ul style="list-style-type: none"> <li>The teacher is considered a leader in terms of honesty, integrity, and confidentiality.</li> <li>The teacher is highly proactive in serving students.</li> <li>The teacher makes a concerted effort to ensure opportunities are available for all students to be successful.</li> <li>The teacher takes a leadership role in team and departmental decision making.</li> <li>The teacher takes a leadership role regarding district regulations.</li> </ul>	<p>The teacher shows he/she is an expert learner by modeling professionalism.</p> <p><b>Possible examples:</b></p> <p>With the support and guidance of her principal, the teacher seeks grants and other outside funding sources to support initiatives that she and her colleagues would like to pursue.</p> <p>The teacher organizes a parent education event to address how to support students at home. He/She organizes an evening homework chat hosted by the district's website to support both parents and students.</p> <p>The teacher introduces the concept of flipped learning and offers to teach her colleagues how to implement the process.</p>

### Acknowledgements

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## Danielson FFT/UDL Crosswalk

### Appendix A: UDL Walk-Through Formative Assessment Tool

School: \_\_\_\_\_ Observer: \_\_\_\_\_ Date: \_\_\_\_\_

Teacher: \_\_\_\_\_ Class/Content: \_\_\_\_\_ Grade: \_\_\_\_\_

#### *Evidence of Expert Learning (Danielson Domain 3)*

Students are provided choices for action and expression with supports for decision making and reflection.

- Yes     No     Not Observed     Not Applicable

Notes: \_\_\_\_\_

\_\_\_\_\_

Learning activities are student-centered and students are provided with scaffolds to meet their needs and encourage independence.

- Yes     No     Not Observed     Not Applicable

Notes: \_\_\_\_\_

\_\_\_\_\_

Expectations of objective mastery are clear and provide options for reaching the learning objective.

- Yes     No     Not Observed     Not Applicable

Notes: \_\_\_\_\_

\_\_\_\_\_

## Danielson FFT/UDL Crosswalk

### *Environmental Design (Danielson Domain 2)*

Physical barriers to access have been eliminated

- Yes       No       Not Observed       Not Applicable

Notes: \_\_\_\_\_  
\_\_\_\_\_

Classroom design / furniture arrangement supports the observed learning activity.

- Yes       No       Not Observed       Not Applicable

Notes: \_\_\_\_\_  
\_\_\_\_\_

### *Tools and Materials (Danielson Domain 1)*

Curricular materials are offered in either a flexible format or in multiple formats and include student choice.

- Yes       No       Not Observed       Not Applicable

Notes: \_\_\_\_\_  
\_\_\_\_\_

A variety of tools and materials are used to support access and comprehension of the curriculum for diverse learners.

- Yes       No       Not Observed       Not Applicable

Notes: \_\_\_\_\_  
\_\_\_\_\_

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## Danielson FFT/UDL Crosswalk

### Appendix B: Professional Learning Experience Protocol: Crosswalk between UDL & the Danielson Framework for Teaching

*Goal: To practice evaluating a lesson with the Danielson FFT,\* using language from the UDL guidelines.*

**Step 1:** Review school/district evaluation tool. (\*We used Baltimore County's Teacher Observation Tool, which was created using the Danielson FFT.)

**Step 2:** Identify an appropriate video (with related written lesson plan) to view. (The Teaching Channel is an excellent source for model lessons and supplementary materials: <https://www.teachingchannel.org/videos>.)

**Step 3:** Review the written lesson plan focusing on Domain 1: Planning and Preparation. When discussing each critical attribute of the FFT, use language from the UDL Guidelines.

Examples:

- Demonstrating Knowledge of Students—*Does the plan embed multiple options to support learner variability?*
- Setting Instructional Outcomes—*Carefully look at goals: are the means embedded?*
- Designing Coherent Instruction—*Were flexible materials selected? Is there evidence of access, scaffolding and expert learning opportunities?*

**Step 4:** View the lesson video focusing on Domain 2: The Classroom Environment and Domain 3: Instruction. When discussing each critical attribute of the FFT, use language from the UDL Guidelines.

Examples:

- Establishing a Culture for Learning—*How did the teacher recruit interest? Reduce threats and distractions? Provide choice and autonomy?*
- Managing Classroom Procedures—*How does the teacher guide goal-setting? Facilitate management of resources?*
- Managing Student Behavior—*What options exist to support self-regulation? Are personal strategies/coping skills shared with students? Opportunities for self-assessment? Reflection?*

## Danielson FFT/UDL Crosswalk

- Organizing Physical Space—*What options exist for physical action? What assistive or instructional technologies are used to provide options to students?*
- Engaging Students in Learning—*What options exist for collaboration or community building? Evidence of choice or scaffolds?*
- Using Assessment in Instruction—*How/when is mastery-oriented feedback provided to learners? Are students reflecting/self- evaluating?*


**Step 5:** Make suggestions using the UDL Framework as a tool to enhance the learning environment.

- *Example 1—General:* If there is little evidence of student engagement in the learning process, direct the teacher to review the Engagement principle of the UDL framework. Identify a specific area of need. Was the teacher able to recruit interest? If not, determine why. Use the guidelines and checkpoints to evaluate. Did the teacher provide choice and autonomy? Or was the barrier related to relevance and authenticity of the lesson. Or, were students not ready to learn due to specific threats and distractions. Identify the area of need and use the guidelines as a way to discuss practice or to locate tools and resources to remove the identified barrier. The UDL Educator Worksheet, the UDLinks App, and the National UDL Center all provide specific ideas for removing barriers and providing options.
- *Example 2—Specific:* Upon reviewing a video lesson, the professional learning community members observed that the teacher in the vid had difficulty managing classroom procedures. Using the UDL Guidelines, the team found that supporting executive functions was a barrier in the classroom. The PLC noted that the teacher did guide appropriate goal setting, but did not facilitate the management of information and resources or enhance capacity for monitoring process. The team explored resources on the National UDL Center website and suggested the following low-tech solutions to reduce the barrier related to managing information:
  - ◇ Provide graphic organizers and templates for data collection and organizing information
  - ◇ Embed prompts for categorizing and systematizing
  - ◇ Provide checklists and guides for note-taking

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# 100

## Teacher Report Cards



**Report Card for the Teacher**

I would love to get feedback from all of you to help me improve my teaching and to help you learn more effectively in the second semester. Be honest and please take some time to answer both sections. I am very interested in your comments.

I. On a scale of 1 (lowest) to 5 (highest), rate me on each item.

Have I made you more interested in math this year?	1	2	3	4	5
Are my lessons appropriately varied?	1	2	3	4	5
Am I a prepared/organized teacher?	1	2	3	4	5
Has technology use in this class helped you learn more effectively?	1	2	3	4	5
Did the use of co-teaching in this class help your learning?	1	2	3	4	5
Am I a fair teacher/grade?	1	2	3	4	5

II. Provide a short response for each question. Please add any additional comments on the back of this page.

- What was one of your favorite lessons this year?
- What were your favorite structures/games/activities? Pick three.  
--- Turn and talk    --- All around the room    --- Notebooking



### Materials

- Cards or paper

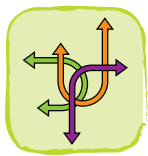


### Description

At its core, differentiation is about knowing your students and what works for each of them. What better way to learn about the needs of your learners than to ask them to rate you and your teaching?

This assessment tool may feel risky to some educators, but it can also be very rewarding. You position yourself to learn about which types of lessons are working well, which assessments students see as useful, and which classroom games and activities students see as meaningful, enjoyable, and effective.

Add teacher report cards to your menu of assessments to get to know your learners even better and to see what teaching looks and feels like on the other side of the teacher's desk.



### Directions

Decide on what kind of feedback would be most useful to you personally and to your teaching. Then, create items that will be easy for students to answer. You could use a Likert scale for some items (i.e., a scale of 1–5) or multiple-choice items. These tools will let you see if there are themes that emerge. For example, if all learners give you a 1 or 2 in *I get enough opportunities for movement*, you know that this area is in need of improvement.

You will also want to leave some space for evaluator comments because you can likely learn the most from open-ended feedback. You might ask questions such as, *What was your favorite lesson so far?*, *What is one thing you wish we could do more often?*, or *What games, activities, or review exercises are the most helpful?* You can ask students to keep their names off the reports to encourage honesty.

After collecting and reviewing the reports, consider sharing results with your students and letting them know about any comments or information that made you feel good or satisfied. You also can report on any changes you intend to make as a result of the feedback.



## Example

In his algebra and geometry classes, a high school math teacher gave his students a mid-year teacher report card. He was rated on his sense of humor, the clarity of his teaching, and the amount and quality of homework.



## Reference

Byrnes, M.A., & Baxter, J. (2012). *There is another way: Launch a Baldrige-based quality classroom* (2nd ed.). Milwaukee, WI: Quality Press.



## Vendor

### **Grainger**

<http://www.grainger.com/Grainger/QUALITY-PARK-Report-Card-Jacket-23L193>

Make it official with report card jackets that can be used month after month or quarter after quarter.



## Web Site

### **Education World**

[http://www.educationworld.com/a\\_lesson/05/lp345-03.shtml](http://www.educationworld.com/a_lesson/05/lp345-03.shtml)

A lesson plan is provided for designing teacher report cards.

## Behavioral/Emotional Concerns— Caregiver Checklist

**for Adults with Intellectual and other  
Developmental Disabilities (IDD)**

Last/First Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_ DOB    /   /    Gender: \_\_\_\_\_  
dd mm yyyy

Medical Record Number: \_\_\_\_\_

### **PART B: CAREGIVER SECTION** (Caregiver to fill out or provide information)

**What type of developmental disability does the patient have**  
(i.e., what caused it?) (e.g., Down syndrome, Fragile X  
syndrome) \_\_\_\_\_

Unsure/don't know

**What is the patient's level of functioning?**

Borderline

Mild

Moderate

Severe

Profound

Unknown

### **BEHAVIORAL PROBLEM**

When did the behavioral problem start? \_\_\_/\_\_\_/\_\_\_

When was patient last "at his/her best"? (i.e., before  
these behavior problems) \_\_\_/\_\_\_/\_\_\_

**Description of current difficult behavior(s):**

**Has this sort of behavior happened before?**

**What triggers the behavior?**

**And what do you (or other caregivers) do when the behavior  
occurs?**

**What, in the past, helped or did not help to manage the  
behavior?** (include medication) \_\_\_\_\_  
manage behavior[s])

**What is being done now to try to help the patient and  
manage his/her behaviors? How is it working?**

**Risk?**

To self

To others

To environment

Aggression to others

Self-injurious behavior

**Severity of Damage or Injury**

Mild (no damage)

Moderate (some)

Severe (extensive)

**Frequency of Distressing  
(Challenging) Behavior**

More than once daily

Daily

Weekly

Monthly

**PART B: CAREGIVER SECTION**

Name: \_\_\_\_\_ DOB \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Please check (✓) if there has been any recent deterioration or change in:

- |   |   |
|---|---|
| <input type="checkbox"/> Mood                     | <input type="checkbox"/> Seizure frequency                                |
| <input type="checkbox"/> Bowel/bladder con        | <input type="checkbox"/> Self care (e.g. eaà , toile ` dressing, hygiene) |
| <input type="checkbox"/> Appe e                   | <input type="checkbox"/> Independence                                     |
| <input type="checkbox"/> Sleep                    | <input type="checkbox"/> nitia e  |
| <input type="checkbox"/> Social involvement       | <input type="checkbox"/> g., thinking, memory)                            |
| <input type="checkbox"/> Communica                | <input type="checkbox"/> Movement (standing, walking, coordina            |
| <input type="checkbox"/> Interest (in leisur ork) | <input type="checkbox"/> Need for change in supervision and/or placement  |

When did this change/deterioration start?

Caregiver comments:

**1. POSSIBLE PHYSICAL HEALTH PROBLEMS OR PAIN**

Are you or other caregivers aware of any **physical health or medical problems** that might be con o the pa t's behavior problems?

No  Yes

If yes, please specify or describe:

**Could pain, injury or discomfort** be con o the behavior change?

No  Yes  Possibly

Specify:

ould you know if this paent was in pain

No  Yes

ow does this paent communicate pain

xpr esses verbally

Points to place on body

xpr esses through non-specic beha vior disturbance (describe):

ther (specif y):

Are there any concerns about medicaons or possible medicaon side e ffects



**PART B: CAREGIVER SECTION**

Name: \_\_\_\_\_ DOB \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**2.1: CHANGES IN ENVIRONMENT *before* problem behavior(s) began**

Have there been any recent changes or stressful circumstances regarding:

- Caregivers? (family members paid staff v olunteers)
- Care provision? (e.g. ne w program or delivered di erently f ewer sta t o support)
- Living environment? (e.g., co-residents)
- School or day program or work?

**2.2: SUPPORT ISSUES**

Are there any problems in this paen t's support system that may contribute to his/her basic needs not being met

oes this pa en t have a hearing or vision problem?

No Yes

If yes, what is in place to help him/her?

\_\_\_\_\_

oes this pa en t have a problem with **sensory triggers**?

No Yes

If yes, what is in place to help him/her?

\_\_\_\_\_

oes this pa en t have a **communication problem**?

No Yes

If yes, what is in place to help him/her?

\_\_\_\_\_

*If yes* do you think this paen t's environment is

- over-smula ng
- under-smula ng or
- us t right for this paen t

Does environment seem **too physically demanding** for this paen t

No Yes

oes this pa en t have enough opportunies f or **appropriate physical activities**?

No Yes

oes this pa en t have **mobility problems** or **physical restrictions**?

No Yes

If yes, what is in place to help him/her?

\_\_\_\_\_

Are there **any supports or programs that might help this patient** and that are not now in place?

No Yes

If yes, please describe:

\_\_\_\_\_

If yes, does he/she receive physical therapy?

No Yes

**Caregiver comments:**

\_\_\_\_\_

**PART B: CAREGIVER SECTION**

Name: \_\_\_\_\_ DOB \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**3: EMOTIONAL ISSUES** Please check ( ) if any of these factors may be affecting this patient:

**Any recent change in relationships** with significant others  
(e.g. staff, family, friends, romantic partner)

- Additions** (e.g., new roommate, birth of sibling)
- Losses** (e.g., staff change, housemate change)
- Separations** (e.g., decreased visits by volunteers, sibling moved out)
- Deaths** (e.g., parent, housemate, caregiver)

**Issues of assault or abuse**

	Past	Ongoing	Date(s)
Physical	<input type="checkbox"/>	<input type="checkbox"/>	_____
Sexual	<input type="checkbox"/>	<input type="checkbox"/>	_____
Emotional	<input type="checkbox"/>	<input type="checkbox"/>	_____
Exploitation	<input type="checkbox"/>	<input type="checkbox"/>	_____

Comments: \_\_\_\_\_

- Teasing or bullying**
- Being left out of an activity or group**
- Anxiety about completing tasks**
- Stress or upsetting event, at school or work**
- Issues regarding sexuality and relationships**
- Inability to verbalize feelings**
- Disappointment(s)**  
(e.g., being surpassed by siblings not being able to meet goals such as driving or having a romantic relationship)
- Growing insight into disabilities and impact on own life**  
(e.g., that he/she will never have children, sibling has boy/girlfriend)
- Life transitions** (e.g., moving out of family home, leaving school, puberty)
- Other triggers** (e.g., anniversaries, holidays, environmental, associated with past trauma)

Specify: \_\_\_\_\_

Caregiver comments:

Has this patient ever been diagnosed with a psychiatric disorder  No  Unsure

Yes: \_\_\_\_\_

Has this patient ever been hospitalized for a psychiatric reason  No  Unsure

Yes: \_\_\_\_\_

## PART B: CAREGIVER SECTION

Name: \_\_\_\_\_ DOB \_\_\_\_ / \_\_\_\_ / \_\_\_\_

### CAREGIVER CONCERNS AND INFORMATION NEEDS

Do you and other caregivers have the information you need to help this patient in terms of:

- The type of developmental disability the patient has and possible causes of it  Yes  No  Unsure
- How the patient's abilities support needs and potential care  Yes  No  Unsure
- Possible physical health problems with this kind of disability  Yes  No  Unsure
- Possible mental health problems and support needs with this kind of disability (e.g. anxiety more common with regression syndrome)  Yes  No  Unsure
- How to help if the patient has behavior problems/emotional issues  Yes  No  Unsure
- Recent changes or deterioration in the patient's abilities  Yes  No  Unsure

Are there any issues of **caregiver stress** or potential burnout?  Yes  No  Unsure

Caregiver comments:

Caregiver's additional general comments or concerns:

Thank you for the information you have provided. It will be helpful in understanding this patient better and planning and providing health care for him or her.

### **The Concept of Social Thinking: It's Tied to Social Skills and Academics**

Social thinking is the process by which we interpret the thoughts, beliefs, intentions, emotions, knowledge and actions of another person along with the context of the situation to understand that person's experience. If we are engaging or sharing space with another person, we use this information to determine how to respond to affect the thoughts that person has about us to achieve our social goals (such as being friendly to maintain a friendship, acting generous to impress a date, and seeming unfriendly to deflect attention when walking alone late at night, etc.). Social thinking is our meaning maker - it allows us to interpret the deeper meaning behind what others do in the world, and (if the situation calls for it) prompts us with how to respond. A person's social thinking ability has a considerable affect on his or her relationships and success in school and at work. It affects the person's social skills, perspective taking, self-awareness, self-regulation, critical thinking, social problem solving, play skills, reading comprehension, written expression, ability to learn and work in a group, organizational skills, etc.

We practice social thinking all day long, in typical social interactions (like conversations) and in a wide variety of other contexts. Essentially, we use social thinking whenever we think about the perspective of another person. For example,

- At work – when we become aware that by loudly sipping our coffee we may be bothering our coworkers.
- At the grocery store - when we move our cart away from the middle of the aisle so other shoppers can pass by.
- Watching TV – when we follow the story by understanding how the characters interpret and then influence each other.
- While driving - when we slow down upon sensing that another car will cut in front of us.
- When we're on social media – to understand the intention of a message and its sender; for example whether it is to be friendly, sarcastic, flirty, compassionate, etc.
- In conversation – when we attempt to read the thoughts, beliefs, intentions, emotions, knowledge and actions of our conversation partner(s) and adapt our behavior to affect the thoughts they have about us.

The same social thinking ability required to relate effectively to people around us is also essential for success in academics. Students must use social thinking constantly at school, to work effectively as part of a group, stay on task, figure out the expected times to talk in class, and share space well with others in the classroom, cafeteria, and on the playground. Social thinking is also critical to succeed in individualized academic tasks, such as reading a book. Social thinking is required when reading stories to understand the deeper meaning behind the actions of the characters and their relationships. If a student has poor social thinking abilities, he or she will struggle to take the perspective of characters, figure out how they are affected by others, and understand why characters act and feel as they do. These students tend to be "more literal" in how they interpret social cues and can have very strong factual

learning. They tend to do better with informational text but are weak in comprehending social literature.

Social thinking is also required to write an effective essay. We use social thinking to make sure our arguments make sense to our audience by taking the perspective of the reader and considering what a person may already know or not know about the topic. We must also take the reader's perspective to consider how to organize the information so it will be logical for the reader to follow. If a student struggles with social thinking, he or she will have difficulty understanding the perspective of the audience and will therefore have trouble writing a persuasive essay that is well organized and easily understood by others.

Improving a person's social thinking begins with improving self-awareness. Only as individuals gain awareness of their own thoughts, emotions, and intentions can they become increasingly aware of the thoughts, emotions, intentions, and actions of others. As a result, they are better able to use the information they've gained from their social thinking to inform many things they do throughout the day. Improving a person's social thinking will help improve their social skills (social behavior), reading comprehension, written expression, narrative language, ability to work as part of a group, ability to make and keep friends, etc. Much of what we do in school, at work, and as part of the community requires understanding the perspectives of other people. It all requires social thinking.

Remarkably few educators, administrators, counselors, psychiatrists, psychologists, speech language pathologists, parents and caregivers are aware of the power of the social mind and how it seeds our ability to think critically and socially problem solve. In fact, many journalists and politicians refer to social skills as "non-cognitive skills" despite the fact that our social behavior is determined by our social cognition (our social thinking) and has a large effect on the outcome of our lives!

### **Social Thinking's Three-part Process of Social Thinking**

**1. *Social thinking is our meaning maker. We observe and listen to interpret the perspectives of others.*** The first step to improving social thinking is to keenly observe the social world that surrounds us.

A client of Michelle Garcia Winner, a 43-year-old engineer, found this step particularly valuable. He spent time learning how to observe people to be more aware of the social situations in which he was expected to socially relate to others. He had this to say about the experience: "Observing the social interactions of others is very helpful to me as I formulate how to interact myself. I've learned not everyone walks with their head down avoiding eye contact all of the time. I've learned when and how to smile. I've studied what makes a stranger seem approachable. In short, you have to know the rules of the game in order to play the game

**2. *When seeking to engage or simply share space with others, we use social thinking to adapt our social behaviors (social skills) effectively as a means to meet our social goals.*** To do this, we must learn strong self-awareness, self-monitoring, and self-control. We must learn how to adapt our physical posture depending on the context, how we use our eyes to better understand others and communicate, and tools for conversational language to relate to others.

**3. *Our social thinking and social skills directly impact how others feel about us. This impacts how we are treated, how we feel about others, and ultimately - how we feel about ourselves!*** At the end of

the day, our social experience is an emotional experience. The purpose of social thinking is to produce social behavior that gives others the emotional experience you intend to give. The Social Thinking Methodology teaches people to be more aware of their emotions and better predict and relate to the emotions of others.

### **The Social Emotional Chain Reaction**

The three-part process of social thinking leads to one of the core concepts within the Social Thinking Methodology, the Social Emotional Chain Reaction – the idea that how we act affects how others feel, how we make others feel affects how they treat us, how we are treated affects how we feel about others and ultimately how we feel about ourselves. Throughout our teaching we also highlight the fundamental idea that because we have the power to affect the thoughts, feelings, and lives of others, we have a responsibility to treat others who pose us no harm with kindness and respect. We are affected by others, and others are affected by us! Therefore, we must treat others well to benefit from the same treatment.

The Social Emotional Chain Reaction is at the foundation of social interaction and is at the heart of what we teach through the Social Thinking Methodology. Social Thinking (our company) teaches the Social Emotional Chain Reaction in different ways to different ages through our wide array of products, and to professionals, family members, and students in our free library of articles and our 15+ courses. One of our core treatment frameworks that teaches this concept is [Social Behavior Mapping](#), which can be used with all ages.

### **The Wide Reach of the Social Thinking Methodology**

**The Social Thinking Methodology is in complete alignment with the following:**

- Social-Emotional Learning as described at [www.CASEL.org](http://www.CASEL.org)
- Positive Behavioral Interventions and Supports as described at [www.PBIS.org](http://www.PBIS.org)
- Common Core Standards, State Educational Standards, and Country Educational Standards from around the world.

1  
START  
HERE





# Social Behavior Mapping

Situation:

People:

## Expected

Continue to #2 (Unexpected map)

Behavior(s) that are expected given the situation and people ③	How others might feel about the behavior(s) ④	How others act or react based on how they feel about the behavior(s) ⑤	How one might think or feel based on how they are treated by others ⑥
* 			





## Unexpected



TIP

Consider these when thinking how to list expected/unexpected behaviors:

- What people say
- What people do with their eyes or face
- People's actions
- What people do with their body (hands/feet)

Behavior(s) that are unexpected given the situation and people ②	How others might feel about the behavior(s) ⑦	How others act or react based on how they feel about the behavior(s) ⑧	How one might think or feel based on how they are treated by others ⑨
* 			

10

SUM  
IT UP

• Circle the chain reaction

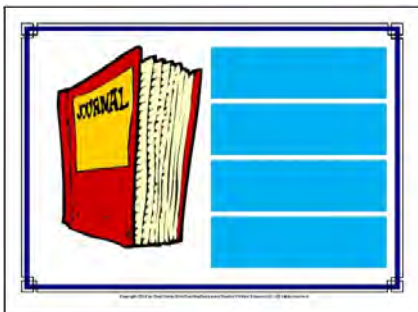
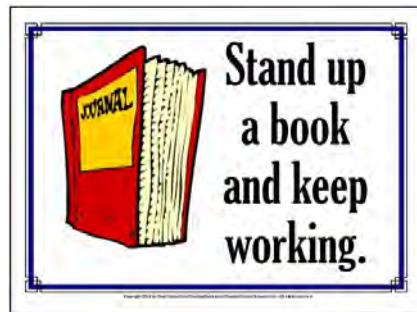
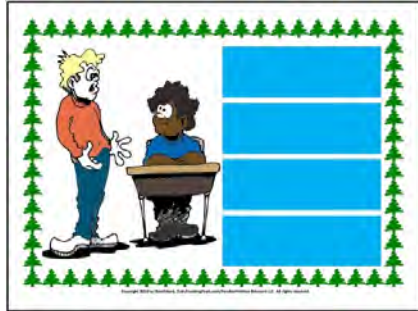
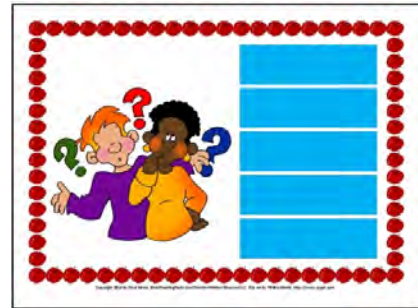


Social  
Thinking

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# CHAMPS Classroom Management







# Lives in the Balance

FOSTERING COLLABORATION • TRANSFORMING LIVES • INSPIRING CHANGE

## About the CPS Model

**Collaborative & Proactive Solutions (CPS)** is the non-punitive non-adversarial trauma-informed model of care Dr. Greene originated and describes in his various books including *The Explosive Child*, *Lost at School*, *Lost & Found*, and *Raising Human Beings*. The CPS model is recognized as an empirically-supported evidence-based treatment by the [California Evidence-Based Clearinghouse for Child Welfare](#) (CEBC).

The model is based on the premise that challenging behavior occurs *when the expectations being placed on a kid exceed the kid's capacity to respond adaptively*, and that some kids are lacking the *skills* to handle certain demands and expectations. So the emphasis of the model isn't on kids *challenging behavior*, which is whether it's whining pouting sulking withdrawing crying screaming swearing hitting spitting biting or worse *just the manner in which they are expressing the fact that there are expectations they're having difficulty meeting*. Nor does the model focus on psychiatric diagnoses which are simply categories of challenging behaviors. Rather the model focuses on identifying the *skills* the kid is lacking and the *expectations* he or she is having difficulty meeting (in the CPS model those unmet expectations are referred to as *unsolved problems*). Then the goal is to help kids and caregivers solve those problems rather than trying to modify kids' behavior through application of rewards and punishments.

In the CPS model the problem solving is of the *collaborative* and *proactive* variety. This is in contrast to many of the interventions that are commonly applied to kids which are of the unilateral and emergent variety. The goal is to foster a *collaborative partnership* between adults and kids and to engage kids in solving the problems that affect their lives. As such the CPS model is non-punitive and non-adversarial decreases the likelihood of conflict enhances relationships improves communication and helps kids and adults learn and display the skills on the more positive side of human nature: empathy appreciating how one's behavior is affecting others resolving disagreements in ways that do not involve conflict taking another's perspective and honesty. Here are some of the important questions answered by the model:

## Why are challenging kids challenging?

Because they're lacking the skills not to be challenging. If they had the skills they wouldn't be challenging. That's because—and here is perhaps the key theme of the model -- Kids do well if they can. And because (here's another key theme) Doing well is always preferable to not doing

well (but only if a kid has the skills to do well in the first place). This, of course, is a dramatic departure from the view of challenging kids as attention-seeking, manipulative, coercive, limit-testing, and poorly motivated. It's a completely different set of lenses, supported by research in the neurosciences over the past 30-40 years, and it has dramatic implications for how caregivers go about helping such kids.

### **When are challenging kids challenging?**

When the demands or expectations being placed upon them exceed the skills that they have to respond adaptively. Of course, that's when everyone looks bad: when they're lacking the skills to look good. For example, if a particular homework assignment demands skills that a kid is lacking, then that homework assignment is likely to set in motion challenging behavior. If participating appropriately in circle time at school demands skills that a kid is lacking, then the likelihood of challenging behavior is heightened when the kid is supposed to be sitting in circle time. Naturally, if the kid could complete the homework assignment and participate in circle time appropriately, he would complete the homework assignment and sit in circle time appropriately. Thus, an important goal is to identify the skills a challenging kid is lacking. An even more important goal is to identify the specific conditions or situations in which a challenging behavior is occurring in a particular challenging kid. In Dr. Greene's model, these conditions are referred to as unsolved problems and they tend to be highly predictable. Identifying lagging skills and unsolved problems is accomplished through use of an instrument called the *Assessment of Lagging Skills and Unsolved Problems* (ALSUP). You can find the ALSUP in the Paperwork section of this website.

### **What behaviors do challenging kids exhibit when they don't have the skills to respond adaptively to certain demands?**

Challenging kids let us know they're struggling to meet demands and expectations in some fairly common ways: whining, pouting, sulking, withdrawing, crying, screaming, swearing, hitting, spitting, kicking, throwing, breaking, lying, stealing, and so forth. But what a kid does when he's having trouble meeting demands and expectations isn't the most important part (though it may feel that way) — why and when s/he's doing these things are much more important.

### **What should we be doing differently to help these kids better than we're helping them now?**

If challenging behavior is set in motion by lagging skills and not lagging motivation, then it's easy to understand why rewarding and punishing a kid may not make things better. Since challenging behavior occurs in response to highly predictable unsolved problems, then challenging kids — and the rest of us — would probably be a whole lot better off if we tried to solve those problems. But if we solve them unilaterally through imposition of adult will (something referred to as Plan A) then we'll only increase the likelihood of challenging episodes and we won't solve any problems durably. Better to solve those problems collaboratively (Plan B) so the kid is fully invested in solving the problems; solutions are more durable, and (over time) the kid — and often the adults as well — learn the skills they were lacking all along. Plan B involves three basic ingredients. The first ingredient — called the Empathy step — involves gathering information so as to achieve the clearest understanding of the kid's concern or perspective about a given unsolved problem. The second ingredient (called the Define the Problem step) involves entering the adult concern or perspective on the same unsolved problem into

consideration. The third ingredient (called the Invitation step) involves having the adult and kid brainstorm solutions so as to arrive at a plan of action that is both realistic and mutually satisfactory in other words a solution that addresses both concerns and that both parties can actually do.

### **Where has the model been applied?**

In countless families schools inpatient psychiatry units group homes residential facilities and juvenile detention facilities the model has been shown to be an effective way to reduce conflict and teach kids the skills they need to function adaptively in the real world.

### **Where can I learn more about Plan B and Dr. Greene's model?**

This website is a very good place to start especially the Walking Tours - there's one for parents and another for educators. Various books CDs and DVDs describing the model are available in the CPS Store.

### **Why the name change?**

Dr. Greene originally referred to his model as Collaborative Problem Solving but he changed the name to Collaborative Proactive Solutions (CPS).

*"It ain't what you don't know that gets you into trouble.  
It's what you know for sure that just ain't so." - Unknown Origin*

## A more compassionate, productive, effective, approach to understanding and helping behaviorally challenged kids.

**Dr. Ross Greene** is the originator of the research-based approach-- now called Collaborative & Proactive Solutions (CPS)-- to understanding and helping behaviorally challenging kids, as described in his books *The Explosive Child* and *Lost at School*. The CPS model has been implemented in countless families, schools, inpatient psychiatry units, therapeutic group homes, and residential and juvenile detention facilities. The approach sets forth two major tenets. First, challenging behavior in kids is best understood as the result of lagging cognitive skills (in the general domains of flexibility/adaptability, frustration tolerance, and problem solving) rather than as the result of passive, permissive, inconsistent, noncontingent parenting. And second, the best way to reduce challenging episodes is by working together with the child - collaborating - to solve the problems setting them in motion in the first place (rather than by imposing adult will and intensive use of reward and punishment procedures). Here are some of the important questions answered by the model:

### QUESTION: Why are challenging kids challenging?

**ANSWER:** Because they're lacking the skills not to be challenging. If they had the skills, they wouldn't be challenging. That's because -and this is perhaps the key theme of the model - *Kids do well if they can*. And because (here's another key theme) *Doing well is preferable to not doing well*. This, of course, is a dramatic departure from the view of challenging kids as attention-seeking, manipulative, coercive, limit-testing, and poorly motivated. It's a completely different set of lenses, supported by research in the neurosciences over the past 30-40 years, and it has dramatic implications for how caregivers go about helping such kids.

### QUESTION: When are challenging kids challenging?

**ANSWER:** When the demands or expectations being placed upon them exceed the skills that they have to respond adaptively. Of course, that's when we all respond maladaptively: when we're lacking the skills to respond adaptively. Thus, an important goal for helpers is to identify the skills a challenging kid is lacking. An even more important goal is to identify the specific expectations a kid is having difficulty meeting, referred to as *unsolved problems*... and to help kids solve those problems. Because unsolved problems tend to be highly predictable, the problem-solving should be proactive most of the time. Identifying lagging skills and unsolved problems is accomplished through use of an instrument called the **Assessment of Lagging Skills and Unsolved Problems (ALSUP)**. You can find the ALSUP in The Paperwork section of the website of Lives in the Balance, the nonprofit Dr. Greene founded to help disseminate his approach ([livesinthebalance.org](http://livesinthebalance.org)).

### QUESTION: What behaviors do challenging kids exhibit when they don't have the skills to respond adaptively to certain demands?

**ANSWER:** Challenging kids communicate that they're struggling to meet demands and expectations in some fairly common ways: whining, pouting, sulking, withdrawing, crying, screaming, swearing, hitting, spitting, kicking, throwing, lying, stealing, and so forth. But what a kid *does* when he's having trouble meeting demands and expectations isn't the most important part (though it may feel that way). *Why* and *when* he's doing these things are much more important.

### QUESTION: What should we be doing differently to help these kids better than we're helping them now?

**ANSWER:** If challenging behavior is set in motion by lagging skills and not lagging motivation, then it's easy to understand why rewarding and punishing a kid may not make things better. Since challenging behavior occurs in response to highly predictable unsolved problems, then the goal is to solve those problems. But if we solve them unilaterally, through imposition of adult will (referred to in the model as "Plan A"), then we'll only increase the likelihood of challenging episodes and we won't solve any problems durably. Better to solve those problems collaboratively ("Plan B") so the kid is a fully invested participant, solutions are more durable, and (over time) the kid -- and often the adults as well -- learn the skills they were lacking all along. **Plan B** is comprised of three basic ingredients. The first ingredient - called the **Empathy** step - involves gathering information from the child so as to achieve the clearest understanding of his or her concern or perspective on a given unsolved problem. The second ingredient (called the **Define Adult Concerns** step) involves entering into consideration the adult concern or perspective on the same unsolved problem. The third ingredient (called the **Invitation** step) involves having the adult and kid brainstorm solutions so as to arrive at a plan of action that is both realistic and mutually satisfactory...in other words, a solution that addresses the concerns of both parties and that both parties can actually perform.

### QUESTION: Where can I learn more about this model?

**ANSWER:** The **Lives in the Balance** website is a very good place to start. It has a ton of free resources to help you learn about and apply Dr. Greene's approach, including streaming video, audio programming, commentary, support, and lots more.

### QUESTION: Isn't this the same model as what was previously known as Collaborative Problem Solving?

**ANSWER:** Dr. Greene is the originator of the Collaborative Problem Solving approach, and for many years referred to his model by that name in his research papers, scholarly articles, books, and workshops. He now calls his model **Collaborative & Proactive Solutions (CPS)**. Be careful! There are others using the name Collaborative Problem Solving out there, but they had nothing to do with the origination or development of Dr. Greene's model and are not associated with Dr. Greene or Lives in the Balance in any way!





CHILD'S NAME \_\_\_\_\_ DATE \_\_\_\_\_

**INSTRUCTIONS:** The ALSUP is intended for use as a discussion guide rather than as a freestanding check-list or rating scale. It should be used to identify specific lagging skills and unsolved problems that pertain to a particular child or adolescent.

If a lagging skill applies, check it off and then (before moving on to the next lagging skill) identify the specific expectations the child is having difficulty meeting in association with that lagging skill (unsolved problems). A non-exhaustive list of sample unsolved problems is shown at the bottom of the page.

LAGGING SKILLS	UNSOLVED PROBLEMS
<input type="checkbox"/> Difficulty handling transitions, shifting from one mindset or task to another	▶
<input type="checkbox"/> Difficulty doing things in a logical sequence or prescribed order	
<input type="checkbox"/> Difficulty persisting on challenging or tedious tasks	
<input type="checkbox"/> Poor sense of time	
<input type="checkbox"/> Difficulty maintaining focus	
<input type="checkbox"/> Difficulty considering the likely outcomes or consequences of actions (impulsive)	
<input type="checkbox"/> Difficulty considering a range of solutions to a problem	
<input type="checkbox"/> Difficulty expressing concerns, needs, or thoughts in words	
<input type="checkbox"/> Difficulty managing emotional response to frustration so as to think rationally	
<input type="checkbox"/> Chronic irritability and/or anxiety significantly impede capacity for problem-solving or heighten frustration	
<input type="checkbox"/> Difficulty seeing "grays"/concrete, literal, black & white, thinking	
<input type="checkbox"/> Difficulty deviating from rules, routine	
<input type="checkbox"/> Difficulty handling unpredictability, ambiguity, uncertainty, novelty	
<input type="checkbox"/> Difficulty shifting from original idea, plan, or solution	
<input type="checkbox"/> Difficulty taking into account situational factors that would suggest the need to adjust a plan of action	
<input type="checkbox"/> Inflexible, inaccurate interpretations/cognitive distortions or biases (e.g., "Everyone's out to get me," "Nobody likes me," "You always blame me," "It's not fair," "I'm stupid")	
<input type="checkbox"/> Difficulty attending to or accurately interpreting social cues/poor perception of social nuances	
<input type="checkbox"/> Difficulty starting conversations, entering groups, connecting with people/lacking other basic social skills	
<input type="checkbox"/> Difficulty seeking attention in appropriate ways	
<input type="checkbox"/> Difficulty appreciating how his/her behavior is affecting others	
<input type="checkbox"/> Difficulty empathizing with others, appreciating another person's perspective or point of view	
<input type="checkbox"/> Difficulty appreciating how s/he is coming across or being perceived by others	
<input type="checkbox"/> Sensory/motor difficulties	

**UNSOLVED PROBLEMS GUIDE:**

Unsolved problems are the specific expectations a child is having difficulty meeting. Unsolved problems should be free of maladaptive behavior; free of adult theories and explanations; "split" (not "clumped"); and specific.

**HOME EXAMPLES**

- Difficulty getting out of bed in the morning in time to get to school
- Difficulty getting started on or completing homework (specify assignment)
- Difficulty ending the video game to get ready for bed at night
- Difficulty coming indoors for dinner when playing outside
- Difficulty agreeing with brother about what TV show to watch after school
- Difficulty with the feelings of seams in socks
- Difficulty brushing teeth before bedtime

**SCHOOL EXAMPLES**

- Difficulty moving from choice time to math
- Difficulty sitting next to Kyle during circle time
- Difficulty raising hand during social studies discussions
- Difficulty getting started on project on tectonic plates in geography
- Difficulty standing in line for lunch



# Collaborative & Proactive Solutions



THIS IS HOW PROBLEMS GET SOLVED

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## ALSUP Guide

- The *Assessment of Lagging Skills and Unsolved Problems* (ALSUP) is best used as a *discussion guide* rather than as a free-standing checklist or rating scale.
- Meetings should be focused almost totally on identifying lagging skills and unsolved problems. It is not the goal of the meeting to try to explain *why* a child has a particular lagging skill or unsolved problem, so hypotheses and theories about *cause* are to be avoided. It is also counterproductive to have participants go into great detail about the *behaviors* that a child exhibits in response to a given unsolved problem so story telling is to be avoided as well.
- It's best to discuss each lagging skill (rather than "cherry-picking"), starting at the top
- If a lagging skill is endorsed, don't continue moving down the list of lagging skills...move *over* to identify the unsolved problems associated with the lagging skill
- An unsolved problem is an *expectation a child is having difficulty meeting in association with a particular lagging skill*
- To identify unsolved problems, begin with the stem, "Can you give some examples of expectations (Theresa) is having difficulty meeting when you think of her having (then restate the endorsed lagging skill. For example, "Can you give some examples of expectations Theresa is having difficulty meeting when you think of her having difficulty making transitions?"
- Identify as many unsolved problems as possible for each endorsed lagging skill... don't move on after identifying only one unsolved problem has been identified.
- Many lagging skills may contribute to the same unsolved problem...don't spend valuable meeting time trying to be precise about which lagging skill best accounts for a given unsolved problem.
- Don't write the same unsolved problem in more than once, even if a later lagging skills reminds you of the same unsolved problem.
- There are some important guidelines for writing unsolved problems:
  - ⇒ **They usually begin with the word *Difficulty***, and the word *Difficulty* is usually followed by a verb, for example:
    - Difficulty *getting started* on the double-digit division problems in math
    - Difficulty *completing* the map of Europe in geography
    - Difficulty *participating* in the discussions in morning meeting
    - Difficulty *moving* from choice time to math
    - Difficulty *ending* computer time to come to circle time
    - Difficulty *coming* into school in the morning
    - Difficulty *going* to the nurse for your medication before lunch

- Difficulty *walking* in the hallway between classes
- Difficulty *keeping* hands to self in the lunch line
- Difficulty *lining up* for the bus at the end of the school day
- Difficulty *sitting* next to Trevor during circle time
- Difficulty *taking turns* during class discussions in Social Studies
- Difficulty *raising* hand during class discussions in Science
- Difficulty *remaining* quiet when a classmate is sharing his or her ideas in English
- Difficulty *waiting* for his turn during the four-square game at recess
- Difficulty *putting* away the Legos after choice time
- Difficulty *retrieving* his Geography notebook from his locker before Geography class
- Difficulty *arriving* at school on time at 8:30 am

- ⇒ **They should contain no reference to the child's *challenging* behaviors**, though reference to *expected* behaviors is fine (so you wouldn't write *Screams and swears when having difficulty completing the word problems on the math homework...*instead write *Difficulty completing the word problems on the math homework*)
- ⇒ **They should contain no adult theories** (so you wouldn't write *Difficulty writing the definitions to the spelling words in English...because his parents were recently divorced*)
- ⇒ **They should be split, not clumped** (so you wouldn't write *Difficulty raising hand* but rather *Difficulty raising hand during social studies discussions*)
- ⇒ **They should be specific...**there are two strategies to help:
  - Include details related to who, what, where, and when
  - Ask *What expectation is the child/student having difficulty meeting?*

# PROBLEM SOLVING PLAN



Collaborative & Proactive Solutions  
THIS IS HOW PROBLEMS GET SOLVED

CHILD'S NAME \_\_\_\_\_ DATE \_\_\_\_\_

UNSOLVED PROBLEM #1

UNSOLVED PROBLEM #2

UNSOLVED PROBLEM #3

Adult taking the lead on Plan B:

Adult taking the lead on Plan B:

Adult taking the lead on Plan B:

Kid concerns identified:  
(Empathy step)

Kid concerns identified:  
(Empathy step)

Kid concerns identified:  
(Empathy step)

DATE \_\_\_\_\_

DATE \_\_\_\_\_

DATE \_\_\_\_\_

Adult concerns identified:  
(Define the Problem step)

Adult concerns identified:  
(Define the Problem step)

Adult concerns identified:  
(Define the Problem step)

DATE \_\_\_\_\_

DATE \_\_\_\_\_

DATE \_\_\_\_\_

Solution agreed upon:  
(Invitation step)

Solution agreed upon:  
(Invitation step)

Solution agreed upon:  
(Invitation step)

DATE \_\_\_\_\_

DATE \_\_\_\_\_

DATE \_\_\_\_\_

Problem Solved?  
YES?  DATE \_\_\_\_\_  
NO?  COMMENT:

Problem Solved?  
YES?  DATE \_\_\_\_\_  
NO?  COMMENT:

Problem Solved?  
YES?  DATE \_\_\_\_\_  
NO?  COMMENT:





# PLAN B CHEAT SHEET



Collaborative & Proactive Solutions  
THIS IS HOW PROBLEMS GET SOLVED

## ① EMPATHY STEP | INGREDIENT/GOAL

Gather information about and achieve a clear understanding of the kid's concern or perspective on the unsolved problem you're discussing.

### WORDS | Initial Inquiry (neutral observation)

"I've noticed that...(insert unsolved problem)... what's up?"

### DRILLING FOR INFORMATION

Usually involves reflective listening and clarifying questions, gathering information related to the who, what, where, and when of the unsolved problem, and asking the kids what they're thinking in the midst of the unsolved problems and why the problem occurs under some conditions and not others.

### MORE HELP

If the kid doesn't talk or says "I don't know", try to figure out why:

- Maybe the unsolved problem wasn't free of challenging behavior, wasn't specific, wasn't free of adult theories, or was "clumped" (instead of split)
- Maybe you're using Emergency Plan B (instead of Proactive Plan B)
- Maybe you're using Plan A
- Maybe he really doesn't know
- Maybe he needs the problem broken down into its component parts
- Maybe he needs time to think

### WHAT YOU'RE THINKING

"What don't I yet understand about the kid's concern or perspective? What doesn't make sense to me yet? What do I need to ask to understand it better?"

### DON'T

- Skip the Empathy step
- Assume you already know what the kid's concern is and treat the Empathy step as if it is a formality
- Rush through the Empathy step
- Leave the empathy step before you completely understand the kid's concern or perception
- Talk about solutions yet

## ② DEFINE ADULT CONCERNS STEP | INGREDIENT/GOAL

Enter the concern of the second party (often the adult) into consideration.

### WORDS | Initial Inquiry (neutral observation)

"The thing is (insert adult concern)..." or "My concern is (insert adult concern)..."

### MORE HELP

Most adult concerns fall into one of two categories:

- How the problem is affecting the kid
- How the problem is affecting others

### WHAT YOU'RE THINKING

"Have I been clear about my concern? Does the child understand what I have said?"

### DON'T

- Start talking about solutions yet
- Sermonize, judge, lecture, use sarcasm

## ③ INVITATION STEP | INGREDIENT/GOAL

Generate solutions that are realistic (meaning both parties can do what they are agreeing to) and mutually satisfactory (meaning the solution truly addresses the concerns of both parties)

### WORDS | Initial Inquiry (neutral observation)

Restate the concerns that were identified in the first two steps, usually beginning with "I wonder if there is a way..."

### MORE HELP

- Stick as closely to the concerns that were identified in the first two steps
- While it's a good idea to give the kid the first opportunity to propose a solution, generating solutions is a team effort
- It's a good idea to consider the odds of a given solution actually working ...if you think the odds are below 60-70 percent, consider what it is that's making you skeptical and talk about it
- This step always ends with agreement to return to Plan B if the first solution doesn't stand the test of time

### WHAT YOU'RE THINKING

"Have I summarized both concerns accurately? Have we truly considered whether both parties can do what they've agreed to? Does the solution truly address the concerns of both parties? What's my estimate of the odds of this solution working?"

### DON'T

- Rush through this step either
- Enter this step with preordained solutions
- Sign off on solutions that both parties can't actually perform
- Sign off on solutions that don't truly address the concerns of both parties



The goal of the Empathy Step is to gather information from the child about his/her concern or perspective on the unsolved problem you're discussing (preferably proactively). For many adults, this is the most difficult part of Plan B, as they often find that they are unsure of what to ask next. So here's a brief summary of different strategies for "drilling" for information:

## REFLECTIVE LISTENING AND CLARIFYING STATEMENTS

Reflective listening basically involves **mirroring what a child has said** and then encouraging him/her to provide additional information by saying one of the following:

- "How so?"
- "I don't quite understand"
- "I'm confused"
- "Can you say more about that?"
- "What do you mean?"

Reflective listening is your "default" drilling strategy...if you aren't sure of which strategy to use or what to say next, use this strategy.

## ASKING ABOUT THE WHO, WHAT, WHERE/WHEN OF THE UNSOLVED PROBLEM

### EXAMPLES:

- "Who was making fun of your clothes?"
- "What's getting the way of completing the science project?"
- "Where is Eddie bossing you around?"

## ASKING ABOUT WHY THE PROBLEM OCCURS UNDER SOME CONDITIONS AND NOT OTHERS

**EXAMPLE:** "You seem to be doing really well in your work group in math...but not so well in your work group in social studies...what's getting in the way in social studies?"

## ASKING THE CHILD WHAT S/HE'S THINKING IN THE MIDST OF THE UNSOLVED PROBLEM

Notice, this is different than asking the child what s/he is feeling, which doesn't usually provide much information about the child's concern or perspective on an unsolved problem.

**EXAMPLE:** "What were you thinking when Mrs. Thompson told the class to get to work on the science quiz?"

## BREAKING THE PROBLEM DOWN INTO ITS COMPONENT PARTS

**EXAMPLE:** "So writing the answers to the questions on the science quiz is hard for you...but you're not sure why. Let's think about the different parts of answering questions on the science quiz. First, you have to understand what the question is asking. Is that part hard for you? Next, you need to think of the answer to the question. Is that part hard? Next, you have to remember the answer long enough to write it down. Are you having trouble with that part? Then you have to actually do the writing. Any trouble with that part?"

## DISCREPANT OBSERVATION

This involves making an observation that differs from what the child is describing about a particular situation, and it's the riskiest (in terms of causing the child to stop talking) of all the drilling strategies.

**EXAMPLE:** "I know you're saying that you haven't been having any difficulty with Chad on the playground lately, but I recall a few times last week when you guys were having a big disagreement about the rules in the box-ball game. What do you think was going on with that?"

## TABLING (AND ASKING FOR MORE CONCERNS)

This is where you're "shelving" some concerns the child has already expressed so as to permit consideration of other concerns.

**EXAMPLE:** "So if Timmy wasn't sitting too close to you, and Robbie wasn't making noises, and the floor wasn't dirty, and the buttons in your pants weren't bothering you...is there anything else that would make it difficult for you to participate in Morning Meeting?"

## SUMMARIZING (AND ASKING FOR MORE CONCERNS)

This is where you're summarizing concerns you've already heard about and then asking if there are any other concerns that haven't yet been discussed. This is the recommended strategy to use before moving on to the Define Adult Concerns step.

**EXAMPLE:** "Let me make sure I understand all of this correctly. It's hard for you to do your social studies worksheet for homework because writing down the answers is still hard for you...and because sometimes you don't understand the question...and because Mrs. Langley hasn't yet covered the material on the worksheet. Is there anything else that's hard for you about completing the social studies worksheet for homework?"

*Prepared with the assistance of Dr. Christopher Watson*



# Closing the gaps.



## Illuminate Data & Assessment

Capture the student data you need from any kind of assessment.

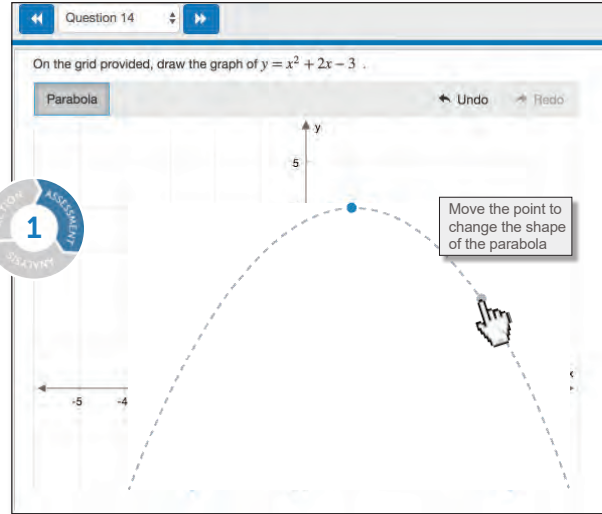
With Illuminate Data & Assessment, you get an easy-to-use, standards-based assessment platform with robust reporting that helps teachers guide instruction.

- Make timely, data-based decisions to improve student success
- Build and administer assessments with instant access to student results
- Use quick, formative feedback mid-lesson to ascertain lesson plan success and inform next steps
- Teachers can further customize instruction based on students' progress on state-specific standards
- Gather and analyze all your academic and non-academic student data in one place

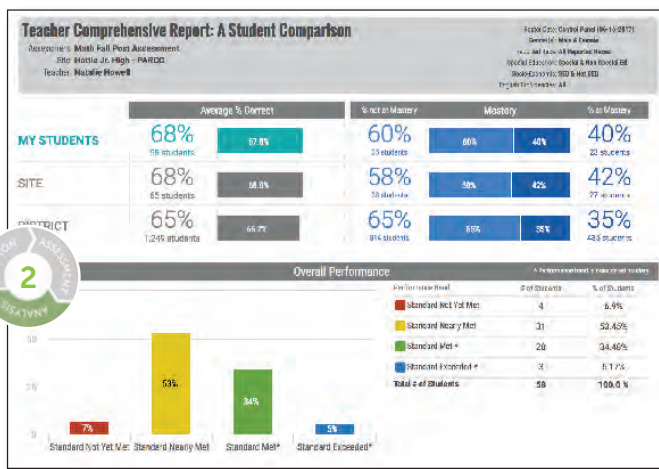
### Quick Facts About Illuminate Education:

- 5.5M students, 46 states, 1600+ districts
- Most widely used Data & Assessment platform
- Over 50% of our staff are former educators

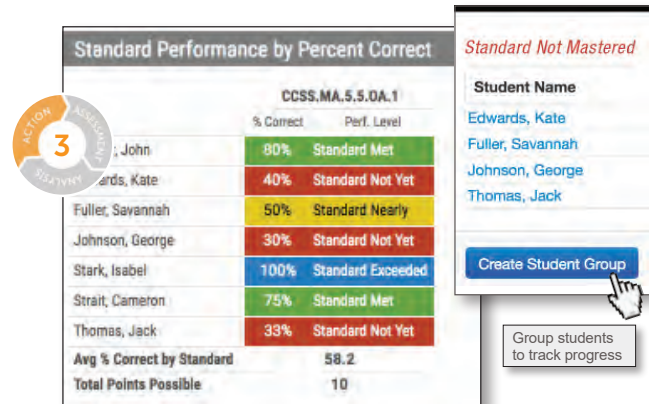
# How Does DnA Help You?



**ASSESSMENT:** Choose from thousands of items in our itembank, including TEIs, that align to standards.



**ANALYSIS:** Use prebuilt or custom reports with easy-to-read graphics to identify trends and inform instruction.



**ACTION:** Easily customize instruction to dramatically improve student performance.

IMPLEMENTATION	SUPPORT	ASSESSMENTS	REPORTING
<ul style="list-style-type: none"> <li>Dedicated Implementation Manager as point-of-contact</li> <li>All training from former educators</li> <li>Scientific approach to training</li> <li>Ongoing webinars, workshops and live training</li> </ul>	<ul style="list-style-type: none"> <li>Free (via phone or email), 12 hours a day, 5 days a week</li> <li>Anyone from school or district can call support</li> <li>Webinars, live, and workshop formats available</li> <li>Interactive guided tutorials</li> <li>Extensive help documents and videos</li> </ul>	<ul style="list-style-type: none"> <li>Online testing or bubble sheets with built-in scanning tool</li> <li>One-to-one skills assessments</li> <li>Formative and summative</li> <li>Progress monitoring</li> <li>Performance tasks</li> <li>Live proctoring</li> <li>Universal screening through FastBridge</li> </ul>	<ul style="list-style-type: none"> <li>State and local assessments</li> <li>Prebuilt reports include achievement, demographic, and non-academic data</li> <li>Dashboards for quick views</li> <li>Parent and student communication tools</li> <li>Student profile reporting</li> <li>Custom data visualization reports</li> </ul>

# Simplifying Special Education



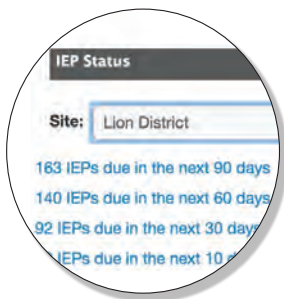
## Illuminate Special Education

Meet compliance and accountability requirements at every step.

- Dramatically reduce the time required to plan and track student performance
- Put control in the hands of your district with a comprehensive, fully compliant and automated Medicaid System
- Collaborate with multiple users on a web-based platform for the Individualized Family Service Plan (IFSP)
- Get smart guidance throughout the Individualized Education Program (IEP) process
- Designed by educators and districts to save you time, money and resources

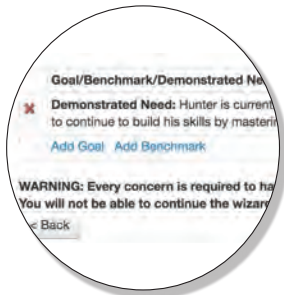
# The Benefits of Illuminate Special Education

	Competing Special Ed Solution	Illuminate Special Education (ISE)
TOTAL COST includes Medicaid Filing	700+ Students: Up to \$40+ per student	700+ Students: Only \$15 per student
MEDICAID FILING	\$100k+ in charges	\$0 in charges
IEP CREATION	An online form with blank boxes which leaves ensuring compliance up to the district	A compliance-focused process that begins with the student's strengths and builds an IEP based on student needs
IEP MANAGEMENT	Difficult	Easy and Automated



## Simple processes ensure speed and compliance

- Be notified of IEPs coming due, manage Medicaid encounters and document Part C requirements such as Early On Assessments and IFSPs
- Easily track and report student data, evaluations, encounters, scheduling, SPP indicators and all state and federal regulatory requirements



## Quickly plan and collaborate on student performance

- Confidently meet compliance requirements under the Individuals with Disabilities Education Act (IDEA) and Every Student Succeeds Act (ESSA)
- One single and secure, web-based system allows multiple users to access IEPs while providing parents and staff with up-to-date information



## Simply manage every aspect of Medicaid

- Streamline your electronic claim processes with automatic management of encounter entry, tracking, billing and more
- Match all encounters to the contents of the student's prescribed IEP and prescription information, assuring IEP compliance in terms of Medicaid billable services



## Track student behavior and get notified for intervention needs

- Track major and minor incidents, antecedents, behaviors, consequences, important dates, participants, location, time and more
- Receive notifications based on consequence, number of days and other factors to help maintain compliance and ensure required documentation is completed

# SCALE THE HEIGHTS OF DATA IN NO TIME.

eduCLIMBER is a unique cloud-based data system created for educators by educators to make data analysis more efficient and accurate. This interactive tool allows you to visualize data from assessments, behavior incidents, attendance, and Rtl to use in minutes.

	Tags	Spring	
	1	601	191
	1	552	180
Tanya	1	603	197
ANSEN, Richard ...		584	193
ER, Pablo	1	485	167
IER, Rie		612	207
WAY, Junko		533	180
OLEY, Sayuri			158
VIS, Reina		576	197
WSON, Lorenzo		575	193
UGHERTY, Nadine	1 Certified G	612	198
SON, Marco		598	188
S, Paloma		549	192
T, Arthur		529	161
Rebekah	2	583	193
	1	558	196
	1	519	182
		548	171
		673	

## BENEFITS

Easily import data from nearly any standardized norm-referenced, criterion-referenced formative/summative assessment

Identify and create a continuum of multiple supports for all students

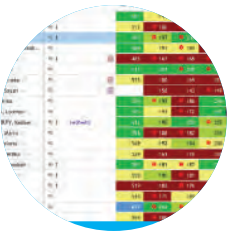
Evaluate and monitor the effectiveness of interventions within districts

Save time and effort having to correlate and share data with various stakeholders

## “We collect and visualize, so you can analyze”

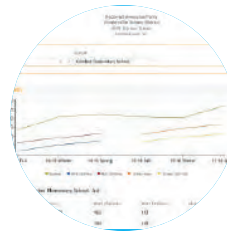
So much time is wasted collecting and organizing data instead of analyzing it to take action or evaluating impact. eduCLIMBER does the heavy-lifting for you by triangulating various state, district, and teacher-made assessments so you can spend more time interacting with your data where it matters most.

## HOW DOES EDUCLIMBER HELP YOU?



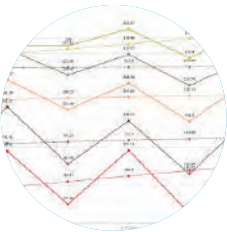
### Data Warehouse / Early Warning System

- Alerts when students meet thresholds for early intervention and prevention
- Imports for NWEA MAP, STAR, AIMSweb, Fountas & Pinnell, and local common assessments



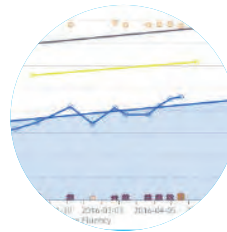
### Customizable Student Reports

- Build meaningful, visual reports for parents and staff with eduCLIMBER's smartFORMS
- Receive mass or individual notifications for specific form completions



### User Dashboards

- View and interact with various student tasks (e.g., intervention sessions, growth monitoring, comments, fidelity) and professional tasks (e.g., SLOs, PPGs)
- Access ongoing district or building interventions and associated data



### RtI and MTSS

- Monitor student progress toward goals via benchmark targets and percentile ranks
- Import or record data from a variety of assessment types to determine ongoing student needs
- Analyze student behavior progress

### PBIS

- Collect, report, and analyze school-wide behavior incidents
- Fully customizable PBIS suite, including monitoring CICO and DBRCs, with district-level reporting

### SLO Management

- Set rigorous yet realistic achievement targets to be met by students
- Generate, manage, and modify SLOs and professional strategies for educator effectiveness

(949) 656-3133  
sales@illuminateed.com





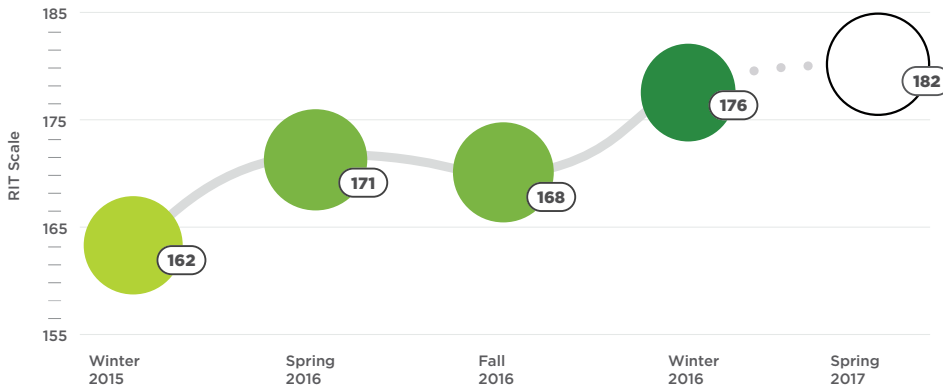
# map GROWTH

## Precisely Measure Growth and Performance

MAP® Growth™ measures what students know and what they're ready to learn next. By dynamically adjusting to each student's performance, MAP Growth creates a personalized assessment experience that accurately measures performance—whether a student performs on, above, or below grade level. Timely, easy-to-use reports help teachers teach, students learn, and administrators lead.

## Growth Over Time

MAP Growth reveals how much growth has occurred between testing events and, when combined with our norms, shows projected proficiency. Educators can track growth through the school year and over multiple years.



## The Most Stable Scale

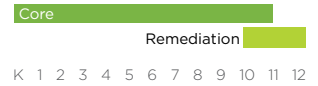
Every question on a MAP Growth assessment is calibrated to our proprietary RIT scale, which is the most reliable in the industry. Because the equal-interval scale is continuous across grades, educators can trust it to track longitudinal growth over a student's entire career.

## Reports Designed for Insight

MAP Growth reports transform raw data into insights that help educators take action. Teachers use them to differentiate instruction and pinpoint individual student needs. Higher-level reports give administrators the context to drive improvement across entire schools and systems.

## Interim Assessment for Growth

### GRADE LEVELS



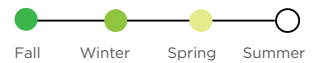
### GRADE-LEVEL INDEPENDENCE

Measures performance of every student, whether on, above, or below grade level—even if standards change

### SUBJECTS

- Math
- Reading
- Language usage
- Science

### FREQUENCY



### TEST TIME

## 45 minutes

Untimed. Approximately 45 minutes per subject

### STANDARDS ALIGNMENT

- State standards
- Common Core
- Next Generation Science Standards\*
- AERO

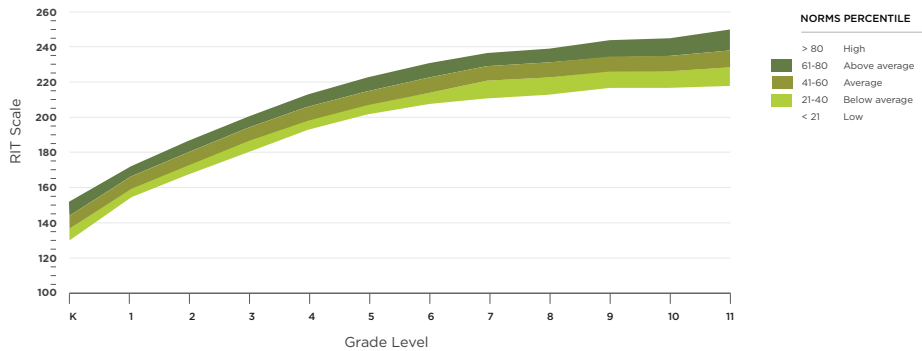
### ACCESSIBILITY

- Refreshable braille
- Keyboard navigation
- Screen reader (JAWS) compatible
- Magnification
- Color contrast adjustment
- Test & item aids
- Universal Design for Learning (UDL)
- ARIA & WCAG compliant
- Alt-tags

\*Next Generation Science Standards is a registered trademark of Achieve. Neither Achieve nor the lead states and partners that developed the Next Generation Science Standards were involved in the production of this product, and do not endorse it.

## Comparisons to Drive Insight

NWEA® uses anonymous assessment data from over 10.2 million students to create national norms. Educators compare their students' performance against norms to evaluate programs and improve instruction—in individual classrooms and throughout school systems.



## Professional Learning: A Foundation for Ongoing Success

Get the most out of MAP Growth data with powerful professional learning. Our MAP Foundation Series workshops help educators connect assessment data to a variety of needs—instructional, programming, and planning.

- Teachers and teacher leaders: Increase the ability to interpret MAP Growth data to inform instruction and goal setting
- Instructional coaches: Develop skills to support teachers in instructional applications of MAP Growth data
- School and district leaders: Gain expertise in using MAP Growth reports to build a data-informed culture and set long-term goals

## RELIABLE TECHNOLOGY

Our online assessment platform is compatible with most popular operating systems, browsers, and devices—including iPads® and Chromebooks®. Because the assessment platform is stable, scalable, and reliable, schools can test on the schedule that meets their needs.

## PROFESSIONAL LEARNING

NWEA offers a wide range of learning opportunities with flexible delivery—including self-paced online learning and workshops conducted on-site, regionally, or online. Educators can learn to use effective formative assessment practices, create a strong data culture, apply data to support student learning, and more.

## ONGOING SUPPORT

Our knowledgeable specialists are here to help at every step, from comprehensive implementation to ongoing help via phone, email, live chat, and even on-site.



## ABOUT NWEA

NWEA® is a not-for-profit organization that supports students and educators worldwide by providing assessment solutions, insightful reports, professional learning offerings, and research services. Visit [NWEA.org](http://NWEA.org) to find out how NWEA can partner with you to help all kids learn.

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## KWL Chart + Math & Social Studies Examples

What I KNOW	What I WANT to Know	What I Learned
<p>Students use this space to discuss their background knowledge about the day's lesson, e.g. improper fractions.</p>	<p>Students look at what they already know and note some of the questions sparked by their background knowledge.</p>	<p>Students summarize their learning here and note whether the lesson answered the questions they had at the beginning.</p>
<ul style="list-style-type: none"> <li>• I know that fractions are parts of a whole.</li> <li>• I know fractions look like one number over the line and one number under the line.</li> <li>• I know that improper means not proper.</li> </ul>	<ul style="list-style-type: none"> <li>• I want to know how numbers can be not proper.</li> <li>• I want to know if we have to flip these fractions to divide like we practiced last week.</li> </ul>	<ul style="list-style-type: none"> <li>• I learned that they're called improper fractions because the top # is bigger than the bottom #.</li> <li>• They aren't reduced like we were taught to do.</li> <li>• When you reduce an improper fraction you get a mixed number.</li> </ul>
<ul style="list-style-type: none"> <li>• I know that my parents voted for the President in January.</li> <li>• I know they vote inside a school gym.</li> <li>• I know they had to answer a lot of questions on the sheet.</li> </ul>	<ul style="list-style-type: none"> <li>• I want to know why some people don't get to vote.</li> <li>• I want to know why there weren't any women on the list to be president.</li> <li>• I want to know how they count all of those papers so fast.</li> </ul>	<ul style="list-style-type: none"> <li>• I learned that they have machines which count the votes and people check them.</li> <li>• I learned that women have tried to be president but haven't won.</li> <li>• I learned that only citizens can vote.</li> </ul>



# California SUCCESS

Z-1643750

## CALIFORNIA JOURNEYS

### Start Here for California SUCCESS

in English Language Arts and English Language Development for Grades TK-6

learn.hmhco.com/CASuccess

## Readiness for College, Career, and Civic Life

## Broadly Literate



### Program Organization

- All in one **Journeys Student Book** and **eBook** are organized into six units of multi-genre complex texts.
- The **Levelled Reader** provides close reading opportunities with comprehensive eight-page teaching guides.
- **Pre-decodable and decodable texts** (Grades K-2) provide students controlled text to apply sound-spelling correspondence and high-frequency words in multiple reading contexts.
- The **Student Magazines** (Grades 3-6) reinforce the year's skills while engaging students in high-interest text.
- All program materials offer seamless instructional support for **Integrated and Designated ELD**.
- **Journeys Close Reader** reinforces the application of close reading and strengthens student understanding through skill-building protocol, culminating with short written response.
- **Trade Books** offer rich literary and informational content on a variety of topics.
- The **Teacher's Edition** provides a complete instructional plan and point-of-use instructional strategies for diverse learners.
- **California Quick Start Pacing Guide** provides an overview of program components.
- The **online Dashboard** enables students and teachers to view all program content, components and media with easy navigation tool.
- **HMH Player™** provides teachers and students anytime, anywhere access to **California Journeys**.

### Assessment

- **Powerful suite of integrated assessments** evaluate learning and provide prescriptive feedback, automatic scoring and reporting.
- **Diagnostic and Formative Assessments** – **Standard-Based Weekly Tests** assess CA CCSS with new passages and technology-enhanced items that mirror SBAC.<sup>1</sup>
- **Unit Performance Tasks**
- **Standards-Based Assessment Resource** – Assessments and Performance Tasks in SBAC format contain tech-enhanced questions for SBAC practice.
- **Intervention Assessments**
- **Performance Assessment** Grades 3-6
- **Cold Reads**
- **Fluency Tests**
- **Continuum Assessments™** – an adaptive, scientifically valid, and reliable assessment resource with automatic scoring and reporting.



<sup>1</sup>This product is not endorsed by nor affiliated with State of California Assessment Consortium.

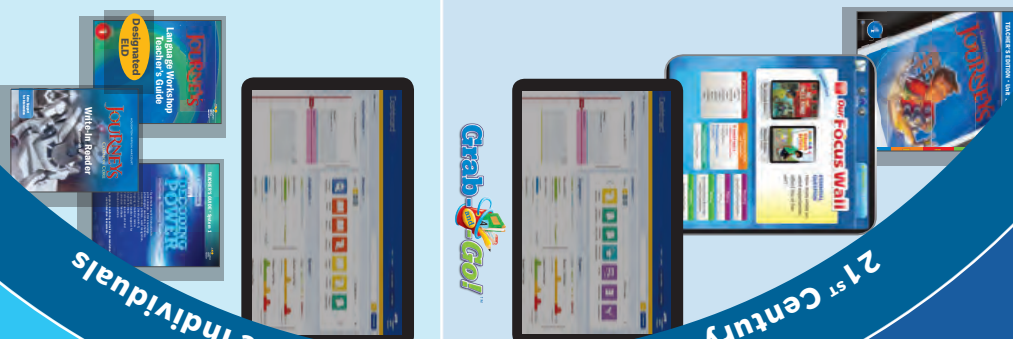
### Instructional Planning and Support

- **California Quick Start Pacing Guide** provides a scope and sequence, roadmap for 180 days of instruction, and program philosophy.
- The print and digital **teacher's Editions** include rich resources for ELD and ELD instruction including **Instructional Planning pages**, **mySmartPlanner**, **Focus Wall**, **Instruction for close reading**, **foundational skills**, **writing**, and **vocabulary**.
- **mySmartPlanner** pre-populates 180 days of instruction and allows teachers to customize and view plans.
- **Focus Walls** show California instructional objectives and teaching resources for every lesson with live links.
- **Language Workshop** provides daily explicit guidance for 60 minutes of daily **Designated ELD** instruction and support for ELD/ELD integration.
- **ELD/ELD Standards Correlations** appear on each instructional page.
- **Family resource letters** provide parents details of instruction in **California Journeys**.
- **Grab-and-go!** **Additional Resources** include: **Weekly Tests**, **Reading**, **Vocabulary**, and **Listening LOGS** as well as **Conference Forms** and **Rubrics** for students' self-assessment.

### Universal Access





- **Just-in-time scaffolds**, formative assessments, small group review and re-teaching lessons ensure universal access to grade-level complex texts and learning objectives.
- **Text X-Ray™** highlights aspects of each complex text that may prove challenging, providing strategies for scaffold instruction for ELD.
- **Language Workshop** provides daily **Designated ELD** instruction.
- **Online annotated tools** guide students in **Close Reading** through a variety of interactivity and audio.
- **Write-In Reader** provides Tier II support with parallel text, close reading prompts, and scaffold guidance back to the anchor text.
- **HMH Decoding Power** provides explicit, sequential, systematic instruction, practice and review in the critical areas of print concepts, phonological awareness, phonics, word recognition, and fluency.
- **Levelled Readers** provide just-right reading instruction and practice.

## 21<sup>st</sup> Century Capacities of Literate Individuals




## Language Development

**English Language Support** annotations extend learning and integrate English Language Development in core instruction in three levels of proficiency: **Emerging, Expanding, and Bridging**. **How English Works features** in each lesson help teachers use the texts to build linguistic skills:

-  **Language Workshop**—Designated ELD support students in developing collaborative interpretive, and productive skills in order to successfully engage with Journeys core content.
-  **Language Detective** features in every anchor text facilitate analysis of language use and how it builds meaning.
-  **Vocabulary Strategies and Interactive Whiteboard lessons** build the morphological and contextual tools students need to generate new vocabulary.
-  **Dynamic spoken response tools** engage students in collaborative conversations.
- Vocabulary in Context Cards** build word knowledge and proficiency with academic and domain-specific words.



## Content Knowledge

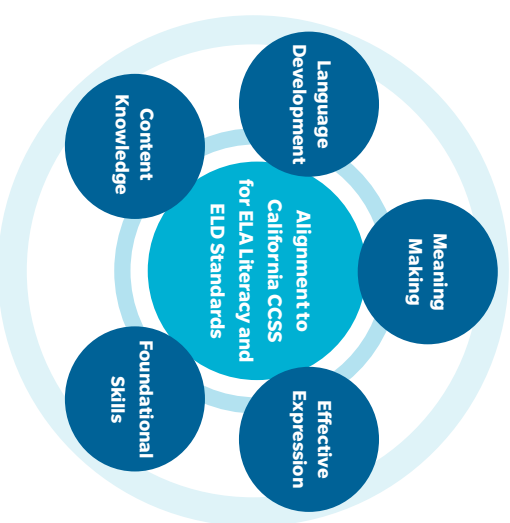
**Anchor Texts** and shorter, complex **Paired Selections** focus on topics that build content-area knowledge in **Science and History-Social Science**.

-  **For Your Information website**, hmhfyi.com, provides students with current, curated online reading to compare and connect to *California Journeys* texts, and to use in Performance Tasks.
- Channel One News® Videos** provide engaging, current media about the world in which students live.
- Stream to Start™ Videos** kick-start interest in the unit topic through high-interest videos.
- Research and Media Literacy Instruction** develops the skills students need to be independent learners and broadly literate thinkers.
- Array of Trade Book** for in-depth exploration of topics in which students are interested.
- Extend the Topic** lessons help students acquire and use topic-related domain-specific vocabulary.

## Authentic Meaning Making




**Anchor Texts** and **Paired Selections** are intellectually challenging and worthy of multiple reads.

- Text Complexity Rubrics** reveal a qualitative and quantitative view of each selection.
-  **Text X-Ray** helps the teacher zoom in on key ideas and language points to support or challenge students.
- English Language Support** annotations and instruction clarify meaning through strategy instruction, digital support, and background knowledge.
- Selection and Unit Performance Tasks** provide practice in synthesis and response to rigorous texts.
-  **myNotebook** annotation tool encourages direct engagement with the language and ideas of the text.
- Reader's Notebook** provides ongoing practice in making critical thinking and text analysis.
- Reading Detective** features support and scaffolding close reading of the Anchor Texts.
- Journeys Close Reader** provides students the opportunity to practice active close reading.






## Effective Expression

**Daily writing** instruction supports students in developing narrative, informative, and opinion writing modes weekly, plus writing to sources.

-  **Collaborative Classroom Conversations** and **Think-Pair-Share** activities offer students practice in expressing their understanding during academic conversations about texts and topics.
- Interactive Lessons** (Grades 3–6) in writing, listening, and speaking provide instruction and practice in speaking and key language-expression skills.
-  **Dynamic tools** engage digital learners in writing required by the California Standards through direct and interactive instruction.
- Language Workshop** supports English learners' acquisition and production of language.
-  **myWritesmart**, the online writing tool, supports students' writing in a collaborative environment.
- Performance Assessment** provides practice in analyzing text, synthesizing information, and composing effective performance tasks.

## Foundational Skills

The **Reader's Notebook** offers students practice in foundational skills, writing, grammar and independent close reading.

- Weekly Decoding Lessons** provide explicit and systematic instruction tied closely to phonics and word-study instruction empowering students to tackle longer words.
- Sequenced **Phonemic Awareness and Phonics Instruction** includes built-in application and periodic review.
- Pre-decodable and decodable texts** enable students to apply sound-spelling correspondence in multiple reading contexts.
- Research-based, explicit, systematic, and linguistically logical instruction in the Teacher's Edition is supported by **Alphafriends Cards, Sound-Spelling Cards, and Letter, Word, and Picture Cards**.
- Fluency Lessons** build automaticity and prosody, facilitating comprehension.
-  **HMH Decoding Power: Intensive Reading Instruction** provides explicit, systematic instruction to efficiently build the foundational skills struggling students need to become fluent readers.
-  **Language Workshop** provides **Designated ELD** instruction aligned to every lesson, supporting development of those collaborative, interpretive, productive, and English skills necessary for student success.
- Weekly Cold Reads** support fluent reading with increasing complex texts and constructed response questions.
- Formative Assessments** for decoding and fluency at point-of-use provide a guide for reteaching opportunities.
-  **Audio** supports student's fluency and decoding with models.

#CASuccess



Connect with us:



Visit [learn.hmhco.com/CASuccess](http://learn.hmhco.com/CASuccess) to sign up for an evaluation account to see all the rich resources that enhance the *California Journeys* experience and meet CA standards and ELA/ELD Framework.

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# CALIFORNIA JOURNEYS

## Introduction

**Houghton Mifflin Harcourt™ California Journeys ©2017** is a comprehensive Integrated English Language Arts program designed to provide in-depth coverage of the California Common Core State Standards for English Language Arts and Literacy and the California English Language Development Standards. HMH® *California Journeys* ©2017 is submitted for Program 2: English Language Arts/English Language Development Basic Program for Grades Kindergarten through Grade Six.

*Journeys* engages students with world-class literary and informational texts that reflect a variety of cultures and ethnicities, age-appropriate and appealing topics, gender diversity, and cross-curricular reading experiences. English learners are well served through the seamless integration of the CA ELD Standards, capturing the complex and nuanced aspects of language-learning as described in Chapter 2 of the California Framework—via daily integrated literacy instruction across reading, writing, speaking, and listening. Daily instruction delivers the scaffolds at all language proficiency levels that enable English learners to interact in meaningful ways in order to learn how English works. In addition, Language Workshops deliver Designated ELD instruction that support English learners with the academic language skills needed to access core content.

*Journeys* is built on **Houghton Mifflin Harcourt’s** legacy of delivering scientific, research-based programs with solid efficacy to ensure maximum student achievement for success in college, careers,

and lifelong learning. HMH ***California Journeys: A Research-Based Approach*** describes the evidence-based practices from peer-reviewed journals and academic publications that were used in the creation of the program. Efficacy studies for *Journeys* were conducted using research designs that adhere to the most current What Works Clearinghouse guidelines; these studies have been published in technical reports that include the methodology and statistical analysis necessary for future researchers to replicate them. Consistently, these studies indicate that students using *Journeys* have significantly improved reading achievement compared to similar students using alternative programs.

## Alignment to the California Criteria

### Category 1: English Language Arts and English Language Development Content/Alignment with the Standards

Five Essential Themes—Meaning Making, Language Development, Effective Expression, Content Knowledge and Foundational Skills—provide the foundation for the California Framework Adoption Criteria, and thus the requirements and fundamental beliefs exemplified in HMH *California Journeys* ©2017.

**Meaning Making:** *Journeys* helps students at all levels make meaning of complex literary and informational texts through close reading and analysis, listening comprehension, writing to sources, using text evidence, communicating ideas verbally and in writing, and in responding to the ideas of peers. In elementary literacy classrooms, different types of texts support different

instructional purposes. *Journeys* delivers this variety through multi-genre texts. These include Decodable Texts, Big Books, Read Aloud Books, Anchor Texts and Paired Selections of increasing complexity in the Student Books, Readers, Trade Books, and Student Magazines. In all the grades, *Journeys* contains a significant number of Text Exemplars as recommended by the Common Core State Standards for English Language Arts. Digital tools in *Journeys* encourage students to identify critical passages, underline or highlight them, make notes explaining their significance, and tag and save them for later use in discussions and writing. The Teacher’s Edition provides targeted guidance for differentiating instruction that extends regular classroom instruction. Opportunities to expand background knowledge and teach prerequisite skills enhance students’ meaning making.

### Meaning Making in *Journeys*:

- Instructional supports and scaffolds accompany each selection to guide students’ growing independence in making meaning from complex texts. These are described in the Category 2: Program Organization section.
- **Teacher Read-Alouds** engage students at high depth of knowledge levels for focused meaning making.
- Integrated English language scaffolds at all levels of English proficiency support meaning-making.
- **Text X-Ray** teaching tools coupled with **Text Complexity Rubrics** (which provide a qualitative and quantitative overview of each selection) point out for teachers in advance key ideas and language features that may challenge students.
- **Reader’s Notebook** provides ongoing practice in making critical thinking and text analysis visible.
- **Trade Books** provide extended and independent reading, to help students gain information, endurance, and appreciation of literature. Students synthesize their reading of these texts by engaging in extended projects. During this time they work collaboratively to develop and build 21st-century skills, in which they apply reading, writing, speaking, listening, research, and technology to produce their final products.
- **Reading Detective** features support and scaffold close reading of the Anchor texts.
- **Write-In Reader** provides practice with close reading of parallel texts that help struggling readers “ramp up” to the Anchor Text.

- **Performance Tasks and Assessments** give students practice in analyzing and synthesizing multiple texts.
- Guidelines for effective independent reading are delivered in each lesson.

**Language Development:** In *Journeys*, all students use and learn language as thinkers, readers, writers, speakers and listeners. Materials promote relevant academic discussions around grade-level activities, providing evaluation tools to improve effectiveness. The personal nature of language acquisition is exemplified in the digital *myWordList* in *myNotebook*. Contextualizing language development is demonstrated with direct instruction in Academic Vocabulary, Domain Specific Vocabulary, Vocabulary in Context, and grammar, usage, mechanics, and style. The systematic, carefully sequenced instruction in *Journeys* guides students to use language to acquire and convey meaning effectively. Rich academic language instruction through daily vocabulary, grammar, and writing lessons is delivered in meaningful contexts and provides appropriate levels of support for all students, particularly culturally and linguistically diverse learners, to help them meet the language demands of school and beyond.

### Language Development in *Journeys*:

- Integrated ELD instruction provides explicit support for standard forms and functions of English, and includes strategic use of first language through scaffolds such as cognates, when applicable.
- Integrated English Language Supports in every lesson seamlessly scaffold English learners during core instruction, with support for **Emerging, Expanding, and Bridging** levels of language proficiency.
- **Language Detective** features with every Anchor text facilitate analysis of the author’s language use and how that language builds meaning.
- **How English Works** features in each lesson help teachers use the texts to build linguistic skills.
- **Language Workshop**, a complete, rigorous, systematic program for Designated ELD, builds into and from the core program to enable language learners to stretch to greater proficiency in academic English. Formative assessments support English learners in meeting ELD learning goals.
- **Daily and Weekly Vocabulary instruction**, supported by **Interactive Whiteboard Lessons**, builds the morphological and contextual tools students need in order to uncover unknown word meanings

independently and to generate new vocabulary. These lessons systematically provide practice and application of academic vocabulary, domain-specific words, and high-frequency words across reading, writing, speaking, and listening.

- The **Vocabulary in Context** features provide explicit teaching of academic vocabulary in both English and Spanish. **Vocabulary in Context** activities bring the words and concepts to life; and associated formative assessments support teachers with resources for building long-term language capacity.
- **Vocabulary Readers** provide practice with the academic vocabulary in an additional context.
- **myWordList** (Student eBook tool) enables students to collect unfamiliar words as they read in order to build a personal, ongoing word list, thereby managing their own vocabulary development.
- **Speaking and Listening Lessons** with systematic instruction in collaboration skills build proficiency with academic discussions, language, and vocabulary.
- **Interactive Lessons** in a digital format provide instruction in key writing, speaking, and listening skills.
- **Standard English Learner Support** at point of use helps students both appreciate the language variations of their home/community and develop facility in academic, mainstream English.

**Effective Expression:** *Journeys* provides a supportive environment for students to use academic language effectively as they discuss texts and ideas with peers, produce written and oral texts, and respond with effective feedback to classmates. Instructional materials are fully aligned to the types of writing required by the California standards. Through direct and interactive instruction, writing lessons (daily and extended) include criteria, student models, scaffolding, and feedback. Rubrics provide clear guidance for improving written and spoken expression in academic settings. Through English Language Support annotations, English learners receive additional instruction in speaking and writing applications, grammar and usage, academic language, and listening and reading comprehension.

**Effective Expression in *Journeys*:**

- **Collaborative Classroom Conversations** and **Think-Pair-Share Activities** offer students practice in expressing their understanding during academic

conversations about texts and topics.

- **Language Workshop** instruction for Designated ELD helps English learners express themselves and collaborate effectively. Support for language transfer skills is also integrated.
- Online **ELL Newcomer Teacher’s Guide** provides 12 sequential, explicit lessons to support acculturation and help students perform basic oral language functions.
- Writing process instruction in narrative, informational, and opinion writing—and the structures associated with these forms—links directly to the Student Writing models. Strategic scaffolds support learning about writing processes, traits, and the application of academic language to final written products. Writing instruction also connects to a variety of literary and informational texts, and provides practice that integrates reading, speaking, listening, and language.
- **Research and Media Performance Tasks** provide students with multiple opportunities to develop and publish SBAC\*-aligned Performance Tasks as well as short and long research projects.
- **myWriteSmart**, an online tool, supports students with 21st-century learning processes; students write to sources, create multimedia presentations, collaborate, and share their written expressions.
- **Interactive Lessons** in writing, listening, and speaking in the online Student Books provide instruction and practice in key language expression skills.
- **Daily Grammar Lessons** make explicit connections back to writing and speaking for effective and authentic applications to formal and informal language, including a focus on functions and conventions.
- **Extended Collaborative Projects** provide multiple opportunities to speak informally and formally, from initial discussions through the delivery of final presentations.

**Content Knowledge:** *Journeys* provides students with rich informational and literary texts organized around content-area domains and unit topics. Students learn to compare, contrast, and synthesize ideas from multiple sources on the same topic, building robust, ever-growing knowledge networks across content areas. Differentiated instruction enhances background knowledge and prerequisite skills. Media content, woven seamlessly throughout *Journeys*, enriches background knowledge



with the voices and images of historical/cross-curricular significance and contemporary relevance.

#### Content Knowledge in *Journeys*:

- **Anchor Texts** and shorter, complex **Paired Selections** delivered in a progression of difficulty focus on concepts and vocabulary that are of high interest and that build content-area knowledge in Science and History-Social Science.
- **Trade Books** provide in-depth exploration of Science and History-Social Science topics.
- **Extend the Topic lessons** help students acquire and use topic-related, domain-specific vocabulary in speaking and writing.
- **Research and Media Literacy** instruction to develop the skills students need to be independent learners and broadly literate thinkers.
- For Your Information website, **hmfyi.com**, accessible through the eBook, provides curated and contemporary informational text, updated monthly and related to each unit topic; selections are archived and available across grade levels.
- **Leveled Readers** that are exclusively nonfiction and expand on each lesson topic build students' skills in content-area reading.
- **Channel One® News** videos provide information on current events and unit topics.
- **Stream to Start** videos open each unit by providing motivating information on the topic.

**Foundational Skills:** Instruction in *Journeys* provides research-based explicit, systematic, linguistically logical, diagnostic support, instruction, differentiation, and distributed practice for the full range of foundational literacy skills. All foundational skills instruction drives toward the ultimate goal of applying these skills to the authentic, dynamic processes of comprehension, analysis, and synthesis within authentic reading and writing tasks. Ongoing progress monitoring captures student growth and learning needs to support data-driven instruction.

#### Foundational Skills in *Journeys*:

- Built-in teaching, application, review, and differentiated lessons are included with the following instructional cards: **Alphafriends Cards, Sound-Spelling Cards, Re-Telling Cards, and Letter, Word, and Picture Cards.**
- **Decoding and encoding** are treated as related

processes, with research-based, explicit, and systematic spelling instruction tied closely to phonics and word study instruction. **Spelling tasks** are based on grade-appropriate phonemic and morphological concepts.

- **Grades K–2: Pre-decodable and decodable texts** (containing a minimum of 8000 words in Grade 1 and 9000 in Grade 2) appear in the Student Book (Grade K), Blend-It Books (Grades 1–2), and the Decodable Readers (Grades 1–2). These books are integrated with instruction, enabling students to apply sound-spelling correspondence in multiple reading contexts. Two texts for every taught sound/spelling element contain 75–80% of previously taught phonic elements and 20–25% of previously taught, irregularly spelled high-frequency words, drawn from these research-based lists: Dolch, Zeno, Fry, and Eeds. Each book contains a list of high-frequency words and sound-spelling correspondences contained in the text.
- **Grades 3–5: Decoding instruction** empowers students to tackle longer words.
- **Weekly fluency lessons** build automaticity and prosody, facilitating comprehension.
- Self-guided **Literacy Centers** keep students engaged while teachers work with small groups.
- **HMH Decoding Power: Intensive Reading Instruction** provides explicit, systematic instruction to efficiently build the foundational skills struggling students need to become fluent readers. The instruction is organized into four sets of grade-related materials that build incrementally: **System K:** Kindergarten; **System 1:** Grade 1 with Kindergarten materials; **System 2:** Grade 3 with Grade 1 and Kindergarten materials; **System 3:** Grade 3 with Grades 2, 1 and Kindergarten materials; and **System 4–6:** Containing one set of materials for Grades 4 through 6.

## Category 2: Program Organization

*Journeys* employs a coherent, easy-to-follow, and flexible structure that allows teachers to convey integrated instruction of the CA ELA/ELD standards efficiently and effectively. The *Journeys* Student Edition is organized into six units. Each unit has one unifying topic/theme which all lessons in the unit support and in which the Unit Performance Task culminates. The Unit Opener draws students into the topic with an engaging image, quote, link to [hmfyi.com](http://hmfyi.com), and multimedia links to the Stream to Start and Channel One videos. Prior to reading, students preview the topic under the teacher’s guidance. Instructional read-alouds deliver concepts at a higher level than students’ reading levels, stretching their thinking and verbal responding. Collaborative Conversations prompt students to apply prior knowledge to understanding the concepts and language that will support the reading of the text. Graphic organizers and think-alouds systematically help students apply prior knowledge to new learning.

At the lesson level, a multiple reads routine scaffolds close reading to support all learners in accessing grade-level complex texts. During the first read, students read through the complete text to gain understanding of the author’s big ideas. During the second read, they analyze short sections of the text, prompted by a Dig Deeper feature, and they cite evidence from the text to respond at high depth of knowledge levels. The third read delivers routines for independent reading. After reading each Anchor Text, students engage in a written Performance Task that requires them to analyze and synthesize their understandings of the text and to write to sources. Checklists and student-friendly rubrics guide students’ learning and responses.

Both teachers and students will experience a well-organized and effective program that is grounded in high expectations for all students. Built-in connections to the content areas, online and in print, support learners at all levels with multiple ways to access and master grade-level content, texts, and objectives.

- Program design delivers effective instruction that integrates reading, writing, speaking, and listening from the very foundations of learning to read, through close reading and analytic response.
- Every lesson provides guidelines for differentiating instruction, including targeted and intensive intervention, as well as fully integrated support for English Language Development Standards and for integrating the Designated ELD program (**Language Workshop**).
- The **California Quick Start Pacing Guide** and Teacher’s Editions provide an overview of the program design and organization of *Journeys* including:
  - 180-Day Teaching Plan for each grade.
  - Guidance for pacing instruction across units, weeks/lessons, and days, as well as program flexibility.
  - A fully aligned **Scope and Sequence** for both the California Common Core State Standards for English Language Arts and for the English Language Development Standards.
  - Descriptions of each program component and how it supports teachers and students.
  - A seamless, user-friendly suite of online tools that enables students to take notes and capture text evidence while reading their Student eBooks, to store and retrieve them in **myNotebook**, and to draw from them when composing written and multi-media Performance and Research Tasks in **myWriteSmart**.
- **Extension projects** that incorporate the reading of trade novels and informational texts, and build content vocabulary and concepts through the grade, with domains extending across the grades.
- Explicit teaching and re-teaching of foundational skills, comprehension, writing, and vocabulary following a gradual release model (Teach/Model, Guided Practice, and Apply).

### Category 3: Assessment

*Journeys* features a powerful suite of integrated assessments for tracking student data, analyzing their progress, and informing instruction for relevant and personalized support. Assessment resources provide multiple means of measuring student progress for the most accurate picture of achievement. Students are also active participants in assessing their growth.

- **Diagnostic Assessments** include Lexile information to identify strengths and weaknesses of students' reading ability and to ensure appropriate placement and offer targeted intervention.
- **Formative Assessments** at point of use in each lesson enable teachers to address learning problems as they occur.
- **Weekly Tests** monitor progress on key lesson skills and vocabulary.
- **Standards-Based Assessment Resource** provides progress monitoring assessments and Performance Tasks in SBAC formats, with rigorous tasks and questions, complex text passages, and technology-enhanced item formats.
- **Cold Reads** provide passages at increasing Lexile levels to gauge students' fluency and comprehension.
- **Selection and Unit performance tasks** provide assessment activities designed to elicit original responses and compositions that require writing and/or speaking and listening.
- **Intervention Assessments** include Screening Assessments, Progress Monitoring, and program exit guidance.
- **Language Workshop Assessment Handbook** measures English learners' progress in mastery of each proficiency level, as well as mastery of the English Language Development Standards.
- **Continuum Assessment System**, an adaptive assessment resource, provides scientifically valid and reliable measures of student knowledge and growth. Item difficulty adapts to each student's responses. Technology-enhanced items mirror national standardized test formats and measure required skills.
- **Performance Assessment and Performance Assessment Teacher's Guide**, for Grades 3 through 5, provide instruction in close reading and practice for standardized assessment in SBAC formats.
- **Common Core Practice and Assessment App**, with immediate, corrective feedback, offers students independent practice with technology-enhanced item types and performance tasks.

### Category 4: Universal Access

HMH *California Journeys* ©2017 is designed with the primary goal of providing universal and equitable access to the highest quality instruction for all students so they can meet or exceed the expectations as specified in the ELA/ELD California Common Core Standards. Containing both the content and pedagogical strategies needed to support students' success, *Journeys* integrates English Language Support as well as aligned instruction for Designated English Language Development. Incorporating high expectations with scaffolded instruction to address learners with disabilities, and using specialized instructional strategies and materials to accelerate learning for each student, *Journeys* provides guidance on when pre-teaching, re-teaching and adapting instruction are needed for equal access for each student.

- For all learners, just-in-time scaffolds; formative assessments; small-group lessons targeting students performing below-, on-, and above-grade level; and re-teaching lessons ensure universal access to grade-level complex texts and learning objectives.
- Suggestions for modifying classroom routines help meet students' specific learning needs.
- Designated and integrated ELD resources ensure that English learners master the academic language and other linguistic challenges needed to access core content.
- Targeted and intensive intervention resources provide added support for struggling readers.
- **Write-in Readers** and **HMH Decoding Power: Intensive Reading Instruction** offers reading intervention for students.
- **Contrastive Analysis Charts** in the California Quick Start Pacing Guide as well as information on African American English and Chicano/Chicana support students linguistically.
- **Universal Design for Learning** is exemplified in digital resources that allow students to be purposeful learners as they manage their digital Notebooks, personalizing learning through annotation and note-taking, making personal word lists, and crafting original responses with collaborative feedback from teachers and peers through **myWriteSmart**. Performance Tasks and projects provide self-direction, choice, collaboration, and varied means of expressing growing knowledge. Resources such as **hmhfyi.com** encourage research and independent study.

*Continued on next page*

- Assistive technology supports students with disabilities. *Journeys* can be rendered in Braille, large print, and screen reader programs. Closed captioning and alternative text are also available.

## Category 5: Instructional Planning and Teacher Support

Instructional materials in *Journeys* provide explicit guidance to teachers for planning effective instruction for every student. An easily navigable digital tool pre-populated with 180 days of instruction via **mySmartPlanner** on the Teacher Dashboard allows teachers to view and customize plans. All lesson plans are correlated to the California Common Core Standards for English Language Arts and Literacy and English Language Development Standards and list required resources for each. The California Quick Start Pacing Guide provides 180 days of plans, information on integrating resources and assessing standards, and a Scope and Sequence with suggested instructional time for each lesson. It also contains contrastive analysis and cross-linguistic transfer charts to support instruction for students who use AAE. All terms used in the standards are applied correctly, and materials are both user friendly and platform neutral. Regardless of the medium that teachers prefer to use, *Journeys* provides multiple access points for planning, emphasizing the versatile nature of the program.

- Teacher’s Editions provide **Unit ELA/ELD, Weekly Whole Class, Weekly Small Group Lesson Planners, and Focus Walls** that show the instructional objectives and instructional resources to use.

- Comprehensive **ELA/ELD Standards Correlations** with page numbers appear in the front matter of each grade-level text; **ELA/ELD Standards** notations appear on each instructional and selection page.
- **Kindergarten program** provides a **Transitional Kindergarten Teacher’s Guide** with daily support and directions for adapting the Kindergarten lessons for Transitional Kindergarten or blended Kindergarten classrooms.
- **Support for parents** in Spanish and English includes letters in every unit explaining the current lesson and offering at-home suggestions for maximizing student progress.



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A comprehensive K–6 program designed to develop high levels of academic literacy in **Spanish** and **English** and to empower students for a bilingual, biliterate, and multicultural future.

# CALIFORNIA JOURNEYS PATHWAY to BILITERACY

Broadly Literate

Readiness for College, Career, and Civic Life

21<sup>st</sup> Century

Capacities of Literate Individuals

## PROGRAM ORGANIZATION



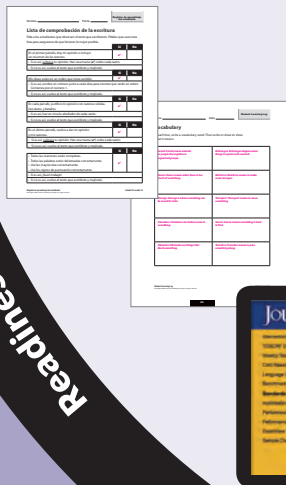
- The **California Journeys Pathway to Biliteracy Teacher Guide** provides detailed instructional support for Spanish and English, including a cross-linguistic bridge, and instructional arrangement tab to support 90/10, 80/20, and 50/50 Spanish/English instruction.
- California Journeys Pathway to Biliteracy Student Book and eBook** are organized into six units of multi-genre complex texts.
- Revista Aventuras** student magazine provides rich, authentic Spanish literature.
- California Journeys Pathway to Biliteracy Leveled Readers** provide just-right reading instruction and practice in English and Spanish with a comprehensive eight-page teaching guide.
- Integrated English Language Development and Integrated Spanish Language Development** instruction amplifies linguistic and academic progress while developing language awareness.
- Trade Books** (in Spanish and English) offer rich literary and informational content on a variety of topics.
- The **Dashboard** enables students and teachers to view all program content, components, and media with easy navigation tools.

## INSTRUCTIONAL PLANNING AND SUPPORT



- An **instructional design** that builds upon the linguistic features and concepts that cross over between English and Spanish.
- The **Cross-Linguistic Bridge** includes explicit instruction in transferring, augmenting, and extending from Spanish to English or English to Spanish.
- Unit opener tabs** provide support for various instructional models, including 50/50, 90/10, and 80/20.
- mySmartPlanner** pre-populates 180 days of instruction and allows teachers to customize and view plans.
- Teacher's Edition** includes information about cognates, language transfer, and other features that support language acquisition.
- Integrated English Language Development and Integrated Spanish Language Development** instruction amplifies linguistic and academic progress while developing language awareness.
- Language Workshop** provides daily explicit guidance for 60 minutes of daily Designated ELD instruction and support for ELA/ELD integration.
- English CACSS, Spanish CACSS, and ELD **Standards Correlations** appear on each instructional page.

## ASSESSMENT



- Powerful suite of integrated assessments in Spanish and English to evaluate learning and help guide and inform weekly instruction including:
  - Language Proficiency Assessments
  - Student Learning Logs
  - Screening Assessments
  - Diagnostic and Formative Assessments
  - Progress-Monitoring Assessments
  - Performance Tasks
  - Cold Reads

## UNIVERSAL ACCESS



- Just-in-time scaffolds**, formative assessments, small group review, and **reteaching lessons** in Spanish and English ensure universal access to grade-level complex texts and learning objectives.
- Text X-Ray** highlights aspects of each complex text that may prove challenging, providing strategies to scaffold instruction.
- Language Workshop resource delivers **Designated ELD instruction**.
- Classroom routines** ensure students can focus their cognitive energy on the learning tasks at hand.
- Vocabulary of the Topic** and **Cognates** point out areas of transfer and point out those areas of negative transfer.
- Watch Out!** and **¡Cuidado!** annotations in the Teacher's Edition identify possible language transfer issues.
- Collaborative Classroom Conversations** and Think-Pair-Share activities offer students practice in expressing their understanding during academic conversations about texts and topics.

## LANGUAGE DEVELOPMENT

**Integrated English Language Development and Integrated Spanish Language Development** instruction amplifies linguistic and academic progress while developing language awareness.

**Daily Oral Language** routines focus on language development.

**Sequenced Phonics Instruction** with explicit lessons on foundational skills in both Spanish and English.

**Critical Vocabulary** is integrated throughout each selection.

**Language stems, sentence starters, and graphic organizers** are provided in the Teacher's Edition.


**Teacher's Edition** includes information about cognates, language transfer, and other features that support language acquisition.

**myWordList** encourages students to build a deep vocabulary base.

## MEANING MAKING

**Anchor Texts** and **Paired Selections** are intellectually challenging and worthy of multiple reads.


**Text Complexity Rubrics** reveal a qualitative and quantitative view of each selection.

 **Text X-Ray** helps the teacher zoom in on key ideas and language points to support or challenge students.

**Watch Out!** and **¡Cuidado!** annotations in the Teacher's Edition identify possible language transfer issues.

**Scaffolding for Success** ensures students have the support required to fluently read, comprehend, and analyze text.

**Preview Vocabulary and Concepts** prepares students for a deeper understanding of the text.


 **myNotebook** annotation tool encourages direct engagement with the language and ideas of the text.

## EFFECTIVE EXPRESSION

Every lesson includes instruction on the **Writing Process** as it pertains to the unit topic and texts.

**Collaborative Classroom Conversations** and **Think-Pair-Share** activities offer students practice in expressing their understanding during academic conversations about texts and topics.

**Dynamic tools** engage digital learners in writing required by the California Standards through direct and interactive instruction.

 **myWriteSmart**, the online writing tool, supports students' writing in a collaborative environment.

## CONTENT KNOWLEDGE

**Anchor Texts** and shorter, complex **Paired Selections** focus on topics that build content-area knowledge in Science and History-Social Science.

Rich, authentic, culturally relevant literature, balanced with well-crafted **informational texts** that build content knowledge and cross-curricular vocabulary.

**Research and Media Literacy instruction** develops the skills students need to be independent learners and broadly literate thinkers.

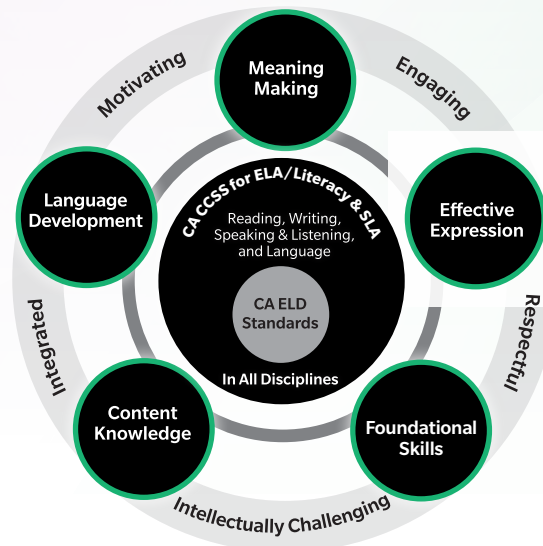
## FOUNDATIONAL SKILLS

**Sequenced Phonics instruction** with explicit lessons on foundational skills in both Spanish and English.

Grades K-2: **Pre-decodable** and **decodable texts** in Spanish and English) enable students to apply sound-spelling correspondence in multiple reading contexts.

Research-based, explicit, systematic, and linguistically logical instruction in the Teacher's Edition is supported by **Spanish and English resources**, including Alphafriends Cards; Sound-Spelling Cards; and Letter, Word, and Picture Cards.

**Fluency Lessons** build automaticity and prosody, facilitating comprehension.



Visit [learn.hmhco.com/CASuccess](http://learn.hmhco.com/CASuccess) and sign up for an evaluation account to see all the rich resources that enhance the **California Journeys Pathway to Biliteracy** experience and meet CA standards and ELA/ELD Framework.

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CALIFORNIA  
**JOURNEYS**  
PATHWAY to  
**BILITERACY**



## CALIFORNIA JOURNEYS PATHWAY TO BILITERACY IS...

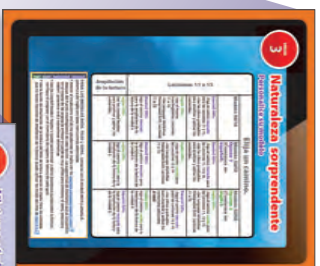
A comprehensive K-6 Language Arts program built on the California ELA/ELD Framework and Standards and Spanish California Common Core State Standards, intentionally designed to empower students with academic proficiency for a bilingual, biliterate, and multicultural future.

Captivating literature in Spanish and English, thematically organized with support for students as they develop reading and language skills.



BUILT FOR THE  
CA PROGRAM 3 CALL

Aventuras magazine includes **authentic** and engaging Spanish literature that connects to the themes in **Journeys** and **Senderos**. The high quality texts contribute to a robust instructional design for teachers.



**California Journeys Pathway to Biliteracy** can be implemented in **any classroom configuration**. Regardless of the model used, all of the CA ELA/ELD Framework and Standards and the Spanish CACCSS will be met. Teachers simply choose the Spanish or English pathway for each lesson.



The Teacher's Guides encompass all instruction and support required to meet the CA ELA/ELD Framework and Standards and the Spanish CACCSS.



PROGRAM OVERVIEW



## MEET THE PROGRAM CONSULTANT



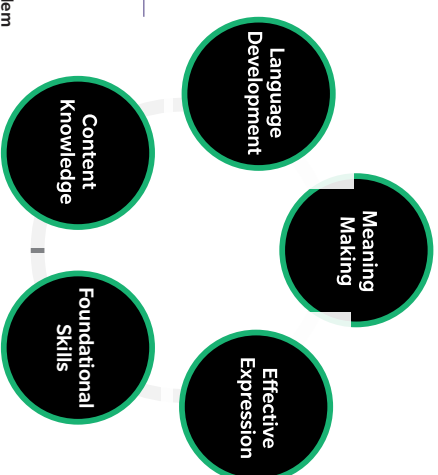
### DR. GISELA O'BRIEN

**Dr. Gisela O'Brien** is Associate Director of CEEL, the Center for Equity for English Learners at the School of Education, Loyola Marymount University. Her areas of expertise include curriculum, assessment, and professional development, focusing on dual-language learners. Dr. O'Brien played a key role on the review panel for the *California English Language Development Standards*, K-12. A committed educator, she formerly served Los Angeles Unified School District as a bilingual teacher. HMH is honored to be working with Dr. Gisela O'Brien on *HMH California Journeys Pathway to Biliteracy*.

Dear Educator,  
Welcome to *California Journeys Pathway to Biliteracy*, the intentional dual-language program. What do I mean by "intentional dual language"?

- A focus on language as a tool for making meaning, starting with the language assets that children bring to school. This means that lessons intentionally build on what students already know.
  - Rich, authentic, culturally relevant literature, balanced with well-crafted informational texts that build content knowledge and cross-curricular vocabulary. These texts are provided in both English and Spanish.
  - Explicit instruction in the academic language of school and texts. In this program, the necessary concepts and linguistic resources are emphasized in both languages.
  - An instructional design that builds up on the linguistic features and concepts that cross over between English and Spanish.
  - Special attention to the unique linguistic aspects of each language, in phonics, spelling, and grammar. Where there is negative transfer, additional supports is provided so that student do not miss key instruction in either language.
  - Systematic instruction and practice in foundational skills: phonological awareness, phonics, and fluency; to empower students for making meaning.
  - Language development that integrates all domains: listening, speaking, reading, and writing, emphasizing the purposes for which we use language.
  - Instruction in the language of academic speaking and writing, to provide students with linguistic tools for effective expression.
  - Intentional, appropriate, and valid assessment tools to inform sound instructional decisions, including formative assessment directly tied to instruction.
  - Additional scaffolds and extensions tailored to the students' specific needs and strengths.
  - The purposeful development of metacognitive and metalinguistic knowledge, along with an emphasis on collaboration and the application of academic language—all to prepare students to become successful, lifelong dual-language learners.
- I hope you enjoy the resources of this program as part of your own intentional dual-language instruction.
- With my best wishes,  
Gisela O'Brien, Ph.D.

*California Journeys Pathway to Biliteracy* is built upon the **five key themes of the California Framework** and the **eight values** for educating second-language learners:



- 1 Valuing Language and Culture as Assets
- 2 Ensuring Equity in Intellectual Richness
- 3 Building Content Knowledge and Language in Tandem
- 4 Attending to Specific Language Learning Needs
- 5 Integrating Domains of Communication
- 6 Providing Appropriate Scaffolding
- 7 Evaluating Progress Appropriately
- 8 Sharing the Responsibility

**RICH, AUTHENTIC LITERATURE PROMOTES BILITERACY, BICULTURALISM, AND A LOVE OF READING**

Students in a biliteracy program have the unique opportunity to embrace the love of reading in **TWO** languages. With *California Journeys Pathway to Biliteracy*, authentic selections from authors such as Alma Flor Ada, Gabriel García Márquez, and Gustavo Roldán bring literature to life.

**Cuatro joyas**  
por Fernando Alonso

**Introducción**  
**¿Qué son los mitos y las leyendas?**

Los mitos y las leyendas son narraciones que tratan de explicar la realidad. Pero las explicaciones que están en los mitos y las leyendas no son verdaderas. Los mitos y las leyendas son historias que se cuentan de generación en generación. Tienen un origen del mundo, del cielo, de la tierra, de los animales y muchas otras cosas. Los cuentos que están en los mitos y las leyendas son historias que se cuentan de generación en generación. Los personajes de los mitos y las leyendas son personajes muy especiales. Los mitos y las leyendas son historias que se cuentan de generación en generación. Pero los mitos y las leyendas no son historias que se cuentan de generación en generación. Los mitos y las leyendas son historias que se cuentan de generación en generación. Los mitos y las leyendas son historias que se cuentan de generación en generación.

**El ratoncito y el león**  
versión de una fábula de Esopo  
por Alma Flor Ada

Una tarde el ratoncito regresó a su casa. Corría a través de la selva. De pronto una gran rama cayó sobre él.

—No me caí, por favor!

—Y por qué no? —pregó el león, roncando.

—Mi familia me espera —explicó el ratoncito.

—Se morirán de pena si no regreso.

**ACCESSING AND ANALYZING TEXT**

Within each lesson, Preparing for Complex Text and Text X-Ray identify aspects of the text that might prove challenging for students, to help the teacher prepare for scaffolding instruction. Targeted scaffolding helps students comprehend the text and use higher order thinking skills to analyze the author’s purpose, language, and craft.

**Prepararse para textos complejos**

**¿Por qué este texto?**

**¿Por qué este texto?**

¿Por qué este texto?	¿Por qué este texto?
<p><b>¿Por qué este texto?</b></p> <p>Este texto es una fábula que trata sobre un león y un ratoncito. El león se burla del ratoncito porque es pequeño y el ratoncito se burla del león porque es grande. Al final, el ratoncito ayuda al león a escapar de un cazador, lo que demuestra que la humildad y la amistad pueden superar la fuerza y el tamaño.</p>	<p><b>¿Por qué este texto?</b></p> <p>Este texto es una fábula que trata sobre un león y un ratoncito. El león se burla del ratoncito porque es pequeño y el ratoncito se burla del león porque es grande. Al final, el ratoncito ayuda al león a escapar de un cazador, lo que demuestra que la humildad y la amistad pueden superar la fuerza y el tamaño.</p>

**IDEA CLAVE**

**Idea clave | págs. 54-55**  
Pída a los niños que mencionen las cosas que hacen música en el texto. Pregunte qué otras cosas producen sonidos como el de la música.

**Idea clave | págs. 54-55**  
Pída a los niños que digan qué hace el narrador cuando está feliz. Luego pídale que cuenten qué es lo que ellos hacen cuando están felices.

## THE CROSS-LINGUISTIC BRIDGE

The Cross-Linguistic Bridge includes explicit instruction in transferring, augmenting, and extending supports—from Spanish to English or from English to Spanish. It supports application in both languages.

Transfer, augment, and extend Spanish proficiency through collaborative discussion and explicit instruction.

The Cross-Linguistic Bridge develops metalinguistic awareness and biliterate proficiency at the text level, the sentence level, and the word level.

Transferir, desarrollar y ampliar

### Puente Interlingüístico

Transferir, desarrollar y ampliar

#### Desarrollo profesional sobre la marcha

Transferir, desarrollar y ampliar el dominio profesional. Usar estas páginas para transferir, desarrollar y ampliar el dominio profesional. Usar estas páginas para transferir, desarrollar y ampliar el dominio profesional.

#### Opciones Incompletas

Para a los niños que usen estas páginas incompletas para completar las casillas y los otros indicadores. ¿Por qué?

#### ¡Cuidado! Integrated ELD

Transferir, desarrollar y ampliar el dominio profesional. Usar estas páginas para transferir, desarrollar y ampliar el dominio profesional.

Del español al inglés

#### 1 Fonética

##### Palabras competentes. El sonido vocálico cambia en inglés

Transferir y desarrollar el dominio profesional. Usar estas páginas para transferir, desarrollar y ampliar el dominio profesional.

#### 2 Género y estructura del texto

##### Causa y efecto

Transferir y desarrollar el dominio profesional. Usar estas páginas para transferir, desarrollar y ampliar el dominio profesional.

3 Gramática y estructura de las oraciones

#### Abreviaturas

##### Vocabulario y estructura de las palabras

Transferir y desarrollar el dominio profesional. Usar estas páginas para transferir, desarrollar y ampliar el dominio profesional.

#### 5 Escritura

##### Estrategia persuasiva

Transferir y desarrollar el dominio profesional. Usar estas páginas para transferir, desarrollar y ampliar el dominio profesional.

From English to Spanish

Del español al inglés

Opciones Incompletas

Registro de aprendizaje del estudiante

English both Spanish

Think-alouds model similarities and differences between the two languages. Collaborative activities support the transfer and extension of knowledge.

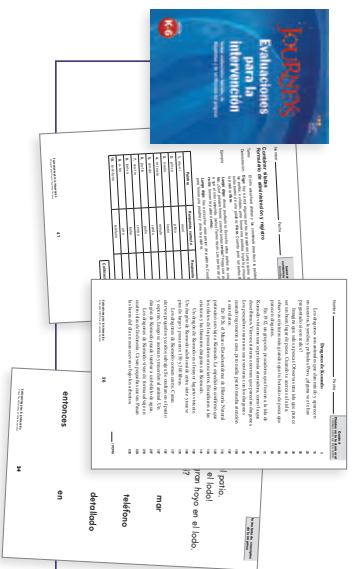
“Bridge” instruction reinforces positive transfer and provides additional support in foundational skills that differ between Spanish and English.

Students compare and contrast languages using Venn diagrams to make learning visible.

## CROSS-LINGUISTIC BRIDGE

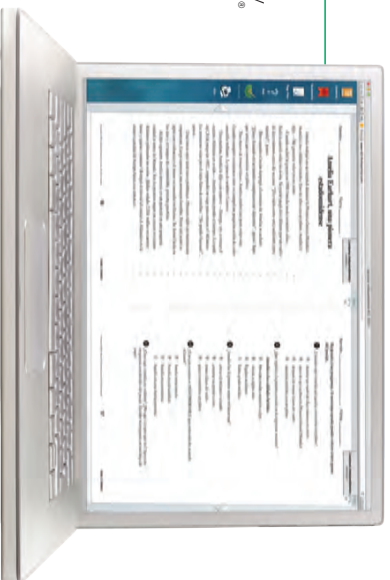
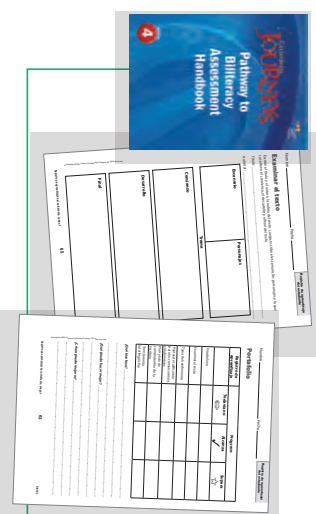
## ASSESSMENT THAT WORKS!

Formative assessment, progress monitoring, and summative assessments are available to provide teachers with a comprehensive understanding of their students' competencies in English and Spanish.

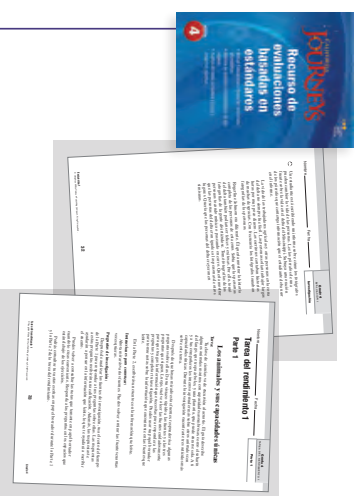


**Spanish Intervention Assessments** include screening assessments, diagnostic assessments, and progress-monitoring assessments to identify students who are at risk for reading difficulties and provide recommendations for support.

**Lecturas Independientes/Cold Reads** provide practice to build reading fluency with comprehension at increasing Lexile® levels.

The **Pathway to Biliteracy Assessment Handbook** focuses on ongoing formative assessment and includes Language Proficiency Assessments, Student Learning Logs, Rubrics, and DLE/ELD Observation Checklists in Spanish and English.



The **Spanish Standards-Based Assessment Resource** provides practice with standardized test formats students will see on SBAC\*, including analysis of complex texts and rigorous performance tasks and questions.

\*The **English Standards-Based Assessment Resource, Benchmark and Unit Tests, Intervention Assessments, and Language Workshop Assessment Handbook** are included and accessed through the core **California Journeys** program.

# OVERVIEW OF PROGRAM COMPONENTS

## STUDENT RESOURCES

- Student Edition (Spanish and English)
  - Revista Aventuras
  - Trade Books (Spanish and English)
  - Leveled and Vocabulary Readers (Spanish and English)
  - Decodable Readers (Spanish and English)
- \*All of the components listed are available in print and online

## TEACHER RESOURCES

- Teacher's Guides
  - Big Books (Spanish and English)
  - Read Alouds (Spanish and English)
  - Leveled and Vocabulary Readers Teacher's Guides (Spanish and English)
  - Instructional Cards (Spanish and English)
  - Cold Reads (Spanish and English)
  - Literacy Centers (Spanish and English)
- \*All of the components listed are available in print and online

## ONLINE RESOURCES

- Assessment Suite (Spanish and English)
- Intervention Resources (Spanish and English)
- My Journey Home: Parent Connections (Spanish and English)
- Language Workshop Resources for Designated ELD
- Language Workshop Assessment Handbook
- Downloadable/Printable Instructional Resources (Spanish and English)
- Multimedia Resources including links to [hmfyi.com](http://hmfyi.com) and [hmhinthenews.com](http://hmhinthenews.com)



# SIGN UP


FOR AN EVALUATION


## California Journeys

# PATHWAY to BILITERACY


[learn.hmhco.com/CASuccess](http://learn.hmhco.com/CASuccess)

1 Select [SAMPLE NOW](#)

2 Complete the form 

3 After your review, log out and bookmark the page 

4 When you return, click [Evaluators Click Here](#)

5 Click Teacher Resources from the Teacher Dashboard to access Bilitery Resources 

Connect with us:



#CASuccess

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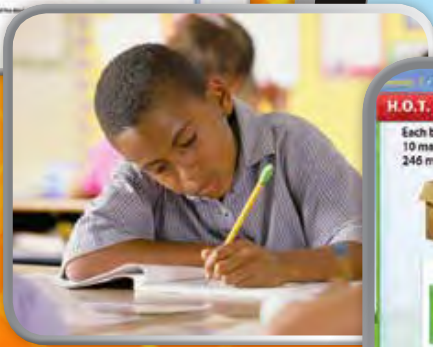
[learn.hmhco.com/CASuccess](http://learn.hmhco.com/CASuccess)

**Tap into  
on-the-GO learning!**

CALIFORNIA

# GO MATH!

*Reviewer's Guide*  
Grades K–6



# 13 original colonies



<https://www.history.com/topics/thirteen-colonies>

## New England Colonies

- Connecticut
- Massachusetts Bay
- New Hampshire
- Rhode Island

## Middle Colonies

- Delaware
- New Jersey
- New York
- Pennsylvania

## Southern Colonies

- Georgia
- Maryland
- North Carolina
- South Carolina
- Virginia

1. With a partner, choose a state and research the perimeter of the state line and area of the state, classified as one of the 13 original colonies.
  - a. State: \_\_\_\_\_
  - b. Perimeter: \_\_\_\_\_
  - c. Area: \_\_\_\_\_
2. Using the sheet provided by the teacher, trace the perimeter of the state with tracing paper
  - a. Using a string, outline the drawn line and measure in centimeters and inches, the length of the string
    - i. Centimeters: \_\_\_\_\_
    - ii. Inches: \_\_\_\_\_
3. Cut out the state from the tracing paper and place on centimeter graphing paper. Count how many square centimeters the state contains.

a. Square centimeters: \_\_\_\_\_

4. With the same cut out, trace the state on inch graphing paper. Count how many square inches the state contains.

a. Square inches: \_\_\_\_\_

5. Have all students connect their states to create a map of the 13 original colonies. As a group, find the perimeter and area of the entire map!

a. Perimeter: \_\_\_\_\_

b. Area: \_\_\_\_\_

## Standardized Grading Rubrics

### Standardized Grading Overview

4	3	2	1
The student has surpassed the standard. They are able to work independently to complete the task and if needed would be able to support another student in completing the task.	The student has met the standard. They may still make small errors, but they understand the concept and can complete the task independently.	The student is close to meeting the standard. They may benefit from asking questions to clarify information. Once they have the information, they are able to apply it to the task.	The student is not close to meeting the standard. They need teacher support to complete the task.

### End of unit project standardized rubric

I was able to research the perimeter and area of my chosen state.	I was able to trace and measure the perimeter of my chosen state.	I was able to find the area of my state with two different units of measurement.	I was able to combine my state with the others in the class and work as team member to find the perimeter and area of the colony map.	Total Score:
___ / 4	___ / 4	___ / 4	___ / 4	___ / 16



# The “5 E’s”:

- Provide the foundation of an instructional design that ensures your students experience the rigor of Common Core and utilize the Mathematical Practices.
- Balance concepts, fluency, problem solving, and application.
- Allow students to process and make meaning of the math every day.

**1 ENGAGE**

**2 EXPLORE**

**3 EXPLAIN**

**4 ELABORATE**

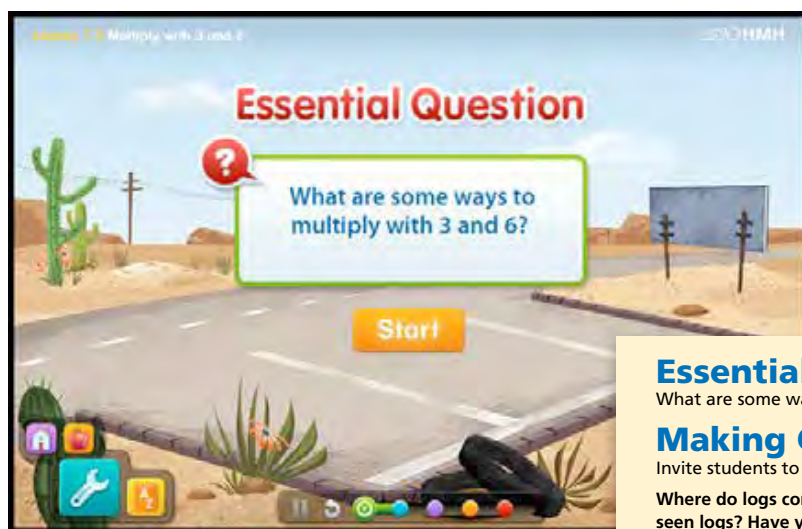
**5 EVALUATE** FORMATIVE ASSESSMENT

1

# ENGAGE

Activate and assess prior knowledge by connecting the “new to the known.”

Lessons open with active learning through an essential question and a short, engaging activity or an interactive video.



## Essential Question

What are some ways to multiply with 3 and 6?

## Making Connections

Invite students to tell you what they know about logs.

Where do logs come from? **trees** Where are places that you have seen logs? Have you ever seen trucks carrying logs? Tell us about what you saw. Have you ever seen a building made of logs? Tell us about what you saw.

## Learning Task

What is the problem the students are trying to solve? Connect the story to the problem.

- How many logs can the truck carry on each trip? **5**
- How many trips will the truck make in the day? **6**
- What are you trying to find? **how many logs the truck will bring in the whole day**
- What addition expression can be used to find the total number of logs?  **$5 + 5 + 5 + 5 + 5 + 5$**

## Literacy and Mathematics

Choose one or more of the following activities.

- Have students work with a partner to summarize the problem. Have students look up any unfamiliar words from the problem in a dictionary.
- Invite students to write a story about transporting logs. Suggest that the number of logs taken on each trip be the same so that students can multiply to find the total number of logs transported after the lesson.

# Embrace the Common Core with the “5 E’s” Instructional Model

## 2 EXPLORE

Students explore a real-world problem right in their Student Edition, so concept development is never overlooked.

Lesson 1.2  
**Algebra • Represent Even Numbers**  
 Essential Question: Why can an even number be shown as the sum of two equal addends?  
**Operations and Algebraic Thinking—2.OA.2**  
**MATHEMATICAL PRACTICES**  
 MP.2, MP.8

**Listen and Draw**

Make pairs with your cubes. Draw to show the cubes. Then write the numbers you say as you count to find the number of cubes.

Check children's work.

Math Talk: Possible answer: An even number of cubes; there are pairs of cubes with no extra cube left over.

**FOR THE TEACHER** • Give each small group of children a set of 18 to 15 connecting cubes. After children group their cubes into pairs, have them draw a picture of their cubes and write their counting sequence for finding the total number of cubes.

**Math Talk** Mathematical Practices  
 Do you have an odd number or even number of cubes? Explain.

Chapter 1 seventeen 17

Grades K–2:  
 Students *Listen and Draw*.

**Unlock the Problem** *Real World*

Sabrina is making triangles with toothpicks. She uses 3 toothpicks for each triangle. She makes 4 triangles. How many toothpicks does Sabrina use?

• Why does Sabrina need 3 toothpicks for each triangle?  
 A triangle has 3 sides, so she needs 1 toothpick for each side.

**1 Draw a picture.**

**STEP 1**  
 Complete the 4 triangles.

**STEP 2**  
 Skip count by the number of sides. 3, 6, 9, 12

How many triangles are there in all? 4 triangles

How many toothpicks are in each triangle? 3 toothpicks

How many toothpicks are there in all?  
 $4 \times 3 = 12$

4 triangles have 12 toothpicks.  
 So, Sabrina uses 12 toothpicks.

Possible explanation: since 12 toothpicks are needed for 4 triangles, and 8 triangles is double 4, I can double 12 to get the number of toothpicks needed for 8 triangles;  $12 + 12 = 24$ .

**Math Talk** Mathematical Practices  
 How can you use what you know about the number of toothpicks needed for 4 triangles to find the number of toothpicks needed for 8 triangles? Explain.

Grades 3–6: Students *Unlock the Problem* or *Investigate* in a hands-on lesson.

Jessica is using craft sticks to make 6 octagons. How many craft sticks will she use?

**1 One Way** Use 5s facts and addition.

To multiply a factor by 6, multiply the factor by 5, and then add the factor.

$6 \times 7 = 5 \times 7 + 7 = 42$

$6 \times 6 = 5 \times 6 + 6 = 36$

$6 \times 8 = 5 \times 8 + 8 = 48$

$6 \times 9 = 5 \times 9 + 9 = 54$

So, Jessica will use 48 craft sticks.

**1 Other Ways**

**A Use doubles.**  
 When at least one factor is an even number, you can use doubles.

First multiply with half of an even number.

After you multiply, double the product.

$6 \times 8 = \square$   
 $3 \times 8 = 24$   
 $24 + 24 = 48$   
 $6 \times 8 = 48$

An octagon has 8 sides.

$5 \times 8$

$+ 8$

Math Talk is routine, so students have regular opportunities to talk about the math with each other.

Multiple strategies help students make sense of the math and build flexible thinking.

# 3

# EXPLAIN


When students explain their thinking, they engage deeply in the math and build deep understanding.

Students explain their thinking with *Share and Show*.

*On Your Own* builds fluency and understanding.

Multiple models help build confidence and fluency.


Name \_\_\_\_\_

**Share and Show** 

1. Use 5s facts and addition to find  $6 \times 4 = \square$ .

$6 \times 4 = 5 \times 4 + 4 = 24$

$6 \times 4 = 24$



**Math Talk** **Mathematical Practices**  
Explain how you would use 5s facts and addition to find  $6 \times 3$ .

Possible explanation: multiply  $5 \times 3$  to get 15, then add 3 to get 18;  $6 \times 3 = 5 \times 3 + 3 = 18$

**Find the product.**

2.  $6 \times 1 = 6$     3.  $21 = 3 \times 7$     4.  $30 = 6 \times 5$     5.  $3 \times 9 = 27$

**On Your Own**

**Find the product.**

6.  $2 \times 3 = 6$     7.  $18 = 3 \times 6$     8.  $0 = 3 \times 0$     9.  $1 \times 6 = 6$

10.  $\begin{array}{r} 3 \\ \times 6 \\ \hline 18 \end{array}$     11.  $\begin{array}{r} 8 \\ \times 3 \\ \hline 24 \end{array}$     12.  $\begin{array}{r} 6 \\ \times 7 \\ \hline 42 \end{array}$     13.  $\begin{array}{r} 3 \\ \times 3 \\ \hline 9 \end{array}$     14.  $\begin{array}{r} 10 \\ \times 6 \\ \hline 60 \end{array}$

**Use Reasoning Algebra** Complete the table.

Multiply by 3.	
Factor	Product
15. 4	12
16. 6	18

Multiply by 6.	
Factor	Product
17. 5	30
18. 7	42

Multiply by 5.	
Factor	Product
19. 3	15
20. 2	10

Chapter 4 • Lesson 3 149



Math Board gives students a tool to represent their thinking with pictures and words, and gives teachers the perfect tool for ongoing formative assessment.

## 4 ELABORATE

**Problem Solving • Applications** Real World

Use the table for 21–22.

21. The table tells about quilt pieces Jenna has made. How many squares are there in 6 of Jenna’s quilt pieces?

**36 squares**

Quilt Pieces	
Shape	Number in One Quilt Piece
Square	6
Triangle	4
Circle	4

22. **Go Deeper** How many more squares than triangles are in 3 of Jenna’s quilt pieces?

**6 more squares**

23. **Think Smarter** Alli used some craft sticks to make shapes. If she used one craft stick for each side of the shape, would Alli use more craft sticks for 5 squares or 6 triangles? Explain.

**5 squares; possible explanation: 5 squares have  $5 \times 4 = 20$  sides; 6 triangles have  $6 \times 3 = 18$  sides;  $20 > 18$ .**

24. **Apply** Draw a picture and use words to explain the Commutative Property of Multiplication with the factors 3 and 4. **Check students’ drawings.**  
Possible explanation: I drew 3 groups of 4 counters and 4 groups of 3 counters.  $3 \times 4 = 12$  and  $4 \times 3 = 12$

25. **Think Smarter** Omar reads 6 pages in his book each night. How many pages does Omar read in 7 nights?

Use the array to explain how you know your answer is correct.

**42 pages; possible explanation: I circled 5 rows of 6,  $5 \times 6 = 30$ ; then I added two more rows of 6,  $2 \times 6 = 12$ . It is the same as  $7 \times 6 = 42$ .**

**FOR MORE PRACTICE:** Standards Practice Book

Students elaborate on their reasoning, solidify their understanding, and provide valuable information to the teacher.

*Go Deeper* encourages students to extend their thinking and use higher-order thinking skills.

*Think Smarter* requires students to draw or explain how they solved the problem.

Problems are multi-level and mirror Smarter Balanced\* items.

Math On the Spot videos featuring Dr. Ed Burger, with Jeannie and Joey puppets, provide real-time support.



A problem-solving graphic organizer on the whiteboard helps students organize information and determine what is relevant.

Tap into on-the-GO learning!



5

## EVALUATE FORMATIVE ASSESSMENT



Students return to the Essential Question to evaluate their understanding.

The Teacher Edition includes a math journal prompt, providing additional opportunities for formative assessment.

### Essential Question

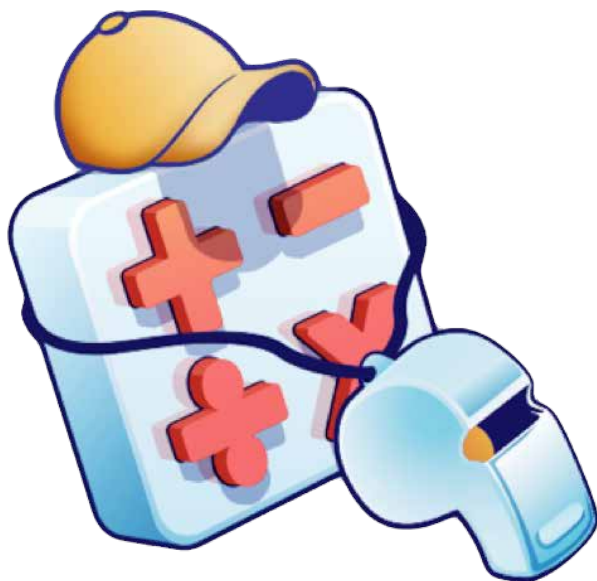
#### Using the Language Objective

Have students work in teams to make a list to answer the Essential Question.

**What are some ways to multiply with 3 and 6?** Possible answer: I can draw a picture, use 5s facts and addition, doubles, or a multiplication table.

### Math Journal **WRITE** Math

Explain how multiplying with 6 is like multiplying with 3.

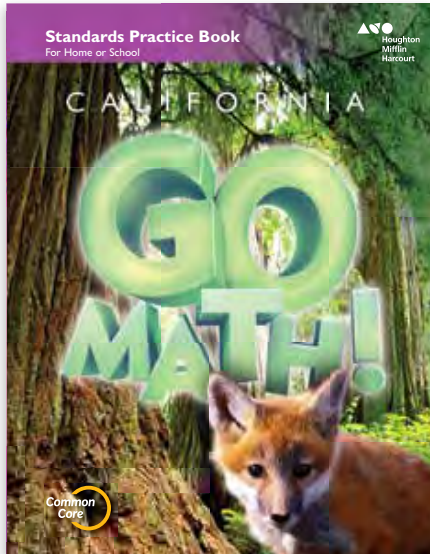


### Personal Math Trainer

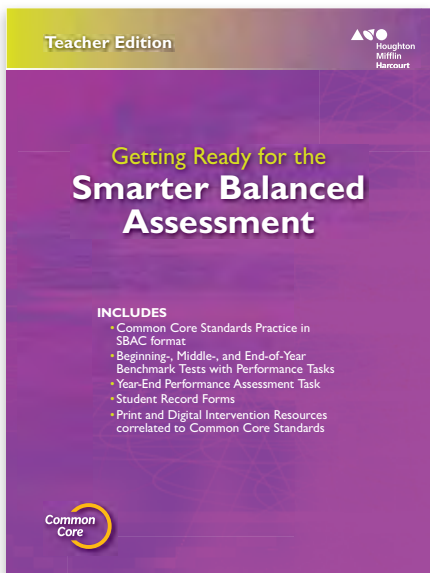
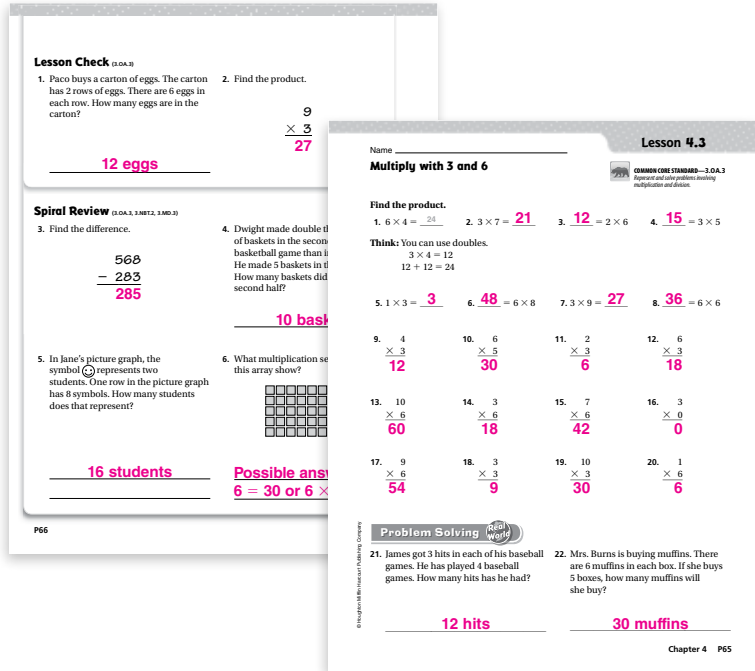
powered by Knewton™ is diagnostic, prescriptive, and adaptive, and develops a Personal Learning Path for every student.

\*This product is not endorsed by Smarter Balanced Assessment Consortium.

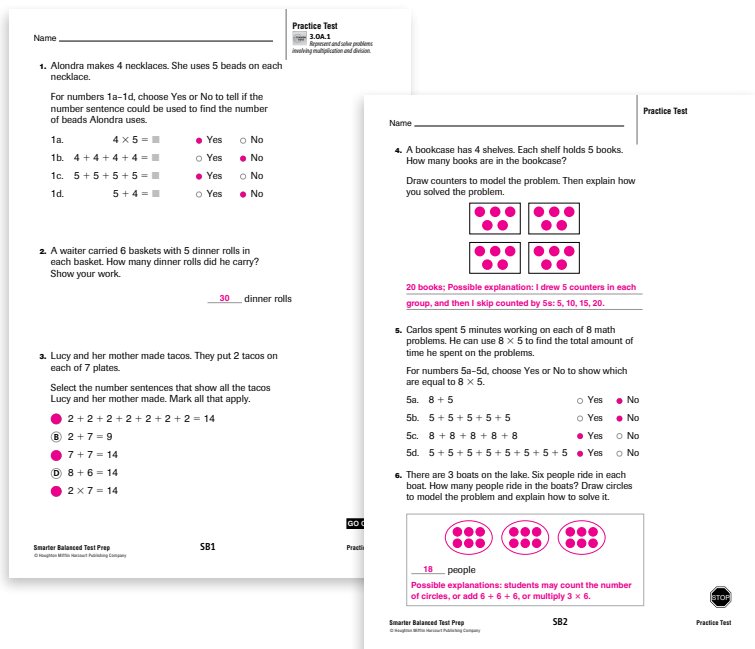
# Personalized Practice and Reinforcement for Every Student



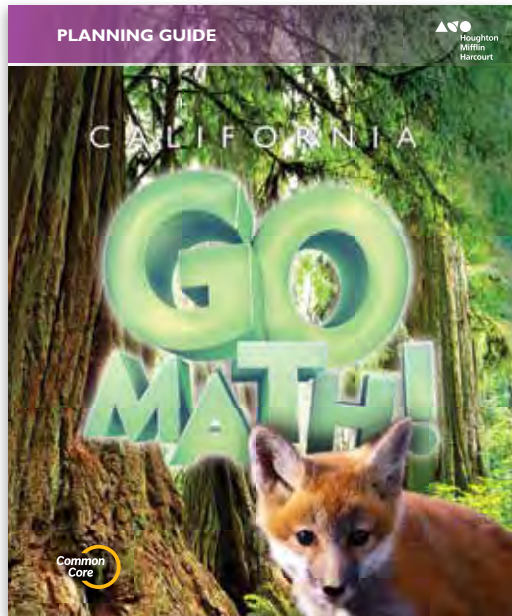
Homework/Standards Practice Book provides practice and spiral review.



Questions are formatted to prepare students for the Smarter Balanced Assessments in mathematics.



Tap into on-the-GO learning!



The **GO Math!** Planning Guide offers support for planning, pacing, and teaching the Mathematical Practices.

Questioning Strategies support teachers in guiding students to think mathematically.

## Supporting the Standards for Mathematical Practice through Questioning

<b>Make sense of problems and persevere in solving them.</b>	<ul style="list-style-type: none"> <li>• What is the problem asking?</li> <li>• What is another way to solve that problem?</li> <li>• What can you do if you don't know how to solve a problem?</li> <li>• How do you know your answer makes sense?</li> </ul>
<b>Reason abstractly and quantitatively.</b>	<ul style="list-style-type: none"> <li>• What operation did you use to represent the situation?</li> <li>• Why does that operation represent the situation?</li> <li>• What properties did you use to find the answer?</li> <li>• How do you know your answer is reasonable?</li> </ul>
<b>Construct viable arguments and critique the reasoning of others.</b>	<ul style="list-style-type: none"> <li>• Will that method always work?</li> <li>• Who can tell us about a different method?</li> <li>• What do you think will happen if...?</li> <li>• Why do you agree/disagree with what he said?</li> </ul>
<b>Model with mathematics.</b>	<ul style="list-style-type: none"> <li>• Why is that a good model for this problem?</li> <li>• How can you use a simpler problem to help you find the answer?</li> <li>• What conclusions can you make from your model?</li> <li>• How would you change your model if...?</li> </ul>
<b>Use appropriate tools strategically.</b>	<ul style="list-style-type: none"> <li>• What could you use to help you solve the problem?</li> <li>• What strategy could you use to make that calculation easier?</li> <li>• How would estimation help you solve that problem?</li> <li>• Why did you decide to use...?</li> </ul>
<b>Attend to precision.</b>	<ul style="list-style-type: none"> <li>• How do you know your answer is reasonable?</li> <li>• How can you use math vocabulary in your explanation?</li> <li>• How do you know those answers are equivalent?</li> <li>• What does that mean?</li> </ul>
<b>Look for and make use of structure.</b>	<ul style="list-style-type: none"> <li>• How did you discover that pattern?</li> <li>• What other patterns can you find?</li> <li>• What rule did you use to make this group?</li> <li>• How is that like...?</li> </ul>
<b>Look for and express regularity in repeated reasoning.</b>	<ul style="list-style-type: none"> <li>• What do you remember about...?</li> <li>• What happens when...?</li> <li>• What if you... instead of...?</li> <li>• What might be a shortcut for...?</li> </ul>

### Daily Pacing Chart

Review Projects	Lessons	Assessment	Total
4 days	20 days	2 days	26 days

Pacing Charts for each chapter ensure you complete core instruction in 130–140 days, with time built in for introducing the chapter and assessing students.



## A clear path of where we have been, and where we need to be.

Learning Progressions and CC Standards are clearly mapped and ensure concepts build on each other.

Instruction at point of use ensures all students experience success each step of the way.

**Learning Progressions and Content Standards**

**Learning Progressions for the California Common Core State Standards Algebraic Thinking**

In Grade 2, students	In Grade 3, students will	In Grade 4, students will
<ul style="list-style-type: none"> <li>Represent and solve problems involving addition and subtraction.</li> <li>Work with equal groups of objects to gain foundations for multiplication.</li> <li>Use place value understanding and properties of operations to add and subtract.</li> </ul>	<ul style="list-style-type: none"> <li>Solve problems involving the four operations and identify and explain patterns in arithmetic.</li> <li>Use place value understanding and properties of operations to perform multi-digit arithmetic.</li> </ul>	<ul style="list-style-type: none"> <li>Use the four operations with whole numbers to solve problems.</li> <li>Generate and analyze patterns.</li> <li>Generalize place value understanding for multi-digit whole numbers.</li> <li>Use place value understanding and properties of operations to perform multi-digit arithmetic.</li> </ul>

**California Common Core State Standards Across the Grades**

Before	Grade 3	After
<p><b>Domain: Operations and Algebraic Thinking</b> Represent and solve problems involving addition and subtraction.</p> <p><b>2.OA.A</b> Work with equal groups of objects to gain foundations for multiplication.</p> <p><b>Domain: Number and Operations in Base Ten</b> Use place value understanding and properties of operations to add and subtract.</p> <p><b>2.NBT.5, 2.NBT.6, 2.NBT.7, 2.NBT.8</b></p>	<p><b>Domain: Operations and Algebraic Thinking</b> Solve problems involving the four operations, and identify and explain patterns in arithmetic.</p> <p><b>3.OA.A, 3.OA.B</b></p> <p><b>Domain: Number and Operations in Base Ten</b> Use place value understanding and properties of operations to perform multi-digit arithmetic.</p> <p><b>3.NBT.1, 3.NBT.2</b></p>	<p><b>Domain: Operations and Algebraic Thinking</b> Use the four operations with whole numbers to solve problems.</p> <p><b>4.OA.A</b> Generate and analyze patterns.</p> <p><b>Domain: Number and Operations in Base Ten</b> Generalize place value understanding of multi-digit whole numbers.</p> <p><b>4.NBT.1</b> Use place value understanding and properties of operations to perform multi-digit arithmetic.</p> <p><b>4.NBT.4</b></p>

Chapter 1 31

### 1 ENGAGE

#### Essential Question

What are some ways to multiply with 3 and 6?

#### Making Connections

Invite students to tell you what they know about logs.

**Where do logs come from?** *trees* **Where are places that you have seen logs?** *Have you ever seen trucks carrying logs? Tell us about what you saw. Have you ever seen a building made of logs? Tell us about what you saw.*

#### Learning Task

What is the problem the students are trying to solve? Connect the story to the problem.

- How many logs can the truck carry on each trip? **5**
- How many trips will the truck make in the day? **6**
- What are you trying to find? *how many logs the truck will bring in the whole day*
- What addition expression can be used to find the total number of logs?  $5 + 5 + 5 + 5 + 5 + 5$

#### Literacy and Mathematics

Choose one or more of the following activities.

- Have students work with a partner to summarize the problem. Have students look up any unfamiliar words from the problem in a dictionary.
- Invite students to write a story about transporting logs. Suggest that the number of logs taken on each trip be the same so that students can multiply to find the total number of logs transported after the lesson.

#### Questioning Strategies

### 2 EXPLORE

#### Unlock the Problem

**MATHEMATICAL PRACTICES**

**How many sides does a triangle have? Read the problem to check your answer.**

Be sure students understand how many triangles are in Sabrina's design.

Ask students the following questions as you work through the example.

#### MP.4 Model with mathematics.

- In Step 1, why did you draw 4 triangles? *to represent the number of triangles in Sabrina's design*
- In Step 2, what does the last number you skip counted represent? *the total number of toothpicks in 4 triangles*



Use Math Talk to focus on students' understanding of describing the effects of doubling a whole number.

- Write a number sentence to show how many toothpicks Sabrina needs to make 8 triangles.  $8 \times 3 = 24$

#### Try This!

After students find the answer, ask them to use another method to check it.

- What ways did you use to find and check the answer? *Possible answers: skip counted using the pictures; added 6 to 12, which is the answer for 4 triangles; multiplied  $6 \times 3$ .*
- MP.2 Reason abstractly and quantitatively.
  - How would the example change if you were finding the number of toothpicks in 6 squares instead of triangles? **What would be the answer?** *Possible answer: a square would need 4 toothpicks, so I would multiply with 4.  $6 \times 4 = 24$ .*

#### MP.6 Attend to precision.

- Explain how you could use what you know about the number of toothpicks needed for 6 squares to find the number of toothpicks needed for 12 squares. *Since 24 toothpicks are needed for 6 squares, and 12 squares is double 6, I can double 24 to get the number of toothpicks needed for 12 squares:  $24 + 24 = 48$ .*

#### One Way

In this example, students explore using multiplication facts with 5 and addition to find the 6s facts.

- Why does  $5 \times 9 + 9 = 54$ ?  $5 \times 9 = 45$  and  $45 + 9 = 54$
- Why might you want to use this strategy to multiply with 6? *Possible answer: I already know how to multiply by 5, so adding one of the factors to the product is easy.*

#### Other Ways

In Example A, students use the strategy of doubles to solve the problem.

- Why does doubling the 3s fact give the 6s fact? *When you double 3, you get 6. So, if you double a 3s fact, you get the matching 6s fact.*

In Example B, students use a multiplication table to solve the problem. Review how to find a product in the table.

- What other number pairs have the same double relationship as the columns for 3 and 6? *Possible answers: 1 and 2, 2 and 4, 4 and 8, 5 and 10.*

#### EL Strategy: Develop Meanings

ELD Standard: Section 2: Part I: Standard 7 In their Math Journal, have students draw 2 triangles.

- How many triangles do you see? **2** **How many sides do you see on each triangle?** **3** **How many sides do you count in all?** **6**
- Model how to write this:  $2 \times 3 = 6$ .
- Explain that the numbers that we multiply are called factors and label them. Explain that the answer is the product and label it.
- Post the frame  $\text{factor} \times \text{factor} = \text{product}$  and have students record it in their Math Journal.

EL Support

Lesson at a Glance demonstrates how focus, coherence, and rigor are developed in the lesson and support the instructional shifts required by CCSS.

The Language Objective is always clearly tied to the Learning Objective.

FOCUS
COHERENCE
RIGOR
LESSON AT A GLANCE

**FCR Focus:**

**California Common Core Standards**  
**3.OA.3** Use multiplication and division within 100 to solve word problems in situations involving equal groups, arrays, and measurement quantities, e.g., by using drawings and equations with a symbol for the unknown number to represent the problem.  
*Also 3.OA.1, 3.OA.7, 3.OA.9*

**MATHEMATICAL PRACTICES**  
**MP.1** Make sense of problems and persevere in solving them. **MP.4** Model with mathematics. **MP.6** Attend to precision. **MP.7** Look for and make use of structure.

**FCR Coherence:**  
**Standards Across the Grades**

Before	Grade 3	After
2.OA.1	3.OA.3	4.OA.2

**FCR Rigor:**  
**Level 1: Understand Concepts**.....*Share and Show* (Checked Items)  
**Level 2: Procedural Skills and Fluency**.....*On Your Own*  
**Level 3: Applications**.....*Think Smarter and Go Deeper*

**ELD Standard:** Section 2: Part I: Standard 7

**Learning Objective**  
 Draw a picture, use 5s facts and addition, doubles, or a multiplication table to multiply with the factors 3 and 6.

**Language Objective**  
 Students work in teams to list ways to multiply with 3 and 6.

**Materials**  
 MathBoard

**FCR** For more about how *GO Math!* fosters Coherence within the Content Standards and Mathematical Progressions for this chapter, see page 1371.

### 3 EXPLAIN

**Share and Show**

**Math Talk** Use **Math Talk** to focus on students' understanding of using a fact they know to help them multiply.

- Explain a way to use a 10s fact to find  $6 \times 9$ .**  
 You can think of the 10s fact first:  $6 \times 10 = 60$ .  
 Next subtract the first factor, 6:  $60 - 6 = 54$ .  
 Since  $60 - 6 = 54$  then  $6 \times 9 = 54$ .

Use the checked exercises for **Quick Check**.

**Quick Check**

**If** a student misses the checked exercises

**Then** **Differentiate Instruction** with

- Reteach 4.3
- Personal Math Trainer 3.OA.3
- RtI Tier 1 Activity (online)

**On Your Own**  
**MP.2 Reason abstractly and quantitatively.** Exercises 15–20 require students to extend their learning to find an unknown number.  
**MP.7 Look for and make use of structure.** Challenge students to make their own tables with factors and products. Students should leave the rule blank at the top of each table. They can exchange their tables with partners to generalize a rule for the table. Discuss the rules.

**Includes  
CCSS Rigor**

### 4 ELABORATE

**Problem Solving • Applications**

**MATHEMATICAL PRACTICES**  
 Have students read Exercise 21 and discuss what they need to find. Students need to use the table to find the number of squares in one quilt piece and then multiply to find the number of squares in 6 pieces.

**GO DEEPER**  
 For Exercise 22, students must first find the number of each shape in 3 quilts and then compare.

**THINK SMARTER**  
**Math on the Spot Video Tutor**  
 Use this video to help students model and solve this type of *Think Smarter* problem.

**Math on the Spot** videos are in the Interactive Student Edition and at [thinkcentral.com](http://thinkcentral.com).

**MP.3 Construct viable arguments and critique the reasoning of others.** Exercise 24 requires students to connect and represent the Commutative Property of Multiplication in a drawing and in words.

**THINK SMARTER**  
 This item assesses how well students can connect a visual representation of a multiplication problem to the problem scenario. Students should explain a strategy for using the array to determine the product.

### 5 EVALUATE FORMATIVE ASSESSMENT

**Essential Question**  
**Using the Language Objective**  
 Have students work in teams to make a list to answer the Essential Question.  
**What are some ways to multiply with 3 and 6?** Possible answer: I can draw a picture, use 5s facts and addition, doubles, or a multiplication table.

**Math Journal** *Math*  
 Explain how multiplying with 6 is like multiplying with 3.

## Specialized ELD strategies by Elizabeth Jimenez, California Association for Bilingual Education (CABE) Specialist.


**Elizabeth Jimenez** details how ELD strategies help students with academic vocabulary and language.

Current research informs teachers so they can validate existing strategies or learn new ideas.

Clear support is provided for implementing strategies for English learners, including Developing Math Language. New California ELD levels of Emerging, Expanding, and Bridging are also referenced.

### Chapter 1

## Strategies for English Learners



by Elizabeth Jiménez  
CEO, GEMAS Consulting  
Professional Expert on  
English Learner Education  
Bilingual Education and Dual Language  
Pomona, California

The **Elicit Prior Knowledge Strategy** is a way to draw out all students' background knowledge, experience, and misconceptions. This helps the teacher prepare a targeted lesson that will meet the needs of all students.

#### Benefit to English Learners

Because prior knowledge determines how students learn new concepts, eliciting prior knowledge benefits English Learners by identifying:

- unfamiliar cultural assumptions or analogies.
- math-specific concepts that require pre-teaching.
- unknown math and/or low-frequency vocabulary.

#### From the Research

“Prior knowledge acts as a lens through which we view and absorb new information. It is a composite of who we are, based on what we have learned from both our academic and everyday experiences.”

*Kujawa, S., and Huske, L. (1995) The Strategic Teaching and Reading Project guidebook (Rev. ed.). Oak Brook, IL: North Central Regional Educational*

#### Planning for Instruction

Before building background, teachers first need to find out what their students know and what misconceptions they may have. Eliciting prior knowledge applies equally to math content knowledge, to cultural and experiential knowledge, and to linguistic knowledge of English.

For example, English Learners may not have had the same experiences as many students in the United States and may be unfamiliar with phrases such as a “board game” or a concept such as “going bowling.” Teachers must determine what students bring in their backpack of life experiences by eliciting prior knowledge, and then build upon that knowledge. It is important to not treat this as a deficiency, but merely as a mismatch of assumed experiences.

#### Linguistic Note

Many English words have multiple meanings that can interfere with comprehension. For example, *flat* and *long* are typically used as adjectives, however, they also name the base-ten manipulatives for understanding multi-digit place values. Point out that the articles “a” and “the” in front of these words are a strong clue to their meaning.

Teachers should preview vocabulary from the lesson with students to find out:

- what words they know,
- what related words they know, and
- what words they don't know.

Teachers can informally assess students by having them work collaboratively to sort word cards into two piles (Words We Know, Words We Don't Know), by completing a graphic organizer or sentence frames using content vocabulary, and by listing things they already know about a given topic.

After the teacher determines what important background knowledge students require, the teacher can then provide the appropriate support to build that knowledge by using the **Frontload Strategy** (introduced in Chapter 2).

3G Chapter 1

LESSON 1.1

Algebra • Number Patterns

**LESSON AT A GLANCE**

**FOCUS** **COHERENCE** **RIGOR**

**FCR Focus:**  
**California Common Core Standards**  
 3.OA.9 Identify arithmetic patterns (including patterns in the addition table or multiplication table), and explain them using properties of operations.  
**MATHEMATICAL PRACTICES**  
 MP1 Make sense of problems and persevere in solving them.  
 MP2 Reason abstractly and quantitatively.  
 MP7 Look for and make use of structure.

**FCR Coherence:**  
**Standards Across the Grades**  
 Before Grade 3 After  
 2.OA.1 3.OA.9 4.OA.3  
 2.OA.3 4.OA.5

**FCR Rigor:**  
 Level 1: Understand Concepts.....Share and Show (✓ Checked Items)  
 Level 2: Procedural Skills and Fluency.....On Your Own  
 Level 3: Applications.....Think Smarter and Go Deeper

**ELD Standard:** Section 2: Part 1: Standard 1  
**Learning Objective**  
 Identify and describe whole-number patterns and solve problems.  
**Language Objective**  
 Student pairs will use properties to explain patterns on the addition table.  
**Materials**  
 MathBoard, Addition Table (see eTeacher Resources), orange and green crayons

**FCR** For more about how Go Math! fosters Coherence within the Content Standards and Mathematical Progressions for this chapter, see page 31.

**About the Math**  
 Professional Development

**Teaching for Depth**  
 Exploring number patterns helps students develop algebraic thinking skills. Identifying and describing number patterns are important skills that prepare students for the study of functions in later grades.  
 In this lesson, students shade different rows, columns, and diagonals of the addition table in order to develop a conceptual understanding of the Identity and Commutative Properties of Addition. They go on to formalize the properties in order to use them, instead of patterns, to solve problems. Students use the addition table to find other patterns as well.

Professional Development Videos

- Interactive Student Edition
- Personal Math Trainer
- Math on the Spot
- Tools: Number Charts
- HMH Mega Math

ELD strategies consistently encourage students to listen carefully to demonstrate understanding or misconceptions and to stretch their language production toward the next level of language attainment.

Strategies embedded in the core part of the lesson tie into the language objective and support the mathematical concept being taught.

LESSON 1.1

**EXPLORE**

**Materials:** Addition Table (see eTeacher Resources)

**Unlock the Problem**  
**MATHEMATICAL PRACTICES**  
 Discuss the addition table with students. To find a sum, locate the first addend in the first column, the second addend in the top row, and move to the right and down until the column and row meet.  
**MP.5 Use appropriate tools strategically.** Point out that patterns in the addition table can be found in each row, column, and diagonal. Notice that each diagonal going upwards from left to right contains the same sum and can be used to find all of the addition facts for that sum.

**Activity 1**  
 Make sure students understand the Identity Property of Addition.

- How does the row for 1 compare to the row for 0? Possible answer: each number in the row for 1 is 1 more than the number above it.
- How does the row for 1 compare to the row for 2? Possible answer: if add 1 to each number in the row for 1, I get the numbers in the row for 2.
- Make a conjecture about the relationship between each row in the addition table and the row after it. Possible answer: if add 1 to each number in a row, I get the numbers in the row below it.

Point out that the same relationships are true for the columns in the addition table.

**EL Strategy:**  
 Elicit Prior Knowledge  
 ELD Standard: Section 2: Part 1: Standard 1  
 Elicit prior knowledge regarding the terms *sum*, *addend*, *diagonal*, *pattern*, *row* and *column*.

- Have students discuss what they know about these terms with a partner.
- Encourage them to draw and write what they know in their Math Journal.
- Use visuals in the lesson to trigger prior knowledge and solidify comprehension.

**MP.2 Reason abstractly and quantitatively.** If a row for the number 11 is added to the addition table, what numbers (from left to right) would appear in the row? 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21

5 Chapter 1

**3.OA.9** Identify arithmetic patterns (including patterns in the addition table or multiplication table), and explain them using properties of operations.

**ALGEBRA**  
**LESSON 1.1**  
**Number Patterns**

**Essential Question:** How can you use properties to explain patterns on the addition table?

**Unlock the Problem**  
 A pattern is an ordered set of numbers or objects. The order helps you predict what will come next.  
 You can use the addition table to explore patterns.

**Activity 1 Possible answers are given.**  
**Materials:** orange and green crayons  
 Look across each row and down each column. What patterns do you see?  
 The numbers increase by 1. 1 is added to each number.  
 The Identity Property of Addition states that the sum of any number and zero is that number. 7 + 0 = 7  
 The numbers are the same.  
 What happens when you add 0 to a number?  
 The sum is the same as the other number.  
 Shade the row and column green for the addend 1. What pattern do you see?  
 The numbers are in order from 1 to 10.  
 What happens when you add 1 to a number?  
 It is like counting. I get the next number; the sum is 1 more than the other number.

**Math Talk** **Essential Question**  
 What other patterns can you find in the addition table?  
 Possible answer: diagonals from right to left show the same number being added. Diagonals from left to right show even numbers, then odd numbers, then even numbers, and so on.

**Standards Practice 1.1**  
**Common Core**

**Number Patterns**  
 Addition Table  
 1 2 3 4 5 6 7 8 9 10  
 0 0 1 2 3 4 5 6 7 8 9  
 1 1 2 3 4 5 6 7 8 9 10  
 2 2 3 4 5 6 7 8 9 10 11  
 3 3 4 5 6 7 8 9 10 11 12  
 4 4 5 6 7 8 9 10 11 12 13  
 5 5 6 7 8 9 10 11 12 13 14  
 6 6 7 8 9 10 11 12 13 14 15  
 7 7 8 9 10 11 12 13 14 15 16  
 8 8 9 10 11 12 13 14 15 16 17  
 9 9 10 11 12 13 14 15 16 17 18  
 10 10 11 12 13 14 15 16 17 18 19

**Lesson Check**  
 Write the sum of each pair of numbers.  
 3 + 4 = 7  
 5 + 6 = 11  
 8 + 9 = 17  
 10 + 11 = 21  
 12 + 13 = 25  
 14 + 15 = 29  
 16 + 17 = 33  
 18 + 19 = 37  
 20 + 21 = 41

**Word Problems**  
 1. The number of books in the library is 100. There are 25 books in the fiction section. How many books are in the non-fiction section?  
 2. The number of students in the school is 500. There are 150 students in the elementary school. How many students are in the middle school?  
 3. The number of pages in the book is 120. There are 30 pages in the first chapter. How many pages are in the rest of the book?

## Chapter 1



by Elizabeth Jiménez

CEO, GEMAS Consulting  
Professional Expert on  
English Learner Education  
Bilingual Education and Dual Language  
Pomona, California

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LESSON 1.1

**2 EXPLORE**

**EL Strategy:**  
Model Concepts

ELD Standard: Section 2: Part I: Standard 12  
The charts and visuals in this lesson are designed to enhance comprehension.

- Preview the lesson so students see how to use the graphic cues to comprehend the words and concepts.
- Model how to add labels and rebus drawings to the words on the page such as drawing a long base-ten block above the word long in the text.

**Investigate**

Review with students the value of each type of base-ten block and the relationship from one type to the next.

Ask the following questions to help students fill in the blanks for Part A.

- How many of the small cubes would it take to make 1 long? **10**
- How many of the longs would it take to make 1 flat? **10**
- How many of the flats would it take to make 1 large cube? **10**
- Ten is how many times greater than 1? **10 times greater**

**MP.7 Look for and make use of structure.**

For Part B, students should recognize that each base-ten block is  $\frac{1}{10}$  of the base-ten block to its left. If students are having difficulty understanding  $\frac{1}{10}$ , then point out that " $\frac{1}{10}$  of" is the same as dividing by 10.



Use Math Talk to focus on students' understanding of the relationship between two place-value positions.

- What happens to the place value each time you move to the left on the chart? **The value is 10 times greater.**
- How does this help you answer the questions? **You can multiply by 10 for each column you move leftward on the place-value chart to find the relationship between two place values.**



**5.NBT.1** Recognize that in a multi-digit number, a digit in one place represents 10 times as much as it represents in the place to its right and  $\frac{1}{10}$  of what it represents in the place to its left.

Lesson 1.1

Number and Operations in Base Ten—5.NBT.1  
**MATHEMATICAL PRACTICES**  
MP.5, MP.7

Name \_\_\_\_\_

**Place Value and Patterns**

**Essential Question** How can you describe the relationship between two place-value positions?

**Investigate**

**Materials** base-ten blocks

You can use base-ten blocks to understand the relationships among place-value positions. Use a large cube for 1,000, a flat for 100, a long for 10, and a small cube for 1.

Number	1,000	100	10	1
Model				
Description	large cube	flat	long	small cube

Complete the comparisons below to describe the relationship from one place-value position to the next place-value position.

**A.**

- Look at the long and compare it to the small cube.  
The long is **10** times as much as the small cube.
- Look at the flat and compare it to the long.  
The flat is **10** times as much as the long.
- Look at the large cube and compare it to the flat.  
The large cube is **10** times as much as the flat.

**B.**

- Look at the flat and compare it to the large cube.  
The flat is  $\frac{1}{10}$  of the large cube.
- Look at the long and compare it to the flat.  
The long is  $\frac{1}{10}$  of the flat.
- Look at the small cube and compare it to the long.  
The small cube is  $\frac{1}{10}$  of the long.

**Math Talk** **Mathematical Practices**

How many times as much is the flat compared to the small cube? the large cube to the small cube? Explain.

Chapter 1 5



**100; 1,000; Possible explanation:** There are 100 small cubes in the flat and 1,000 small cubes in the large cube.

**Standards Practice 1.1**

Common Core **SPIRAL REVIEW**

Name \_\_\_\_\_

**Place Value and Patterns**

Complete the sentences.

1. 10,000 is 10 times as much as **1,000**.

2. 100 is 10 times as much as **10**.

3. 100 is 10 times as much as **10**.

4. 1,000 is  $\frac{1}{10}$  of **10,000**.

5. 100 is  $\frac{1}{10}$  of **1,000**.

6. 10 is  $\frac{1}{10}$  of **100**.

7. 10 is  $\frac{1}{10}$  of **100**.

8. 100 is  $\frac{1}{10}$  of **1,000**.

9. 10 is  $\frac{1}{10}$  of **100**.

10. 100 is  $\frac{1}{10}$  of **1,000**.

11. 10 is  $\frac{1}{10}$  of **100**.

12. 100 is  $\frac{1}{10}$  of **1,000**.

13. The Esterys Restaurant has 20 tables. The Esterys Restaurant has 20 tables. How many tables are there in all? **20 tables**

14. The Esterys Restaurant has 20 tables. The Esterys Restaurant has 20 tables. How many tables are there in all? **\$30,000**

**Lesson Check**

1. Write a place value chart.

**7,000**      **300**

**Spiral Review**

1. Write a place value chart.

**285 inches**      **277**

2. Write a place value chart.

**2,100**      **7,613; 7,361; 7,136**

### Draw Conclusions

- 1. MULTIPLE CHOICE** **Look for a Pattern** Describe the pattern you see when you move from a lesser place-value position to the next greater place-value position.

**Possible description:** As I move from a lesser place-value position to the next greater place-value position, the pattern is that the greater place-value position is 10 times as much as the next lesser place-value position.

- 2. MULTIPLE CHOICE** **Look for a Pattern** Describe the pattern you see when you move from a greater place-value position to the next lesser place-value position.

**Possible description:** As I move from a greater place-value position to the next lesser place-value position, the pattern is that the lesser place-value position is  $\frac{1}{10}$  of the next greater place-value position.

### Make Connections

You can use your understanding of place-value patterns and a place-value chart to write numbers that are 10 times as much as or  $\frac{1}{10}$  of any given number.

Hundred Thousands	Ten Thousands	One Thousands	Hundreds	Tens	Ones
			3	0	0
		?	300	?	

**3,000** is 10 times as much as **300**.  
**30** is  $\frac{1}{10}$  of **300**.

Use the steps below to complete the table.

- STEP 1** Write the given number in a place-value chart.
- STEP 2** Use the place-value chart to write a number that is 10 times as much as the given number.
- STEP 3** Use the place-value chart to write a number that is  $\frac{1}{10}$  of the given number.

Number	10 times as much as	$\frac{1}{10}$ of
10	100	1
70	700	7
9,000	90,000	900

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## Draw Conclusions

### MP.7 Look for and make use of structure.

For Exercise 1, students should make the generalization that when moving from right to left, each place-value position is 10 times greater than the place-value to its right.

### MP.7 Look for and make use of structure.

For Exercise 2, demonstrate that as you move from left to right, each place-value position is  $\frac{1}{10}$  of the place value to its left.

## Make Connections

Guide students to use the place-value chart to find numbers that are 10 times as much as or  $\frac{1}{10}$  of the original numbers.

- For the number 10, how many more zeros are there in the "10 times as much as" column? *There is one more zero.*
- How many fewer zeros are there in the " $\frac{1}{10}$  of" column? *There is one fewer zero.*

Point out that the number of zeros increases by 1 in the "10 times as much as" column, and decreases by 1 in the " $\frac{1}{10}$  of" column.

Help students recognize that each place value represents a multiple of 10 by writing on the board 30,000 is \_\_\_ times as much as 300. Use the place-value chart to demonstrate that 30,000 is 2 place-value positions to the left of 300. So, 30,000 is 100 times as much as 300 because it is  $10 \times 10$ , or 100 times greater.

## Universal Access

### Reteach 1.1

**Place Value and Patterns**

You can use a place-value chart and patterns to write numbers that are 10 times as much as or  $\frac{1}{10}$  of any given number.

Copy each number into the blank space in the place-value chart below. Write the number that is 10 times as much as the given number. Write the number that is  $\frac{1}{10}$  of the given number.

Hundred Thousands	Ten Thousands	Thousands	Hundreds	Tens	Ones
10 times the ten-thousands place	10 times the ten-thousands place	10 times the thousands place	10 times the hundreds place	10 times the tens place	10 times the ones place

Each place to the left is 10 times the value of the place to its right.

Find  $\frac{1}{10}$  of 800.

$\frac{1}{10}$  of 8 hundreds is 8 tens.

$\frac{1}{10}$  of 800 is 80.

Find 10 times as much as 800.

10 times as much as 8 hundreds is 8 thousands.

10 times as much as 800 is 8,000.

Use place-value patterns to complete the table.

Number	10 times as much as	$\frac{1}{10}$ of	Number	10 times as much as	$\frac{1}{10}$ of
3,000	30,000	300	5,000	50,000	500
12	120	1	4,000,000	40,000,000	400,000
4,788	47,880	478.8	2,000	20,000	200
4,500	45,000	450	40	400	4

### Enrich 1.1

**Place-Value Mystery**

Find the number that makes each statement true.

- $\frac{1}{10}$  of 3,000 is 10 times as much as **30**.
- $\frac{1}{10}$  of **800** is 10 times as much as 8.
- $\frac{1}{10}$  of 50,000 is 10 times as much as **5,000**.
- $\frac{1}{10}$  of 400,000 is 10 times as much as **40,000**.
- 10 times as much as **9** is  $\frac{1}{10}$  of 900.
- 10 times as much as **600** is  $\frac{1}{10}$  of 60,000.
- 10 times as much as 70 is  $\frac{1}{10}$  of **7,000**.
- 10 times as much as 2,000 is  $\frac{1}{10}$  of **200,000**.

**Write Math** Explain how you solved Exercise 8.

**Possible explanation:** I wrote 2,000 in a place-value chart. A number 10 times as much as 2,000 has a 2 in the ten-thousands place, so 10 times as much as 2,000 is 20,000. A number that is  $\frac{1}{10}$  of 200,000 also has a 2 in the ten-thousands place. So,  $\frac{1}{10}$  of 200,000 is 20,000.



## COMMON ERRORS

**Error** Students may confuse directions for finding place values.

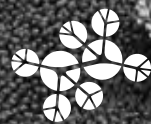
**Example** To find a number that is 10 times as much as 20, a student may divide by 10 instead of multiply.

**Springboard to Learning** Use place-value charts to demonstrate that place-value positions to the left are greater, and positions to the right are lesser. Help students make the connection that when moving left in place-value position, they should multiply, and when moving right in place-value position, they should divide.

Materials Without Mining

# CONCRETE WITHOUT QUARRIES

A BIOMIMICRY LESSON PLAN | Upper Elementary  
General Science



BIOMIMICRY 3.8



“The core idea is that nature, imaginative by necessity, has already solved many of the problems we are grappling with. Animals, plants, and microbes are the consummate engineers. They have found what works, what is appropriate, and most important, what lasts here on Earth... The conscious emulation of life’s genius is a survival strategy for the human race, a path to a sustainable future. The more our world functions like the natural world, the more likely we are to endure on this home that is ours, but not ours alone.”

- Janine Benyus,  
*Biomimicry: Innovation Inspired by Nature*

# CONCRETE WITHOUT QUARRIES

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Sam Stier, Dona Boggs, and Dave Jones

## Introduction

Biomimicry is an innovation method that seeks solutions to humankind's various sustainability challenges by applying principles underlying nature's time-tested strategies (Benyus 1997). Modern day manufacturing, for example, presents myriad challenges to environmental sustainability. Materials mined from the earth, processed using fossil fuels and hazardous chemicals, and resulting in pollutants discharged into the environment characterize our species' dominant manufacturing paradigm. Concrete provides an illustrative case: cement used in concrete is manufactured by extracting calcium carbonate from open-pit mines, cooking the material at 2642 degrees Fahrenheit (1400 degrees Celsius), and discharging approximately 6% of humanity's annual greenhouse gas emissions into the atmosphere.

In this science lesson plan for upper elementary school children, students learn first and foremost that materials such as cement can be created from unlikely starting materials such as dry ice and seawater. Optionally, students also learn that the prevailing manufacturing model on planet Earth—practiced by millions of other species—is one in which raw materials for manufacturing are actually acquired benignly from the environment. By emulating a physiological process used by corals to create calcium carbonate out of seawater and carbon dioxide, children experience first-hand a cutting-edge biomimetic technology with the promise of transforming conventional concrete manufacturing into a more sustainable industry. Moreover, students can learn that there is a universe of biological models around us to serve as inspiration for sustainable chemistry methods and other kinds of innovation. The lab is safe, meets national and state educational standards, can be conducted within one to two 50 minute periods without specialized scientific knowledge or equipment, and uses materials that cost less than \$50 to obtain.

**GRADE LEVEL** | Upper Elementary

**AREA** | General Science

**DURATION** | Approximately one to two 50-minute sessions, longer if desired

**MATERIALS** |

- A source of carbon dioxide, such as dry ice (100% CO<sub>2</sub>). Many grocery stores carry dry ice. Cost: ~\$3.00 (enough for 5 groups of 4 students each).
- A source of seawater or a seawater analog. Actual seawater can be used, if available. Alternatively, a seawater mix found at any pet store for aquariums can be used. Cost: ~\$4.00 (enough for 5 groups of 4 students each). A solution of calcium chloride will also work well.
- Aquarium bubbler (optional but recommended), which can be found at any pet store for aquariums. Cost: ~\$0.57 each (<http://bit.ly/RAYX7y>); total \$3.00 (to supply 5 groups of 4 students each).
- A source of sodium hydroxide (NaOH), such as household 100% lye drain opener, which can be found in grocery or hardware stores. Cost: ~ 4.00 (enough for 5 groups of 4 students each).
- Glass containers, rubber tubing, and connectors. These can be chemistry lab grade or recycled glass food jars. Rubber tubing can be found at any chemistry supply outlet (e.g., <http://bit.ly/13ajSlq>). Tubing cost: ~\$1.30 for 2 feet; total \$7.00 (to supply 5 groups of 4 students each).
- Filter paper, which can be ordered online (e.g., at Amazon.com). Cost: ~\$1.99 (enough for 5 groups of 4 students each).
- Small bag of cement (e.g., Quikrete). Cost ~\$8.00 (enough for 5 groups of 4 students each).
- Vinegar (optional). Cost: ~\$3.00 (enough for 5 groups of 4 students each).

**SAFETY** |

Dry ice, cement, and sodium hydroxide should be handled with a skin barrier (e.g., gloves). Sodium hydroxide is caustic; avoid skin or eye contact or inhalation of vapors.

## Main Lesson Plan Goals and Objectives

This activity addresses the following key educational themes:

- 1 | Conventional manufacturing methods used by humans generally start with the extraction of raw materials from the environment, using processes that result in some degree of environmental damage. These processes over time have resulted in large-scale damage to the earth's living systems and, given the earth's inherent limits, cannot continue indefinitely.
- 2 | Well-adapted organisms use sustainable technologies in the process of survival and reproduction; mal-adapted organisms do not, and as a result, they eventually go extinct.
- 3 | Harm to the environment is not a necessary consequence of raw material extraction; the prevailing manufacturing model on Earth, practiced by millions of species, is actually one in which raw materials are acquired benignly.
- 4 | By emulating manufacturing processes widespread in the rest of the natural world, humans can transform their production methods to be more benign, and even beneficial to the environment of which humans are a part.

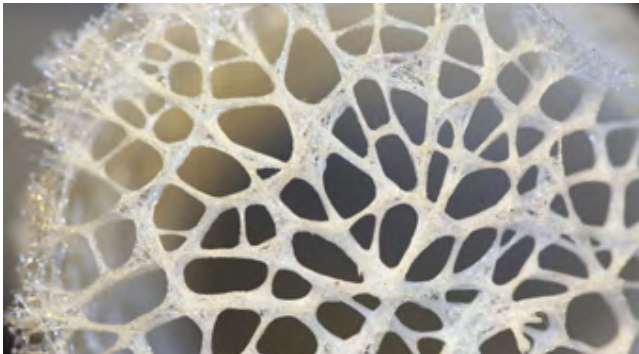
Other themes covered include:

- 5 | Calcium carbonate is a compound central to corals and many other kinds of organisms, as well as to the production of concrete by humans. Calcium carbonate is composed of atoms of calcium, carbon, and oxygen, and forms a compound with varying crystalline formations (i.e., polymorphs) and properties (Learning standards #35, 36, and 37).
- 6 | Corals offer an example of how organisms interact and have different functions that enable the ecosystem to survive. Human technologies and processes could similarly strive to become a positive influence on the ecosystems of which we are a part.
- 7 | The lesson plan fits well with many aspects of the technology and engineering standards. The lesson plan is fundamentally about systems, in this case, manufacturing systems, and compares systems currently predominant in human manufacturing systems with those found in the rest of the natural world. The specific case focused on is the manufacturing of concrete (the goal), with the emphasis of the lesson plan being on how inputs (in this case, raw materials for making cement) differ between human and coral concrete manufacturing systems. The processes used by both humans and corals are also described in age-appropriate detail. The outputs in both systems are reactive cement, but a contrast is also drawn between non-target manufacturing outputs (net increase release of CO<sub>2</sub> in the case of humans, net decrease in the case of corals). The lesson plan also provides an exploration of manufacturing, construction, and energy.

## Standards

This activity can be used to address chemistry education standards. The list below, which is not exhaustive, is drawn from the current version of Benchmarks for Science Literacy (Standard D: The Structure of Matter), which also incorporates standards from Science for all Americans (1991), and the National Science Education Standards (1996).

- When a new material is made by combining two or more materials, it has properties that are different from the original materials.
- A lot of different materials can be made from a small number of basic kinds of materials.



Humans make glass by mining silicon dioxide and heating it to 1,575°C. This venus flower basket, a deep-sea marine sponge, makes its glass skeleton at ambient ocean temperatures from silicon dioxide filtered out of seawater.

*Neissera meningitidis*, a bacteria that can cause meningitis, is not an organism people generally appreciate. But this bacteria inspired Dr. Irving DeVoe at McGill University to develop a method of extracting precious metals out of spent mining tailings rather than have to mine virgin material.



While similar in structure and composition, plastics source their carbon predominantly from petroleum, while plants obtain it from air (CO<sub>2</sub>). The plant kingdom served as inspiration for Dr. Geoffrey Coates of Cornell University, who recently developed a way to manufacture plastics using carbon atoms acquired from the air.



## Teaching strategy

For older students, the main concept of this lesson is to get students to think about how humans acquire most of their raw materials (through environmentally destructive means) in contrast to how many other species acquire theirs. However, with upper elementary students, the power of this lesson may lie less in drawing this contrast than simply in the thrill of creating a material like cement out of unlikely starting materials (dry ice and seawater). Teachers should consider which emphasis is more appropriate given their personal understanding of the students and the context within which the lesson plan is taught.

## Procedure

1 | Form the students into small groups (2-4 people) and explain the procedure to them, the materials involved, and safety considerations. Assign tasks to different students within each group, so each child has a tangible role to play in the process.

2 | Use seawater or create a seawater analog mix, either from a seawater mix from a pet store, or by providing students with a pre-mixed solution, or by having them create a solution of 0.1 M  $\text{CaCl}_2$  (i.e. 1.47 g in 100 ml). Explain to students that this solution is like the seawater that corals use and contains calcium atoms that will become part of the calcium carbonate ( $\text{CaCO}_3$ ) compound they are creating.

3 | Prepare a 1M solution of NaOH ( i.e. 3.99 g in 100 ml). Household lye can serve as a source of NaOH. Students should wear goggles and gloves when handling this material. Explain to students that corals get calcium to bind with carbon and oxygen by controlling the solution in which the atoms are placed, increasing the concentration of some atoms and reducing the concentration of others using special biological pumps. The sodium hydroxide acts to help do this without the special pumps used by corals.

4 | Using gloves, place a piece of dry ice in a glass jar or side arm flask and enclose with a screw-top lid or stopper through which the tubing passes.

5 | Add several drops of the NaOH solution to the seawater solution. While precipitate forms, continue adding NaOH as desired or needed.

6 | Insert tube into the container of seawater solution. White, cloudy precipitate should form immediately, falling slowly to the bottom of the container. To produce enough precipitate, run the reaction for at least 3-5 minutes. During this time, you can review with students the chemical reaction happening, emphasizing that, like corals, they are making something solid and valuable come out of simply a waste gas ( $\text{CO}_2$ ) and an abundant liquid (seawater).

7 | Remove the tubing from the seawater solution and let the solution sit for a few minutes. You will see the solution clearing up at the top as the precipitate falls to the bottom. Have students write their initials on the filter paper, and then slowly pour the solution through the filter paper to collect the precipitate.<sup>1</sup>

8 | Place the filter paper on a window ledge to dry overnight, or place in a drying oven (if available) for approximately 20 minutes. Once dry, allow students to rub the powdered calcium carbonate between their fingers.<sup>2</sup>

9 | (Optional) Place a few drops of vinegar on the precipitate to help illustrate to students the presence of carbon dioxide, once sequestered in the calcium carbonate and now returning to the atmosphere.

## Evaluation

In order to evaluate the effectiveness of the lesson, consider using the following questions:

- 1 | How would you describe what you learned from this activity?
- 2 | Because the Earth's natural resources are limited, how would you describe what will happen as humans continue to consume them?
- 3 | What is an important difference between how humans typically acquire raw materials for cement manufacturing, and how corals do it, explored in this activity?
- 4 | What other materials do humans make and how do we make them? Give at least one example. What impact on the environment does each process have?
- 5 | For each material you mentioned in #4, try to identify an organism that makes a similar material. What impact on the environment does each organism's process have?
- 6 | What is biomimicry?

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1 Filtration by gravity works fine. Placing the filter paper in a büchner funnel using a vacuum filtration system will also work.

2 The product may contain other compounds in addition to  $\text{CaCO}_3$ , especially depending on the seawater mixture. X-ray crystallography analysis of the product created with this lab procedure using dry ice and a calcium chloride solution yielded 100%  $\text{CaCO}_3$ .

## References

AAAS. 1993. Benchmarks for Science Literacy, Project 2061. Oxford University Press. Current version available online at <http://www.project2061.org/publications/bsl/online>

Benyus, J. 2007. Biomimicry: Innovation Inspired by Nature. HarperCollins. 308 pp.

Cohen, A. and McConnaughey, T. 2003. Geochemical Perspectives on Coral Mineralization. Reviews in Mineralogy and Geochemistry 54(1): 151-187. Available online at [http://www.geochem.geos.vt.edu/bgep/pubs/Chapter\\_6\\_Cohen\\_McConnaughey.pdf](http://www.geochem.geos.vt.edu/bgep/pubs/Chapter_6_Cohen_McConnaughey.pdf)

National Academy of Sciences. 1996. National Science Education Standards. Washington, D.C.:National Academy Press.

Rutherford, F.J., and Ahlgren, A. 1991. Science for All Americans. USA: Oxford University Press. 272 pp.





CAUSAL LEARNING IN  
THE CLASSROOM (CLIC)  
**CURRICULUM MODULES**

# OVERVIEW

The Causal Learning in the Classroom (CLIC) modules are designed to complement existing curricula in environmental ecosystems and climate change science. They are focused on the scientific content, principles, and habits of mind. The CLIC modules aim to augment students' learning by revealing to them patterns of thinking that impact their ability to perceive, attend to, and reason about the complex causal patterns embedded in science. They bring science content together with what we know about the nature of human cognition to 1) further what students understand and 2) help students realize why some of these concepts are hard for the public to understand and attend to. It invites students to think creatively about these challenges as they develop their own knowledge and create sustainable lives in our world.

There are two modules in the current set:

1. Becoming Global Thinkers: Thinking about Distant Causes and Effects
2. Becoming Responsible Individuals: Understanding Distributed Causality.

Each module is based upon research that has been carried out on how people think—both in the lab and in the classroom. It is designed to build upon affordances in students' knowledge, taking what they know from the everyday world and building deeper, more reflective understanding from it.

The CLIC modules also aim to increase sensitivity, ability and inclination to attend to complex causal patterns. By "sensitivity" we mean that students will be more likely to perceive and attend to each pattern. They will know how to detect it and will know the challenges involved in noticing it and actually turning their attention towards it. By "ability" we mean that they will understand how the pattern works, what is involved, and when it is likely to occur. Essentially, students will develop some techniques to help them to think about it well. By "inclination" we mean that students will understand why the patterns warrant attention—why we should care—and hopefully will be more inclined to see these patterns in their daily lives.

Each module contains four lessons that introduce the big ideas centered around complex causality. The lessons are also situated around climate change and environmental science content to encourage the further development and application of these concepts. Finally, the CLIC modules also include additional resources and extensions that teachers may wish to use to extend and reinforce the concepts. The lessons begin with background information for the teacher to help her/him better understand how people typically reason about the concept and understand its importance. Each lesson engages the students in an activity to help reveal and examine their current thinking and offer opportunities to challenge and deepen their thinking. A connection-making step asks them to consider opportunities to transfer the concepts. Side boxes with notes to the teacher highlight important ideas and offer extensions.

Why bother to teach these lessons? The habits of mind that are encouraged are those that the next generation will need to live together on Planet Earth.

# INSTRUCTIONAL APPROACH

The activities in this module are best supported by a classroom culture that fits with the following suggested actions.

## COLLABORATIVE LEARNING .....

- Help the students to help each other create a safe—nonjudgmental—environment. Doing their best thinking requires that they feel comfortable sharing their ideas. It also means that they do the thinking because they value it, and not just to impress someone else.
- Encourage students to take risks in their thinking and to test their ideas in a social context. No ideas should be shot down; instead, relevant evidence should be considered.



## DEVELOPING NEW IDEAS .....

- Encourage students to think about and feel comfortable revising their thinking. We are exploring ideas that pull against our typical tendencies so, in many respects, these may be new ways of thinking. The purpose is to explore new ideas, and not to just get to the “right” answer.
- Emphasize developing understanding and the importance of transferring understanding to new contexts.
- Encourage students NOT to accept ideas just because someone else says that they are so. Students should change their ideas when they find that the evidence is convincing.



## METACOGNITION .....

- Recognize that students come to class with general principles about how the world operates as a result of their own attempts to make sense of the world. Offer opportunities for them to reflect on their own thinking.
- Encourage students to think about their thinking—to try to be metacognitive. Being able to apply the ideas in the module in the real world necessitates being reflective and noticing opportunities in the moment. That involves being able to step back and ask yourself, “How am I thinking about this right now? In what other ways could I think about it?”





# MODULE 1

## BECOMING GLOBAL THINKERS: THINKING ABOUT DISTANT CAUSES AND EFFECTS

**Overview:** Thinking about Action at a Distance

**Lesson 1:** Action at a Distance: Thinking Across Spatial Gaps in Science

**Lesson 2:** Figuring Out the Connection Between Distant Causes and Effects

**Lesson 3:** Applications: A Watershed Case Study in Cambridge, MA

**Lesson 4:** Applications: How Can What I am Doing Here Hurt the Polar Bears?

# MODULE 1

## OVERVIEW:

### THINKING ABOUT ACTION AT A DISTANCE

This first module focuses on the idea that causes and effects can be very far apart from one another, and that this makes it harder to reason about the causal relationship. Very young children expect causes and effects to touch each other in a physical sense. However, they also learn that there are certain kinds of causes, such as remote controls and web cams, that can make things happen without having to physically touch. By preschool, children are already beginning to recognize causes that can act at a distance from their effects.

Understanding action-at-a-distance and actually thinking about it explicitly are two different things. Often the causes of the effects fall outside of our attention span so we aren't aware of them. Even if someone makes us aware of them, it can be hard to keep them on our radar. We tend to focus on what is closest to us (spatially local) because it falls within our attentional space. It is also easier to notice local effects with distant causes rather than local causes with distant effects. For example, it's easier to backwards-map and figure out that pollution in a pond (an effect) might have come from fertilizer runoff (a more distant cause) than it is to predict all of the possible effects a tsunami might have around the world. This is because when we see something happen, we typically try to explain why it happened—we search for reasons. If there is not a possible local cause, then we may extend our search to more distant ones. On the other hand, if there is a plausible local explanation, we are likely to assume that it is the cause (whether or not it is) and not look further. When a local cause has a distant effect, we may be completely unaware of it.

Students bring a tendency to focus in spatially local ways to their science learning. This complicates a variety of understandings including how satellites work (students think that they have inertia that drives them rather than their path resulting from their forward movement and the gravitational attraction of the earth), how large watersheds and pond ecosystems extend well beyond the edges of the pond, and how events on one side of the globe, such as volcanic eruptions, can impact weather patterns a great distance away.

In learning about science and how to think like scientists, students need to realize the importance of thinking about action at a distance, and to see its relevance to the deep understanding of many topics. There are three ways that we can pay better attention to how causes close by can have effects far way:

1. By realizing that causes and effects can be distant from each other, we can push beyond looking locally and explicitly ask,
  - Is there something going on far away that is causing this?
  - Is there something happening here that is having distant effects?
  - Does this action cause effects far away?



# MODULE 1

## OVERVIEW:

### THINKING ABOUT ACTION AT A DISTANCE

2. We can build an understanding of how different mechanisms work. For example, understanding that
  - fluids can move around, such as in global weather patterns (even if we can't see them),
  - the moon's gravitational pull impacts the water on Earth to create tides, or
  - remote controls can activate devices from a distance.
3. We can pay attention to the intermediate connections along the way and build a domino-like narrative of what is going on. For instance,
  - visualizing the rain over an extended area filling up small tributaries and those leading to bigger bodies of water and eventually those flowing into the Mississippi River and impacting the City of New Orleans, or
  - "connecting the dots" between decisions to buy inexpensive t-shirts in the USA, and the supply chain that reaches across continents to labor conditions in poorer nations to weak child labor laws in those places.

The lessons in this section use these three approaches to help students think about spatially distant causes and effects.



# MODULE 1

## LESSON 1:

### ACTION AT A DISTANCE: THINKING ACROSS SPATIAL GAPS IN SCIENCE

## BACKGROUND INFORMATION

This first lesson focuses on the idea that causes and effects can be very far apart from one another. This makes it harder to reason well about the causal relationship. Very young children expect causes and effects to touch each other in a physical sense. However, they also learn to realize that there are certain kinds of causes (e.g., remote controls, web cams, etc.) that can make things happen without having to physically touch. By preschool, children are already beginning to recognize causes that act at a distance from their effects.



.....

**ACTION-AT-A-DISTANCE**  
The idea that causes and effects can be separated in physical space (even by great distances).

**SPATIALLY LOCAL**  
The cause and effect occur in close proximity, within the same location.

Understanding **action-at-a-distance** and explicitly thinking about it are two different things. Often the causes of the effects fall outside of our attention span so we aren't aware of them. If someone makes us aware of them, it is hard to keep them on our radar. We tend to focus on what is closest to us, or **spatially local**, because it falls within our attentional space. Students have a tendency to focus on spatially local ways in their science learning. The goal of this curriculum is to help students become more aware of action-at-a-distance. For some students, this lesson may represent the first time that they discuss the idea of cause and effect. Therefore, the lesson begins in a very basic way by introducing the concepts and asking them to generate examples from their experiences.

### UNDERSTANDING GOALS

1. Causes and effects can be far apart.
2. We tend to notice causes and effects that are close together; it can be harder to pay attention to effects that are far away from their causes.
3. Science often involves paying attention to broad patterns and this often means attending to causes and effects that are very far apart.
4. Knowing the story behind how something happens can often help us connect causes and effects that are far apart.
5. We need to remind ourselves to consider distant causes and/or effects because it is so easy to forget.

See accompanying Power Point and Appendix for more resources!

# MODULE 1

## LESSON 1:

### ACTION AT A DISTANCE: THINKING ACROSS SPATIAL GAPS IN SCIENCE

#### DEFINING A COMMON VOCABULARY: WHAT ARE CAUSES AND EFFECTS?

##### DISCUSSION

1. Engage the students in a discussion about what causes and effects are. Ask, "What is a cause?" List their ideas on the board. Common responses may include, "they make something happen," "they are the reason that an effect happens," etc.
2. Then ask, "What is an effect?" Collect their ideas and write them on the board. Students will often respond by telling you, "the thing that the cause made happen." If they do, point out how difficult it is to talk about causes without talking about effects and vice versa. The concepts are linked to one another.
3. Wrap up this part of the discussion by agreeing with the students on a working definition of "causes" and "effects." Explain that in the coming days they will be learning a lot more about how causes and effects behave, and that they will be using a wealth of knowledge that they have already collected in their everyday lives to help their learning.



It is common for students to offer examples of causes instead of definitions. If they do, put them in a separate list on the board and ask, "What makes all of these things 'causes'?"

**CHALLENGE:** If the students define a cause as something that "is followed by an effect" or an effect as something that "comes after a cause," challenge their thinking with some examples that are purely correlational so that even though one thing follows another, it is not caused by it. For instance, if they get sick after breakfast, it could mean that breakfast was the cause, but it might not be. It is possible that they would have gotten sick whether they ate breakfast or not.

#### REVEALING CURRENT THINKING: DO CAUSES AND EFFECTS NEED TO PHYSICALLY TOUCH EACH OTHER?

4. Pose the question to the students, "Do all causes and effects have to touch each other?"
  - Explain, "If I kick a ball, the cause and effect are right next to each other and they physically touch, but is that always the case?"
  - Write on the board, "Do causes and effects have to touch?" Tell them to take a minute to think about their answers. Ask students to think of evidence as they support their responses. You may use the handout in the appendix if it's helpful.





# MODULE 1

## LESSON 1:

### ACTION AT A DISTANCE: THINKING ACROSS SPATIAL GAPS IN SCIENCE

Give the students a minute to think about the question and their examples. Then collect a few responses. List these on the board or on chart paper. You will add to these in the next step, and you will also need this list for Lesson 2. Most students will say that they do not need to touch.

Then ask how far apart causes and effects can be. See if they can give one or two examples that are very far apart as well as one or two that are closer together.

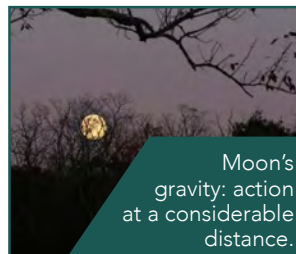
Common responses include magnets, shadows, remote controls, calling someone, using the phone, using the internet, and webcams. If students are struggling, you can show them this video of the moon's gravitational pull on the tidal waves: <http://www.youtube.com/watch?v=l37ofe9haMU>. See accompanying Powerpoint.

#### RECASTING HOW THEY THINK ABOUT DISTANT CAUSES: EXTENDING THE CONCEPT

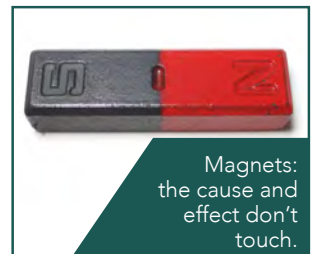


5. Have the students get into groups of two to three students. Give each group a large piece of chart paper and have them cluster their ideas to show causes that are really far apart (e.g., the moon's gravity pulling on the ocean water to make tides) as well as ones that are in the same place but don't touch (e.g., magnets). Have them brainstorm as many examples as they can think of.

- Give the groups at least 20 minutes to do their brainstorm. While they are working, circulate to talk with them about their thinking. Encourage them to think flexibly about different kinds



Moon's gravity: action at a considerable distance.



Magnets: the cause and effect don't touch.

- of causes and effects. They should try to find ones from different categories (science, social interactions, visual patterns, etc.) Feel free to use the Thinking about Distant Causes and Effects handout that is attached in the appendix.
- As students push their thinking further, they often start to come up with a broader set of examples, for instance, being warmed from the sun, sending pictures on Facebook, getting a sunburn, texting someone far away and getting a message, greenhouse gases creating problems far from their source, and how the Japanese earthquake in 2011 caused garbage to float up on California beaches.
- After about 20-25 minutes, have the groups stop and reflect upon their brainstorm responses. Invite them to star or circle responses that they think are especially good examples of causes and effects that do not touch, and to add question marks to ones that they are unsure of.

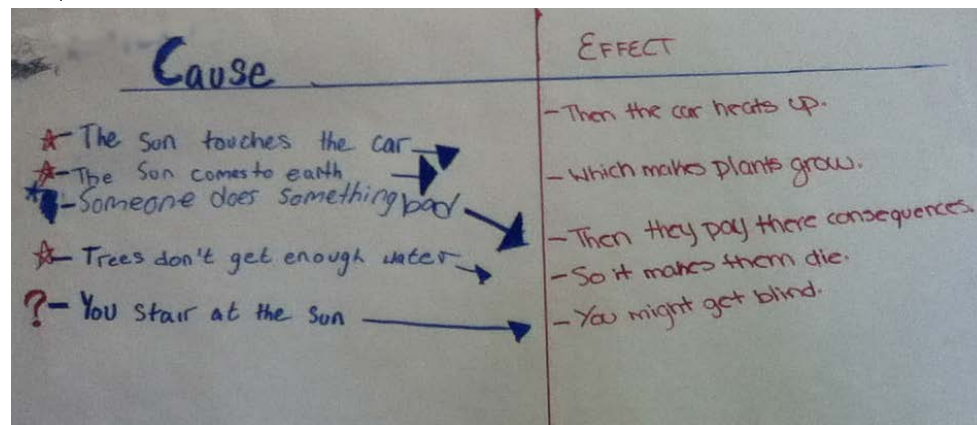
Remind the students that this is a brainstorm. Good brainstorming means that they should not filter their ideas at this point, but should put down everything that comes to mind. If they have questions about certain ideas, they could put a question mark or write their question next to it.

# MODULE 1

## LESSON 1:

ACTION AT  
A DISTANCE:  
THINKING  
ACROSS  
SPATIAL GAPS  
IN SCIENCE

Sample Student Poster



6. Have students post their brainstorm sheets around the room. Then invite the class to participate in a silent sharing. They should move around studying each chart with two questions in mind:
  - What is one new thing that they learned from other people's brainstorms that they did not think of in their group?
  - Do they see any big patterns in the thinking that the class has done? (Common responses include, "a lot of the answers use computers/technology in some way," "a lot of the answers involve social interactions," "some things in science just work that way—like getting energy from the sun.")
7. Come back together and discuss the patterns that they noticed. Capture these ideas somewhere in your classroom where they can see them and return to them in the coming weeks.

# MODULE 1

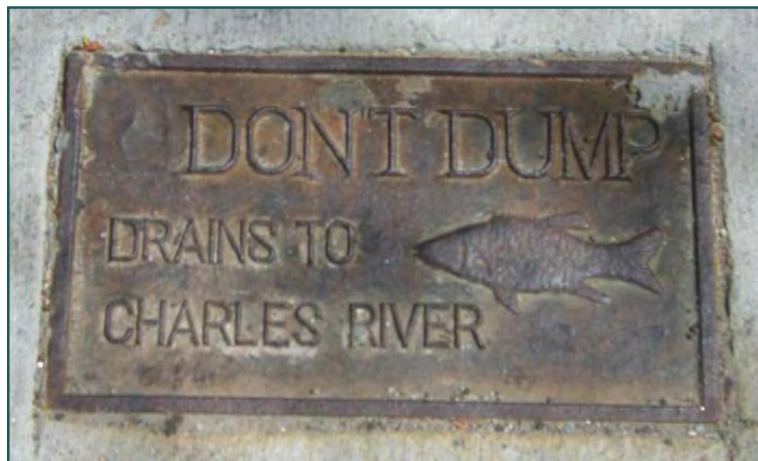
## LESSON 1:

### ACTION AT A DISTANCE: THINKING ACROSS SPATIAL GAPS IN SCIENCE

#### REFLECTING UPON THE PATTERN: WHY IS IT SO HARD TO NOTICE CAUSES AND EFFECTS THAT ARE FAR AWAY FROM EACH OTHER?

8. Show the of the Fish Plaque from a street in the Cambridge/Boston area (see accompanying Powerpoint).
  - Ask, "What is the purpose of the plaque? Why is it needed?"
  - Guide the students toward the understanding that it is hard to pay attention to causes and effects that are separate in space and time. We tend to focus on what is in front of us at the moment. The plaque helps to address our human patterns of thinking. It turns out that the ability to filter out some information is important to our survival. If we paid attention to everything, we would be overwhelmed and unable to function, so we tend to narrow our focus.

*Fish Plaque on Cambridge Street Corner*



9. Show the image of the cap that reads, "Solar- powered." (see accompanying Powerpoint)
  - Discuss it. What do students think it means?
  - Do they agree or disagree?
  - What does it have to do with causes and effects that are "at a distance" from one another?



Students may or may not come to an agreement about this question in this lesson. In order to imagine how we are solar-powered, they need to think about the many intermediate steps that bring energy from the sun to us.

#### EXTENSION ACTIVITY ● ● ● ● ● ● ● ● ● ● ● ● ● ● ● ●

**Have the students design an object or poster that gets people to realize that causes and effects can be far apart and that we have a hard time attending to them!**

# MODULE 1

## LESSON 2:

### FIGURING OUT THE CONNECTION BETWEEN DISTANT CAUSES AND EFFECTS

## BACKGROUND INFORMATION

The purpose of this lesson is to raise the question of how people can know that distant causes and effects are related. It offers students two examples of distant causes and effects—one example that has a substantive mechanism that is fairly easy to see and trace, and one that has a more difficult to trace connection.



Research shows that when students can sketch the path between causes and effects that are distant from one another, they are able to link causes and effects that can be very far apart. Making those links involves knowing how things are connected and understanding how the **causal mechanisms** behind how something so far away can be linked to something so close by.

#### CAUSALITY

The relationship between something that happens or exists and the thing that causes it.

#### MECHANISM

A type of process or event—either physical, behavioral, or mental—that fuels an effect.

The first example looks at the flooding of New Orleans in the Spring of 2011. The winter of 2010 to 2011 had seen record snows. In addition, in April, there were two large storm systems that dumped record rainfall all along the Mississippi River watershed. By early May, the buildup of water from tributaries running into the Mississippi from both rain and melting snow began to swell the river to record levels. During these weeks officials anxiously monitored the build-up of water that was making its way towards the cities of New Orleans and Baton Rouge. The water flooded areas all along the river's path through the states of Illinois, Iowa, Missouri, Kentucky, Tennessee, Arkansas, Mississippi, and into Louisiana. In order to lessen the impact on cities downstream, officials had to open a spillway called the Morganza Spillway and flood portions of rural Louisiana. This decision was not without opposition. People living within the spillway flood zones lost their homes in order to avert a crisis that would have affected many more people farther downstream.

The second example looks at the March 2011 earthquake and related tsunami in Japan and the effects felt around the world. The quake occurred in the seas off the Northeastern coast of Japan. It was a magnitude 9.03 quake, one of the most powerful to ever have hit Japan, and one of the most powerful quakes in the history of record-keeping which began in the early 1900s. It triggered huge tsunami waves that were over 130 feet high and traveled as far as six miles inland in an area of Japan called Sendai. Nearly 16,000 people died, over 6,000 were injured and nearly 3,000 were unaccounted for. Over a million buildings were damaged, as well as roads, railway, and dams. Millions of households were left without electricity and water. The tsunami waves also caused nuclear accidents as reactors at the Fukushima Daiichi Nuclear Power Plant were damaged when their cooling systems failed. Residents in the vicinity of the plant were evacuated.

With the extreme devastation in Japan, much of the coverage was on the great tragedies unfolding there: the loss of life that occurred there, the radiation dangers, and loss of the infrastructure of daily life. However, there were also effects very far from the cause that, while not tragic or life-threatening, served as a reminder of how far causes can reach and that we are citizens of a global world.

# MODULE 1

## LESSON 2:

### FIGURING OUT THE CONNECTION BETWEEN DISTANT CAUSES AND EFFECTS

Tsunami warnings were issued in Hawaii, Oregon, Washington, coastal California, parts of Alaska, British Columbia, Canada and eventually the entire Pacific Ocean. Coastal areas on the Kuril Islands in Russia were evacuated. In Oregon and California, eight-foot waves hit some areas, damaging docks and harbors and causing approximately \$10 million dollars in damage. The tsunami surge caused evacuations and boats to be banned from the water on Vancouver Island in Canada for twelve hours following when the waves hit. Some houses along the coast in Jayapura, Indonesia were destroyed; hospitals in Papua, New Guinea were damaged by waves; and nesting seabirds were killed on Midway Atoll, an island halfway between Japan and Hawaii. Buildings in Chile, Peru, and the Galapagos Islands were damaged and icebergs broke off of the Sulzberger Ice Shelf in Antarctica—over 8,000 miles away. The main piece of ice was as big as Manhattan. By April, wreckage from Japan started to wash up on distant shore lines.

Trace amounts of radiation from Japan were detected in the U.S. in Nevada and Colorado. In April, for instance, “trace amounts” of radiation from Fukushima were detected in Denver drinking water. Officials, however, concluded that radiation levels were “harmless.” An EPA spokesman said in a statement, “To put this drinking water sample into context, an infant would have to drink nearly 7,000 liters of this water to receive a radiation dose equal to just one day’s worth of natural background exposure” (Denver Post, 2011).

This second example is a more difficult case to analyze than the first one. The problems are not as easily visualized and it takes specific knowledge of how tsunamis, earthquakes, radiation, and ocean currents behave in order to predict possible distant outcomes. By contrasting it to the first case, the challenge of recognizing distant causes and effects will become clearer to the students.

In each example, the discussion focuses on thinking about possible mechanisms for how distant effects could occur, and on the intermediate connections that might help in reasoning about what happens.

#### UNDERSTANDING GOALS

1. Cause and effects can be far apart.
2. It can be hard to predict distant effects of causes unless you know how certain causes work.
3. Knowing the story behind how something happens can often help us connect causes and effects that are far apart.
4. Knowing how the problem occurs (such as in the first case where we think about the flow of water) can help us to connect distant causes and effects. It can be more difficult to connect distant causes and effects without specialized knowledge (such as weather patterns and movement of ocean water) as seen in the second case.
5. It is easier to reason from the perspective of effects to distant causes than distant causes to effects. For example, if you are at the “effect” end, you can follow the clues, so to speak. If you are at the “cause” end, you may never know what is happening because of your actions.

See accompanying  
Power Point and  
Appendix for videos  
and more resources!

# MODULE 1

## LESSON 2:

### FIGURING OUT THE CONNECTION BETWEEN DISTANT CAUSES AND EFFECTS

Note to teacher: Depending on your schedule and the needs of the students, this lesson may be done in either one or two class sessions. If divided into two sessions, make sure that Case Study 1 is done on Day 1, and Case Study 2 is done on Day 2.

#### REFLECTING UPON WHAT HAS ALREADY BEEN LEARNED

1. Ask the students to mentally remind themselves of the thinking that they did in the last lesson. Invite them to take a minute or two of quiet reflection to recall the discussion and to look around the room to remind themselves of what was written on their posters.
2. After a few minutes, collect a few recollections and then explain that today they will look at two contrasting cases where causes and effects work at a distance. Afterwards, you will ask them to contrast the cases and consider in what ways they are similar and in what ways they are different.



#### CASE STUDY #1: THE FLOODING OF THE MISSISSIPPI RIVER

3. Project the image of the Mississippi River on a screen (see Powerpoint). Ask the students what they see. Gather as much information from them as you can about what it is.
  - Ask the students to follow it with their eyes and notice how long it is.
  - Have some of them trace it with their finger.
  - How many states does it go through?
  - Do they notice the smaller rivers and creeks leading into it? Have them trace some of those.
  - Fill in whatever information they don't have about where it is and any history of the river prior to 2011 that you would like to offer (see appendix for background information).
4. Ask students whether they know what happened to the Mississippi River in Spring of 2011. Gather whatever information they have and offer the rest (see pg.12):
  - Ask the students to focus on the northern portions of the river. As those begin to swell, what do they predict will happen downstream?
  - Have students trace the path of the water through the states of Illinois, Iowa, Missouri, Kentucky, Tennessee, Arkansas, Mississippi, and into Louisiana. What do they predict will happen as water all along the river gets higher and higher?
  - Have the students turn to a classmate and make predictions. Pass out a copy of the map to each group of students and ask them to use the map to draw on, make notes, and show what they think will happen.



#### READ MORE

The winter of 2010 to 2011 had seen record snows. In addition, in April, there were two large storm systems that dumped record rainfall all along the Mississippi River Watershed. By early May, the build-up of water from tributaries running into the Mississippi from both rain and melting snow began to swell the river to record levels.

# MODULE 1

## LESSON 2:

### FIGURING OUT THE CONNECTION BETWEEN DISTANT CAUSES AND EFFECTS

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#### WATERSHED

An area in which water, sediments, and other dissolved materials drain to a common outlet such as a river, lake, bay or ocean.

5. Draw the group back together and discuss their predictions. Make sure that they realize that the amount of water will increase substantially all the way down the river.

- Trace for them how wide the **watershed** is. What does this predict for New Orleans and Baton Rouge, the cities that are at the Southern-most point, before the river reaches the ocean?
- Connect back to the concept of causes and effects that are far apart. We don't typically think about far away snow and water as causing an issue. We tend to not worry about it because it's far away. What lessons do they think this story holds for people considering causes and effects that are far apart?

#### CASE STUDY #2: THE EARTHQUAKE AND TSUNAMI IN JAPAN

6. Explain that now you are going to turn to a different kind of case. Project the image of Japan onto the screen. Explain that the second example looks at the March 2011 earthquake and related tsunami in Japan and the effects felt around the world.

Depending upon the age of the group, you can tell the story of what happened or show some video footage and fill in the details. If you show video footage, be sure to prescreen first. Footage on YouTube from a news organization that is clear and presents what happened in a matter-of-fact tone in a way that is unlikely to scare the students can be found at <http://www.youtube.com/watch?v=SDp5tHmC2bk> (see Powerpoint).

7. With the extreme devastation in Japan, much of the coverage was on the great tragedies unfolding there: the loss of life that occurred there, the radiation dangers, and loss of the infrastructure of daily life. But there were also effects very far from the cause, that while not tragic or life-threatening, served as a reminder of how far causes can reach and that we are citizens of a global world.

Ask the students to turn to a partner and try to come up with three or four possible effects that might happen far from Japan. Encourage them to think in terms of the

- impacts of nature,
- economy,
- social structures, such as power plants and buildings,
- plant and animal life, etc.

Circulate while the students are thinking to help them consider possible outcomes.

#### READ MORE

All that water that has traveled from far away will flow into and flood these cities. This was exactly what officials worried about as they watched the process occur over a couple of weeks.

During these weeks, officials anxiously monitored the build-up of water making its way towards the cities of New Orleans and Baton Rouge. You may wish to tell the story of Hurricane Katrina and what it did to New Orleans. The idea that New Orleans, which sits so low, would flood again was a highly sensitive issue.

In order to lessen the impact on cities downstream, officials opened a spillway called the Morganza Spillway to flood portions of rural Louisiana. This decision was not without opposition. People living within the spillway flood zones lost their homes in order to avert a crisis that would have affected many more people further downstream.



#### READ MORE

The quake occurred in the seas off the Northeastern coast of Japan. It was a magnitude 9.03 quake, one of the most powerful to ever have hit Japan and one of the most powerful quakes in the history of record-keeping which began in the early 1900s. It triggered huge tsunami waves that were over 130 feet high and traveled as far as six miles inland in an area of Japan called Sendai.

Nearly 16,000 people died, over 6,000 were injured and nearly 3,000 were unaccounted for. Over a million buildings were damaged, as well as roads, railway, and dams. Millions of households were left without electricity and water. The tsunami waves also caused nuclear accidents as reactors at the Fukushima Daiichi Nuclear Power Plant were damaged when their cooling systems failed. Residents in the vicinity of the plant were evacuated.

# MODULE 1

## LESSON 2:

### FIGURING OUT THE CONNECTION BETWEEN DISTANT CAUSES AND EFFECTS

8. List their ideas on the board. See how many different ideas they can come up with.

Share some of the outcomes that did occur:

- The heightened waves from the tsunami hit far away in Hawaii, Oregon, Washington, coastal California, parts of Alaska, and British Columbia, Canada, and Coastal areas on the Kuril Islands in Russia were evacuated.
- In Oregon and California, eight foot waves hit some areas, damaging docks and harbors and causing approximately \$10 million dollars in damage.
- Some houses along the coast in Jayapura, Indonesia were destroyed; hospitals in Papua, New Guinea were damaged by waves; and nesting seabirds were killed on Midway Atoll, an island halfway between Japan and Hawaii.
- Buildings in Chile, Peru, and the Galapagos Islands were damaged and icebergs broke off of the Sulzberger Ice Shelf in Antarctica—over 8,000 miles away. The main piece of ice was a big as Manhattan.
- By April, wreckage from Japan started to wash up on distant shore lines. Trace amounts of radiation from Japan were detected in water in the U.S. in Nevada and Colorado. Officials concluded that radiation levels were “harmless,” however.
- There were economic effects to car dealers in the United States. Do the students know why?

Bring the example back to distant causes and effects. When we hear that there is an earthquake in Japan it may seem very far away. It is hard to imagine that somehow it could impact us.

#### COMPARING THE TWO CASES

9. Have the students partner up and think about the two cases.

- Which case do they think it would be easier to detect distant causes and effects? Why?
- Which one is harder? Why?

Have them explain what information they have to rely on in each case. Then come back together as a group and discuss their ideas.



#### LESSON EXTENSION

*Make sure to watch this video prior to showing it in class. Some students may be disturbed by what they see. Make sure to warn students and allot enough time for discussion at the end of the session so that you can address concerns and discuss ways to help the environment.*

**Watch this video about birds on Midway Island, North Pacific Ocean. Reiterate to students that this island is more than 2,000 miles from the nearest continent: <http://www.upworthy.com/people-should-know-about-this-awful-thing-we-do-and-most-of-us-are-simply-unaware?g=2&c=upw1>**

**Ask the following questions**

- **How can the birds, which are more than 2,000 miles away from the nearest continent, be dying from pollution?**
- **How is pollution (a distant cause) connected to the birds' death (the effect)?**
- **Do you think that people who use water bottles are aware that animals could be choking on the lids? Do they intend for it to happen?**



# MODULE 1

## LESSON 3:

### APPLICATIONS: A WATERSHED CASE STUDY IN CAMBRIDGE, MA

## BACKGROUND INFORMATION

The purpose of this lesson is to have the students think about how action at a distance plays a role in ecological phenomena, and specifically to help them to realize the size of a watershed. While we tend to realize that our actions right next to a pond matter for the health of the pond, most people do not realize that watersheds are very large and that the systematic patterns of flow and movement can spread for many, many miles.



This lesson looks at a case study in Cambridge, MA, where town leaders decided to work with town leaders in a town 20 miles away, Lincoln, MA, to protect the upper watershed so that the City of Cambridge would have clean drinking water. Not everyone in town supported the purchase of a large tract of land west of the city, especially since much of it is forest, rather than reservoir. Town leaders, however, viewed this as an important decision for future generations. The lesson considers the ways in which Cambridge's water could be impacted by people's actions so far away. The lesson draws comparisons to other watershed maps and how startlingly large they are.

This lesson will probably take at least two class sessions to fully process.

### UNDERSTANDING GOALS

1. Cause and effects can be far apart.
2. A watershed spreads over many miles.
3. Actions within the watershed can have an impact on the water quality many miles away.
4. It can be hard to encourage people to attend to and care about distant causes. They may not make the connection to their own situation.
5. Knowing the story behind how something happens can often help us connect causes and effects that are far apart.
6. In this particular case, knowing how the problem occurs, i.e. thinking about the flow of water, can help us to connect distant causes and effects.

### MATERIALS

There are 9 PDFs associated with this lesson. Students can work together in a jigsaw format (see explanation), or read all of the articles independently.

- Articles 1-5 (in class jigsaw)
- Article 6 (homework, or part of jigsaw)
- Articles 7-9 (optional)

See accompanying Power Point and Appendix for articles, group worksheet, teacher reference sheet, and more resources!

# MODULE 1

## LESSON 3:

### APPLICATIONS: A WATERSHED CASE STUDY IN CAMBRIDGE, MA

#### REFLECTING UPON WHAT HAS ALREADY BEEN LEARNED

1. Ask the students to mentally remind themselves of the thinking that they did in the recent lessons. Invite them to take a minute or two of quiet reflection to recall the discussion and to look around the room to remind themselves of what was discussed in earlier lessons. After a few minutes, you can collect a few recollections, or you can just begin to explain what they will work on next.



#### SETTING UP THE CASE STUDY

2. Explain to students that they will be working on a **Problem-Based Learning (PBL)** scenario that will help them better understand an issue faced by the City of Cambridge, MA. Hand out a copy of the PBL scenario (see appendix and below) and read it together in class.

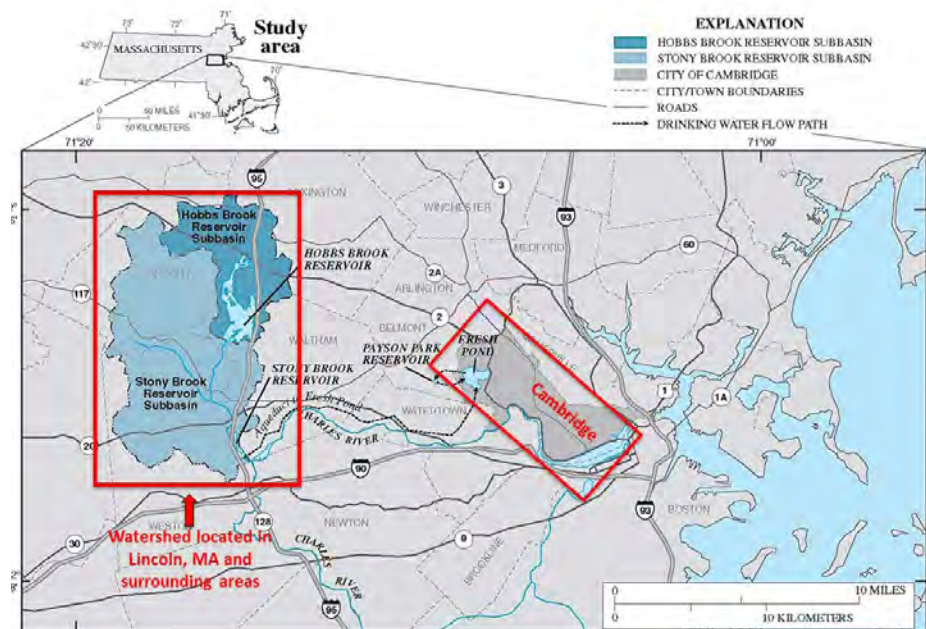
#### PROBLEM-BASED LEARNING (PBL)

A type of learning based on real-world problems. It is centered on ill-structured, complex problems. Students identify questions involved in solving the problem and conduct the research necessary to solve it. The teacher takes on a coaching role.

#### CAMBRIDGE AND LINCOLN, MA: THE WATERSHED DEBATE

Imagine that you and your classmates are members of the citizen's advisory council in Cambridge, Massachusetts. You've been asked to evaluate the city's recent decision to purchase several acres of watershed land. A watershed is "an area in which water, sediments, and other dissolved materials drain to a common outlet such as a river, lake, bay, or ocean".<sup>1</sup> This particular watershed is located in the nearby town of Lincoln (about 12 miles away) and flows directly into the main drinking water source for Cambridge.

You understand the benefits of protecting the watershed—protecting the surrounding wildlife and the water you drink—but you're also concerned about the high cost needed to purchase it. Additionally, a developer wants to build homes on the watershed land. You need to make a decision soon. Should you buy the land to preserve the watershed, or let the developer build a mall and apartments on it?



1 <http://water.epa.gov/type/oceb/fact1.cfm>

# MODULE 1

## LESSON 3:

### APPLICATIONS: A WATERSHED CASE STUDY IN CAMBRIDGE, MA

3. As a warm up to the activity, before distributing any materials, take five minutes to let the students quickly brainstorm the pros and cons of buying the watershed land. Consider:

- Why might Cambridge want to buy watershed land in Lincoln?
- What are some good reasons not to buy the land?
- What types of information would you want to know to make this decision?

Capture a summary of the students' initial ideas on chart paper or in your own notes so they can be referenced later if relevant.

4. Explain to students that they will "jigsaw" the artifacts (newspaper clippings, maps, photos) that they will study in order to learn about what decisions the town was faced with, and what factors influenced what they ended up doing. Explain to students that you want them to gather the details from sources just the way that they would in the real world.

Summaries of the articles are provided for your reference in the appendix.

As students are reading, they may run into some challenging words. Glossaries are provided at the end of each article. Some terms you may want to discuss before handing out the readings include

- Watershed
- Reservoir
- Acquisition
- Tributary
- Parcels
- Zoning laws

Note to teacher: If the jigsaw arrangement does not work for your classroom, students can read all of the articles independently. Or, you can also invite them to first do some planning about how they will organize themselves and how they will collect and organize their information so that it will be available to them later. Will they divvy up the task (in a jigsaw arrangement) or will they all work together on each piece? Will they take notes? Where? (science journals? chart paper? etc.)

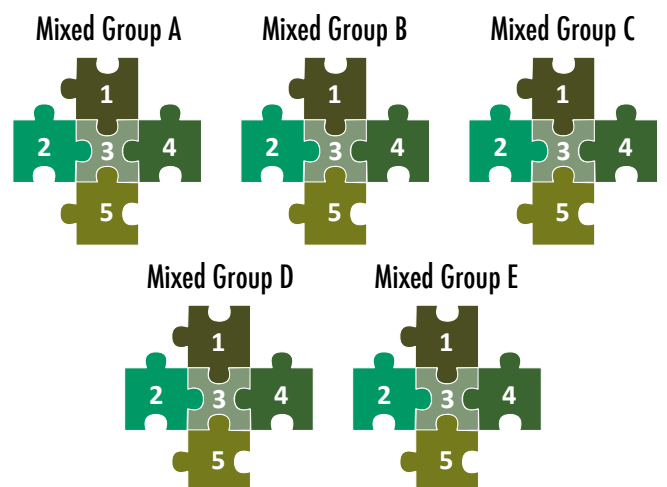
#### JIGSAW ACTIVITY

- a. Divide students into five "home" group (each group should have 3-5 students).

Each student in the "home group" is assigned a different article and is asked to read it independently and think about the guiding questions.

- b. When students are done reading and filling out their corresponding article worksheet, have them leave their "home" groups and meet in "expert" groups.

#### HOME GROUPS



# MODULE 1

## LESSON 3:

### APPLICATIONS: A WATERSHED CASE STUDY IN CAMBRIDGE, MA

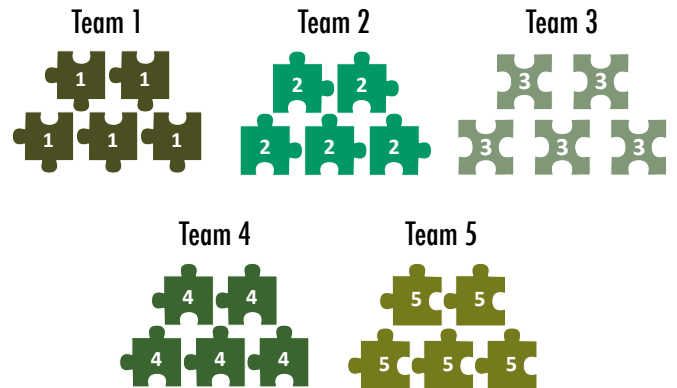
Expert groups are comprised of students who have read the same article. Collectively, they discuss the material and brainstorm ways in which to present their understandings to the other members of their “home” group.

- Circulate and offer support to students while they are working.
- Try not to tell them what to do; instead help them make decisions that will serve their process well.

If students are getting very stuck, some important questions you can ask them to think deeply about are:

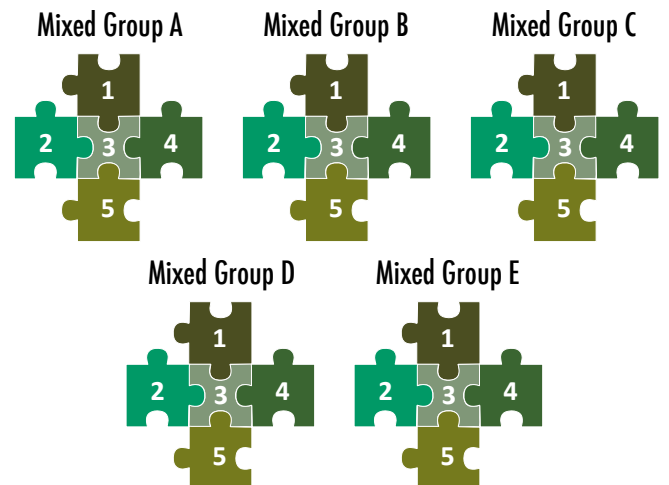
- Who owns the water?
  - Where does the Cambridge drinking water come from?
  - How far away is far enough to protect the Cambridge watershed?
- c. Have students leave their “expert groups” and return to their “home” groups to teach their portion of the materials, and to learn from the other members of their “home” group.

#### EXPERT GROUPS



It is fine to let students persist in a process that isn't working for a while to help them discover that it is not productive. However, given limited time, be sure to check back fairly soon to ask them how it is working and to encourage them to try a new tact. Give them at least 35 minutes to review the materials in the packet.

#### HOME GROUPS



# MODULE 1

## LESSON 3:

### APPLICATIONS: A WATERSHED CASE STUDY IN CAMBRIDGE, MA

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#### SOME OF WHAT THEY WILL LEARN FROM THE DOCUMENTS:

- The land is just west of Route 2 and includes fragile watershed.
  - The Town of Lincoln has been trying to conserve it for many years.
  - Cambridge has its own water system and is not part of the local Massachusetts Water Resources Authority (MWRA) that many local towns are.
  - Cambridge has its own system because in the 1800s, it was forward- looking and bought land from Lexington, Weston, and Lincoln to provide water for its citizens.
  - Cambridge owns much of the Hobbs Brook Watershed area, a large area of land west of the city.
  - The owner of the land (Mr. DeNormandie) has argued that he will develop it if the town does not buy it.
  - Mr. DeNormandie has been involved in issues in the town previous to this event. The students may question how well-liked he is.
  - Other members of the DeNormandie family have been very generous to the town in the past.
  - The Town of Lincoln donated additional conservation land (20 acres) that it already owned to the Cambridge parcel.
  - Residents in the Town of Lincoln contributed approximately \$300,000 to the preservation of the land. Some of this came from the town funds that were set aside for conservation land. Some of it came from local donations.
  - There is not a lot of development in the area around the watershed.
- 



#### CLASS DISCUSSION OF THE CASE

5. After groups have met in their expert and home groups, bring the entire class back together to review the case.
  - Make a list of information on the board. Divide the information up into categories that make sense. Some candidate ways to organize it include
    - ◇ "Questions"
    - ◇ "What We Know for Sure" (facts, for instance, how far Lincoln is from Cambridge)
    - ◇ "What We Think Might Be So" (observations, assumptions, and interpretations, for instance, "there is a lot of wildlife in the woods" or "if the land wasn't conserved, the owner might have developed it.")

Examples of Cambridge's needs:  
good schools, supporting the  
poor, flood support, etc.

# MODULE 1

## LESSON 3:

### APPLICATIONS: A WATERSHED CASE STUDY IN CAMBRIDGE, MA

6. After you have gathered as much information as possible, discuss what they think Cambridge should do.
  - As students give their opinions, ask for viewpoints that support or differ from the given viewpoint to encourage as much active processing as possible. If all the students immediately believe that they should buy the land, stress that \$1.8 million dollars is a lot of money and Cambridge has lots of needs.
  - When students make a claim, ask them to back it up with evidence, if possible, and reasoning if they don't have evidence.
7. Ask the students what all of this has to do with distant causes and effects.
  - Why should it matter what people do in towns that are miles away from the City of Cambridge?
  - Project the images of watersheds. How big are they?
  - What are some of the kinds of problems that can occur?
  - Students may have noticed in the materials that some people in Cambridge want to start a farm on some of the watershed land that Cambridge owns in Lincoln. Is this a good idea? Why or why not?
8. To wrap up the case discussion, you can have the students vote on what to do, or you could have students write a letter to the Cambridge Tab expressing an opinion on what to do.
  - Finally, you probably will want to let them know what Cambridge did do (spent \$1.6 million dollars and the town of Lincoln provided \$200,000. Cambridge gave Lincoln the conservation rights (meaning that Cambridge cannot develop the land) and Cambridge owns the land.

**POTENTIAL PROBLEMS:** What are some of the kinds of problems that can occur? Students will think of pollution, but eutrophication is a much bigger issue. This is when so much fertilizer (phosphates and nitrates) end up in the water supply and encourage heavy plant growth, such as is seen in farm ponds. See the extension lesson on eutrophication in the appendix for more information.

### LESSON EXTENSION ● ● ● ● ● ● ● ● ● ● ● ● ● ● ● ●

**OPTION 1:** Cambridge has a particular water system by which the land in Lincoln was a part of the Cambridge watershed. But how do other cities get water? Some cities

- pump water directly from different parts of a watershed, including natural sources like lakes, rivers, or aquifers;
- build a structure, like a man-made reservoir, to collect water from natural sources; or
- purchase a share of a neighboring cities' supply.

Do you know the source of your city or town drinking water? What if your community was faced with the concerns that Cambridge had regarding its water source? Based on where you live, would you make a similar decision? Why or why not?

**OPTION 2:** Ask the students to think about other cases where proactive thinking and planning ahead might be helpful in the case of distant causes and effects. When we intentionally think about possible links we can expand our view and frame the boundaries of what we should think about with a broader perspective. Can students think of instances where their own town may have had to deal with distant causes and effects in the recent past?

# MODULE 1

## LESSON 4

APPLICATIONS:  
HOW CAN  
WHAT I AM  
DOING HERE  
HURT THE  
POLAR BEARS?

### BACKGROUND INFORMATION

This lesson is designed to complement curricula focused on climate change. The key message is that our actions can have an impact very far away and that very often we don't have a way of realizing that. This lesson introduces the idea that our actions contribute to greenhouse gases, which have effects in other parts of the world. It focuses on the melting ice in the arctic and the impacts on the polar bear. Many curricular resources have drawn attention to the plight of the polar bear. This tends to work especially well with elementary and middle school students because it offers a way to connect to what is happening and engages human feelings in trying to understand the plight of other organisms.

The message here is that while it can be hard to pay attention to how our actions affect creatures far away from us, as global citizens we must do so and we can make choices that help us do so. This lesson also highlights a car commercial from Nissan about the Nissan Leaf that features a polar bear who makes a very long trek to a suburban driveway to say thank you. It asks the students to analyze what it is that works about the commercial in terms with how it fits with human cognition and how hard it can be to keep distant effects in mind.



### UNDERSTANDING GOALS

1. Cause and effects can be far apart.
2. It can be hard to encourage people to attend to and care about distant effects. They may not make the connection to their own situation.
3. Knowing the story behind how something happens can often help us connect cause and effects that are far apart.
4. Knowing how the problem occurs (i.e. thinking about the accumulation of carbon) can help us to connect distant causes and effects.
5. It is easier to reason from the perspective of effect to distant causes than distant causes to effects. If you are at the effect end, you can follow the clues, so to speak. If you are at the cause end, you may never know what is happening because of your actions.

See accompanying  
Power Point and  
Appendix for videos  
and more resources!

# MODULE 1

## LESSON 4

APPLICATIONS:  
HOW CAN  
WHAT I AM  
DOING HERE  
HURT THE  
POLAR BEARS?

### REFLECTING UPON WHAT HAS ALREADY BEEN LEARNED . . . . .

1. Ask the students to mentally remind themselves of the thinking that they did in the recent lessons. Invite them to take a minute or two of quiet reflection to recall the discussion and to look around the room to remind themselves of what was discussed in earlier lessons. After a few minutes, you can collect a few recollections, or you can just begin to explain what they will work on next.



### FRAMING THE LESSON IN THE CONTEXT OF CLIMATE CHANGE

2. Remind the students of some of the basic ideas behind climate change. The following websites are great resources to use,
  - The EPA website: <http://www.epa.gov/climatechange/basics/>  
There is an excellent short video (2 min. 48 sec.) that introduces the main ideas: <http://www.epa.gov/climatechange/students/index.html>
  - Climate Literacy by the Climate Literacy Network: <http://cleanet.org/cln/index.html>
  - Climate Classroom Kids: <http://climateclassroomkids.org/for-educators/>  
See lessons on Climate 101 (especially the Polar Bears & the Arctic activities)

#### THINKING LIKE A COGNITIVE SCIENTIST

These materials all focus on getting kids to think like a scientist and that is incredibly important. However, it is also important to think like a cognitive scientist in order to figure out ways to keep climate change on our minds and help us to change our behaviors. We have to keep in mind that our actions here can have distant effects that we cannot see but that we must take into account.

The earlier lessons in this unit focused on ways to realize that causes can have effects far away by focusing on the mechanisms that connect things. For example, by realizing where the water from the Mississippi will flow we can connect the domino-like narrative between events and the bigger story of what is happening. In this lesson, we think about the importance of remembering to ask:

- Does my action have a distant effect?
- Does a cause here make something happen far away?

Recall the fish plaque from the first lesson:

- What does it remind us?

*It functions as a reminder that we need to think about distant effects even though we may not be able to see them.*





# MODULE 1

## LESSON 4

### APPLICATIONS: HOW CAN WHAT I AM DOING HERE HURT THE POLAR BEARS?

#### THINKING ABOUT VERY DISTANT EFFECTS

3. Ask students,

- What happens when effects are very far away?
- Thousands of miles away?
- So far that we are unlikely to ever notice them?
- How can we keep things on our minds when they are so far outside our attentional space?

Explain that this is the problem that we are going to think about today.

4. Show the commercial about the Nissan Leaf: <http://www.youtube.com/watch?v=9WxC1PtIvsY>. (See accompanying Powerpoint)

Have the students watch it once. Discuss what happens. Then ask them to watch it a second time and to think about why the car manufacturer created it.

- What did the car manufacturer hope to accomplish?
- Why is it important?

Have students turn to a partner and come up with at least two reasons why the manufacturer made this kind of a commercial.

After students have had a chance to consider the video with a partner, reconvene as a larger group to discuss it.

- What impact did it have upon them?
- How do they think it will affect others who watch it?
- How did the car manufacturer deal with our tendency not to pay attention to distant effects?



#### LESSON EXTENSION

The students' generation will need to think about how to motivate people to consider "action at a distance," even when it is difficult to keep in mind. Laws are one way to encourage attention to distant effects. Another way is to develop creative reminders such as the fish plaque or apps. Another way is to find longer-term solutions by targeting key decision points such as what type of car you buy. This shifts the problem from reminding oneself not to drive so much to buying a car that is less harmful to the environment. Invite the students to choose one of the activities below or design their own.

**OPTION #1:** In 2009, President Obama declined to use the Endangered Species Act to control the growth of coal plants. Environmentalists were trying to make the case that coal plants impacted the habitat of polar bears and therefore the regulations associated with the Endangered Species Act should apply to their regulation. Consider two ways that you agree with the President's decision. Then consider two ways that you disagree with the President's decision. Write a letter to President Obama to tell him what you think about the decision and what he should do in the future. Try to be as compelling as possible by using evidence and what you know about action at a distance.

**OPTION #2:** Consider places where and times when people make decisions that involve distant effects without realizing it (as in the example of the fish plaque). Develop a clever way to remind them to think more broadly and to reconsider their actions. Try to create a design that could really be used. For instance, a Starbucks store had a sign that read "These napkins come from trees" to remind customers not to take more than they need. Look for ways to use your designs in your everyday life or around school.

## REFERENCES

- beautifullover. (2007, August 19). NASA | Tidal forces on Earth [Video file]. Retrieved from <http://www.youtube.com/watch?v=l37ofe9haMU>
- Climate Literacy Network. (2013, October 22). Climate literacy. Retrieved from <http://cleanet.org/cln/index.html>
- Finley, B. (2011, April 12). Trace amounts of Japan reactor fall out detected in Denver drinking water. The Denver Post. Retrieved from [http://www.denverpost.com/breakingnews/ci\\_17828984](http://www.denverpost.com/breakingnews/ci_17828984)
- National Wildlife Federation. (2008). For educators. Climate Classroom Kids. Retrieved from <http://climateclassroomkids.org/for-educators/>
- Negus, A. (2008). Jigsaw. Online Teaching Techniques. Retrieved from <http://edtech2.boisestate.edu/neguss/573/jigsawo.html>
- People Should Know About This Awful Thing We Do, And Most Of Us Are Simply Unaware. (n.d.). Upworthy. Retrieved November 7, 2013, from <http://www.upworthy.com/people-should-know-about-this-awful-thing-we-do-and-most-of-us-are-simply-unaware>
- Saskatoon Public Schools. (2009). Jigsaw. Instructional Strategies Online. Retrieved from <http://olc.spsd.sk.ca/DE/PD/instr/strats/jigsaw/>
- Telegraph. (2011, March 11). Japanese earthquake in video [Video file]. Retrieved from <http://www.youtube.com/watch?v=SDp5tHmC2bk>
- United States Environmental Protection Agency. (2013, September 9). A student's guide to global climate change. Retrieved from <http://www.epa.gov/climatechange/students/index.html>
- United States Environmental Protection Agency. (2013, September 9). Climate change: Basic information. Retrieved from <http://www.epa.gov/climatechange/basics/>
- United States Environmental Protection Agency. (2013, October 2). Coastal watershed factsheets – Oceans and coastal protection: Your coastal watershed. Retrieved from <http://water.epa.gov/type/oceb/fact1.cfm>
- US EPA, O. (n.d.). Coastal Watershed Factsheets - Oceans and Coastal Protection: Your Coastal Watershed. Retrieved November 7, 2013, from <http://water.epa.gov/type/oceb/fact1.cfm>
- walkhereDotCom. (2010, September 9). Nissan leaf commercial – Polar bear hug [Video file]. Retrieved from <http://www.youtube.com/watch?v=9WxC1PtIvsY>

## IMAGE REFERENCES

- Aerial View of Fort Calhoun. By U.S. Army Corps of Engineers. Public domain.
- Baseball Cap, Lesson 1 & Module 1 Resources: Blue Baseball Cap. By User:TexasRebel. Released to public domain.
- Cambridge Watershed, Lesson 3 & Module 1 Resources: Map of the Cambridge Water Supply System. Adapted from Cambridge Water Department. Public domain.
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- Mississippi River, Lesson 2 & Module 1 Resources: Map of the Mississippi River. Image provided by: [www.worldatlas.com](http://www.worldatlas.com)
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- Remote Control, Overview: Evening watching television. By Edward Visser. Under CC BY 2.0.
- Sample Student Poster, Lesson 1. By Tim Johnson. Used with permission.
- Satellite, Module 1 Resources. Used with permission from Microsoft.
- Satellite, Overview: The Warkworth Satellite Station. By User:sids1. Under CC BY 2.0.



# The Agency by Design Framework

A key goal of maker-centered learning is to help young people and adults feel empowered to build and shape their worlds. Acquiring this sense of maker empowerment is strongly supported by learning to notice and engage with the designed dimension of one’s physical and conceptual environment—in other words, by having a sensitivity to design.

## Maker Empowerment:

A sensitivity to the designed dimension of objects and systems, along with the inclination and capacity to shape one’s world through building, tinkering, re/designing, or hacking.



## Sensitivity to Design:

Learning to notice and engage with one’s physical and conceptual environment by looking closely and reflecting on the design of objects and systems, exploring the complexity of design, and finding opportunity to make objects and systems more effective, more efficient, more ethical, or more beautiful.

Sensitivity to design develops when young people and adults have opportunities to: look closely and reflect on the design of objects and systems, explore the complexity of design, and understand themselves as designers of their worlds. Accordingly, the Agency by Design framework describes three interrelated capacities that help learners develop a sensitivity to design: Looking Closely, Exploring Complexity, and Finding Opportunity. For each of these capacities, there is a set of observable “moves” — or indicators — that learners and educators can use to help design maker-centered learning experiences, and to support, observe, document, and assess maker-centered learning. They apply to individual as well as collaborative learning.



## Making Moves

Learning moves that support a sensitivity to design

**LOOKING CLOSELY:** Using any and all of the senses to examine objects and systems in order to notice their intricacies, nuances, and details. By looking closely, one may begin to see the complexities inherent in objects and systems.

- **Notice everything**—Cast a wide net to capture all that you can observe.
- **Revisit**—Look/listen/touch again, and see if you can find something new.
- **Use categories**—Look for different kinds of features or components.
- **Juxtapose**—Look at things side by side; compare, observe relationships.
- **Physically change perspectives**—Look from high, low, far away, close up.

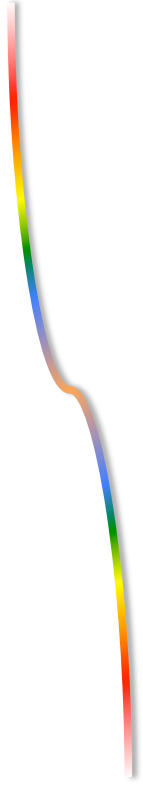
**EXPLORING COMPLEXITY:** Investigating the interactions between the various parts and people associated with objects and systems, including the range of values, motivations, and priorities held by the individuals who engage with particular objects and systems.

- **Explore inner workings**—Explore how things, ideas and systems work—what are their parts and interactions?
- **Explore points of view**—Consider and take different perspectives: What different ways can you look at this?
- **Probe your own perspective**—Examine your own assumptions and beliefs.
- **Look back and forward**—Explore the histories and possible futures: How did this come to be? Where might it be going?
- **Tinker to explore**—Take things apart, put things together, play around with how things work.

**FINDING OPPORTUNITY:** Building on close observations and explorations of complexity to see the potential for building, tinkering, re/designing, or hacking objects and systems.

- **Envision**—Imagine what could be invented, or how things could be changed.
- **Reframe**—Rethink, refocus, or re-define a problem, opportunity, or procedure; hack or repurpose how things work.
- **Source resources**—Be proactive and creative about finding information, advice, and instruction.
- **Prototype and test**—Make models and run tests; try things out to see what works.
- **Make (and draw) plans**—Identify steps; sketch what things could look like and how they could work; illustrate ideas & processes.

# ARTFUL THINKING PALETTE



## REASONING

WHAT MAKES YOU SAY THAT?  
CLAIM / SUPPORT / QUESTION



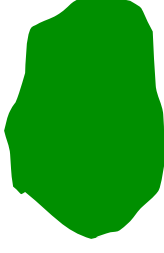
## QUESTIONING & INVESTIGATING

THINK / PUZZLE / EXPLORE  
CREATIVE QUESTIONS  
SEE / THINK / WONDER



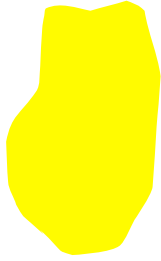
## OBSERVING & DESCRIBING

BEGINNING / MIDDLE / END  
LOOKING: TEN TIMES TWO  
LISTENING: TEN TIMES TWO  
COLORS / SHAPES / LINES  
THE ELABORATION GAME



## EXPLORING VIEWPOINTS

STEP INSIDE  
CIRCLE OF VIEWPOINTS



## FINDING COMPLEXITY

PARTS / PURPOSES / COMPLEXITIES  
COMPLEXITY SCALE



## COMPARING & CONNECTING

I USED TO THINK... NOW I THINK  
CONNECT / EXTEND / CHALLENGE  
CREATIVE COMPARISONS  
HEADLINES



Teacher names: J. Ross  
 Date: Week of: 03-16-09

**Thinking Dispositions:** Reflect on the past week. Which of the following thinking dispositions do you think your classroom instruction helped students develop? (Check as many as apply. Give a double check to dispositions that were **strongly** emphasized this week.)

Reasoning   Questioning & Investigating  

Exploring Viewpoints   Observing & Describing  

Finding Complexity   Comparing & Connecting  

**Frequency of Thinking Routines:** Think about the past week in your classroom. How many routines did you try? Include any partial use and/or combined use of Artful Thinking routines as well as use of other thinking routines you've invented or know about.

- 0 routines
- 1-3 routines
- 4-6 routines
- 7-10 routines
- More than 10 routines

**Use of Thinking Routines:** Circle the routines you tried this week. Include any partial routines and/or combined use of routines.

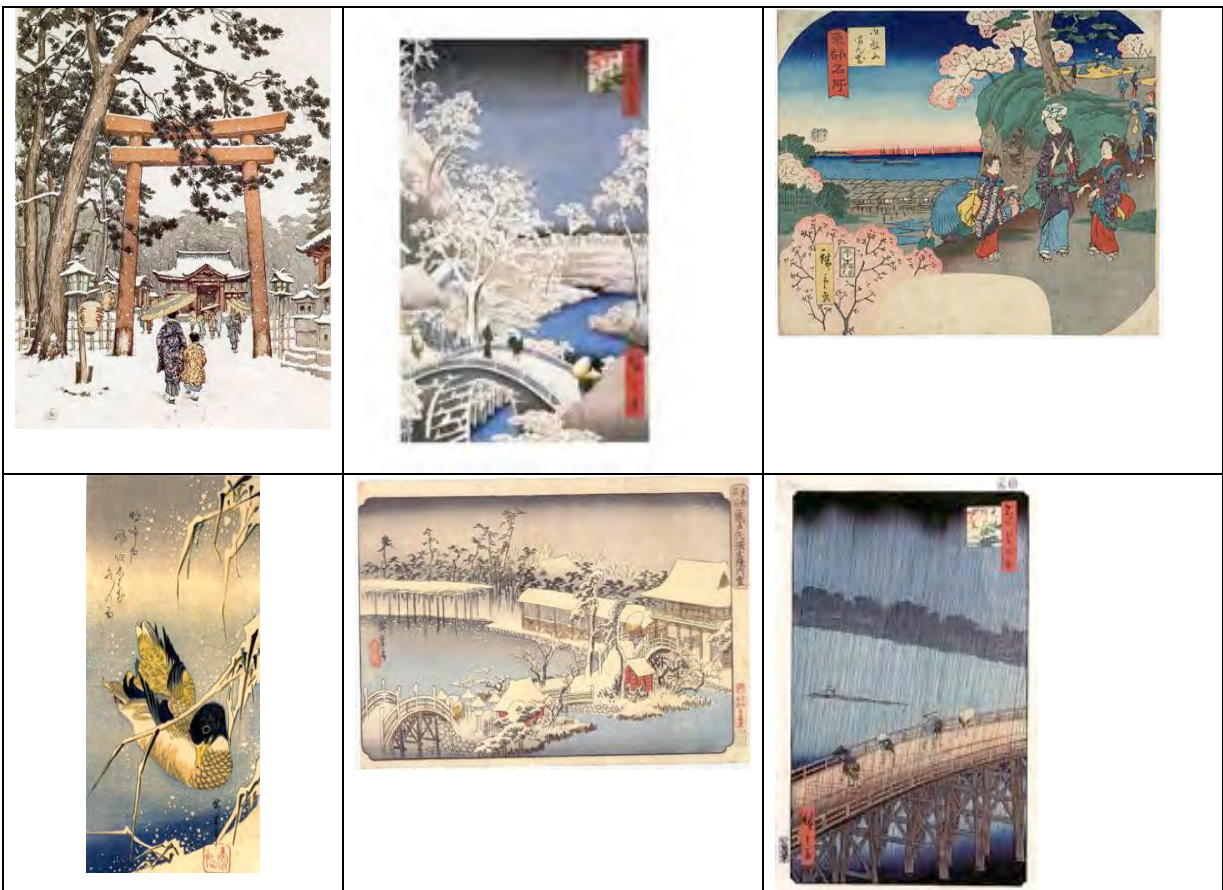
<p>WHAT MAKES YOU SAY THAT?</p> <p>CLAIM / SUPPORT / QUESTION</p> <p>THINK / PUZZLE /EXPLORE</p> <p>CREATIVE QUESTIONS</p> <p>SEE THINK WONDER</p> <p>PERCEIVE/ KNOW / CARE ABOUT</p>	<p>LOOKING/LISTENING: TEN TIMES TWO</p> <p>BEGINNING MIDDLE OR END</p> <p>ELABORATION GAME</p> <p>COLORS SHAPES LINES</p> <p>CREATIVE COMPARISONS</p> <p><u>OTHER ROUTINE(S): Word, Question, Analogy - an adaptation of 3-2-1 Bridge from VT</u></p>
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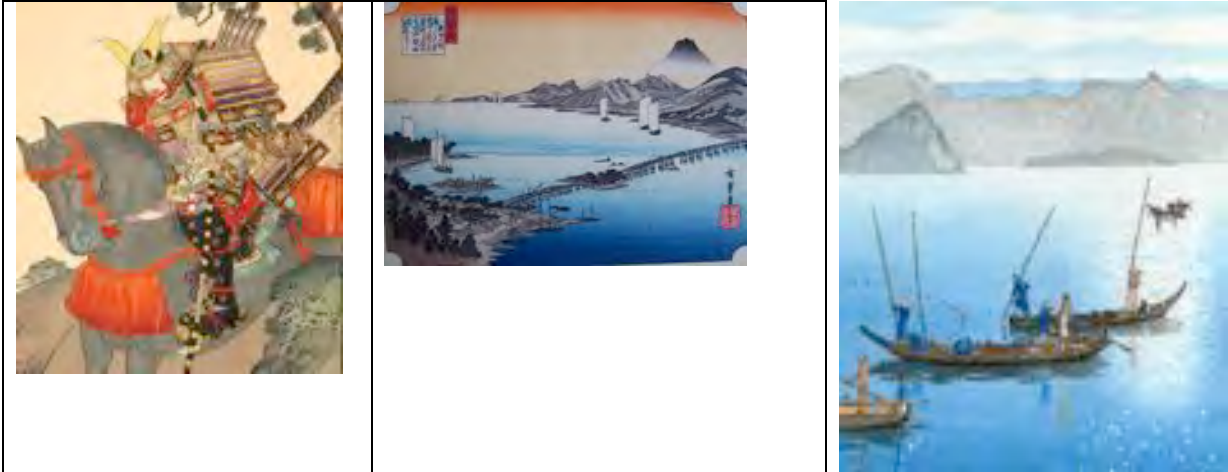
*Today I presented students with a powerpoint of 9 images of Japanese Woodblock prints. Students were able to access the ppt on their computers. They each picked one that they liked. They had a sheet asking them to do the following routine that I adapted from the VT routine, 3-2-1 Bridge:*

List below, 20 **words** to describe what you see in the image use both nouns and adjectives, be descriptive:

Write 2 **questions** about what you see in the image:

Write 1 **analogy** either a simile or a metaphor comparing the image, or one part of the image, to something else:





*Once the students completed their routine, I introduced them to several “classic” Haiku poems by Basho, Issa, etc. I then taught them that Haiku are often pictures of nature with words. Lastly, the students were assigned to use their routine sheets to create a Haiku based on the image they picked.*

**Integrating Art:** Did you use any art in your classroom this week?     Yes        no  
If yes, what did you do? Check as many as apply.

Discussed an art image/object with a thinking routine you’ve used before

Discussed an art image/object with a new routine

Discussed an art image/object without using a thinking routine

Created art using a thinking routine at some point in the creative process

Created art without using a thinking routine

Created poetry using a thinking routine at some point in the creative process

Connected an art image/object to a topic in the curriculum

Connected an art making experience to a topic in the curriculum

Other. Please describe:

Optional: Tell us more about how using art in any of the above ways affected your students’ thinking or understanding.



# The United States Constitution



## Teacher Guide

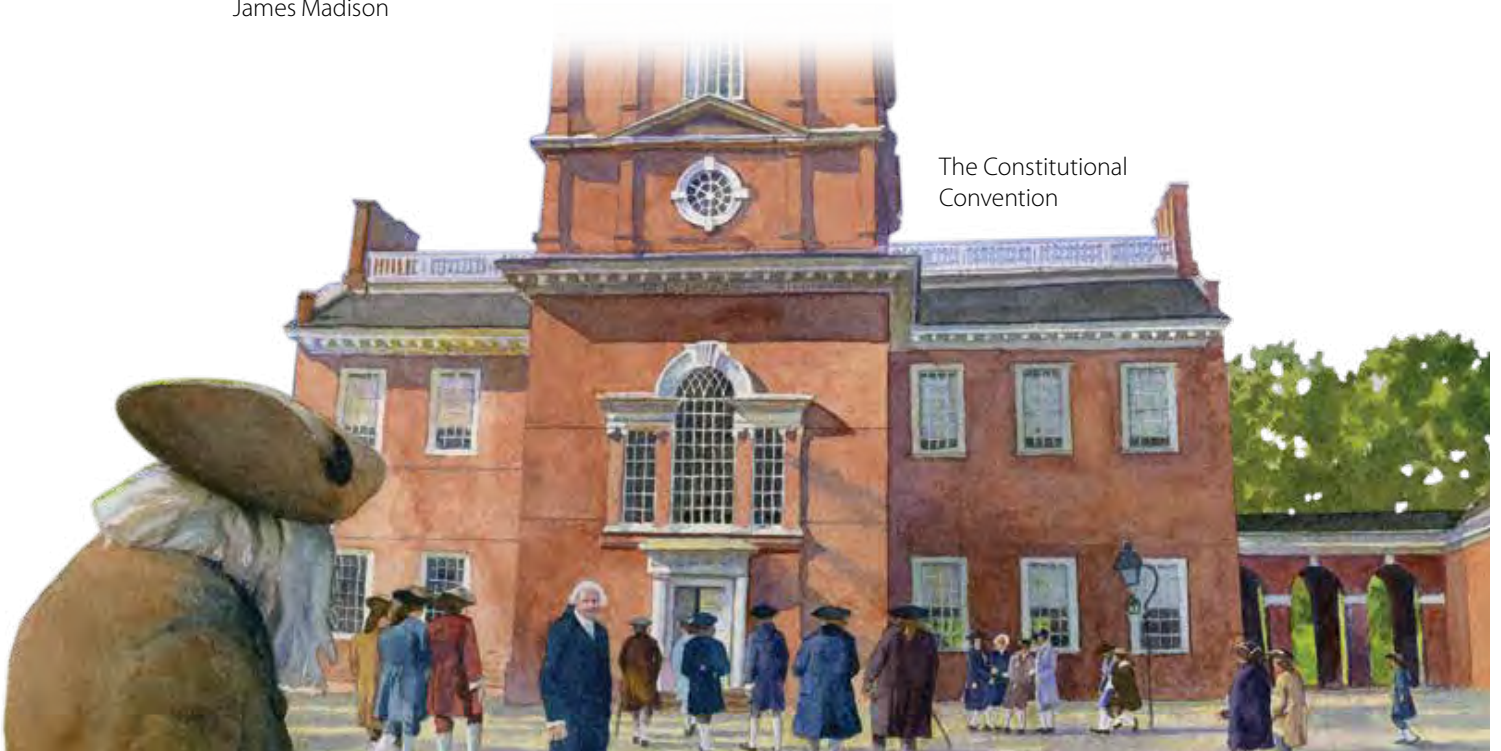


James Madison

The Constitution



The Constitutional Convention



## CHAPTER 9

# The States Ratify

**The Big Question:** Why was it considered essential to have a Bill of Rights added to the U.S. Constitution?

### Primary Focus Objectives

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- ✓ Summarize the viewpoints of Federalists and Anti-Federalists. (RI.4.2)
- ✓ Explain how the Constitution came to be ratified. (RI.4.3)
- ✓ Describe the events that led to passage of the first ten amendments. (RI.4.3)
- ✓ Summarize key provisions of the Bill of Rights. (RI.4.2)

### What Teachers Need to Know

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For background information, download the CKHG Online Resource “About States Ratify”:

[www.coreknowledge.org/ckhg-online-resources](http://www.coreknowledge.org/ckhg-online-resources)

### Materials Needed

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- Internet access
- Sufficient copies of the “Bill of (Your) Rights” song lyrics (See Additional Activity, page 78)

## THE CORE LESSON 35 MIN

### Introduce “The States Ratify”

---

5 MIN

Review the ratification process from Chapter 8. Explain that once the delegates voted to adopt the U.S. Constitution, the document went to special ratifying conventions to approve. The proceedings of the Grand Convention of States were no longer secret. The convention had not merely revised the Articles; they had scrapped the original plan for the government, and come up with an entirely new plan. That new plan ignited great debate across the thirteen states.

Direct students’ attention to the Big Question. Explain that one important source of debate was the lack of a bill of rights. Tell students that as they read, they should look for reasons why a bill of rights should have been included.

When you or a student reads aloud, **always** prompt students to follow along. By following along, students may acquire a greater understanding of the content. Remember to provide discussion opportunities.

## “The Final Test,” Pages 68–71

**Scaffold understanding as follows:**

**Invite student volunteers to read aloud the first four paragraphs of the section “The Final Test” on page 68.**

**SUPPORT**—Note the titles given to the two sides of the ratification debate: Federalists and Anti-Federalists. Emphasize that Federalists supported ratification of the Constitution. Anti-Federalists were against it. To help students remember the difference, point out that the prefix *anti-* means opposed or against; also point out that they were not against federalism. The Anti-Federalists believed in federalism but wanted less power given to the central government and more power retained by the states.

**Read aloud the remainder of the section “The Final Test.”**

**SUPPORT**—Create a T-chart on the board or chart paper. Label one side “Federalists” and the other “Anti-Federalists.” Work with students to complete the chart using the details in the section.

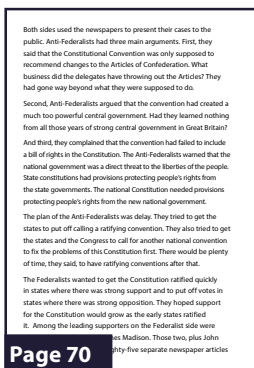
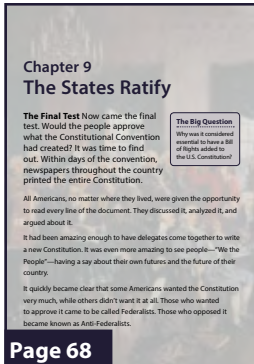
**After you have read the text, ask the following questions:**

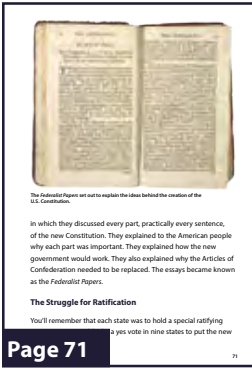
**LITERAL**—What three main arguments against the Constitution did Anti-Federalists make?

- » The convention was supposed to revise the Articles, not replace the document. The Constitution gave the federal government too much power. The Constitution did not have a bill of rights.

**LITERAL**—How did Anti-Federalists try to delay ratification?

- » They tried to get states to put off their ratifying conventions and called for another national convention.





## LITERAL—What are the *Federalist Papers*?

- » They were a collection of eighty-five newspaper articles, or essays, written by Federalists James Madison, Alexander Hamilton, and John Jay to explain and defend the Constitution.

## “The Struggle for Ratification,” Pages 71–74

### Scaffold understanding as follows:

### Invite student volunteers to read aloud the section “The Struggle for Ratification.”

**SUPPORT**—As students read the text, list on the board or chart paper the states that ratified the Constitution as they are mentioned. Remind students that nine states needed to ratify, or approve, the Constitution in order for it to take effect. Note when the list reaches nine names.

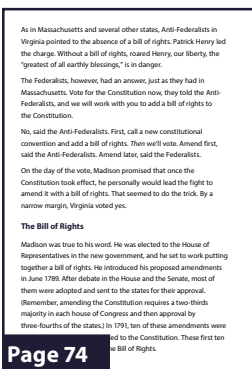
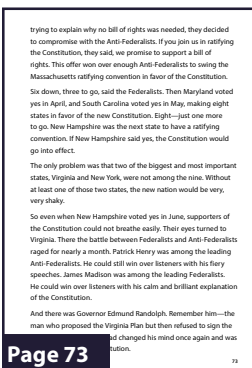
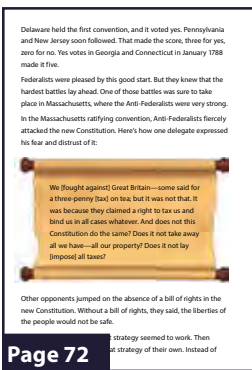
### After students read the text, ask the following questions:

**LITERAL**—What was the first state to ratify the Constitution?

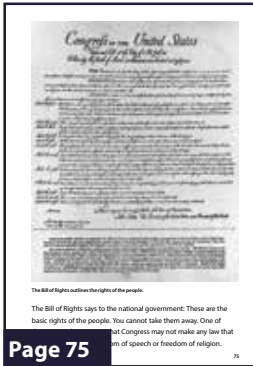
- » Delaware

**LITERAL**—What compromise was made to win ratification in Massachusetts and Virginia?

- » Federalists promised the Anti-Federalists that if the Constitution was ratified, the Federalists would work to add a bill of rights after ratification.




## “The Bill of Rights,” Pages 74–77




Scaffold understanding as follows:


Have students read independently or with a partner the section “The Bill of Rights,” on pages 74–77.

 **SUPPORT**—Draw attention to the photograph on page 77. Note that July 4 is a holiday called Independence Day. Remind students that it celebrates the anniversary of the Declaration of Independence.

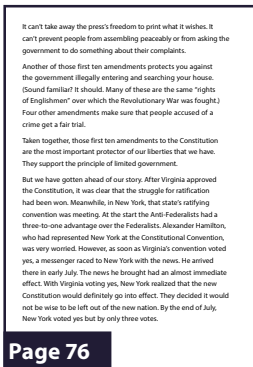
After students have read the text, ask the following questions:

 **LITERAL**—What is the Bill of Rights?

» The Bill of Rights is the first ten amendments to the Constitution.

 **LITERAL**—What are some of the rights listed in the Bill of Rights?

» The Bill of Rights includes freedom of speech, freedom of religion, freedom of the press, and freedom to assemble peaceably. It also makes sure people have the right to a fair trial and protection against the government illegally entering and searching people’s houses.



## Timeline

- Show students the Chapter 9 Timeline Image Cards. Read and discuss the captions.
- Review and discuss the Big Question: “Why was it considered essential to have a Bill of Rights added to the U.S. Constitution?”
- Post the cards to the Timeline under the dates referencing the 1780s and 1790s. Refer to the illustration in the Unit 8 Introduction for guidance on the placement of each Image Card to the Timeline.



## CHECK FOR UNDERSTANDING 10 MIN

### Ask students to:

- Write a short answer in response to the Big Question, “Why was it considered essential to have a Bill of Rights added to the U.S. Constitution?”
  - » Key points students should cite include: Anti-Federalists argued fiercely for the addition of a bill of rights. They asserted that a bill of rights was essential to protect civil liberties and to limit the power of a strong federal government. Their arguments and opposition succeeded in winning a promise from Federalists—Madison, in particular—to add a bill of rights.

To wrap up the lesson, ask several students to share their responses.

## Additional Activities



### Understanding the Bill of Rights (SL.4.1, SL.4.3)

45 MIN

**Materials:** Internet access, paper, pencil or pen



**Background for Teachers:** Download and preview the “Bill of (Your) Rights” song before class, and prepare sufficient copies of the lyrics to distribute to students. Preview the Bill of Rights game to learn its functionality, and prepare sufficient computer stations for students to play the game in pairs and triads. If computer stations are unavailable, this can be conducted as a whole class activity, with students in small groups and the teacher calling on a specific group to respond to each question.

Use this link to download the CKHG Online Resources for this unit, where the specific links to the video and game may be found:

**[www.coreknowledge.org/ckhg-online-resources](http://www.coreknowledge.org/ckhg-online-resources)**

Distribute the lyrics to the “Bill of (Your) Rights” song. Play the song for students, and listen as a class. Encourage students to read along with the lyrics. Play the song a second time, and ask students to sing along.

Then, to review the first ten amendments, direct students to work in pairs and triads to play the Bill of Rights game, either at computer stations or as a class. Explain that in this game, they will navigate through the buildings in town to answer questions about rights missing from the amendments. When they have “found” all the rights, they will have a complete Bill of Rights. Tell students to take turns navigating and answering the questions.



## The First Amendment: What's Fair in a Free Country? **ACTIVITY LENGTH FLEXIBLE**

**Materials:** Internet access plus any materials listed in online lesson plan



**Background for Teachers:** Read through the The First Amendment: What's Fair in a Free Country? lesson plans, and decide which activities you will complete with the class. Assemble any materials necessary for the activities you choose.

Use this link to download the CKHG Online Resources for this unit, where the specific links to the lesson plans may be found:

**[www.coreknowledge.org/ckhg-online-resources](http://www.coreknowledge.org/ckhg-online-resources)**

The activities in The First Amendment: What's Fair in a Free Country? help students explore the rights and responsibilities associated with the First Amendment in terms they can understand. The activities apply First Amendment rights to situations that relate to students' daily lives, such as the school playground.



## That's Not Fair!

**ACTIVITY LENGTH FLEXIBLE**

**Materials:** one or more copies of *That's Not Fair! Getting to Know Your Rights and Freedoms* by Danielle S. McLaughlin



**Background for Teachers:** Preview the stories in *That's Not Fair: Getting to Know Your Rights and Freedoms*, and choose one or more to use in the activity. The book contains six stories, each of which addresses a different right. Two options are presented below for using these stories in the classroom. You may use either option or adapt them to your needs.

### Option 1: One Story

Choose one of the following stories. The parenthetical text indicates the rights that are addressed in each story.

Mayor Moe's Mess (Freedom of Religion)

Mayor Moe and the Lost Chain (The Right to Privacy; Freedom from Search and Seizure)

Mayor Moe See Stars (The Right to Life, Liberty, and Security)

Mayor Moe and the Nasty News (Freedom of the Press)

Mayor Moe and the Important Personage (The Right to Peaceful Assembly and Freedom of Expression)

Mayor Moe's Dilemma (The Right to Equal Treatment and Freedom from Discrimination)

Read aloud the story. Use the questions at the end of the story as the basis of a class discussion about the right(s) that are addressed in the story.

**Option 2: Multiple Stories**

Organize students into small groups. Assign each group one story.

Have each group use its assigned story to create a skit or Reader's Theater.  
Have groups perform their skit or Reader's Theater for the class.

Use the group performances, and the discussion questions at the end of each story, to spark class discussion about rights and freedoms.





# Blueprint

For Teaching and Learning in

The

# Moving Image



Grades PreK - 12

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The Making Moving Images strand of the *Blueprint for Teaching and Learning: The Moving Image* is divided into three types of media: Film, Television, and Animation. Each strand—Making Moving Images; Literacy; Connections; Cultural Resources; and Careers and Lifelong Learning—includes benchmarks, indicators of student learning, and suggested activities.

### What is a Benchmark?

Benchmarks are broad goals defining the direction of teaching and learning at a particular grade level: Grades 2, 5, 8, and 12. The benchmark statements are standards to support the development of curricula and pedagogical practice.

### What is an Indicator of Student Learning?

Indicators of student learning designate what students should know, understand and be able to do by the time they complete the benchmark grade. These indicators can be recognized through observation in the classroom as well as through teacher-prepared assessments. The indicators provide the basis upon which administrators and teachers can assess the successful achievement of the benchmark.

### What Are Activities?

Activities are interactive lessons and projects that allow students to explore and experience the moving image in the classroom. The activities are listed under the benchmark and with indicators that they specifically address.

The activities are geared to the specific benchmark grade level of the students. Teachers can use the benchmark levels flexibly, working from a higher benchmark for advanced students and working from an earlier benchmark grade level for students who have little experience in these areas.

### Introduction to "Teaching Through the Five Strands" Lesson Plan

As previously noted, each benchmark grade level has five strands containing Benchmarks, Indicators, and Activities. They are followed in this *Blueprint* by a "wrap-around" lesson plan that offers an example of hands-on activities to address all five strands:

- 1) Making Moving Images;
- 2) Moving Image Literacy;
- 3) Making Connections Through the Moving Image;
- 4) Moving Image Community and Cultural Resources; and
- 5) Moving Image Careers and Lifelong Learning.

### What Are the Five Strands of the Blueprint for Teaching and Learning: The Moving Image?

#### Strand 1: Making Moving Images

Making Moving Images encompasses the Film, Television, and Animation and is divided into three sections: Pre-Production, Production, and Post-Production. The process of creating media is described for the teacher and teaching artist to provide a structure for planning and implementing the moving image curriculum. Various resources are listed in the Appendices to aid in obtaining equipment and software to produce moving image making in the classroom. Examples of specific curricula for all areas of the moving image are available through the individuals and groups listed in the Resources section of Appendix F. These curricula are not mandated, but rather are useful suggestions from instructional practices in other public schools or from non-profit providers.

#### Strand 2: Developing Moving Image Literacy

Moving Image Literacy introduces the vocabulary necessary to understand, use, and enjoy the moving image and explores the history and evolution of film, television and animation. Suggested activities are provided to enhance students' learning in these areas. The appendices have links to glossaries and additional resources and information regarding the history of these mediums. This strand also examines innovations in technology and provides teachers and teaching artists with strategies to make students sensitive to the inappropriate use and posting of art and images online as well as being critical media consumers.

#### Strand 3: Making Connections Through the Moving Image

Making Connections Through the Moving Image examines the many ways the moving image connects with and reflects the students, their culture and community, as well as the other academic disciplines they are studying. The activities in this strand encourage students to express their personal point of view and explore the ways that their cultures and communities are portrayed in the media. Students consider how the artist's work can change the existing perception of their particular culture or community.

Connections are examined between the media and other academic disciplines. The suggested activities are designed to both increase the students' awareness and skill in all forms of the Moving Image and increase academic achievement in the study of these disciplines. They also demonstrate how educational television, film, and animation can illustrate and illuminate the study of history, science, math, and the English language.

#### Strand 4: Moving Image Community and Cultural Resources

Working with the Moving Image Community and Cultural Resources such as cultural organizations and museums, and attending media events can significantly increase students' awareness of the vast media opportunities available in New York City and provide teachers with opportunities for practical application of the curriculum. Various activities are suggested to bring these resources into the classroom or to take advantage of these resources on field trips.

#### Strand 5: Moving Image Careers and Lifelong Learning

Exploring Moving Image Careers and Lifelong Learning examines world-of-work options in film, television, and animation. Activities are designed to enable students to learn more about the skills needed to find work in these fields.

Lifelong learning in the moving image means students will acquire an appreciation and enjoyment of media that will enable them to seek out new and interesting media in the future. For students today, the Internet has become the new movie theater and television set for their generation. Activities in this strand enable students to become aware of how to best use this new medium and to be critical consumers of all that it entails.

# The English Language Learner in the Moving Image Classroom

(adapted from the New York City Department of Education’s *Blueprint for Teaching and Learning in the Visual Arts*)

Effective instruction for English Language Learners (ELLs) embodies the same components found in all purposeful, supportive learning environments: clear objectives, scaffolded learning experiences, differentiated strategies, and opportunities for problem solving and expressive responses. However, there is an added advantage to introducing ELLs to the moving image.

Because film, television, and animation flourish in foreign countries, English Language Learners can experience the moving image in their own language and create media art in that language. In addition, research suggests that films and television have been an excellent method of assimilating first- and second-generation immigrants into American culture.

As every youngster brings areas of strength as well as need into the classroom, so does the English Language Learner. And, as in all situations, it takes time and careful planning to uncover what each student knows and has experienced in accessing the moving image—skills; knowledge of processes and technology; recognition of images, artists, and styles; personal vision; and social and historical insights.

The less proficient the student is in English, the more essential it is for the teacher to provide visual cues and employ strategies such as demonstration and modeling. The sections that follow highlight what should be considered to ensure that the needs of ELLs are met, and that they are successfully integrated in the moving image studio. The activities and strategies offered are appropriate for all students. They reinforce content and learning, as well as provide opportunities for collaboration.

## Who Is the English Language Learner?

English Language Learners can exhibit varying degrees of proficiency in listening, speaking, reading, and writing skills. Many have a high level of proficiency in their native language. Others may not be able to read or write in their native language because of limited or interrupted formal education in their country. Still others may have excellent English-language reading and writing skills but have had little opportunity to converse.

Finally, there is a population of ELLs who have been identified as having special needs and are receiving special education services.

All English Language Learners can participate in classroom activities regardless of their English-language proficiency. They can respond by pointing to words or images, or express themselves in short phrases. As their acquisition of English progresses, so will the quality of their responses. They can contribute to small-group activities by using their native language; they can easily participate in a non-language-based activity.

English Language Learners have much to offer in classes that use the moving image. The richness of their culture and language can and should be utilized to enhance and contribute to other students’ learning.

## Promoting Understanding

### Teachers can further student understanding when they:

- enunciate clearly and speak in a natural rhythm and tone of voice to foster comprehension.
- label classroom objects and materials to connect the spoken and written word, and to aid students in visualizing what is required for specific tasks.
- construct lessons that integrate concepts and vocabulary to reinforce both.
- write the lessons’ objectives and activities on the chalkboard or smart board and provide step-by-step instructions for clarity.
- present information, restate the question, and explain the task in a different way to assure understanding.
- ask students to repeat what has been said to encourage careful listening and check comprehension.
- develop, maintain, and post routines to help students anticipate procedures.
- avoid using idioms and slang words that practice may cause confusion.
- utilize graphic organizers or other guides to help students organize and categorize new information and notes, and make connections between new learning and prior experiences.

- use charts, posters, pictures, and symbols to provide visual cues.
- demonstrate, name, and illustrate processes, materials, and tools to reinforce procedures and key vocabulary.
- gesture, point directly to objects, or draw pictures, when appropriate, to facilitate comprehension.

## Building Confidence and Encouraging Participation

- Respond positively to students, even if an answer is incorrect. A response such as “That’s an interesting way to look at it?” or “Let’s hear what other students think?” encourages students to continue sharing ideas.
- Recognize student success publicly and frequently, but also be aware that in some cultures overt individual praise is considered inappropriate and therefore can be embarrassing or confusing to the student.
- Create a learning activity that involves the English Language Learners’ native language/culture and moving image representations; encourage students to take the lead in the presentation to demonstrate what they know and can do.
- Occasionally pair same-language students to provide a comfort level and to foster involvement, critical thinking, and creativity that might otherwise be inhibited by a lack of English proficiency.
- Assign group presentations. Invite students to present their artistic, written, or oral work to the class. After demonstrating a protocol for constructive peer feedback, encourage student comments.
- Ask peer tutors to serve as translators at the beginning or end of an activity.
- Pair students to share answers/perspectives/opinions. A buddy or small-group interaction may provide a less stressful environment and encourage participation.

## Developing Literacy in the Moving Image

- Begin a lesson with a read-aloud related to a film-maker, animator or moving image genre. Distribute excerpts from a filmmaker's or actor's biography or critical review to spark interest in a moving image work.
- Encourage students to ask questions and take notes during discussions.
- Include works of moving images for discussion that are representative of the various cultures of students.
- Rephrase and retell. Describe and explain new moving image concepts in several different ways. Ask students to rephrase and retell to check for comprehension.
- Prepare vocabulary cards for use in class or on a trip. Introduce new words or review vocabulary with students to prepare for an activity, and again at the conclusion to review and check for understanding.
- Make and use word/picture/object charts to reinforce vocabulary.
- Create a visually rich and stimulating environment; have books and magazines about film, television, and animation available for student use.
- Provide access to dual-language and picture dictionaries in the art room.
- Encourage students to say the word in their native language; look it up in the native-language dictionary, and see/say the English word with assistance. (Dictionary definitions may sometimes be confusing or not appropriate for the moving image context.)
- Say the word; write it on the chalkboard for students to copy, spell, and read.
- Create word walls of terms related to film, television, and animation.
- Highlight cognates and roots of words where appropriate.
- Make accountable talk an expectation in the class. For example, as students work in groups, see that their conversation relates to the work at hand and that they are using appropriate moving image terminology and vocabulary.

- Prepare question cards. Give each student a card with two or three questions or prompts to encourage dialogue. Provide a template for how to share opinions and perspectives about the work.
- Model reflection techniques to encourage student self-assessments.
- Generate language by asking students to compare and contrast two works in film, television, or animation.
- Chart student responses to provide a framework for later clarification, evaluation, or expansion.
- Invite students to respond to moving image works in prose or poetry.

## Web Resources for Professional Organizations

The following professional organizations, among others, are a valuable resource for additional information concerning English Language Learners. The Websites provide related links, information on publications, recent research, and effective instructional strategies.

- Association for Supervision and Curriculum Development (ASCD), [www.ascd.org](http://www.ascd.org)
- Teaching English to Speakers of Other Languages (TESOL), [www.tesol.org](http://www.tesol.org)
- *TESOL Quarterly*
- New York State Association for Bilingual Education (NYSABE), [www.nysabe.org](http://www.nysabe.org)
- *NYSABE Journal*
- Center for Applied Linguistics (CAL), [www.cal.org](http://www.cal.org)
- Office of English Language Acquisition, [www.ed.gov/offices/oela](http://www.ed.gov/offices/oela)

## Expanding Horizons with Visits to Cultural Institutions

The moving image/cultural institution visit is an immersive learning opportunity: it provides a new environment for students to acquire English language skills. While all students benefit from such an experience, the impact and importance of such a visit may be greater for English Language Learners. It can validate the notion of a pluralistic society—that there are many ways people live and express their ideas. It is a powerful means for learning about oneself and one's culture, while at the same time broadening one's cultural framework.

Educators working at moving image museums and other cultural organizations with film, television, and animation resources are experienced in differentiating instruction to meet the needs of all students, and incorporate many strategies in their work with students. Ideally, the teacher should discuss the structure of the visit with the moving image educator before the actual event. Field visits to such institutions support student learning by:

- supplying teachers with access to primary-source materials and strategies for building students' literacy and moving image skills.
- engaging students in a new way. Students who may be reticent in class often express themselves more easily in a new environment.
- offering multiple perspectives on a work of film, television, or animation, and promoting mutual respect among students for each other's work and opinions.

# The Moving Image for Special Learners

## (adapted from the New York City Department of Education's *Blueprint for Teaching and Learning in the Visual Arts*)

Students with special needs should be stimulated artistically, intellectually, and imaginatively, as should all students. This can be accomplished by making accommodations in the classroom that fit with the student's Individual Education Plan. The activities suggested in the *Blueprint for Teaching and Learning: The Moving Image* can be accomplished by all Special Learners as long as these accommodations are made.

Any student with physical, cognitive, or behavioral issues (or any combination) that interfere with or prevent independent functioning within a classroom setting is a student with special needs. In the general education classroom, there are inevitably a few students whose needs have not yet been identified but who are known to be either withdrawn and reticent, or acting-out and aggressive. These students often need support to negotiate the learning process and classroom environment. Other students whose needs have been identified may include those who are deaf or hard of hearing; blind or visually impaired; those with developmental disabilities (including autism spectrum disorder and mental retardation); students with learning disabilities; students with limited physical mobility and other health impairments (including attention deficit hyperactivity disorder and child-specific health issues); or students with emotional disturbances.

These students may be in a general education classroom, a resource room, a self-contained classroom, a cooperative team teaching classroom, or an inclusion program within a public school. Students with special needs should be stimulated artistically, intellectually, and imaginatively, as should all students. This can be accomplished by making accommodations in the classroom, such as changes in pacing, shifting instructional strategies, factoring in extra support, or involving the larger school community. Indeed, setting clear expectations about learning and behavior will provide youngsters with the guidance and support to achieve, and an educational environment that values self-expression.

### **Strategies and Modifications to Promote Learning**

It is important to plan for each student's well being and educational progress. Begin by affirming the student's strengths, acknowledging the challenges, and then identify the modifications needed to suit the individual.

Discuss the specific needs and abilities of each student with the classroom or special education teacher or other school professional. Refer to the Individualized Education Plan (IEP), which outlines the youngster's specific needs. Become familiar with this information before meeting the student.

Be aware that some students may not yet have had their needs identified or may not have an IEP. Consultations with special education professionals in the school can help devise strategies so that these youngsters can benefit from the moving image class experience.

### **Building Skills and Encouraging Participation**

- Relate lessons and concepts to the students' experiences.
- State objectives clearly. Check for understanding.
- Introduce new or abstract ideas with concrete examples.
- Reinforce concepts through repetition and varied applications. Do not assume that all students can transfer learning skills from one situation to another.
- Speak slowly and clearly. Restate or clarify long, complex sentences; idiomatic expressions; or words that may have multiple meanings.
- Present instructions simply and clearly. Students can repeat instructions as they are presented. Post instructions and visual aids throughout the duration of the project.
- Present specific objectives one at a time. Move to the next objective only when the first has been mastered.
- Provide alternative resources so that all students are able to meet curricular goals. For example, when asking students to research a specific filmmaker, animator, or technique, ensure that books at varying reading levels are available in the library.

- Communicate with students using multiple modalities: explain assignments orally; display instructions on the wall or blackboard; show examples such as sample projects or artist's reproductions.

- Work with students to establish individualized goals or rubrics for specific assignments.
- Allow students sufficient time to develop and express their thoughts and ideas.
- Be aware of the attention span of students. If attention seems to wane, present tasks at a later date.
- Provide opportunities for students to demonstrate understanding.
- Invite students to discuss their progress in a one-to-one meeting.
- Build students' confidence by highlighting their achievements. Ask youngsters for permission before presenting their moving image projects, and then involve parents and community members in a celebration of the work.

### **Employing Multisensory Strategies**

- Arrange for visits to cultural institutions to broaden students' horizons, and provide opportunities for looking at, talking about, and examining moving images as they relate to their own work.
- Use as many modalities as possible to help students make learning connections. For example, ask the students what smells would occur in the scene they are creating.
- Encourage students to take inspiration from their own environment. For example, ask youngsters to write about family and friends; ask them to be specific about their characters.

## Establishing a Safe and Efficient Physical Environment

### Routines

- Establish a classroom routine at the start of the school year to provide consistent expectations and a secure environment.
- Post routines, schedules, and lesson instructions on the walls in a format that is clear and easy to read.
- Encourage students to work in pairs or small groups when appropriate; assign peer buddies so that students of varying needs and abilities have an opportunity to work together.

### Room Design

- Label all materials and storage locations in the classroom; consistently store materials in the same place.
- Post a map of the classroom on the wall; clearly-label areas to promote focused learning.
- Display only a materials or resources on the table during lesson introductions. It is preferable to set up cameras, software, and materials away from the work space until students are ready to use them.
- Configure tables so that all students have ample space to work and can see the teacher and one another.
- Use chairs with backs, if possible.
- Ensure that tables and chairs are at the appropriate height so that students can rest their elbows comfortably on the table.
- Arrange for students requiring additional support to sit close to the teacher. Approach students face to face when assisting them. If the space does not allow for this, negotiate a comfortable approach with the student. Then, announce physical movements prior to making them.

### Materials

- Know which materials and resources students can use comfortably and safely. Teachers may need to allot additional time to explore software and materials with individual students in order to determine this.
- Modify the materials and resources needed for assignments based upon safety and comfort needs.
- Adapt visual arts tools and media according to student needs. Adaptive tools such as scissors are available through commercial art supply catalogs. Sometimes tools can be easily, quickly, and inexpensively modified by the teacher to suit student needs

*The Blueprint for Teaching and Learning: The Moving Image* recognizes that some students may have behavioral issues that may make team building and collaboration more difficult, and some students may have developmental challenges that make using some hardware and software difficult. However, there are excellent examples of special learners contributing to citywide and national video competitions that suggest that these learners can create moving images with the guidance of their teachers or teaching artists and the help of their classmates.

# The Blueprint for the Moving Image and the Classroom Teacher

This *Blueprint* offers teachers opportunities to use film, television, and animation to illustrate and illuminate other content areas while developing skills necessary to create moving images. Activities are suggested to help improve students' ability to express their point of view. While the ability to operate a camera or edit video would be helpful to your students, these skills are not necessary to implement the activities listed in the 2nd and 5th grade levels. The vocabulary and procedures necessary to create animation or video are explained in the text and in the Appendices.

The focus of the activities is to develop an interdisciplinary approach through the study and use of media. Interdisciplinary education enables students to identify and apply authentic connections between two or more disciplines and to understand essential concepts that transcend individual disciplines.

Great teachers know the power of the arts to transform, motivate, and inspire. Great arts teachers know the power of connecting their work to teaching and learning in other subjects. Authentic connections reinforce the power and relevance of the moving image, and add depth and dimension to studies in other disciplines.

Since this *Blueprint* is aimed at providing equitable access to an excellent moving image education for all New York City students, it follows that teachers in theater, visual arts, technology, and in other subjects can work together to help make this a reality. There are already many exemplary models of how teachers can infuse the study of the moving image into their general classroom work; many through partnerships with cultural institutions and others through school-based efforts. Successful collaborations generally involve interdisciplinary education and may take the following forms:

- Parallel Instruction: Teachers agree to focus on a common topic or theme but work on them separately.\*

**Example:** An elementary classroom teacher teaching science and the media teacher agree to examine the five senses in both their classrooms. Students are able to draw connections between these parallel experiences to reinforce learning in both science and the moving image.

- Cross-Disciplinary Instruction: Teachers agree to focus on a common theme, concept, or problem. They plan together and often engage in team teaching.

**Example:** A media arts teacher, a literature teacher and a social studies teacher at the middle school level work together to plan a unit of study focusing on *The Crucible* by Arthur Miller or *The Member of the Wedding* by Carson McCullers, both of which explore issues of power and the interplay of American young women with adults. Students can videotape other students acting out these scenes or write scripts portraying a contemporary example of the themes in these plays. These collaborative experiences deepen students' understanding of the content areas and increase their knowledge and skill in moving image education.

- Infusion: Teachers focus on the strong relationships among disciplines and commit to a deep and fruitful collaboration.

**Example:** Media arts teachers and history teachers on the high school level plan a seminar involving both their disciplines. They focus on global studies and primary-source readings from the particular culture. Students develop scripts or scenarios about how and why these documents were written. Students can draw shared meaning from both disciplines.

In the *Blueprint*, the Making Connections strand of instruction suggests how moving image teachers can connect their work to other disciplines. Similarly, teachers of other subject areas can draw on the power of the moving image to help their students delve deeper into the topics they study. General classroom teachers may be especially interested in this section. The *Blueprint* does not include examples of how themes or concepts from other disciplines might initiate joint projects, because its purpose is to demonstrate the power of what happens in the moving image classroom. However, joint planning at the school level will generate many examples of how moving image teachers and teachers from other subject areas can help create healthy, rich learning environments for their students. This *Blueprint* has been designed to encourage such collaborative endeavors in schools.

\**Authentic Connections: Interdisciplinary Work in the Arts*, The Consortium of National Arts Education Associations (AATE, MENC, NAEA, NDEO), 2002



## FILM/Strand 1: Making Moving Images

### Pre-Production

*Students participate in activities to develop the skills needed in pre-production and planning for a film project.*

#### Pre-Production Indicators

- Students understand and can articulate that the process of filmmaking has identifiable phases, beginning with the basic elements of pre-production (i.e., research and planning).
- Students understand that filmmaking is a collaborative endeavor in which everyone does a different job and can identify the roles of:
  - » director
  - » actor
  - » cinematographer/cameraperson
- Students understand that there are different kinds of films, including:
  - » **narrative**
  - » **documentary**
  - » **experimental**

#### Pre-Production Activities

- Students identify and discuss topics that they would like to see explored in a *documentary* (non-fiction) film. Students repeat this activity with a *narrative* (fiction) film.

**A film comprises many still images that, when played quickly and sequentially, depict moving images. Thus, still images are the building blocks of the moving image.**

#### Definitions:

##### **Narrative (fiction):**

A film structured to follow a storyline, generally with a beginning, middle, and end.

##### **Documentary (non-fiction):**

A film documenting real-life events.

##### **Experimental:**

A range of filmmaking styles that are generally quite different from, and often opposed to, the practices of mainstream commercial and documentary filmmaking. Often characterized by the absence of linear narrative, the use of various abstracting techniques (out of focus, painting or scratching on film, rapid editing), the use of asynchronous (non-diegetic) sound or even the absence of any sound track.

## FILM/Strand 1: Making Moving Images

### Production

*Through hands-on work and demonstration, students learn the basic aspects of filmmaking, including storytelling, sound, and construction of basic shots and setup.*

#### Production Indicators

#### **FOCUS ON STORYTELLING: At this level in a student's film study, narrative film is best explored as visual storytelling.**

- Students are able to identify the basic elements of visual storytelling, such as:
  - » sound
  - » movement
  - » lighting
  - » color
- Students demonstrate respectful behavior as storytellers and listeners.
- Students are able to identify the key elements of a story and apply them to an actual event to form the basis for a film.

#### Activities

- Students create three sequential drawings that tell a simple visual story.
- Students act out scenes that are photographed, and then explore how a series of photographs tells the story.
- Students collaborate to invent a simple story that can be told visually.
- Students discuss a common experience and identify the key visual elements of the story.
- Students create a faux movie set in the classroom with a director, actors, producer, and camera crew.
- Students write a story and have classmates act out roles they would like to see in their story.

#### Production Indicators

#### **For students creating documentary films:**

- Students are able to formulate and ask questions for interviews with documentary subjects that will help create a non-fiction story.

#### Production Indicators

#### **FOCUS ON TECHNICAL FILMMAKING:**

- Students are able to identify the basic tools that are used to make a film and begin to experiment with them, learning how they can be used creatively to produce different effects:
  - » camera
  - » light
  - » microphone
  - » computer
- Students are able to identify and explore the roles of crew members on a movie set in order to gain a better understanding of how a film set works and the jobs involved.
- Students are able to demonstrate the proper care and maintenance of classroom and equipment.
- Students are able to experiment with basic camera, sound, and lighting equipment.

“One of the great things about being a director as a life choice is that it can never be mastered. Every story is its own kind of expedition, with its own set of challenges.”

Ron Howard

## FILM/Strand 1: Making Moving Images

### Production *continued*

#### Production Indicators

- Students are able to identify and understand basic documentary and narrative film techniques/conventions, including:
  - » shots
  - » interview styles
  - » voice-over
  - » music
  - » light

#### Production Indicators

#### FOCUS ON DIRECTING:

- Students are able with teacher support to direct other students as they act out their stories.
- Students demonstrate respect for and attention to the ideas of their peers during the collaborative filmmaking process.
- Students demonstrate an emergent understanding of their subjects' relationship to the camera by positioning interview subjects and interviewers on a faux documentary set.
- Students are able to use basic interview etiquette and ask relevant questions clearly and respectfully.
- Students demonstrate an emergent personal point of view or perspective through the use of imagery, sound, color, and movement.
- Students are able to share their ideas with other students and describe their interest in particular kinds of images.
- Students demonstrate respect and attentiveness to the ideas of their peers when working collaboratively.

#### Post-Production

*Students understand the basic premise of post-production and its importance in telling a coherent story.*

#### Indicators

- Students are able to identify ways that they would improve the footage they shot if they had the time and resources.

#### Activities

- Students create a sequential order of images when presented with still a series of related photographs, the building blocks of footage.
- Students are able to review footage and, based on supporting evidence, articulate what they like and don't like about what their group shot.

“A film is—or should be—more like music than like fiction. It should be a progression of moods and feelings. The theme, what's behind the emotion, the meaning—all that comes later.”

Stanley Kubrick

## FILM/Strand 2: Literacy

### Vocabulary/Film Concepts:

*Early elementary students understand that films are made up of moving images that tell stories.*

#### Indicators

- Students understand and can articulate that light and movement form the foundation of film.
- Students are able to identify the basic components of a film—music, sound, and image—and learn the associated vocabulary, such as:
  - » script
  - » camera
  - » set
  - » cast
  - » crew
- Students understand and can explain film's relationship to photography.

#### Activities

- Students see a series of photographs (or film stills), then see them in motion to illustrate the concept of moving images being a series of still ones (i.e., a flipbook).
- Students study a strip of physical 35mm film, seeing the different pictures or frames that make up a film. (Note: Strips of used film stock can often be obtained free or cheaply from film companies like Kodak or Panavision.)

### Critical Viewing/Analysis:

*Early elementary school students are beginning to develop critical viewing skills and can verbally articulate their emotions and impressions when watching and reacting to a film.*

#### Indicators

- Students are able to identify their preferences in films (e.g., funny films, cartoons, narrative films).
- Students are able to identify the emotions they feel when watching different types of movies.
- Students are able to identify basic types of films, such as:
  - » narrative
  - » documentary
  - » experimental
- Students are able to categorize different genres as opposed to larger types (e.g., narrative or documentary) of films such as:
  - » comedy
  - » drama
  - » action/thriller
  - » comedy
  - » drama
  - » animation
  - » musical
- Students understand and can explain that some films depict fictional characters and others document real life.
- Students are able to differentiate between non-linear/non-traditional filmmaking from films with a chronological beginning/middle/end structure.

#### Activities

- Students watch the same clip from a movie three different times—once with scary music, once with romantic music, once with sad music—and discuss and articulate the differences. Teachers can find and select films from various resources, including TeacherTube, local or online video stores, or a public library.
- Create film genre flashcards in class and have students name and discuss common elements of the film genre flashcard that they draw (e.g., musical, comedy, animation, drama).
- Students watch a clip from a film like *Mary Poppins*, which uses live-action as well as animation, and discuss the differences. Why do you think the filmmaker chose to use both live-action and animation? How does this change the way we watch or understand the story?



## FILM/Strand 2: Literacy

### Film History: Putting film in context

*Early elementary school students understand that there are different films from different time periods in history.*

#### Indicators

- Students understand that filmmaking is a ever-changing medium by watching both older films and contemporary films and identifying the differences between them.



#### Activities

- Students watch clips of black-and-white movies, then color movies, and discuss how the change impacted the possibilities of film production.
- Students watch and discuss the moment in *The Wizard of Oz* that changes from black and white to color: How did this change make them feel? What emotions did the black-and-white Kansas scenes create?
- Students watch clips and discuss the differences and similarities between silent movies and sound movies.
- Students watch a clip from *Singing in the Rain* or *The Wizard of Oz* that makes creative use of new sound or film technology and discuss why these moments are important in film and technology. What did the advent of sound and color allow filmmakers to do? How did this affect their ability to tell a story? (DVDs of films can be found at local or online video stores, or at the public library.)



“I think it is very important that films make people look at what they’ve forgotten.”

Spike Lee

## FILM/Strand 3: Making Connections

*Students understand that film can be used in a variety of contexts—cultural, personal, historical, technological—and connects to learning in other content areas.*

### Indicators

#### Connections to Self:

- Students are able to identify and articulate ideas and personal traits they have in common with individuals and characters that they see on screen.
- Students are able to identify films that depict their own city and neighborhood (e.g., *Muppets Take Manhattan*, *Mad Hot Ballroom*, *City Lights*).

### Activities

- Students watch a film that depicts a person of their age (e.g., *Because of Winn-Dixie* or *The Red Balloon*) and then fill in a Venn diagram, indicating the similarities and differences between themselves and the film character (e.g., age, time period, neighborhood, family life).
- Students watch a film that depicts their neighborhood, focusing on the sounds they hear and then comparing them with sounds found in a film that depicts a different neighborhood. What do we learn about what sounds tell us about a place? Or: How do filmmakers use sound to tell us about a place?

### Indicators

#### Connections to Science/Math:

- Students understand that a film is both artistic and scientific, and that films are created with the assistance of science and technology.

### Activities

- Students take an old video or film camera (e.g., an old Bolex camera) apart and look at its parts.
- Students create a pinhole camera to better understand how images are produced and how light is related to filmic images.
- Students visit a film processing lab like Panavision, Kodak, or Technicolor to see how film goes from camera to screen.
- Students create flipbooks to better understand a moving picture or film is a series of many still images.



## FILM/Strand 3: Making Connections

Connections *continued*

### Indicators

#### Connections to the Social Sciences:

- Students understand that film may capture or interpret current or historical events.
- Students are able to recognize the connection between the content of documentary films and the content of their history books and social studies units.
- Students understand that films are sources of knowledge that provide opportunities for learning. (e.g., *Sesame Street* helping children learn to read).

### Activities

- Students list their favorite film and describe three things that can be learned from watching it.
- Students are shown footage of a particular historic event such as a presidential inauguration. They will watch footage of a more recent inauguration (e.g., Barack Obama) as well as footage of one from the past (e.g., Franklin D. Roosevelt), and compare and contrast the two events. Even though both are depicting a similar event, in what ways do they tell a different story? How are they different? How are they similar?

### Indicators

#### Connections to the Arts:

- Students understand that film may be composed of or connected to a variety of art forms—music, dance, visual arts, theater, poetry, or creative writing.
  - » **Dance:** Dance is used in musicals so that actors can use their bodies to express ideas and emotions in ways that are not possible in a drama.
  - » **Music:** Films utilize music to help you understand what is happening or what might happen, and what you should think or feel about the story as it unfolds.
  - » **Theater:** Many early films were essentially “filmed theater” before filmmakers started using different angles to convey ideas, information and feelings (e.g., close-ups and long-range shots).
  - » **Visual Arts:** Elements of art (composition, color, form, line, and texture) are important to the effectiveness of the image created on the screen.
  - » **Creative Writing:** Sometimes major films are based on short stories similar to the ones students read in the classroom.

### Activities

- Have students watch a film (or film clip) and have a discussion about the art forms present within the film (e.g., color palette, composition of images on the screen, costume design, music, setting).
- Students watch a live theatrical production and then see a film adaptation of it (e.g., *Mary Poppins*) and compare and contrast the experiences in order to develop an understanding of the differences between mediums.
- Students read and examine original scripts for films in order to understand how they are constructed and how much writing goes into each film.



## FILM/Strand 4: Community and Cultural Resources

*Students visit various New York City film institutions helping them appreciate New York City as a filmmaking and film-viewing capital*

### Indicators

- Students understand that film can play an educational and instructional role both in school and in outside settings.
- Students explore film organizations through classroom residencies and field trips aligned with the film curriculum.

### Activities

- Students view films that are educational in nature and, when possible, in educational settings such as the American Museum of Natural History, Museum of the Moving Image, or other cultural institutions.
- Students participate in storytelling residencies and story development with cultural partners and professional storytellers to promote their understanding of narrative filmmaking.
- Students interact and participate with teaching artists in long- and short-term media residencies to advance their understanding of documentary filmmaking.





## FILM/Strand 5: Careers and Lifelong Learning

*Students gain the basic skills needed to be a good audience member.*

### Indicators

- Students are able to understand and articulate the role of the audience and the experience of filmgoing.
- Students demonstrate the skills needed for being good audience members: focused listening, participation in discussions, and proper audience conduct, including sitting still, not talking to neighbors, etc.

### Activities

- Students visit various movie theaters or watch films in their classrooms demonstrating appropriate audience protocol—being sure to focus on the film and remain quiet in the theater.
- Students participate in a mock Q&A after watching a film to practice discussing films and interacting with filmmakers.

*Students understand and appreciate that many people come together and work collaboratively to create a film.*

### Indicators

- Students are able to demonstrate a basic understanding of the different roles that people serve on a film, and can articulate the skills these roles require. Such roles include:
  - » producer
  - » director
  - » assistant director
  - » screenwriter
  - » set designer
  - » lighting designer
  - » costume designer
  - » make-up artist

### Activities

- Students form their own “film crew” and jointly decide who would like to fill each position. They justify their choices with specific reasons for each.
- Students participate in interactive workshops (e.g., at a local film studio like Silvercup Studios) where they can listen to different film professionals speak about what they do for a living.



# The California Physical Fitness Test and FITNESSGRAM®

The Physical Fitness Test (PFT) is part of the state testing program. California has chosen the FITNESSGRAM® as the annual PFT for students in public schools.

The FITNESSGRAM® is a comprehensive health-related fitness test developed by The Cooper Institute.



## Physical Fitness Test and FITNESSGRAM®

### WHO

All students in grades five, seven, and nine are tested.

### WHEN

The PFT is administered between February 1 and May 31. You will receive additional information from your school about the specific dates and times of testing.

### WHAT

The FITNESSGRAM® has six fitness areas:

- Aerobic Capacity
- Body Composition
- Abdominal Strength and Endurance
- Trunk Extensor Strength and Flexibility
- Upper Body Strength and Endurance
- Flexibility

### HOW

The PFT can be given to students over multiple days. Students will participate in each of the six fitness areas and will get a score in the Healthy Fitness Zone (HFZ) or in the Needs Improvement area.

#### **Do students with disabilities take the PFT?**

Yes. Most of the fitness areas of the FITNESSGRAM® have two or three test options so all students, including those with special needs, have the chance to participate in the PFT. Students are to be given as much of the test as their condition will permit.

### WHY

FITNESSGRAM® results are one measure of information students and their families may use, along with other information, to monitor overall fitness.

Schools may also use these results for the purpose of evaluating their physical education program.

## What test options are available for the PFT?

### Aerobic Capacity

- One-Mile Run
- PACER
- Walk Test

### Body Composition

- Skinfold Measurements
- Bioelectric Impedance Analyzer
- Body Mass Index

### Abdominal Strength and Endurance

- Curl-Up

### Trunk Extensor Strength and Flexibility

- Trunk Lift

### Upper Body Strength and Endurance

- Push-Up
- Modified Pull-Up
- Flexed-Arm Hang

### Flexibility

- Back-Saver Sit and Reach
- Shoulder Stretch

## How can I help my child prepare for the test?

You are an important part of your child's education. Some things you can do to help your child are:

- Discuss the test with your child. Make sure your child is not scared or anxious.
- Tell your child that you and the teacher have high expectations and are there to help, every step of the way.
- Make sure your child engages in 60 minutes of activity every day.
- Make sure your child gets a good night's sleep and a nutritious breakfast before testing.
- Review test results and help your child plan fitness activities to meet fitness goals.



## Additional Information

More information about the PFT can be found on the California Department of Education PFT Web page at <https://www.cde.ca.gov/ta/tg/pf/>.

For more information about your child's scores, contact your child's teacher and/or the school office.



# CALIFORNIA

## Physical Fitness Test

### Parent and Guardian Guide to the Physical Fitness Test and Family Fitness

#### Background

California *Education Code* Section 60800 requires each school district in California to administer a physical fitness test annually to all students in grades five, seven, and nine. The State Board of Education designated the *FITNESSGRAM*<sup>®</sup> as the required Physical Fitness Test (PFT) to be administered to California students.

#### Goal of *FITNESSGRAM*<sup>®</sup>

The primary goal of the *FITNESSGRAM*<sup>®</sup> is to help students establish physical activity as part of their daily lives. *FITNESSGRAM*<sup>®</sup> provides a number of options for each fitness area so that all students, including students with disabilities, have the maximum opportunity to participate in these tests.

The *FITNESSGRAM*<sup>®</sup> tests the following six fitness areas. Most of these areas have several options.

#### Aerobic Capacity

- PACER (Progressive Aerobic Cardiovascular Endurance Run)
- One-Mile Run
- Walk Test (only for ages thirteen or older)

#### Body Composition

- Skinfold Measurements
- Bioelectric Impedance Analyzer
- Body Mass Index

#### Abdominal Strength & Endurance

- Curl-Up

#### Trunk Extensor Strength & Flexibility

- Trunk Lift

#### Upper Body Strength & Endurance

- Push-Up
- Modified Pull-Up
- Flexed-Arm Hang

#### Flexibility

- Back-Saver Sit and Reach
- Shoulder Stretch

#### Healthy Fitness Zones

The PFT uses objective criteria to evaluate fitness performance. Two levels of performance have been established for each test option: (1) in the Healthy Fitness Zone and (2) needs improvement (not in the Healthy Fitness Zone). The desired performance goal for each test option is the Healthy Fitness Zone. This zone represents a level of fitness that offers some degree of protection against diseases resulting from physical inactivity. The *FITNESSGRAM*<sup>®</sup> Healthy Fitness Zones, which have been established according to gender and age, can be found on the California Department of Education (CDE) PFT Web page at <http://www.cde.ca.gov/ta/tg/pf/>.

## **2008–09 PFT Results**

The PFT results are reported for individual students and for each major subgroup of students (i.e., grade, gender, and ethnicity). Data are reported by the percentage of students who are in the Healthy Fitness Zone and those who are not in the Healthy Fitness Zone.

In 2008-09, the percentages of students who were in the Healthy Fitness Zone across grades five, seven, and nine were as follows: Aerobic Capacity, 63-66 percent; Body Composition, 68-70 percent; Abdominal Strength, 80-86 percent; Trunk Extensor Strength, 88-91 percent; Upper Body Strength, 70-77 percent; and Flexibility, 71-81.

The goal of the PFT is for students to attain the Healthy Fitness Zone for all six of the fitness areas tested. In 2008-09, approximately 29 percent of students in grade five, 34 percent of students in grade seven, and 38 percent of students in grade nine met the Healthy Fitness Zone for all six fitness areas tested.

## **Family Fitness Tips**

There is no question that exercise is good and that people can benefit from physical activity early on. There are many things you can do to help your child become more active.

- Be a positive role model by exercising regularly on your own or with your child.
- Encourage and support your child's participation in a variety of physical activities.
- Participate together in family fitness activities such as bicycling, jogging, walking, roller-skating, swimming, dancing, hiking, and/or cross-country skiing.
- Become familiar with resources in your community for promoting physical activity and fitness.

For additional information on how to help your child become more active, visit the following Web pages (Outside Sources):

- <http://shapeup.org/publications/99.tips.for.family.fitness.fun/>
- <http://www.americanheart.org/presenter.jhtml?identifier=3028660>
- [http://kidshealth.org/parent/nutrition\\_fit/index.html](http://kidshealth.org/parent/nutrition_fit/index.html)
- <http://www.aahperd.org/naspe/>
- <http://www.cdc.gov/healthyyouth/physicalactivity/guidelines.htm>
- <http://exercise.about.com/od/weightloss/gr/fitfamily.htm>

## Questions and Answers

### **Why is physical fitness important?**

Physical fitness has been shown to help children handle stress and control weight; build and maintain healthy bones, muscles, and joints; increase self-esteem and the capacity for learning; and strengthen peer relationships.

### **When is the PFT given?**

The PFT is administered annually to all students in grades five, seven, and nine between February 1 and May 31.

### **What is done to assist students with disabilities on the PFT?**

Certain variations or accommodations may be provided for students with disabilities who need special assistance on the PFT. Variations or accommodations should be specified in the student's individualized education program (IEP) or Section 504 plan. *Matrix 1. Matrix of Test Variations, Accommodations, and Modifications for Administration of California Statewide Assessments* provides a list of the types of variations and accommodations that are available for the PFT. This matrix is posted on the CDE Student Testing Web page at <http://www.cde.ca.gov/ta/tg/sa/>.

### **How can parents and guardians best prepare their children for the PFT?**

To help their children prepare for the PFT, parents and guardians can be positive role models and encourage family physical activities. See the Family Fitness Tips in this brochure for more details.

### **When can parents and guardians expect to receive their children's PFT results?**

Students who participate in the PFT will be provided with their individual results upon completing the PFT. School districts may choose to mail each student's PFT results to parents and guardians.

### **How do school districts and schools use the PFT results?**

PFT results are designed to be used in several ways. Schools can use the results to determine the fitness levels of their students and provide direction for physical education programs. Students also can be encouraged to use the results to develop a personal fitness program of maintenance or improvement. Parents and guardians can use the results to help their children plan fitness activities that meet their individual needs. School districts and schools should also use the results to monitor the fitness status of students in grades five, seven, and nine.

Additional information about the California PFT is available on the CDE PFT Web page at <http://www.cde.ca.gov/ta/tg/pf/>. Additional information about the *FITNESSGRAM*<sup>®</sup> is available on the Human Kinetics Web site at <http://www.fitnessgram.net/home/> (Outside Source).

The photos in this brochure were produced by the California Department of Education with permission from Human Kinetics, publisher of the *FITNESSGRAM*<sup>®</sup>. These photos are intended for the sole educational use of California physical education teachers and administrators. No other use is allowed without the express written consent of Human Kinetics. For more information about the *FITNESSGRAM*<sup>®</sup>, including the philosophy and administration of the fitness area tests, please contact Human Kinetics via the Web site at <http://www.fitnessgram.net/home/> (Outside Source).

# Do-It-Yourself Neighborhood Dinners



The Family Dinner Project has been hosting community dinners at schools, community centers, and church halls for several years now. Families come together to cook, eat, play, talk and learn how to make family dinners a more consistent and meaningful part of their lives.

Someone always asks, “What’s next? Can we do this at our home, in our neighborhood?” The answer is yes, that is exactly what we want families to do—come together to support each other in this commitment and to make it fun and meaningful. Creating new habits is much easier when you have a community of friends all trying to do the same in their own homes.

We think of ourselves as a grassroots movement and we want the movement to spread house to house, community to community. We hope this Do-it-Yourself Community Dinner Guide helps make your home a hub of family dinner for your friends, and makes family dinners a cornerstone of your community.

## The Way This Works

The way this works is pretty simple:

- Find two other families with whom you would like to share some time, food and wisdom.
- Plan three dinners—one at each family’s house or, if space is an issue, the same house over the course of 4-6 weeks.
- Follow the program laid out here for each dinner, feeling free to modify it to your tastes, priorities and resources.
- Sign up for *Food, Fun and Conversation: 4 Weeks to Better Family Dinners* so that you can practice these ideas in your own home and make this a part of your family’s routine.
- Take photos, shoot video, gather stories, recipes and games from your house parties and send them along to FDP to post on the FDP Community Scrapbook.
- Have fun!

## What is in this Guide?

This guide addresses everything you need to host a dinner in your home in The Family Dinner Project way. What exactly does that mean? Well, here are the essentials:

## Essentials

We've boiled down all the parts to 5 essentials. Everything else is just icing on the cake!



We also have:

- proposed agendas for each night with possible menu ideas, games to play and things to talk about,
- a sample invitation,
- guidelines for sending us your pictures and stories,
- and feedback instructions so you can share how it went.

The most important thing to us is that you have fun, learn some new things that support your family, and build community. Here's to Food, Fun & Conversation!

--The Family Dinner Project



# DINNER AGENDAS

These little lists contain our suggestions for your dinner party. Check out recipes and descriptions in the Appendix. Of course, since this is YOUR party, you can modify however suits you!

## Dinner 1

**Theme:** Coming together

**Icebreaker:** What is your favorite family meal memory?

**Appetizer:** Make guacamole together, serve with chips.

**Dinner Prep:** Fajitas

**Toast:** Name one thing you are thankful for.

**Game:** Would You Rather...?  
Where in the World?

**Conversation:** Rose and Thorn

**Dessert:** Make chocolate pudding together.

**Coming together:** What are your goals for family dinners?

## Dinner 2

**Theme:** Trading secrets, sharing challenges

**Icebreaker:** Bring a recipe to swap with the other families.

**Appetizer:** Make veggie kabobs and dip together.

**Dinner Prep:** Pizza

**Toast:** Name one thing you are excited for this week.

**Game:** "Find Somebody Who..." Scavenger Hunt  
ABC Game

**Conversation:** Two Truths and a Tall Tale

**Dessert:** Make fruit and yogurt parfaits together.

**Trading secrets, sharing challenges:** What did you learn this week? What is getting in the way?

## Dinner 3

**Theme:** Celebrating your community

**Icebreaker:** Share an ingredient you love.

**Appetizer:** Assemble cheese and cracker masterpieces.

**Dinner Prep:** Everyone bring a soup or salad to share.  
Make salad dressing together.

**Toast:** What was your favorite memory from the neighborhood dinners or the four-week program?

**Game:** Higglety Pigglety  
Soup and salad tasting competition

**Conversation:** Dilemmas  
Imagination Conversation Starters

**Dessert:** Make ice cream sundaes together.

**Celebrating your community:** What's next?

# APPENDIX

Within the Appendix, you'll find a number of resources to help you put on your DIY Neighborhood Dinners.

Just like the agendas, the suggested resources are color coded: **Green** for Dinner 1, **Red** for Dinner 2 and **Orange** for Dinner 3.

We've covered all the bases from the Essentials listed on page 2, with a few extras and favorites thrown in for good measure. You can also find loads more games, recipes and conversation starters on our website, [www.TheFamilyDinnerProject.org](http://www.TheFamilyDinnerProject.org)

Of course, this is all about you. Whatever works best for you, go for it. And let us know how it goes! There is a special contact form on the last page of this packet that will give you all the details about submitting to our Online Scrapbook.

## Guacamole

**Prep Time:** 10 minutes

**Ingredients:**

3 Avocados, peeled, pitted & mashed  
1 Lime, juiced  
1 tsp. Salt  
½ cup Diced Onion  
3 Tblsp. Chopped Fresh Cilantro  
2 Roma or Plum Tomatoes, diced  
1 tsp. Minced Garlic  
1 pinch Ground Cayenne Pepper (optional)

**Instructions:**

In a medium bowl, combine and mash avocados, lime juice and salt. Mix in onion, cilantro, tomatoes and garlic. Stir in cayenne pepper, if using. Enjoy!

# APPETIZER RECIPES

Gather 'round, because these delicious dishes are designed to be made by large groups of people.

## Veggie Kabobs

**Prep Time:** 5-10 minutes

**Ingredients:** *(you can vary this, of course, to your liking)*

Cherry tomatoes	Sugar snap peas
Cucumbers	Cheese cubes
Olives	Salami cubes
Red/yellow/orange peppers	Cauliflower

**Instructions:**

This is a simple item for parents and kids to make together. First, make sure you have grilling skewers. Your kids, if old enough and with appropriate supervision, can cut the vegetables into cubes or disks. Only the cherry tomatoes should be served whole. Kids can also carefully (and again, with the close supervision of an adult for young children) place items on the skewers while mixing and matching colors to create a rainbow.

Finally, serve with hummus, ranch dressing, or all by themselves. Voila! You're done.

## Salad Dressing

**Prep Time:** 5-10 minutes

**Ingredients:**

**Basic Vinaigrette**  
1 cup Olive Oil  
¼ cup White Vinegar  
1 tsp. Garlic Powder  
1 tsp. Onion Powder  
1 tsp. Salt  
½ tsp. Black Pepper

**Dijon Dressing**

1 cup Vegetable Oil  
½ cup Cider Vinegar  
¾ tsp. Salt  
1 Tblsp. Dijon Mustard  
1 Tblsp. Grated Onion  
1 Tblsp. Sugar

**Instructions:**

Choose one, or all of the recipes! Put the ingredients in a medium bowl and whisk until combined. Serve immediately, or store in the refrigerator.

## Ranch Dressing

1 cup Mayonnaise  
¼ cup Buttermilk  
1 tsp. White Vinegar  
1 Garlic Clove, minced  
1 tsp. Fresh Dill, minced  
1/8 tsp. Sugar  
1/8 tsp. Salt  
1/8 tsp. Black Pepper

## Fajitas

**Prep Time:** 20 minutes

**Ingredients:** (serves 12)  
24 (8-inch) flour tortillas  
Vegetable oil  
3 Red Onions, thickly sliced  
6 Bell Peppers (red or green), seeded and sliced into strips  
1 Tbsp. Minced Garlic  
3 Yellow Squash, halved and sliced into strips  
1.5 cups salsa  
1 Tbsp. Cumin, ground  
1.5 tsp. Salt  
3 cups Shredded Cheese  
¾ cup Fresh Cilantro, chopped

### Instructions:

Wrap the tortillas in foil and heat them in a 350 degree oven for about 15 mins. Heat a large skillet over medium-high heat. Add onions, peppers and garlic, stir to coat with oil. Cover, reduce heat to medium and cook for 5 mins. Stir in salsa, cumin and salt. Cover and cook for 5 more mins. Spoon vegetable mixture evenly down the centers of tortillas and sprinkle with cheese and cilantro. Roll up tortillas, and serve.

# DINNER RECIPES

Ask each guest to bring a veggie or a topping for Weeks 1 and 2, then have a potluck-style soup and salad night to finish the series!

## Pizza

**Prep Time:** 10-15 minutes

**Ingredients:** (serves 12)  
4 (12-inch) Pre-Made Pizza Crusts  
2 cups Marinara Sauce (1/2 cup per pizza)  
2 cups Part-Skim Mozzarella, shredded (1/2 cup per pizza)  
1 cup Parmesan Cheese (1/4 cup per pizza)

Other toppings (assume about ½ cup per pizza): Pepperoni, Peppers, Mushrooms, Olives, Pineapple, Broccoli

### Instructions:

Preheat your oven to 450 degrees. Spread sauce onto your crust, then sprinkle cheese on top. Add whatever other toppings you like. Finish it off with a sprinkling of Parmesan, then bake until cheese is bubbly, about 10 minutes.

## Soup or Salad

This week, challenge your guests to bring their favorite soup or salad to dinner!

If you're up to it, you can even set up a "taste test" and have each guest vote for his or her favorite soup or salad.

### Some Soup Ideas:

Black Bean Soup  
Lentil Soup  
Chicken Noodle Soup  
Tomato Soup

### Some Salad Ideas:

Cobb Salad  
Spinach Salad  
Chicken Salad  
Egg Salad  
Potato Salad  
Coleslaw

These recipes all go really well with bread or rolls!

## Chocolate Pudding with Homemade Whipped Cream

**Prep Time:** 5-10 minutes

**Ingredients:**

Instant Pudding, prepared according to directions  
Whipping Cream  
Confectioner's sugar, to taste

**Instructions:**

Grab a shaker with a metal agitator ball—or a tightly lidded plastic container—fill it halfway with whipping cream and shake, shake, shake! Once the cream has reached whipped cream consistency, shake in 1 tablespoon of confectioner's sugar at a time, until it tastes just right. Dollop on top of the chocolate pudding or fruit and enjoy!

# DESSERT RECIPES

What's dinner without dessert?  
You might have your favorites  
(that's great! Send us the recipe!)  
but here are some of ours!

## Fruit and Yogurt Parfaits

**Prep Time:** 10 minutes

**Ingredients:**

Non-fat or Low-fat Vanilla Yogurt  
Granola  
Fresh or Frozen Berries (Strawberries, Blueberries, Raspberries and Blackberries all work—or a combination!)  
Honey (optional)

**Instructions:**

In small bowls or cups, layer yogurt, fruit and granola. Drizzle the top with honey, if desired. Easy peasy!

## Ice Cream Sundaes

**Prep Time:** 5-10 minutes

**Ingredients:**

Ice cream

**Some Topping Ideas:**

Chocolate Sauce or Hot Fudge  
Caramel or Peanut Butter Sauce  
Maraschino Cherries  
Sprinkles  
Cookie Crumbles  
Whipped Cream  
Gummy Candies  
Chocolate Chips

**Instructions:**

You probably know the drill. Grab a bowl or cup, scoop in some ice cream and top with anything that suits your fancy! If you want, you could make homemade whipped cream like you did at the first dinner!

# GAMES AND ACTIVITIES

**“Would You Rather...?”:** Take turns asking “Would you rather...?” questions. Once you play a few rounds, you can start making up your own as a family! A few ideas to start:

- ... own your own boat or your own plane?
- ...speak every language in the world or play every instrument?
- ... live in the future or in the past?
- ... be the best player on a losing team or the worst player on a winning team?
- ...live in the city or the country?
- ... walk the Great Wall of China or Amazon River?
- ... live without a telephone or a television?
- ...meet the president of the United States or your favorite movie star?
- ...be invisible or able to fly?
- ... sweat melted cheese or always smell skunk?
- ... be able to swim like a dolphin or run as fast as a cheetah?
- ...live in space or under the sea?
- ...have feet for hands or have hands for feet?
- ...have a head twice as big or half as small?
- ...be totally covered in hair head to toe, or be completely bald?
- ...shoot spaghetti out of your fingers or sneeze meatballs?
- ...always have to enter rooms backwards or always have to somersault out?
- ...always have the same song stuck in your head or always have the same dream at night?
- ...have a unicorn horn or a squirrel tail?

**“Where in the World?”:** Imagine everyone at the table has the gift of teleportation, but it only lasts for 24 hours. Where in the world would you go? Would you bring anyone with you? How long would you stay? What would you do there?

**ABC Game:** One family member starts the game by naming a **fruit or vegetable** that starts with the letter “A.” Then the next person names a person/thing that starts with the letter “B,” the next person finds something for the letter “C,” and so on.

Make it *extra challenging* by having each person first name all the fruits and veggies that came before. For example, if you’re up to C: “apple, banana, clementine” instead of just “clementine.” This may sound simple at first, but wait until you get to X, Y, and Z!

**Find Somebody Who...:** Print out a copy of the worksheet for every person at your dinner party. Whoever completes the sheet first (with as many different signatures as possible) gets first pick at dessert!

...likes to bake  _____	...ate a banana today  _____	...is a picky eater  _____
...has a secret family recipe  _____	...cooks for the family  _____	...likes to wash dishes  _____
...enjoys the grocery store  _____	...owns a rice cooker  _____	...has a weird favorite food  _____
...goes to the Farmer's Market  _____	...knows a lot about food from another culture  _____	...eats dinner with his/her family regularly  _____

**Higglety Pigglety:** One person thinks of a rhyming pair of words, like Funny Bunny. Then the person gives clues which are synonyms for the two words- hilarious furry mammal. Additionally, the person clues everyone in to how many syllables each word is by using the phrases “higglety pigglety” (for 3 syllable words), “higgy piggy” (for 2 syllable words), or “hig pig” (for 1 syllable words). For example, Funny Bunny is a “higgy piggy,” but Old Mold is a “hig pig.” Everyone tries to guess. Whoever gets it first thinks of the next one.

We know it can be difficult to come up with rhyming words, so here are a few of our favorites:

#### One syllable - Hig Pig

- |                |  |
|----------------|--|
| • Fun run      | Entertaining exercise                        |
| • Chip clip    | Fastener for a bag of snacks                 |
| • Blue’s clues | Hints from a colored dog                     |
| • Big dig      | Large excavation                             |
| • Small wall   | Tiny room dividers                           |
| • Bug mug      | An insect’s cup                              |
| • Long song    | Lengthy piece of music                       |
| • Lame game    | Boring activity                              |
| • Mouse house  | Home for a small rodent                      |
| • Goat boat    | Water transportation for a furry farm animal |
| • Stale mail   | Old, hard letters                            |
| • Cool tool    | Groovy device                                |

#### Two syllables - Higgy Piggy

- |                     |   |
|---------------------|---|
| • Lucky Ducky       | Fortunate water bird                    |
| • Yellow Jell-O     | Jiggly dessert the color of the sun     |
| • Stinky pinky      | Smelly small finger                     |
| • Ready Steady      | Prepared and not wobbly                 |
| • Hairy fairy       | Furry flying magical creature           |
| • Honey Bunny       | Sweet furry mammal                      |
| • Pencil stencil    | Erasable writing utensil guide/template |
| • Yummy mummy       | Delicious Egyptian corpse               |
| • Awful waffle      | Horrible breakfast food                 |
| • Orange door hinge | Fruity entrance pivot                   |

#### Three Syllables - Higglety Pigglety

- |                      |                                     |
|----------------------|-------------------------------------|
| • Ignorant elephant  | Unaware large mammal with long nose |
| • Confetti spaghetti | Festive pasta                       |
| • Potato tornado     | Strong spud windstorm               |
| • Icicle bicycle     | Frozen transportation               |
| • Karate biscotti    | Fighting Italian dessert            |

For more games and activities, check out [thefamilydinnerproject.org/fun](http://thefamilydinnerproject.org/fun)



# CONVERSATION

**Rose and Thorn:** Ask everyone at the table to think about the “rose” (the best part) and the “thorn” (the most difficult part) of their days. Take turns sharing them with one another. This can be a great way to help kids open up about their day.

**Two Truths and a Tall Tale:** Have each family member think of two true facts about themselves, and one made-up fact (a “tall tale”). Go around the table and share your three items. The other family members have to guess which one isn’t true!

**Dilemmas:** Read each dilemma aloud and ask your kids if they think it's fair or not fair. If they say fair, they'll give a thumb's up and explain why. If they say not fair, they'll give a thumb's down and explain why not and how they might change the scenario to make it fair. This activity is not about conclusive answers, but is more an exercise to get kids thinking in the right direction.

You can brainstorm and write down a bunch of statements that could be interpreted as fair or not fair or use some of ours:

- You drink the rest of your friend's lemonade when she is not around without asking because you plan on making more for her later.
- You get help from your mom in doing your math homework, then get the best grade in your class and earn a prize.
- You play on the soccer team and because you are better than your teammates, the coach puts you in more.
- You and your little sister play with Legos but your sister cleans them all up.
- You invite your friend to your birthday party, but when he has a party and can only invite 3 friends you are not invited.
- You are going to a potluck dinner with about 20 other people and you bring a salad that could comfortably feed 15. Another guest brings a small yet intricate dessert only able to feed 4.
- Famous people frequently get away with illegal actions and face minimal consequences simply because they are public figures.

**Imagination Conversation Starters:** A well-worded question is a great way to connect at the dinner table. We call these starters because we imagine they will spark a deeper conversation about the things that matter to you.

- If you could choose another name for yourself, would you? What name would you choose?
- If you could have any zoo animal as a pet, what animal would you pick?
- If you were king or queen of the world, what would you do?
- If your pet could talk, what do you think s/he might say?
- Who is your favorite fictional character? Would you act the same way in his/her shoes?
- If you had to write a book, what would you write it about?
- If you joined the circus, what would your circus act be?
- If you assigned each emotion a color, what colors would represent which emotions?
- If you were a fruit, what fruit would you be? Why?
- If you could stay up all night, what would you do?
- If you wrote a newspaper article about your day, what would the headline be?
- If you could invent a machine to do something in your life what would that machine do?
- If you founded a new country, what would you call it?
- If you were a utensil, which would you be?
- If you did a self-portrait, what medium would you use (paint, clay, stone, pencil, etc.)?
- If you were ever involved in a protest, what would it be for?
- What would the title of your autobiography be?
- If you could be one age for the rest of your life, what age would you be?
- If you went back in time 100 years (or 200 years, or 1000 years) and could only bring three things with you, what would they be?
- In a movie about your life, who would play you? Who would play your family and your best friends?

For more conversation starters, check out [thefamilydinnerproject.org/conversation](http://thefamilydinnerproject.org/conversation)

# Food, Fun, and Conversation



## 4 weeks to better family dinners

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Whatever challenges you face, The Family Dinner Project's program *Food, Fun and Conversation: 4 Weeks to Better Family Dinners* offers help. Each week is centered on a different theme and has tools to help families reach their goals.

Introducing the program at your kick-off dinner is a great way for families to take the lessons home. After they've participated in the neighborhood dinner event, this innovative dinner program is a great next step.

### **Week 1: Make the Commitment**

In the first week, families figure out what their goals are for the rest of the program. It's up to the individual families to figure out what is working and what is not. This week is a chance for family members to sit down to any type of meal and discuss their goals for the program. We provide resources that help families set goals, have conversations and commit to making change.

### **Week 2: Make it Simple**

In the second week, we ask families to simplify dinner by making only two meaningful changes. The first is to choose something that is going well, and do more of it. The second is to choose something that isn't going well, and think of ways to get around that problem.

### **Week 3: Make it Fun**

The third week helps families have fun at the table. Some families use theme nights or invite guests to dinner. Others decide to play a silly game that keeps the family laughing. We offer ways to make dinner special and enjoyable.

### **Week 4: Make it Matter**

We hope that by the fourth week, families have created a safe space at the dinner table where they can talk about life lessons and other things that are important to them. It is through these deeper conversations that people grow, expectations shift and relationships flourish.

Maybe some things are going well and some things are more of a challenge – that's okay. Participating families have made the commitment to having dinners and are making an effort to talk and listen to each other. And after week 4, families can keep using the tools and resources from the plan, or create new games and conversation starters of their own. The possibilities are endless!

Get started at [www.thefamilydinnerproject.org/4week-program](http://www.thefamilydinnerproject.org/4week-program)

# INVITATION

I love the ease with which you can create and send invitations online. I created the invite below using [evite.com](http://evite.com). From there, just type in the email addresses of your guest list and hit send!



# SHARE YOUR STORY

We at The Family Dinner Project want to hear about all of the wonderful things you are doing at your own dinner table and during the Do It Yourself Neighborhood Dinners. We want to share your great ideas with other families

With this in mind, we created an online scrapbook and we want to feature your family. We ask that you copy and paste this easy form, fill it out and email it to [Grace@TheFamilyDinnerProject.org](mailto:Grace@TheFamilyDinnerProject.org)

Please include photographs of your dinner, and videos if you have any.

We ask that all pictures be attached to the email in JPEG form.

The scrapbook will be featured on our website. If you have questions, check out our website or email us!

1. Your name:
2. Description of your family (names, ages, relationship to you:
3. Did your family participate in the DIY Neighborhood Dinners?
  - a. If yes, who else came to your Neighborhood Dinner?
4. What did you make at this dinner?
5. Recipe:
6. What games did you play?
7. What did you talk about?
8. Additional comments:
9. Including (Note any that apply):
  - a. Video
  - b. Pictures

# FOUR WEEKS TO BETTER FAMILY DINNERS

1

## MAKE THE COMMITMENT

IT COULD BE YOUR VERY FIRST FAMILY DINNER OR IT COULD BE ABOUT DEVELOPING AND STICKING TO A ROUTINE. NO MATTER WHAT YOUR STORY IS, YOU'LL BEGIN THE SAME WAY, WITH ONE DINNER AND ONE CONVERSATION.

2

## MAKE IT SIMPLE

DINNER DOESN'T HAVE TO BE A FANCY EVENT WITH AN EXOTIC RECIPE. WHAT IS THE SIMPLEST AND MOST LOVED MEAL IN YOUR HOME? COOK IT AND HAVE DINNER TOGETHER AGAIN THIS WEEK.

3

## MAKE IT FUN

THE MAGIC THAT'S GUARANTEED TO MAKE FAMILY DINNER LAST = FUN. GIGGLE A LITTLE. SMILE A LOT. OR SIMPLY ENJOY EACH OTHER'S COMPANY.

4

## MAKE IT MATTER

LOOK AT SOMETHING YOUR FAMILY STRUGGLES WITH OR ASPIRES TO, AND BEGIN TO ADDRESS THAT AT DINNER TIME. WHAT YOU SHARE AT DINNER CAN HELP YOUR RELATIONSHIPS FAR BEYOND THE TABLE, AND WHAT IS HAPPENING IN THE WORLD MIGHT TEACH YOU MORE ABOUT YOURSELVES.

THE FAMILY DINNER PROJECT IS A GRASSROOTS MOVEMENT ABOUT FOOD, FUN AND CONVERSATION ABOUT THINGS THAT MATTER.

FOR TOOLS + RESOURCES TO FUEL  
YOUR 4-WEEK JOURNEY VISIT:

the  
**FamilyDinner**  
**Project.org**

Ms. Maciel,

This is to confirm that your petition was denied by the San Jose Unified school board on June 27 2019.

Kind regards,  
Kimberly

Sent using OWA for iPhone

From: Eureka! Inclusive Tiffany <macieltiffany@gmail.com>

Sent: Friday, July 05, 2019 11:20:10 AM

To: Meek, Kimberly

Cc: Michelle Johnson

Subject: Fwd: Eureka! If you could read today that would be great. Written confirmation of charter petition denial



June 24, 2019

## OVERVIEW LETTER ON EUREKA! INCLUSIVE CHARTER

Preparing  
today's students  
to be the  
thinkers,  
leaders,  
and creators  
of tomorrow.

When enacting the Charter Schools Act of 1992, the California Legislature intended to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure to accomplish, among seven stated outcomes, providing parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.

Eureka! Inclusive is petitioning to establish an intentionally inclusive and universally designed TK-6 charter school for students of the San José Unified School District. San José Unified shares the vision of the petitioners and appreciates the fact that the petitioners are following the intent and letter of the Charter Schools Act. However, approving the petition as submitted would be unsound educational practice.

The review by legal counsel concluded that the petition contains an unsound educational program, that the petitioners were demonstrably unlikely to successfully implement the program, and that the petition does not contain reasonably comprehensive descriptions of all of the required elements. Further, the petition's proposed model for providing special education services is not compatible with the Education Code, exposing San José Unified to undue legal risk. The external charter review team concluded that the petition does not present a comprehensive description of the educational program, that the petition does not describe training for staff, and that the petition does not present a reasonably comprehensive description of measurable pupil outcomes. Please see the accompanying reviews for details.

San José Unified is continually evolving its services to students, including implementing inclusive learning environments. Those experiences leave San José Unified cognizant of the many challenges of an inclusive instructional model for all students. While the vision and commitment are clear, the petitioners have failed to adequately address the many challenges.

The petitioners frequently cite the CHIME Institute's Schwarzenegger Community charter school as an exemplar. However, CHIME's most recent performance levels on state indicators for students with disabilities do not exceed San José Unified's. Like CHIME, Eureka! Inclusive also proposes a non-inclusive approach to transportation for students.

The El Dorado Charter Special Education Local Plan Area (SELPA) exists to ensure excellent educational opportunities for special education students in charter schools. The El Dorado Charter SELPA has similarly recognized the shortcomings of the proposed Eureka! Inclusive charter school, repeatedly concluding that the petitioners do not demonstrate sufficient capacity.

From legal counsel, external reviewers, CHIME, and the El Dorado SELPA, the evidence is clear and consistent – approval of Eureka! Inclusive as submitted would be unsound educational practice. There are possible safeguards that could mitigate the excessive risk Eureka! Inclusive would pose to San José Unified as a school of the district for special education purposes, but they are not in the petition as submitted. As is, denial of the petition is necessary.

sjusd.org  
408-535-6000  
855 Lenzen Avenue  
San José, CA 95126



# **SAN JOSE UNIFIED SCHOOL DISTRICT**

**LEGAL REVIEW: PETITION TO FORM  
EUREKA! INCLUSIVE CHARTER SCHOOL**

**GOVERNING BOARD PUBLIC HEARING DATE:**

**JUNE 13, 2019**

**GOVERNING BOARD DETERMINATION MEETING DATE:**

**JUNE 27, 2019**

## I. INTRODUCTION AND SUMMARY OF FINDINGS

On or about May 23, 2019, the San Jose Unified School District (“District”) received a petition to form the Eureka! Inclusive Charter School, a charter school serving Grades TK-6, for a term of five years, beginning on July 1, 2020 and ending June 30, 2025. The first planned year of instruction would be the 2020-2021 school year.

District counsel has reviewed the Petition under the criteria set forth in Education Code §47605(b)<sup>1</sup> and has concluded, for the reasons stated in this report, that the Petition fails to meet the requirements set forth in the Education Code. These findings include the following:

- The Petition contains an unsound educational program. [Ed. Code §47605 (b)(1)];
- The Petitioners are Demonstrably Unlikely to Successfully Implement the Program [Ed. Code §47605 (b)(2)];
- The Petition does not contain reasonably comprehensive descriptions of all of the required elements of a charter petition. [Ed. Code § 47605(b)(5)].

The primary findings made with respect to the Petition to form the Eureka! Inclusive Charter School include the following:

- The proposed educational program is premised upon full inclusion, emphasizing students with special needs. While this commitment is commendable, the Petition does not adequately address the legal, financial and operational aspects of the “school of the district” model for providing special education.
- The Petition assumes that the District would pass special education funding through to the Charter School, which would hire its own special education personnel and provide special education autonomously from the District. However, the Charter School’s projected 5-year budget does not adequately capture special education expenses. This model would also place the District at significant financial risk for any potential violations committed by the Charter School.
- The Petition states that the Charter School would have small class sizes, allowing for flexibility in instructional methods, but the budget and staffing model do not support the proposed class sizes.

Therefore, the Petition fails to meet the requirement that it contain a reasonably comprehensive description of all 15 required elements of charter petition. The Petitioners are also demonstrably unlikely to successfully implement the program set forth in the petition for the reasons stated herein.

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<sup>1</sup> “Ed. Code”

## II. PROCEDURAL HISTORY OF THE EUREKA CHARTER PETITION

On or about December 7, 2017, the San Jose Unified School District (“District”) received a petition to form the Eureka! Inclusive Charter School, a charter school serving Grades TK-8, for a term of five years, beginning on July 1, 2018 and ending June 30, 2023.

On February 8, 2018, the Board denied the Petition and adopted findings in support of denial, including but not limited to the following:

- The description of the educational program is disproportionately deep in descriptions of instructional strategies, especially intervention measures, but lacks commensurate depth in its description of the proposed curriculum and coursework, how the stated instructional strategies would be implemented, and the skills and competencies to be taught.
- There are fundamental operational inconsistencies in the Petition that would undermine the Petitioners’ ability to implement successfully the proposed educational program. For example, the proposed class size of 13 students would not be possible with the budget’s expenditures and staffing plans.
- The Petition’s special education model is premised upon the Charter School maintaining “School of the District” status for special education services, even though the Petition states an intent to join a Special Education Local Plan Area (SELPA) as a Local Educational Agency (LEA), and does not call for a material revision to the Charter in that event that the Charter School attains LEA status.
- The Petition contains an illegal provision that violates the Charter School’s obligation of non-interference with the process of employee certification of an exclusive representative.

Some Board members recommended that the lead petitioner to remedy the deficiencies in the Petition and resubmit it to the District for consideration. Although some of the deficiencies have been addressed, the Petition still does not meet the requirements of law.

### Other Agency Action:

On May 2, 2018, the Santa Clara County Board of Education, by a 5-2 vote, denied the appeal to form the Eureka Inclusive Charter School. The County Board’s denial of the appeal was based in part on the County Office staff’s findings that “[m]uch of the Petition utilizes theory and research to describe the intended program, however, there is a severe lack of understanding and capacity as to how these theories and practices are to be implemented.” (County Office Staff Report, p. 6.)<sup>2</sup>

The Petitioners twice applied to the El Dorado Special Education Local Plan Area (SELPA) for membership as a Local Educational Agency (LEA), under Education Code section 47641(a), for

---

2

[https://go.boarddocs.com/ca/sccoe/Board.nsf/files/AY8NNA5F492B/\\$file/Staff%20Analysis%20and%20Proposed%20Findings%20of%20Fact%20re%20Eureka!%20Inclusive.pdf](https://go.boarddocs.com/ca/sccoe/Board.nsf/files/AY8NNA5F492B/$file/Staff%20Analysis%20and%20Proposed%20Findings%20of%20Fact%20re%20Eureka!%20Inclusive.pdf)

the purposes of special education. By letters of January 24, 2018 and March 15, 2018, the El Dorado SELPA denied the application, stating that:

The review panel determined that the application and materials for Eureka! Inclusive Tk-Grade 8 Charter School, did not demonstrate sufficient capacity to recommend approval for admission at this time. The reviewers determined that one or more of the areas did not meet the requirements for approval or appeal. **(Exhibit A.)**

The Petitioners were denied admission to the El Dorado SELPA for a third time, on January 23, 2019. **(Exhibit A.)**

### **III. OVERVIEW**

The Charter Schools Act of 1992 permits school districts, county boards, and the State Board of Education (“SBE”) to grant charters for the operation of charter schools. (Ed. Code § 47600, *et seq.*) Charter schools “are part of the public school system,” but “operate independently from the existing school district structure.” (Ed. Code §§ 47615(a)(1), 47601.) Charter schools are established through submission of a petition by proponents of the charter school to the governing board of a school district, county board or to the SBE. The governing board must grant a petition “if it is satisfied that granting the charter is consistent with sound educational practice.” (Ed. Code §47605(b).) Nevertheless, a governing board may deny a petition for the establishment of a charter school if it finds that the particular petition fails to meet enumerated statutory criteria and adopts written findings in support of its decision to deny the charter. (Ibid.) Once a governing board grants a charter petition, the charter school becomes a separate legal entity from the authorizing agency.

### **IV. REVIEW OF THE PETITION**

The District’s review was guided by Ed. Code §47605(b), which sets forth the following guidelines for governing boards to consider in reviewing charter petitions:

- The chartering authority shall be guided by the intent of the Legislature that charter schools are, and should become, an integral part of the California educational system and that establishment of charter schools should be encouraged.
- A school district governing board shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice.
- The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth facts to support one or more of the following findings:
  - (1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.

- (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
- (3) The petition does not contain the number of signatures required by statute.
- (4) The petition does not contain an affirmation of each of the conditions required by statute.
- (5) The petition does not contain reasonably comprehensive descriptions of the required elements of a charter petition.
- (6) The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Government Code § 3540 (the Rodda Act, the State's collective bargaining law for school employees.).

The review was also guided in its analysis by the SBE regulations for the evaluation of charter petitions (hereinafter, "regulations"). Where relevant, the content of the Education Code and regulations are stated or paraphrased with respect to each required element of the Petition in *italics*.

#### **V. FIFTEEN REQUIRED CHARTER ELEMENTS SET FORTH IN EDUCATION CODE §47605(b)(5)**

The review of the Petition was conducted with reference to the 15 required elements set forth in Education Code §47605(b)(5).

##### **A. Element One: A Description of the Educational Program [Ed. Code, §47605, subd. (b)(5)(A).]**

*The Education Code requires a description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. (Ed. Code, §47605(b)(5)(A)(i).)*

*The regulations require the educational program description to include a framework for instructional design that is aligned with the needs of the target student population, as well as descriptions of the following: the basic learning environment, and the instructional approach, including the curriculum and teaching methods that will enable the school's students to master the content standards for the core curriculum areas and to achieve objectives specified in the charter. (Cal. Code Regs., tit. 5, §11967.5.1(f)(1).) The regulations further require an explanation of how the charter school will identify and respond to the needs of students who are not achieving at or above expected grade levels, how the charter school will meet the needs of students with disabilities, English learners, students achieving substantially above, or below grade level expectations, and other special populations, and the charter school's special education plan. (Ibid.)*

Analysis:

**A. Proposed Educational Program**

**1. The Petition Does Not Contain a Reasonably Comprehensive Description of the Proposed Educational Program; and Does Not Proposed a Sound Educational Program.**

The centerpiece of the proposed educational program is the Universal Design for Learning (UDL) educational framework. (Petition, p. 67.) The Petition states that “UDL is intended to increase access to the curriculum by reducing physical, cognitive, intellectual, and other barriers to learning.” (*Id.*) The Petition proceeds to describe a series of instructional strategies that are central to the UDL approach. (Petition, pp. 67-68.) The Petition also describes a proposed social emotional learning program that is designed to be integrated into the everyday school experience, including components like Morning Drop Off and Morning Movement; Instructional Lunches; and End of the Day activities. (Petition, pp. 70-75.)

The Petition provides a general description of the proposed educational program in the primary subject matters of instruction: English Language Arts (pp. 75-77), English Language Development (pp. 77-78); Mathematics (pp. 78-81); History and Social Science (pp. 81-82); Science (pp. 82- 84) and the Arts (pp. 84- 85) and Health and Physical Education (pp. 85-88). The proposed curricular and instructional materials are described in pp. 90-93, and the proposed instructional schedule and calendar on pp. 93-98. Instructional strategies include Multi-Tiered Systems of Support (pp. 46-57); multi-age classroom groupings (p. 57); three-class service delivery model (pp. 63-67); and professional learning communities (pp. 69-75.)

The description of the Petition’s educational program weighs more heavily towards instructional philosophy and less towards the actual implementation of the instructional pedagogy described in the Petition. Echoing the previous findings by this Board and the County Board with respect to the previous submission, the current petition does not match the description of the philosophical framework for instructional design with an equally detailed or comprehensive description of how it would specifically implement the educational program. One example involves the integration of the arts into the curriculum and its salutary benefits for English Learners, students with disabilities and those from socioeconomically disadvantaged families:

While incorporating arts into the academic subjects of the school day increases achievement for all students, there is something remarkable about the effects of an arts curriculum on the traditionally underserved, students for whom English is a second language, students who have been labeled with a disability and students from families with low socioeconomic status. These three groups of students show the most “academic gains” when compared to their original starting points

when they are schooled in an environment where arts are integrated with other academic subjects. (Petition, p. 11.)

While the Petition contains a description of its proposed arts curriculum on pp. 84-85, it does not follow up with a description with how the arts curriculum would be implemented in a way to achieve the above-stated benefits to English Learners, students with disabilities, and socioeconomically disadvantaged students. The Petition describes a general arts curriculum consisting of Visual and Performing Arts, Drama, Music, Visual Arts, and Music/Art/Design, but contains no discussion how the arts curriculum would be delivered in a way to achieve the unique benefit to the identified at-risk populations. In a similar manner, the rest of the Petition’s educational program lacks the same nexus between the overarching framework for an inclusionary instructional design, and the actual, specific instructional measures that would be used to implement that design.

**B. The Petitioners are Demonstrably Unlikely to Successfully Implement the Program Set Forth in the Petition.**

**1. Class Size**

It is not clear how the Charter School would implement some of its planned instructional and intervention strategies in light of the staffing limitations described above. The Petition states that “[b]y implementing a master plan method of scheduling, we will effectively and efficiently utilize all instructional resources to address the needs of our students, in flexible small groups or individualized support as needed. Another benefit of this model is that it allows us to provide small group, or individual instruction to students across a variety of areas.” (Petition, p. 87.)

It is not clear how the Charter School would implement small small-group or flexible teaching strategies in compliance with applicable credentialing requirements. Based on the staffing and enrollment figures provided in in the Petition, the ratio of students per certificated teacher ranges from 26.57 to 26.66 students per teacher:

	20-21	21-22	22-23	23-24	24-25
TK/K students	56	80	80	80	80
1-6 students	130	156	236	236	236
Total Students per Petition	186	240	320	320	320
Actual Students <sup>3</sup>	186	236	316	316	316
A.D.A per Petition	176.7	228	304	304	304
Actual A.D.A	176.7	224.20	300.20	300.20	300.20
Difference in A.D.A.	0	3.8	3.8	3.8	3.8

<sup>3</sup> The Petition’s “Total” enrollment from 2020-2021 through 2024-2025 does not match the sum of all the grade levels in the table. “Total” denotes the Petitioner’s claimed total enrollment. “Actual” denotes the actual sum of each individual grade level enrollment. “Diff.” denotes the difference between the two.



Classes	7	9	12	12	12
Teachers	7	9	12	12	12
Average Students per Class	26.57	26.66	26.33	26.33	26.33

The “Enrollment & ADA Assumptions” table on page 3 of the Petition’s multi-year budget also shows the TK class sizes of 30; primary elementary class sizes of 26; and upper elementary class sizes of 28 in Year 2-5:

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ENROLLMENT & ADA ASSUMPTIONS**

	2020-21	2021-22	2022-23	2023-24	2024-25
ADA	95%	95%	95%	95%	95%
# Classes	7	9	12	12	12
Year/Class	Year 1	Year 2	Year 3	Year 4	Year 5
TK1	30	30	30	30	30
TK2	0	30	30	30	30
TK3	0	20	20	20	20
Primary 4	26	26	26	26	26
Primary 5	0	0	26	26	26
Primary 6	26	26	26	26	26
LE 8	26	26	26	26	26
LE 9	26	26	26	26	26
LE 10	0	0	26	26	26
UE 11	26	28	28	28	28
UE 12	26	28	28	28	28
UE 13	0	0	28	28	28
<b>Total Students</b>	<b>186</b>	<b>240</b>	<b>320</b>	<b>320</b>	<b>320</b>

ADA (Span)	Year 1	Year 2	Year 3	Year 4	Year 5
TK-3	127.3	174.8	199.5	199.5	199.5
4-6	49.4	53.2	104.5	104.5	104.5
7-8	0	0	0	0	0
<b>Total</b>	<b>176.7</b>	<b>228</b>	<b>304</b>	<b>304</b>	<b>304</b>

(Multi-Year Budget, p. 3.)

The Petition states that it will also supplement classroom instruction with personnel such as psychologists, speech therapists, occupational therapists, and family therapists, under the “Three-Class Service Delivery Model.” (Petition, pp. 64-67.) However, as is noted below, the psychologist and family therapist positions are less than .5 FTE, and, by Years 3-5, would be spread over 12 classes of students. While the speech therapists and occupational therapists are 1.0 FTE, they too are spread over multiple classes, especially in Years 3-5:

	20-21	21-22	22-23	23-24	24-25
Psych	.25	.30	.35	.4	.4
ST	1	2	3	3	3
OT	1	2	3	3	3
FT	.25	.25	.4	.4	.4

While the Petition identifies supplemental personnel, such as paraprofessionals, externs and SLP externs, most of these positions appear to be unbudgeted (Multi-Year Budget, p. 9), and therefore



would not constitute experienced classroom personnel. As is noted below (p. 16), the “Employee Qualifications” section of the Petition lacks a reasonably comprehensive description of the qualifications and roles of the externs and SLP externs.

## **2. Special Education:**

Education Code § 47641 allows a charter petitioner to elect whether it would assume “school of the district” status, or join a Special Education Local Plan Area (SELPA) as a Local Educational Agency (LEA) for the purposes of special education. Under Education Code § 47646(a), “[a] charter school that is deemed to be a public school of the local educational agency that granted the charter for purposes of special education shall participate in state and federal funding for special education in the same manner as any other public school of that local educational agency. A child with disabilities attending the charter school shall receive special education instruction or designated instruction and services, or both, in the same manner as a child with disabilities who attends another public school of that local educational agency.” If the Charter School elects to join a SELPA as an LEA, it would bear the financial and programmatic responsibility for providing special education services to its students in compliance with applicable law, subject to its authorizer’s oversight.

### **a. The Petitioners’ Election to be a Public School of the District for Special Education Purposes**

The Petition states that “Eureka! Inclusive shall be a public school of the San Jose Unified School District for purposes of special education pursuant to Education Code Section 47641(b).” (Petition, p. 115.) As was noted above, Petitioners twice applied to the El Dorado Special Education Local Plan Area (SELPA) for membership as a Local Educational Agency (LEA), under Education Code section 47641(a), for the purposes of special education. By letters of January 24, 2018 and March 15, 2018, the El Dorado SELPA denied the application, stating that:

The review panel determined that the application and materials for Eureka! Inclusive Tk-Grade 8 Charter School, did not demonstrate sufficient capacity to recommend approval for admission at this time. The reviewers determined that one or more of the areas did not meet the requirements for approval or appeal. **(Exhibit A.)**

The Petitioners were denied admission to the El Dorado SELPA for a third time, on January 23, 2019. **(Exhibit A.)**

The Petition describes a proposed educational program designed to provide an inclusive environment for students with special needs, and anticipates that, according to its density model, 20% of its enrollment will have IEP’s. (Petition, p. 64.) The Petition also states that “[b]ased on outreach and need, we anticipate that our demographic will reflect a higher percentage of English learners and students with disability than the overall district average.” (Petition, p. 34.) Therefore, it is crucial for a charter petition proposing to operate such a program that the fiscal, operational and programmatic aspects of the special education program are sound. However, the Petition proposes a special education delivery model that is unsound and that creates significant liability for the District.

**b. The Petition's Allocation of Special Education Funding and Obligations**

The Petition states that the Charter School “shall obtain all state and federal special education funding allocated for Charter School generated by student attendance at Eureka! Inclusive. The District shall then pass on to the Charter School all of the state and federal special education revenue that it generates. The Charter School shall also be entitled to funding provide by the SELPA to the extent that such funding and services are made available to schools within the District.” (Petition, p. 116.) The Petition also states that “[f]unding shortfalls will be the responsibility of the Charter School.” (*Id.*)

As for the responsibility for the personnel providing special education services, the Petition states the following:

- “[T]he Charter School will be responsible for the hiring, training, and employment of site staff necessary to provide special education services to its students, including, without limitation, special education teachers, paraprofessionals, and resource specialists.” (*Id.*)
- “The Charter School shall be responsible for the hiring, training, and employment of itinerant staff necessary to provide special education services to Charter School students, including, without limitation, speech therapists, occupational therapists, behavioral therapists, and psychologists.” (*Id.*)
- “We expect to provide a Language and Speech Pathologist and an Occupational Therapist 4-5 days per week.”

The Charter School also states that it will accept responsibility for the following procedures related to the provision of special education services:

- “Identification and Referral: The Charter School shall have the responsibility to identify, refer, and work cooperatively in locating Charter School students who have or may have exceptional needs that qualify them to receive special education services.” (Petition, p. 117)
- “IEP Meetings: The Charter School shall arrange and notice the necessary IEP meetings ... The Charter School shall be responsible for having the following individuals in attendance at the IEP meetings or as otherwise agreed upon by the District and Charter School: the Principal and/or the Charter School designated representative with appropriate administrative authority as required by the IDEA; the student’s special education teacher; the student’s general education teacher if the student is or may be in a regular education classroom; the student, if appropriate; and other Charter School representatives who are knowledgeable about the regular education program at the Charter School and/or about the student. The Charter School shall arrange for the attendance or participation of all other necessary staff that may include, but are not limited to, an appropriate administrator to comply with the requirements of the IDEA, a speech therapist, psychologist, resource specialist, and behavior specialist; and shall document the IEP meeting and provide of notice of parental rights.” (Petition, p. 118.)

- **“IEP Implementation:** The Charter School shall be responsible for all school site implementation of the IEP. The Charter School holds ultimate authority over implementation and supervision of services. As part of this responsibility, the Charter School shall provide the parents with timely reports on the student’s progress as provided in the student’s IEP, at least at least as frequently as report cards are provided for the Charter School’s non-special education students. The Charter School shall also be responsible for providing all curriculum, classroom materials, classroom modifications, and assistive technology.” (Petition, p. 118.)
- **Interim and Initial Placements of New Charter School Students:** The Charter School shall comply with Education Code Section 56325 with regard to students transferring into the Charter School within the academic school year ... For students transferring to the Charter School with an IEP from outside of California during the same academic year, the Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP in consultation with the parents ...” (Petition, p. 118-119.)
- **Parent/Guardian Concerns and Complaints:** “The Charter School shall follow County, State, and Federal policies as they apply to all schools for responding to parental concerns or complaints related to special education services.” (Petition, p. 119.)
- **Due Process Hearings:** The Charter School may initiate a due process hearing or request for mediation with respect to a student enrolled in the Charter School. In the event that the parents/guardians file for a due process hearing, or request mediation, the Charter School shall defend the case. The Charter School shall have sole discretion to settle any matter in mediation or due process. The Charter School shall also have sole discretion to file an appeal from a due process hearing or take other legal action involving any Charter School student necessary to protect its rights.” (Petition, p. 120.)

**b. The Petition’s Allocation of Special Education Funding and Obligations:**

Education Code section 47646(a) discusses the authorizing school district’s obligations

A charter school that is deemed to be a public school of the local educational agency that granted the charter for purposes of special education shall participate in state and federal funding for special education in the same manner as any other public school of that local educational agency. A child with disabilities attending the charter school shall receive special education instruction or designated instruction and services, or both, in the same manner as a child with disabilities who attends another public school of that local educational agency. The agency that granted the charter shall ensure that all children with disabilities enrolled in the charter school receive special education and designated instruction and services in a manner that is consistent with their individualized education program and is in compliance with the federal Individuals with Disabilities Education Act [IDEA] (20 U.S.C. Sec. 1400 et seq.) and implementing regulations, including Section 300.209 of Title 34 of the Code of Federal Regulations.

If the charter school elects to be a school of the district for special education funding, the charter school “shall participate in state and federal funding for special education in the same manner as any other public school of that local educational agency” and “[a] child with disabilities attending the charter school shall receive special education instruction or designated instruction and services, or both, in the same manner as a child with disabilities who attends another public school of that local educational agency.” Significantly, the authorizing school district is responsible for ensuring “that all children with disabilities enrolled in the charter school receive special education and designated instruction and services in a manner that is consistent with their individualized education program and is in compliance with the [IDEA].”

While the Petitioner proposes that the charter school would be a school of the district for special education services, it proposes that the charter school would be solely responsible for the hiring and oversight of special education personnel; identification and referral of students to special education; IEP meetings and implementation; interim and initial placements of special education students; handling parent complaints; and the initiation and defense of due process cases. Yet, under Education Code section 47646(a), the District remains responsible for ensuring “that all children with disabilities enrolled in the charter school receive special education and designated instruction and services in a manner that is consistent with their individualized education program and is in compliance with the [IDEA].” Therefore, the District would stand to incur ultimate liability for any failure to provide services in compliance with the IDEA, and yet would have virtually no role in the selection of special education personnel, the identification or referral process, IEP meetings or implementation, due process hearings, or interim or initial placements. The manner in which the Petition proposes to provide special education services exposes the District to claims for compensatory education and attorney’s fees without providing the District with any manner of auditing or overseeing the charter school’s delivery of special education services to ensure that all stages of special education services comply with the IDEA.

**c. The Petition’s Budget Does Not Support the Charter School’s Proposal to Autonomously Subsidize and Deliver Special Education Services:**

The Petition’s budget contains the following projected funding for special education services (at \$500 per A.D.A in AB 602 funding, and \$125 per A.D.A. in federal IDEA funding):

	20-21	21-22	22-23	23-24	24-25
AB602	88,530	114,000	152,000	152,000	152,000
IDEA		28,500	38,000	38,000	38,000
Total	88,530	142,500	190,000	190,000	190,000

(Multi-Year Budget Funding Calculations, p. 17.)

According to the Multi-Year Budget’s “Expense Assumptions,” the charter school would maintain a special education “contingency budget” of \$50,000 in Year 1, growing to \$80,000 in Year 3. (Multi-Year Budget Expense Assumptions, p. 5.) However, using the District’s estimated per-A.D.A. special education encroachment of \$1,448.88 in 2018-2019, the proposed



charter school’s estimated projected encroachment would far exceed its special education contingency budget:

	20-21	21-22	22-23	23-24	24-25
A.D.A	176.7	228	304	304	304
Estimated Encroachment	\$256,017	\$330,345	\$440,460	\$440,460	\$440,460

Therefore, the Petition’s budget does not support the proposed model for delivery of special education services, and would also put both the District and charter school at significant financial risk.

**C. English Language Learners:**

This requirement is addressed on pp. 107-113.

**D. Other Requirements:**

Elsewhere, the Petition provides a description of the following required elements, as follows:

- Target Student Population: The Petition addresses this element on pp. 33-46.
- Plan for Educating Low-Achieving Students: The Petition addresses this element explicitly on p. 102, and through reference to teaching methodologies and intervention strategies elsewhere in the Petition.
- Plan for Educating High-Achieving Students: The Petition addresses this element on p. 104-105.
- What it means to be an educated person in the 21<sup>st</sup> century: The Petition addresses this requirement on p. 33.
- How learning best occurs: This requirement is addressed on pp. 20-26.
- How the charter school will accomplish the goal that students become “self-motivated, competent, and lifelong learners”: The Petition addresses this requirement on p 63.

**B, C. Elements Two and Three: Measurable Student Outcomes and Measuring Student Progress [Ed. Code, § 47605, subd. (b)(5)(B), (C).]**

*Regarding the descriptions of Measurable Pupil Outcomes and Measuring Pupil Progress, the Petition must meet the legal requirements of Education Code § 47605, subdivisions (b)(5)(B), (C) and California Code of Regulations, title 5, §11967.5.1, subdivisions (f)(2), (3) regarding the identification of outcomes and assessment tools and plans. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school.*

*Education Code § 47605(b)(5)(A)(ii) requires the Petition to contain “[t]he specific annual goals” for “each subgroup of pupils identified pursuant to [Education Code] § 52052, to be achieved in the state priorities.”*

*Education Code §47605(b)(5)(B) requires that a charter petition contain measurable pupil outcomes “that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of § 47607. The pupil outcomes shall align with state priorities, as described in subdivision (d) of § 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school.” Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school.*

*The SBE regulations provide that a petition should set out measurable student outcomes to be used by the charter school. (Cal. Code Regs., tit. 5, § 11967.5.1(f)(2).) The student outcomes should, at a minimum:*

*(a) Specify skills, knowledge, and attitudes that reflect the school’s educational objectives and can be assessed by objective means that are frequent and sufficiently detailed enough to determine whether students are making satisfactory progress;*

*(i) The frequency of the objective means of measuring student outcomes should vary according to such factors as grade level, subject matter, the outcome of previous objective measurements, and information that may be collected from anecdotal sources; and*

*(ii) Objective means of measuring student outcomes must be capable of being used readily to evaluate the effectiveness of and to modify instruction for individual students and groups of students ...*

#### Analysis:

The Education Code requires that the Petition contain “[t]he specific annual goals” for “each subgroup of pupils identified pursuant to [Education Code] § 52052, to be achieved in the state priorities” (Education Code § 47605(b)(5)(A)(ii)) as well as “increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school” (Education Code §47605(b)(5)(B).) The Petition, under State Priority No. 4 (“Student Achievement”) lists under “Measurable Outcomes” the following performance goal:

Exceed statewide pass-rate on CAASPP assessments by at least 10% for all students, including unduplicated pupils and students with exceptional needs. (Petition, p. 134.)

The Petition’s single, undifferentiated performance benchmark fails to meet the requirements that the goals include “increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school.”

The Charter School’s methods of assessment are contained on p. 144-150. Because the Petition’s

description of the proposed educational program is disproportionately weighted towards instructional pedagogy and philosophies, and less on specific methods of instructional delivery, the “Methods of Assessment” section does not contain a reasonably comprehensive description of how the instructional design ties directly to the identified assessment measures and the desired performance outcomes in each of the core areas of instruction.

**D. Element Four: Governance Structure, Including Parental Involvement [Ed. Code § 47605, subd. (b)(5)(D).]**

Cal. Code Regs., tit. 5, §11967.5.1(f)(4) requires the Petition to contain a reasonably equivalent description of the following:

*The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement in supporting the school's effort on behalf of the school's pupils, as required by Education Code section 47605(b)(5)(D), at a minimum:*

*(A) Includes evidence of the charter school's incorporation as a non-profit public benefit corporation, if applicable.*

*(B) Includes evidence that the organizational and technical designs of the governance structure reflect a seriousness of purpose necessary to ensure that:*

- 1. The charter school will become and remain a viable enterprise.*
- 2. There will be active and effective representation of interested parties, including, but not limited to parents (guardians).*
- 3. The educational program will be successful.*

Analysis:

The Petition’s governance section is contained on pp. 151-159. The Charter School would operate as a California non-profit public benefit corporation, and the corporate bylaws, Articles of Incorporation, Conflict of Interest Code and Organizational Chart are attached as exhibits to the Petition.

**E. Element Five: Employee Qualifications [Ed. Code § 47605, subd. (b)(5)(E).]**

Cal. Code Regs., tit. 5, §11967.5.1(f)(5) requires the Petition to contain a reasonably equivalent description of the following:

*The qualifications to be met by individuals to be employed by the school, as required by Education Code section 47605(b)(5)(E), at a minimum:*

*(A) Identify general qualifications for the various categories of employees the school anticipates (e.g., administrative, instructional, instructional support, non-instructional support). The qualifications shall be sufficient to ensure the health, and safety of the school's faculty, staff, and pupils.*

*(B) Identify those positions that the charter school regards as key in each category and specify the additional qualifications expected of individuals assigned to those positions.*

*(C) Specify that the all requirements for employment set forth in applicable provisions of law will be met, including, but not limited to credentials as necessary.*

Analysis:

The Petition's employee qualifications section is contained on pp. 160-170. There is misalignment between the list of "Employee Positions" contained on p. 162 of the Petition, and the list of positions listed on the "Staffing Detail" of the Multi-Year Budget (p. 8). For example, the position of "Student Data Coordinator/Enrollment/CALPADS" is not listed on the staffing detail on p. 8 of the Multi-Year budget. Nor are the positions of "Extern" and "SLP Extern" discussed in this section, leaving questions as to what qualifications and role these classifications would play in the charter school's classroom instruction and student support systems. This section of the Petition also lacks a reasonably comprehensive description of how the employment relationship between the charter school and its employees would be structured (*i.e.*, employment contract, role of Education Code personnel provision, *etc.*)

**F. Element Six: Procedures to Ensure Health and Safety of Students and Staff [Ed. Code §47605(b)(5)(F).]**

Cal. Code Regs., tit. 5, §11967.5.1(f)(6) requires the Petition to contain a reasonably equivalent description of the following:

*The procedures that the school will follow to ensure the health and safety of pupils and staff, as required by Education Code section 47605(b)(5)(F), at a minimum:*

*(A) Require that each employee of the school furnish the school with a criminal record summary as described in Education Code section 44237.*

*(B) Include the examination of faculty and staff for tuberculosis as described in Education Code section 49406.*

*(C) Require immunization of pupils as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school.*

*(D) Provide for the screening of pupils' vision and hearing and the screening of pupils for scoliosis to the same extent as would be required if the pupils attended a non-charter public school.*



Analysis:

This requirement is addressed on pp. 171-175.

**G. Element Seven: Racial and Ethnic Balance [Ed. Code §47605(b)(5)(G).]**

Cal. Code Regs., tit. 5, §11967.5.1(f)(7) requires the Petition to contain a reasonably equivalent description of the following:

*Recognizing the limitations on admissions to charter schools imposed by Education Code section 47605(d), the means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted, as required by Education Code section 47605(b)(5)(G), shall be presumed to have been met, absent specific information to the contrary.*

Analysis:

This element is addressed on pp. 176-177. The Charter School projects approximating the racial and ethnic balance of the District. (Petition, p. 13.) The Petition addresses the 3 largest projected ethnic groups (Latino/Hispanic, White, or Asian), consistent with the District's demographic profile, but does not address African-American students in any detail in any of its discussion of the District's or the charter school's demographic profile in the context of configuring the charter school's academic and support programs.

**H. Element Eight: Admissions Requirements [Ed. Code §47605(b)(5)(H).]**

*Education Code 47605.6(d)(2)(B) states that, in the enrollment lottery, “[i]f the number of pupils who wish to attend the charter school exceeds the school’s capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the county except as provided for in Section 47614.5. Other preferences may be permitted by the chartering authority on an individual school basis and only if consistent with the law.”*

Cal. Code Regs., tit. 5, §11967.5.1(f)(8) requires the Petition to contain a reasonably equivalent description of the following:

*To the extent admission requirements are included in keeping with Education Code section 47605(b)(5)(H), the requirements shall be in compliance with the requirements of Education Code section 47605(d) and any other applicable provision of law.*

*The following requirements were added to Education Code section 47605(d)(2)(B) as of January 1, 2018:*

*Priority order for any preference shall be determined in the charter petition in accordance with all of the following:*

*(i) Each type of preference shall be approved by the chartering authority at a public hearing.*

*(ii) Preferences shall be consistent with federal law, the California Constitution, and Section 200.*

*(iii) Preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.*

*(iv) In accordance with Section 49011, preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.*

Analysis:

The admissions procedures, process and lottery are discussed on pp. 178-781.

**I. Element Nine: Audit of Financial and Programmatic Operations [Ed. Code § 47605, subd. (b)(5)(I).]**

Cal. Code Regs., tit. 5, §11967.5.1(f)(9) requires the Petition to contain a reasonably equivalent description of the following:

*The manner in which annual, independent, financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority, as required by Education Code section 47605(b)(5)(I), at a minimum:*

*(A) Specify who is responsible for contracting and overseeing the independent audit.*

*(B) Specify that the auditor will have experience in education finance.*

*(C) Outline the process of providing audit reports to the State Board of Education, California Department of Education, or other agency as the State Board of Education may direct, and specifying the time line in which audit exceptions will typically be addressed.*

*(D) Indicate the process that the charter school will follow to address any audit findings and/or resolve any audit exceptions to the satisfaction of the authorizer.*

Analysis:

This requirement is addressed on p. 182.

**J. Element Ten: Student Suspension/Expulsion Procedures [Ed. Code § 47605, subd. (b)(5)(J).]**

Cal. Code Regs., tit. 5, §11967.5.1(f)(10) requires the Petition to contain a reasonably equivalent description of the following:

*The procedures by which pupils can be suspended or expelled, as required by Education Code section 47605(b)(5)(J), at a minimum:*

*(A) Identify a preliminary list, subject to later revision pursuant to subparagraph (E), of the offenses for which students in the charter school must (where non-discretionary) and may (where discretionary) be suspended and, separately, the offenses for which students in the charter school must (where non-discretionary) or may (where discretionary) be expelled, providing evidence that the petitioners reviewed the offenses for which students must or may be suspended or expelled in non-charter public schools.*

*(B) Identify the procedures by which pupils can be suspended or expelled.*

*(C) Identify the procedures by which parents, guardians, and pupils will be informed about reasons for suspension or expulsion and of their due process rights in regard to suspension or expulsion.*

*(D) Provide evidence that in preparing the lists of offenses specified in subparagraph (A) and the procedures specified in subparagraphs (B) and (C), the petitioners reviewed the lists of offenses and procedures that apply to students attending non-charter public schools, and provide evidence that the charter petitioners believe their proposed lists of offenses and procedures provide adequate safety for students, staff, and visitors to the school and serve the best interests the school's pupils and their parents (guardians).*

*(E) If not otherwise covered under subparagraphs (A), (B), (C), and (D):*

*1. Provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in regard to suspension and expulsion.*

*2. Outline how detailed policies and procedures regarding suspension and expulsion will be developed and periodically reviewed, including, but not limited to, periodic review and (as necessary) modification of the lists of offenses for which students are subject to suspension or expulsion.*

*Education Code section 47605(b)(5)(J) was amended to require the following elements as of January 1, 2018:*

*These [disciplinary] 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 his or her 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 schooldays 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 him or her 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).*

Analysis:

The Petition's disciplinary policies and procedures are contained on pp. 183-205.

**K. Element Eleven: Manner in Which Staff Will Be Covered by STRS, PERS, or Federal Social Security [Ed. Code § 47605, subd. (b)(5)(K).]**

Cal. Code Regs., tit. 5, §11967.5.1(f)(11) requires the Petition to contain a reasonably equivalent description of the following:

*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, as required by Education Code section 47605(b)(5)(K), at a minimum, specifies the positions to be covered under each system and the staff who will be responsible for ensuring that appropriate arrangements for that coverage have been made.*

Analysis:

This section of the Petition suffers from the same ambiguities as the original petition. The current Petition states that the Charter School would offer certificated employees participation in the State Teachers' Retirement System (STRS), and offer an unspecified "Defined Benefit Plan and Medicare Contributions" for all full-time employees, including classified employees. (Petition, p. 206.) The Petition implies that the Charter School would not offer participation in the Public Employees' Retirement System (PERS) to non-certificated employees, though no budgeted expenses were found for the "Defined Benefit Plan" for non-STRS participants. (Multi-Year Budget, "Staffing Detail," p. 8.) The Petition, therefore, does not contain a reasonably comprehensive description of this requirement.

**L. Element Twelve: Student Attendance Alternatives [Ed. Code § 47605, subd. (b)(5)(L).]**

Cal. Code Regs., tit. 5, §11967.5.1(f)(12) requires the Petition to contain a reasonably equivalent description of the following:

*The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools, as required by Education Code section 47605(b)(5)(L), at a minimum, specify that the parent or guardian of each pupil enrolled in the charter school shall be informed that the pupils has no right to admission in a particular school of any local education agency (or program of any local education agency) as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the local education agency.*

Analysis:

This requirement is addressed on p. 207.

**M. Element Thirteen: Employee Rights [Ed. Code § 47605, subd. (b)(5)(M).]**

Cal. Code Regs., tit. 5, §11967.5.1(f)(13) requires the Petition to contain a reasonably equivalent description of the following:

*The description of the rights of any employees 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, as required by Education Code section 47605(b)(5)(M), at a minimum, specifies that an employee of the charter school shall have the following rights:*

*(A) Any rights upon leaving the employment of a local education agency to work in the charter school that the local education agency may specify.*

*(B) Any rights of return to employment in a local education agency after employment in the charter school as the local education agency may specify.*

*(C) Any other rights upon leaving employment to work in the charter school and any rights to return to a previous employer after working in the charter school that the State Board of Education determines to be reasonable and not in conflict with any provisions of law that apply to the charter school or to the employer from which the employee comes to the charter school or to which the employee returns from the charter school.*

Analysis:

This requirement is addressed on p. 208.

**N. Element Fourteen: Dispute Resolution [Ed. Code § 47605, subd. (b)(5)(N).]**

Cal. Code Regs., tit. 5, §11967.5.1(f)(14) requires the Petition to contain a reasonably equivalent description of the following:

*The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter, as required by Education Code section 47605(b)(5)(N), at a minimum:*

*(A) Include any specific provisions relating to dispute resolution that the State Board of Education determines necessary and appropriate in recognition of the fact that the State Board of Education is not a local education agency.*

*(B) Describe how the costs of the dispute resolution process, if needed, would be funded.*

*(C) Recognize that, because it is not a local education agency, the State Board of Education may choose resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, provided that if the State Board of Education intends to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, it must first hold a public hearing to consider arguments for and against the direct resolution of the dispute instead of pursuing the dispute resolution process specified in the charter.*

*(D) Recognize that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with Education Code section 47604.5, the matter will be addressed at the State Board of Education's discretion in accordance with that provision of law and any regulations pertaining thereto.*

Analysis:

This requirement is addressed on pp. 209-210.

**O. Element Fifteen: Closure Protocol [Ed. Code § 47605, subd. (b)(5)(O).]**

Analysis:

This requirement is addressed on pp. 211-212

**VI. THE PETITIONERS ARE DEMONSTRABLY UNLIKELY TO SUCCESSFULLY IMPLEMENT THE PROGRAM DESCRIBED IN THE PETITION [EDUCATION CODE §47605(B)(2).]**

*The regulations require consideration of whether a charter petition has presented a realistic financial and operational plan in determining whether petitioners are likely to be successful in implementing the charter program, including the areas of administrative services, financial administration, insurance and facilities. (Cal. Code Regs., tit. 5, § 11967.5(c).)*

Analysis:

See pages 7-8 and 12-13, above, regarding how the Petition fails to adequately budget for the educational program set forth in the Petition, especially in the area of special education.

In summary, the Petition lacked reasonably comprehensive descriptions of the following required elements:

Not Met	Element
✓	Description of educational program
✓	Measurable pupil outcomes
✓	Method for assessing pupil progress
	Governance structure of the school
✓	Employee qualifications
	Health & safety procedures
✓	Means to achieve race/ethnic balance
	Admission requirements, if applicable
	Manner in which annual independent financial audits shall be conducted
	Student suspension & expulsion procedures
✓	Staff coverage by State Teachers' Retirement System, Public Employees' Retirement System or Social Security
	Public school attendance alternatives

## VII. CONCLUSION

Based on the above findings, legal counsel concludes as follows:

- (1) The Petition contains an unsound educational program. [Ed. Code §47605 (b)(1)];
- (2) The Petitioners are demonstrably unlikely to successfully implement the program set forth in the petition. [Ed. Code §47605 (b)(2)]
- (3) The Petition does not contain reasonably comprehensive descriptions of all of the required elements of a charter petition. [Ed. Code §47605 (b)(5)]

Legal counsel recommends that the Board deny the Petition, and adopt as its findings the conclusions set forth in this report.

Respectfully Submitted,

John R. Yeh  
Burke, Williams & Sorensen, LLP  
Counsel, San Jose Unified School District



# EXHIBIT A

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January 24, 2018

Tiffany Maciel  
Eureka Inclusive Charter School  
788 Warring Dr Unit 3  
San Jose, CA 95123  
tmaciel@eurekacharter.org

***Sent via Email and US Mail***

Dear Ms. Maciel,

Thank you for your application to the El Dorado Charter SELPA for the 2018-2019 school year. A team of reviewers comprised of Charter SELPA staff and leaders from current partners reviewed the application material for Eureka! Inclusive Tk-Grade 8 Charter School and submitted recommendations to the Charter SELPA Selection Committee.

The review panel determined that the application and materials for Eureka! Inclusive Tk-Grade 8 Charter School did not demonstrate sufficient capacity to recommend approval for admissions at this time. The reviewers determined that one or more of the areas did not meet the requirements for approval or appeal.

Please contact Kelly Carnahan at (530) 295-2452 or [kcarnahan@edcoe.org](mailto:kcarnahan@edcoe.org) if you have any questions, or to arrange a meeting to receive feedback on your application.

Sincerely,

David M. Toston  
Associate Superintendent

DMT:kc

cc: Ed Manansala, Ed. D., El Dorado County Superintendent of Schools  
Mary Ann Dewan Ph.D., Santa Clara COE : Area 4, Charter Authorizer & Administrative Unit  
Nancy Albarrán, San Jose Unified, Charter Authorizer  
Anna Marie Villalobos, Santa Clara I-IV, VII, Geographic SELPA



March 15, 2018

Tiffany Maciel  
Eureka! Inclusive Tk-Grade 8 Charter School  
556 North 20th Street  
San Jose, CA 95112  
tmaciel@eurekacharter.org

***Sent via Email and US Mail***

Dear Ms. Maciel,

Thank you for your application to the El Dorado Charter SELPA for the 2018-2019 school year. A team of reviewers comprised of Charter SELPA staff and leaders from current partners, reviewed the application material for Eureka! Inclusive Tk-Grade 8 Charter School, and submitted recommendations to the Charter SELPA Selection Committee.

The review panel determined that the application and materials for Eureka! Inclusive Tk-Grade 8 Charter School, did not demonstrate sufficient capacity to recommend approval for admissions at this time. The reviewers determined that one or more of the areas did not meet the requirements for approval or appeal.

Please feel free to contact Kelly Carnahan at (530) 295-2452 or [kcarnahan@edcoe.org](mailto:kcarnahan@edcoe.org) if you have any questions or to arrange a meeting to receive feedback on your application.

Sincerely,

David M. Toston  
Associate Superintendent

DMT:kc

cc: Ed Manansala, Ed. D., El Dorado County Superintendent of Schools  
Nancy Albarrán, San Jose Unified, Charter Authorizer  
Mary Ann Dewan Ph.D., Santa Clara COE : Area 4, Charter Authorizer & Administrative Unit  
Anna Marie Villalobos, Santa Clara I-IV, VII, Geographic SELPA

January 23, 2019

John Ramirez  
Eureka! Inclusive Charter School  
556 North 20th Street  
San Jose, CA 95112  
[iramirez@eurekacharter.org](mailto:iramirez@eurekacharter.org)

***Sent via Email***

Dear Mr. Ramirez,

Thank you for your application to the El Dorado Charter SELPA for the 2019-2020 school year. A team of reviewers comprised of Charter SELPA staff and leaders from current partners determined that the application and materials for Eureka! Inclusive Charter School did not demonstrate sufficient capacity to recommend approval for admission to the Charter SELPA Selection Committee at this time. The Selection Committee approved this recommendation on January 23, 2019.

Per our application guidelines, the Selection Committee vote is final and there are no options to appeal this decision. However, if you are interested, you may reapply next year for admission in the 2020-21 school year.

Please feel free to contact Kelly Carnahan at (530) 295-2452 or [kcarnahan@edcoe.org](mailto:kcarnahan@edcoe.org) if you have any questions, wish to add your name to our contact list for next year's Potential New Partner Meeting, or to arrange a conference call to receive feedback on your application.

Sincerely,

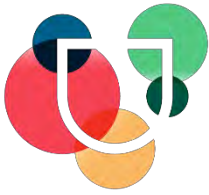


David M. Toston  
Associate Superintendent

DMT/kc

cc: Ed Manansala, Ed. D., El Dorado County Superintendent of Schools  
Mary Ann Dewan Ph.D., Santa Clara COE : Area 4, Charter Authorizer  
Anna Marie Villalobos, Santa Clara I-IV, VII, Geographic SELPA  
Nancy Albarrán, San Jose Unified, Charter Authorizer  
Tiffany Maciel, Eureka! Inclusive Charter School, Founder & President





San José  
Unified  
School District

### 2018-19 Charter School New School Petition Review

Applicant	
School Name:	<b>Eureka! Inclusive</b>
Planned Opening:	Fall 2020
Opening Grades Served:	PK-6
Five-Year Enrollment by Grade:	Total = 316-320 Grades: PK=40; K=40; 1=40; 2=40; 3=40; 4=40; 5=40; 6=36
Strengths of the Petition	
<ul style="list-style-type: none"> <li>• The mission of the proposed school is unique. It targets a high-need and traditionally underserved population. If the inclusive approach it envisions is successful, it would lend a new perspective to how schools serve students with individualized education plans (IEPs).</li> <li>• The development team appears to be rooted in the community and the ideas are presented as reflective of existing community needs.</li> <li>• The petition includes many operational processes aimed to align with legally compliant operational expectations, including enrollment lotteries, facility/health &amp; safety compliance, teacher credentialing, and governance.</li> </ul>	
Areas of the Petition Needing Possible Attention	
<ul style="list-style-type: none"> <li>• The petition does not present a comprehensive description of the educational program. While the basic learning environment is described as utilizing an inclusive team-teaching model of instruction, the petition does not provide a description of how the three-class service delivery model will work in practice. Additionally, the Inclusive Curriculum section does not include a detailed scope and sequence for major subjects.</li> <li>• While the petition contains a professional development calendar that generally plans for training on instructional strategies, a description of the training is not included in the calendar or elsewhere in the petition. Specifically, the petition does not describe how staff will be trained, when staff will be trained, nor a logical cadence for training activities to ensure success for all staff at different levels.</li> <li>• The petition does not present a reasonably comprehensive description of measurable pupil outcomes. For example, goals are tied to CAASPP, but specific student achievement targets for the anticipated student population are not set. Additionally, the petition does not provide rationale or evidence describing how and why the above-mentioned goals are realistic.</li> <li>• The petition's materials include some key revenue assumptions, such as State, local and Federal funds. However, the petition does not explain assumptions pertaining to the fundraising plan, nor cash flow timing for major revenue sources required for the financial model solvency and sustainability. Specifically, details regarding \$300k private grant funding in the planning year, Public Charter School Grant Program implementation of \$475 assumed in Year 1, nor a 5-year \$250k State revolving fund loan are not provided in the budget documents.</li> </ul>	

# Charter Petition Evaluation Rubric

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## Instructions to Review Committee

This checklist is designed to guide the review of charter school petitions. Throughout the evaluation, you are asked to rate the petitioner's response as Exceeds, Meets, or Fails to Meet the criteria required for each specific area. The following rating definitions should be used to guide your assessment.

**Exceeds Required Standard:** The response reflects a thorough understanding of key issues and indicates capacity to open and operate a quality charter school. The section addresses the topic with concise, specific and accurate information that shows thorough preparation, presenting a clear, realistic picture of how the school expects to implement and operate its program.

**Meets Required Standard:** The response indicates solid preparation and grasp of key issues that would be considered reasonably comprehensive. Overall it contains many of the characteristics of a response that exceeds the required standard, although it may require additional specificity, support or elaboration in places.

**Fails To Meet Required Standard:** The response addresses some of the selection criteria but lacks meaningful detail and requires important additional information in order to be reasonably comprehensive. It demonstrates lack of preparation, is unclear, or otherwise raises substantial concerns about the petitioner's understanding of the issue in concept and/or ability to implement or meet the requirement in practice.

At the end of each section, please elaborate, in the comment section, in the areas you rated as Fails to Meet, or Exceeds. Your comments are essential to understanding your assessment and will be used as part of the final analysis and report to the Board of Trustees.



# The 15 Charter Elements

## A. Description of Educational Program

EC Section 47605(b)(5)(A)  
5 CCR Section 11967.5.1(f)(1)

<p><b>Evaluation Criteria: Education Code Section 47605(b)(5)(A)(i)(ii)</b>            A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners. If the proposed school will serve high school pupils, a description of the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the "A" to "G" admissions criteria may be considered to meet college entrance requirements. At a minimum:</p>	Exceeds Required Standard	Meets Required Standard	Fails to Meet Required Standard
(A) Indicates the proposed charter school's target student population, including, at a minimum, grade levels, approximate numbers of pupils, and specific educational interests, backgrounds, or challenges.		✓	
(B) Specifies a clear, concise school mission statement with which all elements and programs of the school are in alignment and which conveys the petitioners' definition of an "educated person" in the 21 <sup>st</sup> century, belief of how learning best occurs, and goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners.		✓	
(C) Includes a framework for instructional design that is aligned with the needs of the pupils that the charter school has identified as its target student population.		✓	
(D) Indicates the basic learning environment or environments (e.g., site-based matriculation, independent study, community-based education, technology-based education).			✓

<p>(E) Describe the instructional program and curriculum the school plans to use. The description must include:</p> <ul style="list-style-type: none"> <li>• Instructional framework</li> <li>• Delineation of the core subjects.</li> <li>• The proposed teaching methodologies.</li> <li>• The scope and sequence of skills to be taught across the grade levels and the different subjects the school plans to teach.</li> <li>• How the curriculum addresses California Content Standards.</li> <li>• How the teaching methodologies and instructional program address the needs of the targeted student population.</li> <li>• The evidence (research base) that the proposed instructional program has been successful with similar student populations and/or will be successful with the charter's targeted population.</li> <li>• The textbooks or other instructional resources to be used.</li> <li>• How the school will recruit teachers who are qualified to deliver the proposed instructional program.</li> <li>• How the school will provide ongoing professional development to ensure that teachers have the skills to deliver the proposed instructional program.</li> <li>• The school's academic calendar and sample daily schedule, which explain the rationale for allocation of instructional time to different subject matter areas, as well as an assurance that the school will offer, at minimum, the number of minutes of instruction set forth in Education Code § 47612.5.</li> </ul>			✓
<p>(F) Indicates how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.</p>		✓	
<p>(G) Indicates how the charter school will meet the needs of students with disabilities, EL, students achieving substantially above or below grade level expectations, and other special student populations.</p>			✓
<p>(H) Specifies the charter school's special education plan, including, but not limited to, the means by which the charter school will comply with the provisions of <i>EC</i> Section 47641, the process to be used to identify students who qualify for special education programs and services, how the school will provide or access special education programs and services, the school's understanding of its responsibilities under law for special education pupils, and how the school intends to meet those responsibilities.</p>			✓

<p>(I) If serving high school students, describes how district/charter school informs parents about:</p> <ul style="list-style-type: none"> <li>• Transferability of courses to other public high schools.</li> <li>• Eligibility of courses to meet college entrance requirements</li> </ul> <p>Courses that are accredited by the Western Association of Schools and Colleges may be considered transferable, and courses meeting the University of California/California State University "a-g" admissions criteria may be considered to meet college entrance requirements.</p>	N/A	N/A	N/A
<p>(J) Describes the implementation plan for the school's instructional program, including a timeline for implementation of various components of the plan.</p>			✓
<p>(K) Contains the following:</p> <ul style="list-style-type: none"> <li>◆ Annual goals for all pupils and for each subgroup of pupils identified pursuant to Section 52052, consistent with characteristics of the students the school intends to serve.</li> <li>◆ Goals that address identified eight (8) state priorities (listed in Ed Code 52060(d) – LCAP) that apply for the grade levels served or the nature of the program.</li> <li>◆ Specific annual actions to achieve the stated goals; actions are designed to achieve the goals. <ul style="list-style-type: none"> <li>o Additional school priorities related to unique aspects of the proposed charter program, with goals and specific annual actions.</li> </ul> </li> </ul>			✓
<p>(L) Does the petition overall present a reasonably comprehensive description of the educational program?</p>			✓

Educational Program – Comments	
If Exceeds Required Standard, include Strengths:	If Fails to Meet Standard, include Concerns and/or Additional Questions:
	<p>D. While the basic learning environment is described on page 63 as utilizing an inclusive team-teaching model of instruction, the petition does not provide a description of how the three-class service delivery model will work in practice.</p> <p>E. The Inclusive Curriculum section (pg. 70) does not include a detailed scope and sequence for major subjects. Instead, examples of learning standards are provided (i.e., on pg. 75, a bulleted list of the six shifts is included). Curricular materials for each subject area are portrayed in Table 14 (pg. 91) and examples from various curricula are provided in the appendices (pg. 135), but specific and detailed CCLS are not included for each subject area.</p>

G:

- While the petition contains a professional development calendar (pg. 28) that generally plans for training on instructional strategies, a description of the training is not included in the calendar or elsewhere in the petition. Specifically, the petition does not articulate how staff will be trained, when staff will be trained, nor a logical cadence for training activities to ensure success for all staff at different levels. The petition indicates the school will partner with SWIFT Education Center and the CHIME Institute (pg. 69) to collaborative on professional development, but also does not state training topics or a cadence for how training will occur. While the program model outlined in the petition is based on a co-teaching and co-planning model, the petition does not include detail regarding how staff will be trained on these models. Finally, the petition does not include specific training described to support teachers and staff in working with students with disabilities.
- The petition states (pg. 23) that equal access to the general education curriculum is the constitutional right of all; however, the petition does not state how these expectations (i.e., access to the general education curriculum and grade level standards) will be upheld and enforced for all students. Finally, the petition does not include a description of how Individualized Education Program (IEP) goals will be considered when determining middle classroom groupings.
- While the petition cites numerous pieces of evidence and research-based practices that are proven effective with diverse learners (i.e., students with disabilities, English learners, gifted students), the petition lists many “instructional strategies” (pgs. 21-27, 49-56) and priorities are not apparent. Therefore, it is difficult to determine which strategies will be used to build a consistent program of supports and services for students with disabilities, or other diverse learners.

	<p>H:</p> <ul style="list-style-type: none"><li>• The petition states that the proposed school will be a school of the district (the local education agency [LEA]), which suggests that the school must adhere to district guidelines and practices for the provision of special education services. It is possible that the school may not be able to implement its model as proposed under those circumstances, should the LEA not agree to an alternative arrangement as proposed in the petition.</li><li>• The Multi-Tiered System of Supports (MTSS) process is not clearly articulated. Also, how MTSS and the student success team (SST) will be connected is not clearly explained (p100-102).</li><li>• The petition describes the continuum of services (pg. 87-88) and emphasizes educating students in the least restrictive environment (LRE), as per the proposed inclusive and co-teaching model. However, the petition also states that the school intends to serve students with more significant disabilities. The details of how the school will serve students in a more restrictive setting remain unclear (e.g., the resource room is strictly described in the context of counseling services).</li><li>• The petition states that Eureka! anticipates schoolwide density of 93 students per special education teacher in year one. In year two, they will switch to a three-team classroom model with an anticipated schoolwide density ratio of one special education teacher per 80 students, 16 (20%) of which they anticipate will have IEPs (pg. 9). These staffing estimates may not be realistic; the needs identified through students' IEPs are unknown at this time.</li></ul> <p>J. While on page 63 an inclusive universal instructional design is described, a timeline for implementation of various components of the plan is not provided.</p> <p>K. While goals, actions, and measurable outcomes are described on pages 129-141, annual goals for pupils and subgroups of pupils,</p>
--	--

Educational Program – Comments

as well as additional school priorities tied to the unique aspects of the school's program, are not included in the petition.

- L. The petition does not present a comprehensive description of the educational program (pages 63-93). Overall, subgroup goals and what students must know and be able to do at each grade level remains unclear.

**B. Measurable Pupil Outcomes**

EC Section 47605(b)(5)(B)  
5 CCR Section 11967.5.1(f)(2)

<b>Evaluation Criteria: Education Code Section 47605(b)(5)(B)</b> The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program.	Exceeds Required Standard	Meets Required Standard	Fails to Meet Required Standard
(A) Lists the anticipated skills and knowledge outcomes for students. Identifies when and how often pupil outcomes will be assessed, including innovative components and any additional specific, measurable student outcomes that the school will set for the students, and explain how these outcomes are consistent with the school's proposed instructional program.			✓
(B) Sets specific, measurable, and realistic student achievement targets as closely as possible for the anticipated student population for the following: <ul style="list-style-type: none"> <li>• CAASPP scores</li> <li>• CAHSEE scores (if applicable)</li> <li>• Graduation rates (if applicable)</li> </ul>			✓
(C) Contains pupil outcomes that include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607, and that align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school.			✓
(D) Does the petition present a reasonably comprehensive description of measurable pupil outcomes?			✓

Measurable Pupil Outcomes - Comments	
If Exceeds Required Standard, include Strengths:	If Fails to Meet Standard, include Concerns and/or Additional Questions:

## Measurable Pupil Outcomes - Comments

- A. Starting on page 144 of the Petition (Methods of Assessment), the applicant lists when and how often pupil outcomes will be assessed. However, the applicant does not provide information as to how the assessment program will assess specific skills and outcome knowledge outcomes for students, other than stating the "...assessment system to measure and track student mastery of grade-level standards and requisite skills in each subject area" (Petition, page 144). Many tools have yet to be developed; the applicant proposes that the assessments will be teacher-developed or selected.
- B. On page 134, the applicant includes CAASPP achievement targets of:
- Annually, at least 95% participation rate in the CAASPP statewide assessments; and
  - Exceed district statewide pass-rate on CAASPP assessments by at least 10%.
- Although tied to CAASPP, the applicant does not set specific student achievement targets for the anticipated student population, stating that it will "...establish benchmarks for all students" (page 134). Additionally, the petition does not provide rationale or evidence describing how and why the above-mentioned goals are realistic.
- C. Pupil outcomes for all students are listed on page 134 (to exceed State average on CAASPP by 10%), and page 141 describes general goals for subgroups of students. However, the petition does not include specific outcomes related to these goals, such as increases in test scores.
- D. The petition does not present a reasonably comprehensive description of measurable pupil outcomes (pages 134-143). Goals for subgroups of students are not tied to specific outcomes. The applicant provides one aggregate CAASPP outcome measure for all students, a general overview of expectations, and a general listing of skills by grade groupings.



**C. Method for Measuring Pupil Progress**

*EC Section 47605(b)(5)(C)*  
*5 CCR Section 11967.5.1(f)(3)*

<b>Evaluation Criteria:</b> The method for measuring pupil progress, as required by <i>EC Section 47605(b)(5)(C)</i> , at a minimum	Exceeds Required Standard	Meets Required Standard	Fails to Meet Required Standard
(A) Utilizes a variety of assessment tools that are appropriate to the skills, knowledge, or attitudes being assessed, including, at minimum, tools that employ objective means of assessment consistent with the measurable pupil outcomes.		✓	
(B) Includes the annual assessment results from the Standardized Testing and Reporting (STAR) program.		✓	
(C) Describes how the collection and analysis of student assessment data will be used to inform instruction, improve the educational program, and inform professional development on an ongoing basis.			✓
(D) Does the petition present a reasonably comprehensive description of the method for measuring pupil progress?			✓

Method for Measuring Pupil Progress – Comments	
If Exceeds Required Standard, include Strengths:	If Fails to Meet Standard, include Concerns and/or Additional Questions:
	<p>C. On page 149, the petition documents how Eureka! will use standards-based grading as the method for in-class performance assessment. However, the petition does not include information as to how assessments will improve the educational program or inform professional development on an ongoing basis.</p> <p>D. The petition does not include a comprehensive description of the method for measuring pupil progress. The methods for assessment listed on page 144 are not tailored to student subgroups.</p>

**D. Governance Structure**

*EC Section 47605(b)(5)(D)*  
*5 CCR Section 11967.5.1(f)(4)*

<b>Evaluation Criteria: Education Code Section 47605(b)(5)(D)</b> The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement.	Exceeds Required Standard	Meets Required Standard	Fails to Meet Required Standard
(A) Provides articles of incorporation and by-laws for the nonprofit public benefit corporation.		✓	
(B) Describes the proposed school's governance structure and demonstrate how it will maintain active and effective control of the school. Applicants must describe: <ul style="list-style-type: none"> <li>• How often the governing board will meet.</li> <li>• The process for selecting governing board members.</li> <li>• The manner of posting meeting notices, distributing agendas and recording.</li> <li>• Governing board actions.</li> </ul>		✓	
(C) Provides an organizational chart showing the relationship of the governing board to the leadership of the school as well as any relevant site committees, etc. Provide résumés and/or bios for all individuals committed to serving on the school's governing board. Provide an assurance that the governance meetings will comply with the Ralph M. Brown Act.		✓	
(D) Explains the process to be followed by the school for ensuring parental involvement.		✓	
(E) Does the petition present a reasonably comprehensive description of the school's governance structure?		✓	

Governance Structure – Comments	
If Exceeds Required Standard, include Strengths:	If Fails to Meet Standard, include Concerns and/or Additional Questions:

**E. Employee Qualifications**

*EC Section 47605(b)(5)(E)*  
*5 CCR Section 11967.5.1(f)(5)*

<b>Evaluation Criteria:</b> The qualifications (of the school’s employees), as required by <i>EC Section 47605(b)(5)(E)</i> , at a minimum	Exceeds Required Standard	Meets Required Standard	Fails to Meet Required Standard
(A) Identifies general qualifications for the various categories of employees the school anticipates (e.g., administrative, instructional, instructional support, non-instructional support). The qualifications shall be sufficient to ensure the health, and safety of the school’s faculty, staff, and pupils.		✓	
(B) States that the charter school will conform to the legal requirement that all charter school teachers shall hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold; Assures that the school will maintain current copies of all teacher credentials and that they be readily available for inspection and procedure for monitoring credentials; Assures the school will comply with NCLB requirements for teachers and paraprofessionals.		✓	
(C) Does the petition present a reasonably comprehensive description of employee qualifications?		✓	

Employee Qualifications – Comments	
If Exceeds Required Standard, include Strengths:	If Fails to Meet Standard, include Concerns and/or Additional Questions:

**F. Health and Safety Procedures**

*EC Section 47605(b)(5)(F)*  
*5 CCR Section 11967.5.1(f)(6)*

<b>Evaluation Criteria: Education Code Section 47605(b)(5)(F)</b> The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Section 44237.	Exceeds Required Standard	Meets Required Standard	Fails to Meet Required Standard
(A) Requires that each employee of the school furnish the school with a criminal record summary as described in <i>EC Section 44237</i> .		✓	
(B) Includes the examination of faculty and staff for tuberculosis as described in <i>EC Section 49406</i> .		✓	
(C) Requires immunization of pupils as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school.			✓
(D) Provides for the screening of pupils' vision and hearing and the screening of pupils for scoliosis to the same extent as would be required if the pupils attended a non-charter public school.		✓	
(E) Assures that the schools' facilities will comply with state building codes, federal Americans with Disabilities Act (ADA) access requirements, and other applicable fire, health and structural safety requirements, and will maintain on file readily accessible records documenting such compliance; Assures that a site will be secured with an appropriate Certificate of Occupancy.		✓	
(F) Assures that a comprehensive school safety plan will be developed and kept on file for review, and that school staff will be trained annually on the safety procedures outlined in the plan; (If the school safety plan has already been developed, please include it as an attachment to the petition.)		✓	
(G) Addresses the provision of epinephrine autoinjectors, and the process for designating volunteers for the administration of medication and of epinephrine autoinjectors.		✓	
(H) Provide for the mandatory training in Child Abuse Reporting for all employees for which such training is required.		✓	
(I) Does the petition present a reasonably comprehensive description of health and safety procedures?		✓	

Health and Safety Procedures - Comments	
If Exceeds Required Standard, include Strengths:	If Fails to Meet Standard, include Concerns and/or Additional Questions:

Health and Safety Procedures - Comments

C. The applicant does not provide a statement or assurance that they will require immunization of pupils as a condition of school attendance. On page 172 of the petition, the applicant does state that students should provide records documenting immunization and cites California Health Code. However, the applicant does not affirmatively state that it will require immunizations before students can attend the school.

**G. Racial and Ethnic Balance**

EC Section 47605(b)(5)(G)  
5 CCR Section 11967.5.1(f)(7)

<b>Evaluation Criteria: Education Code Section 47605(b)(5)(G)</b> The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.	Exceeds Required Standard	Meets Required Standard	Fails to Meet Required Standard
(A) Include a thorough description of the annual outreach efforts of the charter school, describing: <ul style="list-style-type: none"> <li>• What methods the school will use to advertise and recruit students (fliers, newspaper advertisements, informational fairs, and the like)</li> <li>• What geographic areas will be targeted in outreach efforts.</li> <li>• What languages will be used for outreach?</li> <li>• How these outreach efforts will attain a racial and ethnic balance at the charter school that is reflective of the District.</li> </ul>			✓
(B) Does the petition present a reasonably comprehensive description of means for achieving racial and ethnic balance?			✓

Racial and Ethnic Balance - Comments	
If Exceeds Required Standard, include Strengths:	If Fails to Meet Standard, include Concerns and/or Additional Questions:
	A. While Element G includes advertisement and recruitment methods (pgs. 176-177), the petition does not provide specific geographic areas by which to target outreach efforts (states “throughout San Jose” on pg. 177). The petition also does not include specific information about how the school will attract students of varying racial and ethnic groups, but rather provides a general description of recruitment efforts (i.e., booths at events, open houses, etc.)  B. Element G (pages 176-177) does not present a reasonably comprehensive description of means for achieving racial and ethnic balance. While Eureka! is focused on creating a diverse and inclusive learning environment, the petition does not address outreach for subgroups of students, including English language learners or students with disabilities.

**H. Admission Requirements, If Applicable**

5 CCR Section 11967.5.1(f)(8)  
 EC Section 47605(b)(5)(H)

<b>Evaluation Criteria:</b> To the extent admission requirements are included in keeping with <i>EC</i> Section 47605(b)(5)(H), the requirements shall be in compliance with the requirements of <i>EC</i> Section 47605(d) and any other applicable provision of law	Exceeds Required Standard	Meets Required Standard	Fails to Meet Required Standard
(A) Describe the manner in which the school will implement a public random drawing in the event that applications for enrollment exceed school capacity. This description should address: <ul style="list-style-type: none"> <li>• The method the school will use to communicate to all interested parties the rules to be followed during the lottery process.</li> <li>• The method the school will use to verify lottery procedures are fairly executed.</li> <li>• The timelines under which the open enrollment period and lottery will occur.</li> <li>• The location where the lottery will occur and the efforts the school will undertake to ensure all interested parties may observe the lottery.</li> <li>• The date and time the lotteries will occur so most interested parties will be able to attend.</li> <li>• The preferences to be granted, if any, to potential students and the basis upon which those preferences shall be granted.</li> </ul>		✓	
(B) The procedures the school will follow to determine waiting list priorities based upon lottery results.		✓	
(C) The records the school shall keep on file documenting the fair execution of lottery procedures.		✓	
(D) Does the petition present a reasonably comprehensive description of admission requirements?		✓	

Admission Requirements - Comments	
If Exceeds Required Standard, include Strengths:	If Fails to Meet Standard, include Concerns and/or Additional Questions:

**I. Annual Independent Financial Audits**

*EC Section 47605(b)(5)(I)  
5 CCR Section 11967.5.1(f)(9)*

<b>Evaluation Criteria: Education Code Section 47605(b)(5)(I)</b> The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.	Exceeds Required Standard	Meets Required Standard	Fails to Meet Required Standard
(A) Specify who is responsible for contracting and overseeing the independent audit.		✓	
(B) Specify that the auditor will have experience in education finance.		✓	
(C) Indicate the process that the charter school(s) will follow to address any audit findings and/or resolve any audit exceptions.		✓	
(D) Does the petition present a reasonably comprehensive description of annual independent financial audits?			✓

Annual Independent Financial Audits - Comments	
If Exceeds Required Standard, include Strengths:	If Fails to Meet Standard, include Concerns and/or Additional Questions:
	(D) Page 182 of the petition includes a reference to the State Controller’s K-12 Audit Guide. However, the petitioner does not present a comprehensive description of annual independent audits. For instance, the petition notes that the school “will perform audits” but does not identify expected elements of the audit such as: <ul style="list-style-type: none"> <li>• Introductory section</li> <li>• Financial section</li> <li>• Required Supplementary Information</li> <li>• Supplementary Information</li> <li>• Other Independent Auditor Reports</li> <li>• Findings and Recommendations</li> </ul>



**J. Suspension and Expulsion Procedures**

*EC Section 47605(b)(5)(J)*  
5 *CCR Section 11967.5.1(f)(10)*

<b>Evaluation Criteria:</b> The procedures by which pupils can be suspended or expelled, as required by <i>EC Section 47605(b)(5)(J)</i> , at a minimum	Exceeds Required Standard	Meets Required Standard	Fails to Meet Required Standard
(A) Identify a preliminary list, subject to later revision pursuant to subparagraph (E), of the offenses for which students in the charter school must (where non-discretionary) and may (where discretionary) be suspended and, separately, the offenses for which students in the charter school must (where non-discretionary) or may (where discretionary) be expelled, providing evidence that the petitioners' reviewed the offenses for which students must or may be suspended or expelled in non-charter public schools.		✓	
(B) Identify the procedures by which pupils can be suspended or expelled.		✓	
(C) Identify the procedures by which parents, guardians, and pupils will be informed about reasons for suspension or expulsion and of their due process rights in regard to suspension or expulsion.			✓
(D) If not otherwise covered under subparagraphs (A), (B), (C), and (D): <ol style="list-style-type: none"> <li>1. Provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in...regard to suspension and expulsion.</li> <li>2. Outline how detailed policies and procedures regarding suspension and expulsion will be developed and periodically reviewed, including, but not limited to, periodic review and (as necessary) modification of the lists of offenses for which students are subject to suspension or expulsion.</li> </ol>		✓	
(E) Procedures for rehabilitation, readmission and interim placement.		✓	
(F) 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: <ol style="list-style-type: none"> <li>(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 his or her side of the story.</li> <li>(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:                             <ol style="list-style-type: none"> <li>(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.</li> <li>(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</li> </ol> </li> </ol>			✓

<p>cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.</p> <p>(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 schooldays 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 him or her 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).</p>			
<p>(G) Does the petition present a reasonably comprehensive description of suspension and expulsion procedures?</p>		✓	

Suspension and expulsion procedures - Comments	
If Exceeds Required Standard, include Strengths:	If Fails to Meet Standard, include Concerns and/or Additional Questions:
	<p>C. While page 197 of the petition includes information about the procedures by which parents, guardians, and pupils will be informed about reasons for suspension, it does not provide details about students’ due-process rights.</p> <p>F. While Governing Law regarding suspension and expulsion procedures is included as text on page 183 of the petition, the school does not include an explanation of how the school will comply with Federal and State constitutional procedural and substantive due process requirements.</p>

**K. California State Teacher Retirement System, California Public Employees Retirement System, and Social Security Coverage**

*EC Section 47605(b)(5)(K)  
5 CCR Section 11967.5.1(f)(11)*

<b>Evaluation Criteria:</b> The manner by which staff members of the charter schools will be covered by California State Teacher Retirement System (CALSTRS), California Public Employees Retirement System (CALPERS), or federal social security, as required by <i>EC Section 47605(b)(5)(K)</i> , at a minimum	Exceeds Required Standard	Meets Required Standard	Fails to Meet Required Standard
(A) Specifies the positions to be covered under each system and the staff who will be responsible for ensuring that appropriate arrangements for that coverage have been made.			✓
(B) Does the petition present a reasonably comprehensive description of CalSTRS, CalPERS, and social security coverage?		N/A	

CALSTRS/CALPERS/Federal Social Security - Comments	
If Exceeds Required Standard, include Strengths:	If Fails to Meet Standard, include Concerns and/or Additional Questions:
	A. <ul style="list-style-type: none"> <li>• The petition lists CalSTRS, CalPERS and Social Security as three retirement coverage options for staff. However, the applicant does not provide descriptions of each program, nor does the applicant delineate which retirement vehicle it will offer to each staff group (page 206).</li> <li>• In the petition, the applicant states that CalPERS and CalSTRS will both be available to staff (petition, page 206). However, the budget documents state that the school will <i>not</i> offer CalPERS (Supporting Documents, .pdf page 6). The applicant does not provide a description of what Defined Contribution or other retirement plans will be offered to non-instructional and non-administrative staff.</li> </ul>

**L. Public School Attendance Alternatives**

*EC Section 47605(b)(5)(L)*  
*5 CCR Section 11967.5.1(f)(12)*

<b>Evaluation Criteria:</b> The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools, as required by <i>EC Section 47605(b)(5)(L)</i> , at a minimum	Exceeds Required Standard	Meets Required Standard	Fails to Meet Required Standard
(A) Specifies that the parent or guardian of each pupil enrolled in the charter school shall be informed that the pupil has no right to admission in a particular school of any local educational agency (LEA) (or program of any LEA) as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the LEA.		✓	
(B) Does the petition present a reasonably comprehensive description of public school attendance alternatives?		✓	

Public School Attendance Alternatives - Comments	
If Exceeds Required Standard, include Strengths:	If Fails to Meet Standard, include Concerns and/or Additional Questions:

**M. Post-employment Rights of Employees**

*EC Section 47605(b)(5)(M)  
5 CCR Section 11967.5.1(f)(13)*

<b>Evaluation Criteria: Education Code Section 47605(b)(5)(M)</b> A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.	Exceeds Required Standard	Meets Required Standard	Fails to Meet Required Standard
(A) Any rights upon leaving the employment of an LEA to work in the charter school that the LEA may specify.		✓	
(B) Any rights of return to employment in an LEA after employment in the charter school as the LEA may specify.		✓	
(C) Any other rights upon leaving employment to work in the charter school and any rights to return to a previous employer after working in the charter school that the authorizer determines to be reasonable and not in conflict with any provisions of law that apply to the charter school or to the employer from which the employee comes to the charter school or to which the employee returns from the charter school.		✓	
(D) Does the petition present a reasonably comprehensive description of post-employment rights of employees?		✓	

Post-employment Rights of Employees - Comments	
If Exceeds Required Standard, include Strengths:	If Fails to Meet Standard, include Concerns and/or Additional Questions:

**N. Dispute Resolution Procedures**

*EC Section 47605(b)(5)(N)*  
5 *CCR Section 11967.5.1(f)(14)*

<b>Evaluation Criteria:</b> The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to the provisions of the charter, as required by <i>EC Section 47605(b)(5)(N)</i> , at a minimum	Exceeds Required Standard	Meets Required Standard	Fails to Meet Required Standard
(A) Describe how the costs of the dispute resolution process, if needed, would be funded.			✓
(B) Recognize that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with <i>EC Section 47604.5</i> , the matter will be addressed at the authorizer’s discretion in accordance with that provision of law and any regulations pertaining thereto.			✓
(C) Does the petition present a reasonably comprehensive description of dispute resolution procedures?			✓

Dispute Resolution Procedures - Comments	
If Exceeds Required Standard, include Strengths:	If Fails to Meet Standard, include Concerns and/or Additional Questions:
	A. On page 209 of the petition, then the applicant proposes that the cost of a mediator (if used) would be split equally between the district and the school. However, the applicant did not describe how the costs of the overall dispute resolution process, if needed, would be funded. Funding for the dispute resolution is also not accounting for in the school’s budget.  B. While Element N (pg. 209) describes a general dispute resolution procedure, it does not explicitly include language which specifies that the authorizer has authority to handle disputes according to their discretion.  C. The petition does not offer a comprehensive description of the dispute resolution procedure (pg. 209). The details pertaining to funding are unclear, and the language regarding authorizer authority to handle disputes is not included.

**O. Closure Procedures**

*EC Section 47605(b)(5)(P)*  
*5 CCR Section 11967.5.1(f)(15)(g)*

<b>Evaluation Criteria:</b> A description of the procedures to be used if the charter school closes, in keeping with <i>EC Section 47605(b)(5)(P)</i> . The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.	Exceeds Required Standard	Meets Required Standard	Fails to Meet Required Standard
(A) Does the petition include a reasonably comprehensive description of closure procedures?		✓	

Closure Procedures - Comments	
If Exceeds Required Standard, include Strengths:	If Fails to Meet Standard, include Concerns and/or Additional Questions:

**Facilities**

EC Section 47605(g)  
5 CCR Section 11967.5.1(C)(3)(D)

<p><b>Evaluation Criteria:</b> The Facilities Plan should demonstrate that the petitioners understand the school’s facilities needs and its options for meeting those needs, in keeping with EC Section 47605(g).</p>	<p><b>Non-district facility</b></p>	<p><b>District facility (Prop 39/Other)</b></p>
<p>Do the petitioners anticipate using a district facility or finding a facility independent of the district? Place X in the correct box.</p>		<p>✓</p>

<p><b>If non-district facility anticipated.</b> A description of the plan for using a non-district facility excels if it has the following characteristics:</p> <ul style="list-style-type: none"> <li>• Compliance with Education Code section 47605(a)(1) requirements, including site location and configuration.</li> <li>• Informed assessment of anticipated facilities needs for both in-district and out-of-district students</li> <li>• Estimated costs for anticipated facilities needs based on research, evidence and market-based data</li> <li>• A description of potential sites including location, size and resources that are sufficient to meet the projected instructional and non-instructional needs of both in-district and out-of-district students</li> <li>• Informed analysis of the viability of potential sites</li> <li>• Adequate budget for anticipated facilities costs including renovation, rent, maintenance and utilities</li> <li>• A schedule for securing a facility including the person responsible for implementation</li> <li>• An assurance of legal compliance (including but not limited to health and safety, ADA, zoning, applicable building codes, California Environmental Quality Act, etc.)</li> <li>• Identified funding sources</li> </ul>	<p>Exceeds Required Standard</p>	<p>Meets Required Standard</p>	<p>Fails to Meet Required Standard</p>
<p>(A) Does the petition include a reasonably comprehensive assessment of the school’s facilities needs and its options for meeting those needs?</p>			<p>✓</p>



<p><b>If district facility anticipated pursuant to Prop 39.</b> A description of the facilities plan where the applicants have not yet identified a specific site will include the following characteristics:</p> <ul style="list-style-type: none"> <li>• Informed assessment and description of anticipated facilities needs for in-district and out-of-district students</li> <li>• Adequate budget based on 1% of anticipated per pupil revenue and pro-rata costs for in-district student facilities</li> <li>• Adequate budget based on Fair Market Value lease and associated costs for out-of-district student facilities</li> <li>• A thoughtful contingency plan in the event that a mutually agreeable district facility is unable to be <sup>[L]</sup><sub>[SEP]</sub>procured</li> <li>• A site preference with a compelling rationale for the preference</li> <li>• An assurance of legal compliance (health and safety, ADA, and applicable building codes)</li> </ul>	Exceeds Required Standard	Meets Required Standard	Fails to Meet Required Standard
(A) Does the petition include a reasonably comprehensive assessment of the school's facilities needs and its options for meeting those needs?			✓

**Facilities - Comments**

If Exceeds Required Standard, include Strengths:	If Fails to Meet Standard, include Concerns and/or Additional Questions:
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*If non district facility is anticipated*

(A) Pages 214 and 215 of the petition note that Eureka! Inclusive will consider leasing private facilities and include an assurance of compliance with applicable State and local codes. However, the petition does not identify potential sites, an informed analysis of viability, a schedule for securing a facility or an adequate budget for facilities costs. Further, pages 214 and 215 refer to Appendix J44 for a detail on classroom and other spaces; the petition materials do not include an Appendix J44.

*If district facility is anticipated pursuant to Prop 39*

Page 215 of the petition notes that Eureka! Inclusive intends to seek the support of SJUSD to secure space in a District-owned facility and includes an assurance of compliance with applicable state and local codes. However, the petition does not include an adequate budget based on 1% of anticipated per pupil revenue, pro-rata costs, FMV lease, contingency plan; an informed assessment or description of facilities needs is not included. Further, pages 214 and 215 refer to Appendix J44 for a detail on classroom and other spaces; the petition materials do not include an Appendix J44.

**Financial Capacity**

EC Section 47605(g)  
5 CCR Section 11967.5.1(c)(3)(B);

<p><b>Evaluation criteria:</b> The petition should present an understanding of how the charter operators intend to manage the school’s finances and maintain the organization’s financial viability. It should make a persuasive case for financial viability, including sound revenue projections, expenditure requirements, and budgetary support for, and alignment with, the educational program.</p>	Exceeds Required Standard	Meets Required Standard	Fails to Meet Required Standard
<p>(A) Financial Operation: How would you rate the structures and practices related to financial operation?</p> <ul style="list-style-type: none"> <li>• A balanced three-year budget accurately reflecting all budget assumptions</li> <li>• Proper calculation of the charter school’s LCFF funding rate for each year of the charter, including a reasonably comprehensive description of how the charter school is calculating its base funding rate, transitional amounts, and supplemental and concentration funding, including unduplicated pupil counts (if applicable) for each year of the charter.)</li> <li>• Inclusion of expenditures incurred by the charter schools to meet its specific goals as required by Education Code section 47606.5</li> <li>• A start-up year plan with reasonable assessment of and plan for costs (if applicable)</li> <li>• A clear indication that the school has a sound plan for sustainability, including funding for the core<sup>[SEP]</sup> program that does not have ongoing reliance on “soft” money (e.g., donations, grants, etc.)</li> <li>• Clear evidence and track record of sustainability, in the event there is an enduring reliance on “soft” <sup>[SEP]</sup> money (e.g., donations, grants, etc.)</li> <li>• An adequate reserve and contingency plan targeted to the minimum enrollment needed for <sup>[SEP]</sup> solvency (especially for year 1)</li> <li>• A sound plan for financial management systems</li> </ul>			✓
<p>(B) Revenues: How would you rate the accuracy and attainability of the revenue projections?</p> <ul style="list-style-type: none"> <li>• A narrative explaining key revenue assumptions</li> <li>• Realistic revenue projections showing all anticipated revenue sources -- including state, local, <sup>[SEP]</sup> federal and private funds, and any fee-based programs and services</li> <li>• Realistic cash flow projection</li> <li>• A fundraising plan, including assumptions and report on current status.</li> </ul>			✓

<p>(C) Expenditures: How would you rate the expenditure plan in terms of sound assumptions and priorities consistent with effective operation of the school?</p> <ul style="list-style-type: none"> <li>• Spending priorities that align with the school’s Local Control Accountability Plan, mission, educational program, management structure, professional development needs, and growth plan</li> <li>• A budget narrative explaining key expense assumptions</li> <li>• Realistic expense projections addressing major operating expenses including staffing and benefits, professional development, <sup>[L]</sup>special education, facility, materials and equipment, and contracted services</li> <li>• Budgeting to meet minimum insurance requirements</li> <li>• Evidence to support key assumptions, including that compensation is sufficient to attract qualified staff and that facilities budget is adequate</li> </ul>			✓
Financial Capacity - Comments			
If Exceeds Required Standard, include Strengths:	If Fails to Meet Standard, include Concerns and/or Additional Questions:		

(A) Pages 213 and 214 of the petition mention the potential for administrative services. However, the petition does not include a description of services to be procured, a financial management system, or staff requirements for adequate fiscal management. The financial documents included in the petitions “Supporting Documents Part 1” show a balanced budget. However, the petition does not include a plan for adequate reserves targeted to minimum enrollment needed for solvency or a start-up plan with a reasonable assessment and plan for costs. As noted previously, Appendix J44 is referenced by the petitioner on page 213, however, no such appendix was provided.

(B) Page 4 of the petition’s Supporting Documents includes some key revenue assumptions including State, local and federal funds. However, the petition does not explain assumptions pertaining to the fundraising plan or cash flow timing for major revenue sources required for the financial model solvency and sustainability including:

\$300k private grant funding assumed for planning year

PCSGP implementation of \$475 assumed in Year 1

5-year \$250k state revolving fund loan

(C) Pages 162-170 of the petition identify a management and staffing structure that includes position titles and qualifications. However, the identified positions are not aligned with the expense assumptions in the budget – specifically, the Business Manager and Student Data Coordinator are excluded from the expense assumptions and financial model on page 8 and 9 of the Supporting Documents. Furthermore, page 8 of the Supporting Documents assumes several part-time FTEs with no clear plan to recruit and obtain staff for these positions.

Additionally, the petition does not identify whether the petitioner has obtained the \$300,000 private grant funding for the planning year. The petition also does not identify when these funds are expected to be received or a plan for how they will be utilized in the 2019-20 school year.

## Voluntary Integration Plan

<p><b>Evaluation criteria:</b> The petition should demonstrate how the charter’s policies, program, practices and procedures will support the objectives of SJUSD’s Voluntary Integration Plan (VIP). The petition should highlight how the charter will improve the achievement of Latino students in the following areas: student assignment (including transportation); student recruitment, admissions and retention; primary language instruction; student achievement and monitoring; integration and mixed ability goals; parent training and involvement; special education; drop out / discipline; and cross-cultural understanding.</p> <p>Note that support of the Voluntary Integration Plan is not an education code requirement, but it is a key policy for SJUSD and is aligned with SJUSD’s mission of eliminating the opportunity gap.</p>	Exceeds Required Standard	Meets Required Standard	Fails to Meet Required Standard
(A) To what extent does the petition demonstrate understanding and alignment with SJUSD’s Voluntary Integration Plan objectives?			✓

Voluntary Integration Plan- Comments	
If Exceeds Required Standard, include Strengths:	If Fails to Meet Standard, include Concerns and/or Additional Questions:
	<p>A. The petition does not fully align with SJUSD’s Voluntary Integration Plan objectives. The petition highlights how the charter will work to improve achievement of Latino students by offering an English Learner Advisory Council, which will provide support in four areas enumerated in Education Code Section 52176(c) (pg. 158). The petitioners also plan to work with parents of both English Learners and English-speaking students to develop and adopt parent involvement strategies and policies (pg. 158). However, details regarding student assignment (including transportation), student recruitment, admissions and retention, primary language instruction, student achievement and monitoring, integration and mixed ability goals, and drop-out discipline are not included in the petition.</p>

## Eureka! Charter School's response to

### SAN JOSE UNIFIED SCHOOL DISTRICT LEGAL REVIEW: PETITION TO FORM EUREKA! INCLUSIVE CHARTER SCHOOL

A. Element One: A Description of the Educational Program [Ed. Code, §47605, subd. (b)(5)(A).]  
Proposed Educational Program

1. The Petition Does Not Contain a Reasonably Comprehensive Description of the Proposed Educational Program; and Does Not Proposed a Sound Educational Program.

#### **Response:**

The Eureka petition thoughtfully addresses guiding principles and pedagogical approaches that will provide the framework for instructional design, curricular use, and set-up of physical school spaces (eg. classrooms, small group instructional spaces, etc). The petition also then specifically applies these guiding approaches across all curricular contexts and identifies specific curricula that will be employed in the largest content areas (math and English/language arts). These are provided in great detail across Element A and will be referenced below.

Beginning with subsection "How Learning Best Occurs" on page 20 of the petition, the guiding principles and pedagogical approaches that Eureka will use are clearly articulated. These are found on pages 20-32 of the petition and encompass: focusing on relationship development between students and teachers, creating a nurturing school environment, developing accessible classrooms for all learnings, utilization of the principles of Universal Design for Learning (UDL) to guide pedagogy and curriculum use, inter/multi-disciplinary teaching, and use of ongoing professional learning communities and evaluation to support the development of all Eureka professionals. These principles and pedagogical approaches are also addressed again later in Element A on pages 67 through the top of page 75.

Additionally, on pages 46-56, the petition indicates the use of various programmatic practices, such as: Multi-Tier Systems of Support (MTSS), multi-age classrooms and small class sizes, a constructivist approach to teaching/learning, co-teaching and other collaborative practices, an integrated system of supports for all students, social-emotional learning and positive behavior supports for all students, access to technology to enhance learning/communication, parent/family partnerships, and data-driven decision making. These practices will be implemented school-wide at Eureka, in addition to the guiding principles and pedagogical approaches articulated above within the petition.

More specific information about curricular content is contained later in Element A. Pages 57-63 of the petition articulates the knowledge, skills, and ways that progress will be measured for students across early elementary, primary, lower elementary, and upper elementary programs. These parts of the petition specifically identify the learning needs and characteristics of students at each of these levels, as ways in which these are connected to relevant California State Learning standards in various curricular areas. Beginning with the sub-heading *English*

*Language Arts* on page 75, through the sub-heading *Planet Health* on page 86, the petition specifically identifies curricula that will be used at Eureka, in addition to ways in which specific curricular content areas are made more expansive through the UDL pedagogical framework (one of Eureka’s guiding practices). A sampling of what is included, in great detail, in this part of the petition includes: use of the California State Content Standards to guide curriculum content development (all content areas and physical education); GO Math curriculum across all grade levels; the use of the Core Knowledge sequence in content areas of history and social sciences (eg. “...gain an understanding of human history as well as how our society and the world work. The curriculum not only supports student acquisition of core knowledge of the world’s eras and civilizations, but also develops the critical thinking skills that historians and social scientists employ to distinguish the important from the unimportant, to recognize vital connections between the present and the past, and to appreciate universal historical themes and dilemmas.” pg.81-82); and the Engineering by Nature curriculum. Visual, music, and performing arts curricula to be used include MADE by Me, a STEAM inspired program that draws upon the work of Harvard’s Project Zero program (Agency by Design and Artful Thinking), the Maker movement, Reggio-Emilia educational theory, Orff-Schulwerk, and the Kodaly and Dalcroze developmental methods of music education (pg. 85). Finally, Eureka will use an eco-literacy curriculum; Big Ideas is a curriculum created by the Center for Eco-literacy and is aligned with Common Core State Standards, the Next Generation Science Standards crosscutting concepts, National Health Education Standards, the College, Career, and Civic Life Standards for Social Studies, and the California Nutrition Competencies (pg. 86). **Table 14, pages 91- top of 93, identifies the specific curricula, across all content areas and grade levels, that Eureka will utilize.**

B. The Petitioners are Demonstrably Unlikely to Successfully Implement the Program Set Forth in the Petition.

1. Class Size

**Response:**

Regarding your comment (3) that the total enrollment does not match the sum of all grade levels. The projected enrollment is correct in the budget, and the totals are accurately reflected on Petition Page 34 Table 5 Eureka! Inclusive Projected Enrollment and Growth. However, in years 3-5 the total number of 6th grade students was listed at 36, we apologize for the typo. Again, the totals in the petition and budget are accurate and match.

Also, even though it is not shown in the budget summary, the TK classes are a combination of morning and afternoon classes of 15 students each, this is described so, the actual TK student/teacher ratio for all TK classes is 15/1, not 30/1.

Petition Page 58: “The Developmental TK program has a is a 3.5-hour half day program offered in the AM or PM and has a smaller class size of approximately 15 students. The day includes an instructional snack, specials classes (art,physical education, music, computers, and library),



recess, and students and families are invited to all school events (celebratory days, assemblies, school wide engagement) and follows the Eureka! Inclusive academic core program.”

Student Instruction Ratios are listed below to reflect **corrected** number of students to match the totals listed in Table 5 of the petition and in the budget:

**\*1/15 TK class sizes TK is divided into am/pm, Class size is 15, 15 students subtracted from total to get actual students to teacher ratio**

	2020/21	2021/22	2022/23	2023/24	2024/25
TK/K	56	80	80	80	80
1-6 Students	130	156	240	240	240
Total Students	186	240	320	320	320
ADA *Adjusted ADA	176.7 162	228 213	304 289	304 289	304 289
#Classroom	7	9	12	12	12
Avg. Student per Teacher	23	24	24	24	24
Avg. Student per Team	12	12	12	12	12

## 2. Special Education:

### a. The Petitioners’ Election to be a Public School of the District for Special Education Purposes

#### Analysis:

- EDCOE SELPA: The reviewers determined that one or more of the areas did not meet the requirements for approval or appeal.
- “The petition proposes a special education delivery model that is unsound and creates a significant liability to the district.”

## Response

- EDCOE has a different set of scoring standards that are not mandated by EdCode or state law. The actual rubric or explanation is not provided. Eureka’s instructional model provides students a focused, holistic, and structured program that aims to develop the whole child. Eureka focuses academic growth, as well as targets the development of the whole child (social-emotional and behavioral growth, as well as the development of a nurturing school context based on relationship development; this is contained in numerous places throughout Element A). Therefore denial of SELPA membership should not lead one to conclude that the educational model is unsound.
- Between the years of 2015 and 2018 EDCOE has only offered partnership to 6 schools that are not operated by a CMO or an Expansion of a school that has already proven successful. All schools had significant corporate affiliations. Eureka! Is unique in that we are purely “grassroot”.

- Eureka was awarded the CA Charter School Start Up Grant based on CDE review of our charter petition and grant application.
- Additionally Dr Wayne Sailor of [SWIFT Schools](#) said this after review: “The plan is innovative and should become a resource to the District. UDL is important and is best addressed in a whole school, rather than classroom context in my view, and supported by tiered instruction (MTSS). It requires complicated master schedules but provides "heavy hitter" kids appropriate environments for addressing their challenges without the need to segregate them.”

#### b. The Petition’s Allocation of Special Education Funding and Obligations

##### **Response:**

We met with San José Unified administrators last year and again in February of 2019 and expressed our interest in joining their Special Education Local Plan Area (SELPA) with a memorandum of understanding (MOU) that would guarantee Eureka! Inclusive autonomy over all aspects of our education program and delivery model. *We decided to postpone the submission of our charter petition to allow San Jose Unified adequate time to consider our request and meet with members of our team to negotiate mutually beneficial partnership terms.*

We met again and offered the attached proposed MOU between SJUSD and Eureka which was discussed during a telephone meeting on Apr 15, 2019.

Eureka! Inclusive representatives: Emily A. Nusbaum and Tiffany Maciel

SJUSD representative: Stephen McMahon, Ben Spielberg, Katie Chang

Outcome: ***SJUSD agreed terms would be similar to what they would propose.*** It was proposed by SJUSD that the MOU agreements commence after SJUSD BOE ruling on petition as they did not want a signed agreement to over-ride board authority. Eureka! Inclusive agreed to the suggestion.

##### **Link to proposed MOU**

[https://docs.google.com/file/d/0B29ogM2yBhNzaWdyZDRmb09laWNXdWdpSTdGZ01hdWRqeFMw/edit?usp=doclist\\_api&filetype=msword](https://docs.google.com/file/d/0B29ogM2yBhNzaWdyZDRmb09laWNXdWdpSTdGZ01hdWRqeFMw/edit?usp=doclist_api&filetype=msword)

Currently charter schools located in San Jose Unified are authorized based on innovative approaches to general education and remain “a school of the district for special education purposes.” The district retains money for the students with disabilities attending the charter school and responsibility for their special education services and supports. These schools do not require a partnership within a Special Education Local Plan Area (SELPA), because they relinquish that part of their program to their authorizing school district.

Eureka! Inclusive developed from our community as a response to the lack of innovative programs and solutions to the daunting challenge of special education within all publicly funded schools-traditional and charter. ***Eureka! Inclusive remains committed to providing an***

***academically effective and socially meaningful education to every single student, without exception. Therefore, this is a non-negotiable feature of our school model and petition.***

c. The Petition's Budget Does Not Support the Charter School's Proposal to  
**Autonomously Subsidize and Deliver Special Education Services**

**Response:**

**The Eureka! Inclusive educational delivery model is different than the traditional delivery model of both traditional public schools and charter schools.**

In Eureka's SPED model, SPED service providers (SPED Teachers, School Psych, Speech Therapist, OT, and Family Therapist) are ALL employees of Eureka. Their loaded salaries are already incorporated into Eureka's budget. Their cost is NOT meant to be included in what you are calling encroachment. You seem to be applying the District's SPED cost structure to Eureka where it does not apply. The SPED contingency fund in Eureka's budget is "extra" funding to be used in the case of a low-incident student who has IEP mandated services that go beyond what can be provided at Eureka.

The following table shows Eureka's SPED "budget" applied to Employees who provide all standard SPED services. As you can see, these amounts are actually much higher than your "encroachment" and are ALREADY BUILT into Eureka's budget. Eureka budgets for 1 full time SLP and 1 full time OT in year one to work across 7 classrooms; 2 full time SLP's and 2 full time OT's in year two to work across 9 classrooms; and 3 full time SLP's and 3 full time OT's in years three through five to work across 12 classrooms. These budgeted full time employees are recognized as essential to the research based model described in the petition and should be considered core members of the Eureka! Team, ***not*** "as needed per student IEP members". The Eureka! Inclusive equity-based educational delivery model is designed to effectively: promote academic success and socially meaningful growth for all students, and prevent academic, social, emotional, or physical decompensation that often occurs before children are identified as eligible for or a 504 or IEP plan of support.

Expense		FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25
Executive Director	1300	-	-	-	-	-	-
Business Manager	2300	-	-	-	-	-	-
Director SPED	1200	-	40,000	41,200	63,654	87,418	90,041
GE Teacher	1100	-	-	-	-	-	-
SPED Teacher	1200	-	120,000	185,400	254,616	262,254	270,122
Teacher Assistant	2100	-	-	-	-	-	-
School Psych	1200	-	22,500	27,810	33,418	39,338	50,648
Speech Therapist	1200	-	80,000	164,800	254,616	262,254	270,122
OT	1200	-	80,000	164,800	254,616	262,254	270,122
Family Therapist	2400	-	18,750	18,750	30,000	30,000	30,000
PT Nurse	2200	-	-	-	-	-	-
MH Specialist	2200	-	-	-	-	-	-
Admin	2400	-	-	-	-	-	-
<b>Total Salary</b>		<b>\$ -</b>	<b>361,250</b>	<b>602,760</b>	<b>890,920</b>	<b>943,520</b>	<b>981,055</b>
Total Certificated		\$ -	342,500	584,010	860,920	913,520	951,055
Total Classified		\$ -	18,750	18,750	30,000	30,000	30,000

Single District SELPA's that provide SPED services to their Charter Schools (e.g. San Juan Unified in Sacramento), pass through the school's allocated (ADA based) Special ED funds minus some portion of those funds used to pay for the District's overhead of SPED oversight and back office services such as SEIS. The school is then responsible for paying their SPED costs directly to employees and vendors. In all Single District SELPA's that have Charter Schools' as members, the District takes on the service delivery and cost responsibility for a student whose needs are beyond the Charter School's ability to serve. Of course, the student would be the District's responsibility in any case if the Charter did not exist. So, it is not an "additional" cost for the District, but one they are responsible for in any case.

As an example, Golden Valley Charter School in Orangevale, CA is a Waldorf Charter with a very similar SPED delivery model to Eureka's. They have been a school of the District for SPED purposes in San Juan Unified for 16 years and have been able to make their budget work within this structure.

C. English Language Learners: **N/A**

D. Other Requirements: **N/A**

B, C. Elements Two and Three: Measurable Student Outcomes and Measuring Student

**Response:**

The following assessment practices are described in detail in the Eureka petition, Element C (pg. 144) and are summarized in Table 22, pg. 145-146, including administration timelines. Additionally, daily collaboration for educational teams is built into the school day to monitor student progress, as well as teacher pedagogy:

- CAASPP Score reports
- Evidence of student learning as demonstrated by work samples and portfolios
- Pre and post unit test results,
- Assignment & project rubrics.
- Summative and Formative Assessments
- Teacher observations
- California Science Test (CAST)
- California Alternative Assessment (CAA)
- Illuminate Inspect
- NWEA MAP

D. Element Four: Governance Structure, Including Parental Involvement [Ed. Code § 47605, subd. (b)(5)(D).] **N/A**

E. Element Five: Employee Qualifications [Ed. Code § 47605, subd. (b)(5)(E).]

**Response:**

The position you refer to in your analysis, “Student Data Coordinator/Enrollment/CALPADS is included in the budget but is rolled up into the Admin row in the staffing budget. The full detailed Admin employee breakdown was not included in the Charter submission. It is provided below:

Expense	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25
Secretary	\$ 10,000	\$ 40,000	\$ 40,800	\$ 41,616	\$ 42,448	\$ 43,297
Student Services (enrollment)	\$ 10,000	\$ 20,000	\$ 40,800	\$ 41,616	\$ 42,448	\$ 43,297
Attendance/CALPADS	\$ -	\$ 20,000	\$ 40,800	\$ 41,616	\$ 42,448	\$ 43,297
Payroll/AP/AR	\$ -	\$ -	\$ -	\$ 26,010	\$ 26,530	\$ 27,061
Human Resources	\$ -	\$ -	\$ -	\$ 31,212	\$ 31,836	\$ 32,473
IT	\$ -	\$ -	\$ 15,300	\$ 15,606	\$ 15,918	\$ 32,473
New Position 1	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
New Position 2	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
New Position 3	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Salary</b>	<b>\$ 20,000</b>	<b>\$ 80,000</b>	<b>\$ 137,700</b>	<b>\$ 197,676</b>	<b>\$ 201,630</b>	<b>\$ 221,899</b>

F. Element Six: Procedures to Ensure Health and Safety of Students and Staff [Ed. Code §47605(b)(5)(F).] **N/A**

G. Element Seven: Racial and Ethnic Balance [Ed. Code §47605(b)(5)(G).]

**Response:**

The report’s claim that “The Petition addresses the 3 largest projected ethnic groups (Latino/Hispanic, White, or Asian), consistent with the District’s demographic profile, but does not address African-American students” **is incorrect**. The racial/ethnic make-up of Eureka is thoroughly addressed beginning with Figure 3 on page 39 of the Eureka petition. This sub-section of Element A addresses the following components, related to the intersection of students labeled with disability and certain racial/ethnic groups: increased use of restraint and seclusion, suspension rates, the over-representation of students of color in certain disability eligibility categories, the school-to-prison pipeline, the mis-identification of English learners, mental health issues associated with disabled students of color, mental health issues referred to as the “immigrant paradox” and lack of access to advanced/GATE classes for students labeled with disability (pages 39- 46).

Petition Page 12 Table 1: African American students enrolled in SJUSD=779 or 2.5% We acknowledge that Table 9 on page 40 of the petition does not contain the percentage of African American students in various disability categories; San Jose Unified reports 7 student subgroups by ethnicity. The three largest student subgroups make up 90% of the total student enrollment in SJSUD, they are Latino/Hispanic, White, and Asian. Because the student enrollment of the other four ethnic groups is so low their

numbers are not reported in most of the disability subcategories, creating a difficulty when reporting statistically significant analysis. We do recognize that EVERY student matters, and there are larger historical inequities that drive systemic inequity seen in the public school system. The inclusive educational delivery model by design recognizes and addresses inequity.

H. Element Eight: Admissions Requirements [Ed. Code §47605(b)(5)(H).] **N/A**

I. Element Nine: Audit of Financial and Programmatic Operations [Ed. Code § 47605, subd. (b)(5)(I).] **N/A**

J. Element Ten: Student Suspension/Expulsion Procedures [Ed. Code § 47605, subd. (b)(5)(J).] **N/A**

K. Element Eleven: Manner in Which Staff Will Be Covered by STRS, PERS, or Federal Social Security [Ed. Code § 47605, subd. (b)(5)(K).]

**Response:**

You are correct that this expense was not included in the version of the budget provided in the Charter Petition. This was a spreadsheet error. This has very little impact on the overall budget as classified salaries are very small part of the budget. The corrected version is shown below:

Code	Item	Rate					
		FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25
	Full-Time Staff	-	10	15	20	20	20
3101-3202	STRS	18.13%	19.10%	18.60%	18.10%	18.10%	18.10%
3301-3302	OASDI	6.20%	6.20%	6.20%	6.20%	6.20%	6.20%
3301-3303	Medicare	1.45%	1.45%	1.45%	1.45%	1.45%	1.45%
3401-3402	Health and Welfare	\$ 10,000	\$ 10,000	\$ 10,000	\$ 12,000	\$ 12,000	\$ 12,000
3501-3502	UI	2%	2%	2%	2%	2%	2%
3601-3602	Workers' Comp	2%	2%	2%	2%	2%	2%
3701-3702	Benefits (other)	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%
3101-3202	STRS	\$ 32,634	168,558	235,069	317,126	331,485	343,263
3301-3302	OASDI/Medicare	\$ 4,140	25,706	38,567	54,185	55,978	58,823
3401-3402	Health and Welfare	\$ -	102,000	146,000	236,400	237,600	240,000
3501-3502	UI	\$ 500	4,000	5,000	6,000	7,000	8,000
3601-3602	Workers' Comp	\$ 500	10,000	12,000	14,000	16,000	18,000
3701-3702	Benefits (Other)	\$ 2,000	\$ 16,875	\$ 26,460	\$ 37,620	\$ 38,461	\$ 40,947
<b>TOTAL</b>		<b>\$ 39,774</b>	<b>327,138</b>	<b>463,096</b>	<b>665,331</b>	<b>686,525</b>	<b>709,034</b>
<b>% Total</b>		<b>17%</b>	<b>24%</b>	<b>23%</b>	<b>24%</b>	<b>24%</b>	<b>24%</b>

L. Element Twelve: Student Attendance Alternatives [Ed. Code § 47605, subd. (b)(5)(L).] **N/A**

M. Element Thirteen: Employee Rights [Ed. Code § 47605, subd. (b)(5)(M).] **N/A**

N. Element Fourteen: Dispute Resolution [Ed. Code § 47605, subd. (b)(5)(N).] **N/A**

O. Element Fifteen: Closure Protocol [Ed. Code § 47605, subd. (b)(5)(O).] **N/A**

## Eureka! Charter School's response

### Charter Petition Evaluation Rubric

#### A. Description of Educational Program

(D) Indicates the basic learning environment or environments (e.g., site-based matriculation, independent study, community-based education, technology-based education).

✓ **(FAILED TO MEET)**

(E) Describe the instructional program and curriculum the school plans to use. The description must include: • Instructional framework • Delineation of the core subjects. • The proposed teaching methodologies. • The scope and sequence of skills to be taught across the grade levels and the different subjects the school plans to teach. • How the curriculum addresses California Content Standards. • How the teaching methodologies and instructional program address the needs of the targeted student population. • The evidence (research base) that the proposed instructional program has been successful with similar student populations and/or will be successful with the charter's targeted population. • The textbooks or other instructional resources to be used. • How the school will recruit teachers who are qualified to deliver the proposed instructional program. • How the school will provide ongoing professional development to ensure that teachers have the skills to deliver the proposed instructional program. • The school's academic calendar and sample daily schedule, which explain the rationale for allocation of instructional time to different subject matter areas, as well as an assurance that the school will offer, at minimum, the number of minutes of instruction set forth in Education Code § 47612.5. ✓ **FAILED TO MEET**

(G) Indicates how the charter school will meet the needs of students with disabilities, EL, students achieving substantially above or below grade level expectations, and other special student populations. ✓ **FAILED TO MEET**

(H) Specifies the charter school's special education plan, including, but not limited to, the means by which the charter school will comply with the provisions of EC Section 47641, the process to be used to identify students who qualify for special education programs and services, how the school will provide or access special education programs and services, the school's understanding of its responsibilities under law for special education pupils, and how the school intends to meet those responsibilities. ✓ **FAILED TO MEET**

(J) Describes the implementation plan for the school's instructional program, including a timeline for implementation of various components of the plan. ✓ **FAILED TO MEET**

(K) Contains the following: ♦ Annual goals for all pupils and for each subgroup of pupils identified pursuant to Section 52052, consistent with characteristics of the students the school intends to serve. ♦ Goals that address identified eight (8) state priorities (listed in Ed Code 52060(d) – LCAP) that apply for the grade levels served or the nature of the program. ♦ Specific



annual actions to achieve the stated goals; actions are designed to achieve the goals. o Additional school priorities related to unique aspects of the proposed charter program, with goals and specific annual actions. ✓ **FAILED TO MEET**

(L) Does the petition overall present a reasonably comprehensive description of the educational program? ✓ **FAILED TO MEET**

<b>If Fails to Meet Standard, include Concerns and/or Additional Questions:</b>	<b>EUREKA! Response</b>
<p>D. While the basic learning environment is described on page 63 as utilizing an inclusive team-teaching model of instruction, the petition does not provide a description of how the three-class service delivery model will work in practice.</p>	<p><b>Petition Page 57:</b>  A description of the team teaching approach: “The Eureka! Inclusive model will be delivered through Four multi-age classroom groupings.”  This is detailed in <b>Figures 6-9 on pgs 64-67</b>, which provide details of each teams’ composition. Each team will be comprised of:  -3 FT Gen Ed Teachers (multiple subject credential)  -1 FT Special Education Credentialed Teacher  -1 FT Paraprofessional.</p> <p>Additionally, the following specialists will support team teaching in every classroom:  -1 FT SLP in Year One, 2 in Year 2, and 3 by year 3.  -1 FT OT in Year One, 2 in Year 2, and 3 by year 3.  -1 Part time Family Therapist</p> <p><i>Additional support is anticipated from Graduate Student Externs, BUT, the Eureka! Co-teaching model is NOT dependent on graduate students or volunteers.</i></p>
<p>E. The Inclusive Curriculum section (pg. 70) does not include a detailed scope and sequence for major subjects. Instead, examples of learning standards are provided (i.e., on pg. 75, a bulleted list of the six shifts is included). Curricular materials for each</p>	<p>It is appropriate that scope and sequence lesson plans will be developed by individual Eureka teachers throughout the planning year, and during the first year of instruction. In addition, the specific CCLS that will be addressed within individual,</p>

<p>subject area are portrayed in Table 14 (pg. 91) and examples from various curricula are provided in the appendices (pg. 135), but specific and detailed CCLS are not included for each subject area.</p>	<p>universally-designed learning opportunities, will be articulated at that time.</p>
<p>G: • While the petition contains a professional development calendar (pg. 28) that generally plans for training on instructional strategies, a description of the training is not included in the calendar or elsewhere in the petition. Specifically, the petition does not articulate how staff will be trained, when staff will be trained, nor a logical cadence for training activities to ensure success for all staff at different levels. The petition indicates the school will partner with SWIFT Education Center and the CHIME Institute (pg. 69) to collaborative on professional development, but also does not state training topics or a cadence for how training will occur. While the program model outlined in the petition is based on a co-teaching and co-planning model, the petition does not include detail regarding how staff will be trained on these models. Finally, the petition does not include specific training described to support teachers and staff in working with students with disabilities.</p> <p>• The petition states (pg. 23) that equal access to the general education curriculum is</p>	<p>-Eureka’s MOUs with both CHIME and SWIFT articulate the professional development calendar and topical areas included.</p> <p>Here is a link To CHIME MOU with Eureka! For Professional Development  <a href="https://dochub.com/tiffanymaciel/4QQx7x/06202019145449-0001-pdf?dt=X8JT1SGd4w18j6kF7Wnd">https://dochub.com/tiffanymaciel/4QQx7x/06202019145449-0001-pdf?dt=X8JT1SGd4w18j6kF7Wnd</a></p> <p>The SWIFT MOU was included with the Petition supporting documents.</p> <p>Specifically, sub-heading “<i>Collaborative Professional Development</i>” on pg. 69 describes these MOUs, as well as the ongoing professional learning communities that Eureka! teachers will join via these MOUs.</p> <p>Eureka! Inclusive interdisciplinary teams will receive training during the first two weeks before the first day of school in the frameworks that support a universally designed and intentionally inclusive school model including:</p> <ul style="list-style-type: none"> <li>- Adopted Curriculum/UDL</li> <li>- ELD/UDL</li> <li>- Technology/UDL</li> <li>- Arts Enhanced Curriculum</li> <li>- Multi-Modal and Multi-Sensory</li> <li>- Social Emotional Learning Program</li> <li>- Swift Schools Equity Based Multi-Tiered System of Supports</li> <li>- Relationship Based/Emotionally Responsive Teaching</li> </ul> <p>-All of the programmatic principles and frameworks contained within the Eureka</p>

<p>the constitutional right of all; however, the petition does not state how these expectations (i.e., access to the general education curriculum and grade level standards) will be upheld and enforced for all students. Finally, the petition does not include a description of how Individualized Education Program (IEP) goals will be considered when determining middle classroom groupings.</p> <p>• While the petition cites numerous pieces of evidence and research-based practices that are proven effective with diverse learners (i.e., students with disabilities, English learners, gifted students), the petition lists many “instructional strategies” (pgs. 21-27, 49-56) and priorities are not apparent. Therefore, it is difficult to determine which strategies will be used to build a consistent program of supports and services for students with disabilities, or other diverse learners.</p>	<p>petition reflect that culmination of 30+ years of research-based best practices associated with successful academic, social, and behavioral growth for students with disabilities in the context of general education curriculum and environments. Within this extensive body of research are many well-articulated ways to ensure the teaching/learning of IEP goals within the context of naturally occurring curricular and other school contexts.</p> <p>Additionally, the use of multi-age classrooms at Eureka! Inclusive allow children to advance to the next level when they have mastered the skill set and developmental goals for each class. This approach is flexible, developmentally appropriate, and child-centered.</p> <p>-Just as teachers make decisions each day in their classrooms related to factors such as: curricular contexts, what students “bring” to the classroom, opportunities for co-teaching and other forms of collaboration that vary, and the individual schedules of support and services for individual students, Eureka teachers and transdisciplinary education teams will make these decisions, guided by the principles and practices contained within Element A of the petition.</p>
<p>H: • The petition states that the proposed school will be a school of the district (the local education agency [LEA]), which suggests that the school must adhere to district guidelines and practices for the provision of special education services. It is possible that the school may not be able to implement its model as proposed under those circumstances, should the LEA not agree to an alternative arrangement as proposed in the petition.</p>	<p>-Eureka! Met and spoke with SJUSD on several occasions regarding the potential of entering into an MOU that would release autonomy over special education to Eureka! Inclusive. We have been very transparent about this point and had agreed that we would not submit to the SJUSD BOE until there was a mutual agreement that if approved by SJUSD BOE that SJUSD would begin negotiating the terms of an MOU agreement with Eureka</p> <p>-During the telephone conversation on April</p>

• The Multi-Tiered System of Supports (MTSS) process is not clearly articulated. Also, how MTSS and the student success team (SST) will be connected is not clearly explained (p100-102).

• The petition describes the continuum of services (pg. 87-88) and emphasizes educating students in the least restrictive environment (LRE), as per the proposed inclusive and co-teaching model. However, the petition also states that the school intends to serve students with more significant disabilities. The details of how the school will serve students in a more restrictive setting remain unclear (e.g., the resource room is strictly described in the context of counseling services).

15, 2019 that agreement was made between Stephen McMahon, Deputy Superintendent of SJUSD and Tiffany Maciel Board President Eureka! Inclusive and Emily A. Nusbaum, Board Secretary Eureka! Inclusive.

-The MTSS process is first articulated in Figure 5 and associated narrative , page 47 of the petition. It is additionally referenced and described in detail at numerous other places throughout the petition (eg. page 99 in the description of supports for special learners). In schools that implement MTSS with fidelity to the model, it exists as a system of supporting individual learning needs for all students- including those as a part of the SST process, and should not be used as a vehicle through which to funnel students for special education assessment. Therefore, it MTSS are often utilized as part of a formal SST process, but will also be used outside pre-referral processes at Eureka.

-Federal law mandates that “to the maximum extent appropriate” students with disabilities are educated with peers without disability. In addition, federal law also mandates access to general education and indicates that “severity of disability” should not preclude access to general education environments. We acknowledge the subjectivity in determining what is considered “appropriate.” Eureka’s philosophical commitment to equitable education for *all* kids, combined with our intentional, inclusive design from the outset (and associated programmatic frameworks and practices), means that students who are labeled with complex support needs will be fully participating, learning, active members of general education classrooms. This is well supported via our mentorship from both SWIFT and CHIME. See MOU’s referenced above.

We do not agree with the description that: (e.g., the resource room is strictly described in the context of counseling services).

<p>• The petition states that Eureka! anticipates schoolwide density of 93 students per special</p>	<p><b>Petition Page 88</b> Resource Room: Mental Health and individual counseling services, and testing will be provided in a child centered designated room that allows confidentiality.</p> <p>This room is <b><i>not</i></b> intended to be a “restrictive” setting, or used as a segregated classroom or SDC room. All children that need a break from the larger classroom or learning environment will be provided opportunities to do so in a safe, nurturing, and dignified manner. If the resource room is the best option it would not be off limits for such purposes.</p> <p><b>Petition Page 87-88</b> describes in detail the Eureka continuum of services, and includes the way out collaborate, trans-disciplinary, co-teaching model allows for individual supports and services to be embedded within general education classrooms and naturally occurring school environments:</p> <p>“Continuum of Services: Students with disabilities shall be provided special education in the least restrictive environment. To enable students with disabilities to be educated with non-disabled students to the maximum extent appropriate, specially designed instruction and supplementary services may be provided in the regular class, including, as appropriate, providing related services, resource room programs and special class programs within the general education classroom.”</p> <p>The Eureka! Inclusive Continuum of Services</p> <ul style="list-style-type: none"> <li>• Focus is to reduce or eliminate the impact of a disability on academic and/or behavioral progress</li> <li>• Designed specifically for an individual student following individual problem-solving</li> <li>• Maximize the academic engagement time of every single student</li> </ul> <p>-The rationale for initial staffing is based in part on SJUSD special education</p>
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<p>education teacher in year one. In year two, they will switch to a three-team classroom model with an anticipated schoolwide density ratio of one special education teacher per 80 students, 16 (20%) of which they anticipate will have IEPs (pg. 9). These staffing estimates may not be realistic; the needs identified through students' IEPs are unknown at this time.</p>	<p>demographics and common IEP services. Should a student require additional support the charter will provide those supports, as well as additional staff if required. Eureka! Additionally consulted with the CHIME Institute and SWIFT Schools to develop the staffing ratios and determine the interdisciplinary team members necessary to implement an inclusive educational delivery model with fidelity and integrity. This staffing formula is being studied in various schools and the findings were used to further support our staffing rationale.</p> <p>The Eureka rationale is described on <b>pg. 117</b> of the petition:          "All special education services at the Charter School will be delivered by individuals or agencies qualified to provide special education services as required by California's Education Code and the IDEA. It is the Charter School's understanding that the Charter School will be responsible for the hiring, training, and employment of site staff necessary to provide special education services to its students, including, without limitation, special education teachers, paraprofessionals, and resource specialists. The Charter School shall ensure that all special education staff hired by the Charter School are qualified pursuant to District and SELPA policies, as well as meet all legal requirements. The Charter School shall be responsible for the hiring, training, and employment of itinerant staff necessary to provide special education services to Charter School students, including, without limitation, speech therapists, occupational therapists, behavioral therapists, and psychologists."</p>
<p>J. While on page 63 an inclusive universal instructional design is described, a timeline for implementation of various components of the plan is not provided.</p>	<p>The description of instructional design on pg. 63 is not meant to include a timeline for implementation. Further, the comment regarding lack of a timeline is unclear.</p>

K. While goals, actions, and measurable outcomes are described on pages 129-141, annual goals for pupils and subgroups of pupils, as well as additional school priorities tied to the unique aspects of the school's program, are not included in the petition.

This information is included within the page numbers cited as lacking; specifically see the following examples, which are not exhaustive of everything contained in the petition in this page range:

**Page 128** for outcomes associated with a 21st Century Educated Person

1. Outcomes that indicate the extent to which the child has gained the basic tools of life taught in any school.
2. Outcomes that indicate the extent to which the child is developing along physical, social and mental health parameters suitable to the child"

**Page 129** for a description of how ***we expect our students to achieve outcomes appropriate to their development, age, and grade level***, by adjusting goals actions and expected outcomes according to our students' individual abilities and in recognition of individual student subgroup needs.

**Page 130** for specific, annual goals and school priorities tied to unique aspects of the school program, detailed in the LCAP Table.

**Page 132** for specific subpriorities for EL students, including detailed actions, to achieve subpriority goals, measurable outcomes, and methods of assessment; and

**Page 135** for specific sub-priorities to address middle school dropout rates, again including including detailed actions, to achieve subpriority goals, measurable outcomes, and methods of assessment.

## B. Measurable Pupil Outcomes

(A) Lists the anticipated skills and knowledge outcomes for students. Identifies when and how often pupil outcomes will be assessed, including innovative components and any additional specific, measurable student outcomes that the school will set for the students, and explain how these outcomes are consistent with the school's proposed instructional program. ✓ FAILED TO MEET

(B) Sets specific, measurable, and realistic student achievement targets as closely as possible for the anticipated student population for the following: • CAASPP scores • CAHSEE scores (if applicable) • Graduation rates (if applicable) ✓ FAILED TO MEET

(C) Contains pupil outcomes that include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607, and that align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school. ✓ FAILED TO MEET

(D) Does the petition present a reasonably comprehensive description of measurable pupil outcomes? ✓ FAILED TO MEET

<b>If Fails to Meet Standard, include Concerns and/or Additional Questions:</b>	<b>EUREKA! Response</b>
<p>A. Starting on page 144 of the Petition (Methods of Assessment), the applicant lists when and how often pupil outcomes will be assessed. However, the applicant does not provide information as to how the assessment program will assess specific skills and outcome knowledge outcomes for students, other than stating the "...assessment system to measure and track student mastery of grade-level standards and requisite skills in each subject area" (Petition, page 144). Many tools have yet to be developed;</p>	<p>The following assessment measures are addressed within the petition and described in detail in <b>Table 22 on page 145</b> of the petition:</p> <ul style="list-style-type: none"> <li>-CAASPP Score reports (yearly)</li> <li>-Evidence of student learning, as demonstrated by work samples and portfolios (ongoing through daily collaboration)</li> <li>-Pre and post unit test results (embedded in curriculum and built into curriculum maps throughout the school year via designated daily collaboration time)</li> <li>-Assignment &amp; project rubrics (ongoing)</li> <li>-Summative and Formative assessments (developed as teachers build curricular maps during daily collaboration)</li> <li>-Teacher observations (ongoing)</li> </ul> <p>In addition to the State's summative assessment, CAASPP, the school will use NWEA's MAP assessment, a nationally normed, computer adaptive assessment instrument twice a year (see pgs. 147-148). The NWEA MAP employs Rasch Units of measurement, also known as a RIT score. The RIT scale is an equal interval scale that</p>



	<p>extends continuously from a first grade to a twelfth-grade level. Because items in the assessment are aligned to State Standards, a student's RIT score is a good predictor of performance on the CAASPP. The NWEA MAP is also nationally normed; therefore, each student's score is also an indicator of where the student stands relative to students across the country who are at the same grade level.</p> <p>Eureka! Inclusive will use the NWEA norms to establish performance targets for students that will place each student on a steady, measurable trajectory toward college preparedness. <b><i>Teachers will use scores on the sub-scales to assess the pattern of each student's strengths and weaknesses.</i></b></p> <p><b>The measurable objective with respect to student growth on the RIT scale is for each student to advance at least one year academically for each year the student is in school.</b></p> <p>Non-academic aspects of student growth will be measured for statewide comparison purposes with the California Healthy Kids Survey (CHKS). This survey gives an indication of each student's physical, mental and social health.</p> <p>Further, the LCAP provided in the petition is written for a new school that does not yet have students. We built the LCAP and goals to reflect a broad understanding of the needs of our projected student demographic, relying on state and district averages; goals; and performance outcomes of similar schools, such as CHIME and more locally Discovery 2 Charter. Even within student subgroups there exists a great deal of variability and to be most effective a school must establish a solid baseline.</p>
<p>B. On page 134, the applicant includes CAASPP achievement targets of: o Annually, at least 95% participation rate in the CAASPP</p>	<p>Please see above.</p>

<p>statewide assessments; and o Exceed district statewide pass-rate on CAASPP assessments by at least 10%. Although tied to CAASPP, the applicant does not set specific student achievement targets for the anticipated student population, stating that it will "...establish benchmarks for all students" (page 134). Additionally, the petition does not provide rationale or evidence describing how and why the above-mentioned goals are realistic.</p>	
<p>C. Pupil outcomes for all students are listed on page 134 (to exceed State average on CAASPP by 10%), and page 141 describes general goals for subgroups of students. However, the petition does not include specific outcomes related to these goals, such as increases in test scores.</p>	<p>Eureka's petition balanced what we know about student demographics, with what we do not yet know about specific, incoming students, to develop our first LCAP. See pages 132-141 for specific information related to student subgroups and state priorities.</p> <p>Additionally, the description of Element C (pg. 144) in the petition further addresses broad outcomes via assessment for all student groups.</p>
<p>D. The petition does not present a reasonably comprehensive description of measurable pupil outcomes (pages 134-143). Goals for subgroups of students are not tied to specific outcomes. The applicant provides one aggregate CAASPP outcome measure for all students, a general overview of expectations, and a general listing of skills by grade groupings.</p>	<p><b>Petition Pages 134-143</b> of the LCAP Table in the lists extensive and specific goals for students subgroups as well as specific action, measurable outcomes, and methods of assessment. Additionally <b>pg. 134</b> specifically ties the State priority to CAASP results ("STATE PRIORITY #4— STUDENT ACHIEVEMENT Pupil achievement, as measured by all of the following, as applicable: A. California Assessment of Student Performance and Progress (CAASPP)").</p> <p><b>Table 22 on Petition Pages 145-146</b> has a table of proposed assessments that contains: Assessment, Purpose, Grade Levels and Administration Timeline;</p> <p>The Eureka petition offers the following additional measures:</p> <p><b>METHODS OF MEASUREMENT</b></p> <ul style="list-style-type: none"> <li>● CAASPP Score reports</li> <li>● Evidence of student learning as</li> </ul>

	<p>demonstrated by work samples and portfolios</p> <ul style="list-style-type: none"> <li>● Pre and post unit test results,</li> <li>● Assignment &amp; project rubrics.</li> <li>● Summative and Formative Assessments</li> <li>● Teacher observations</li> </ul> <p>Daily collaboration is built into the school day to monitor student progress and teacher pedagogy.</p>

**C. Method for Measuring Pupil Progress**

(C) Describes how the collection and analysis of student assessment data will be used to inform instruction, improve the educational program, and inform professional development on an ongoing basis. ✓ **FAILED TO MEET**

(D) Does the petition present a reasonably comprehensive description of the method for measuring pupil progress? ✓ **FAILED TO MEET**

<p><b>If Fails to Meet Standard, include Concerns and/or Additional Questions:</b></p>	<p><b>EUREKA! Response</b></p>
<p>C. On page 149, the petition documents how Eureka! will use standards-based grading as the method for in-class performance assessment. However, the petition does not include information as to how assessments will improve the educational program or inform professional development on an ongoing basis.</p>	<p>Sub-heading <i>Use of Data to Inform</i> on <b>pg. 150</b> articulates:            “The objective throughout the school year is to have each student meet each of his or her milestones. Built into the process is a two-tiered safeguard system. The teaching team plans the week’s instructional and auxiliary services program together at the beginning of the week and assesses outcomes at the end of the week. This process of looking forward and looking back allows for adjustments in the program that should keep each student on track. The second tier of safeguard is the mid-term review. At this point the instructional team, the student, and the student’s parents or guardians review the student’s progress, make any needed adjustments in objectives and milestones and renew the consensus about how progress</p>

	<p>toward meeting the milestones will be stimulated. The combination of normed assessments, regular physical, social and mental health assessment, individualized education plans with objectives and milestones, Standards-Based Grading, and development of performance portfolios constitutes the system of formative and summative assessment that will be used to ensure consistent growth of each student.”</p> <p>Eureka will also use Illuminate for longitudinal tracking and reporting of student assessment data. The range and flexibility of data that will be available using Illuminate will give teachers the essential information to effectively meet the needs of all students. A student achievement database will also make it possible for the Charter School to track student demographic information and grades.</p>
<p>D. The petition does not include a comprehensive description of the method for measuring pupil progress. The methods for assessment listed on page 144 are not tailored to student subgroups.</p>	<p>Please see responses above, and the detailed information contained in Element C of the Eureka petition. Student progress will be measured holistically, using multiple standard and non-standard forms of assessment, curriculum-based and individualized assessment, as well as through ongoing teaching observation, monitoring, and educational teaming:</p> <ul style="list-style-type: none"> <li>● CAASPP Score reports</li> <li>● Evidence of student learning as demonstrated by work samples and portfolios</li> <li>● Pre and post unit test results,</li> <li>● Assignment &amp; project rubrics.</li> <li>● Summative and Formative Assessments</li> <li>● Teacher observations</li> <li>● Daily collaboration is built into the school day to monitor student progress and teacher pedagogy</li> </ul>

E. Employee Qualifications **N/A**

## F. Health and Safety Procedures

(C) Requires immunization of pupils as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school. ✓ **FAILED TO MEET**

<b>If Fails to Meet Standard, include Concerns and/or Additional Questions:</b>	<b>EUREKA! Response</b>
<p>C. The applicant does not provide a statement or assurance that they will require immunization of pupils as a condition of school attendance. On page 172 of the petition, the applicant does state that students should provide records documenting immunization and cites California Health Code. However, the applicant does not affirmatively state that it will require immunizations before students can attend the school.</p>	<p><b>Petition Page 172 IMMUNIZATIONS</b>            “All enrolled students who receive classroom-based instruction will be required to provide records documenting immunizations as is required at all public schools pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000- 6075.”</p> <p>We affirm that we will require as pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000- 6075.</p>

## G. Racial and Ethnic Balance

(A) Include a thorough description of the annual outreach efforts of the charter school, describing: • What methods the school will use to advertise and recruit students (fliers, newspaper advertisements, informational fairs, and the like) • What geographic areas will be targeted in outreach efforts. • What languages will be used for outreach? • How these outreach efforts will attain a racial and ethnic balance at the charter school that is reflective of the District.  
 ✓ **FAILED TO MEET**

(B) Does the petition present a reasonably comprehensive description of means for achieving racial and ethnic balance? ✓ **FAILED TO MEET**

<b>If Fails to Meet Standard, include Concerns and/or Additional Questions:</b>	<b>EUREKA! Response</b>
<p>A. While Element G includes advertisement and recruitment methods (pgs. 176-177), the</p>	<p><b>Petition Pages 176-177</b> lists the following community/geographic locations specifically:</p>

petition does not provide specific geographic areas by which to target outreach efforts (states “throughout San Jose” on pg. 177). The petition also does not include specific information about how the school will attract students of varying racial and ethnic groups, but rather provides a general description of recruitment efforts (i.e., booths at events, open houses, etc.)

**-EUREKA! INCLUSIVE SPONSORED COMMUNITY EVENTS**

**2017:** Make Music San Jose Backesto Park, Pop up Pumpkin Patch Allen neighborhood, Golfland, We Rock the Spectrum, Pop Up Drive-In Movie Allen neighborhood;

**2018:** MACLA Family Day, City of San Jose Children’s Day Celebration, Community Screening of “Far From The Tree”, Make Music San Jose, SJUSD BOE Candidate Forum at Joyce Ellington Library, Christmas in The Park, Bounce Into Summer, Inclusive Schools Week at Martin Luther King Jr. Library;

**2019:** MACLA Family Art Day, Annual Bounce into Summer, Make Music San Jose, Halloween Drive In Sing Along, Christmas In The Park;

**Ongoing:** Parent Info sessions at parent homes and coffee shops across the district. We will continue to engage with families living in neighborhoods across the district and as well as seek out additional community events.

**Advertising:** The founding parents, all of whom reside in SJUSD boundaries, will meet with members of advocacy groups for immigrants, Vietnamese Community Center, MACLA, Pragnya, agencies that provide direct service and support to families who are impoverished, families with children who have a physical, neurological, or behavioral disability, and LGBTQ support groups.

**Petition Page 39:**

The racial/ethnic make-up of Eureka is thoroughly addressed beginning with Figure 3 on page 39 of the Eureka petition. This

sub-section of Element A addresses the following components, related to the intersection of students labeled with disability and certain racial/ethnic groups: increased use of restraint and seclusion, suspension rates, the over-representation of students of color in certain disability eligibility categories, the school-to-prison pipeline, the mis-identification of English learners, mental health issues associated with disabled students of color, and lack of access to advanced/GATE classes for students labeled with disability (pages 39- 46).

We acknowledge that Table 9 on page 40 of the petition does not contain the percentage of African American students in various disability categories, although **Petition Page 12 Table 1 identifies African American students enrolled in SJUSD=779 or 2.5%.**

San Jose Unified reports 7 student subgroups by ethnicity. The three largest student subgroups make up 90% of the total student enrollment in SJSUD, they are Latino/Hispanic, White, and Asian. Because the student enrollment of the other four ethnic groups is so low their numbers are not reported in most of the disability subcategories, creating a difficulty when reporting statistically significant analysis. We do recognize that EVERY student matters, and there are larger historical inequities that drive systemic inequity seen in the public school system. The petition closely examines the outcomes for students that are traditionally marginalized within normative educational/school structures. The inclusive educational delivery model by design recognizes and addresses inequity.

<p>B. Element G (pages 176-177) does not present a reasonably comprehensive description of means for achieving racial and ethnic balance. While Eureka! is focused on creating a diverse and inclusive learning environment, the petition does not address outreach for subgroups of students, including English language learners or students with disabilities.</p>	<p>Pages 176-177 of Eureka’s petition are specifically focused on achieving racial/ethnic balance, which includes English language learners, as is stated many times.</p> <p><b>Petition Page 116</b> articulates Child Find activities:          “The Charter School will follow SJUSD/SELPA IV policies and procedures, and shall utilize SJUSD/SELPA IV forms in seeking out and identifying and serving students who may qualify for special education programs and services and for responding to record requests and parent complaints, and maintaining the confidentiality of pupil records. The Charter School will comply with SELPA IV protocol as to the delineation of duties between the District and the local school site in providing special education instruction and related services to identified pupils.”</p>
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H. Admission Requirements, If Applicable **N/A**

I. Annual Independent Financial Audits

(D) Does the petition present a reasonably comprehensive description of annual independent financial audits? ✓ **FAILED TO MEET**

<p><b>If Fails to Meet Standard, include Concerns and/or Additional Questions:</b></p>	<p><b>EUREKA! Response</b></p>
<p>(D) Page 182 of the petition includes a reference to the State Controller’s K-12 Audit Guide. However, the petitioner does not present a comprehensive description of annual independent audits. For instance, the petition notes that the school “will perform audits” but does not identify expected elements of the audit such as: • Introductory section • Financial section • Required Supplementary Information • Supplementary</p>	<p><b>Petition Page 5 Table of Contents:</b></p> <p><b>Miscellaneous Charter Provisions</b>.....          .....<b>213</b></p> <p><b>Budgets and Financial Reporting</b>          .....          .....<b>213</b></p>



Information • Other Independent Auditor Report

**Petition Page 213:**

Governing Law: The petitioner or petitioners also shall be required to provide financial statements that include a proposed first year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation.

Education Code Section 47605(g).

(Please See...)

- Budget narrative
- A projected first year budget including startup costs
- Financial projections and cash flow for the first three years of operation

These documents are based upon the best data available to the petitioners at this time. The Charter School shall provide reports to the District and County Superintendent of Schools as follows in accordance with Education Code Section 47604.33, and shall provide additional fiscal reports as requested by the District:

1. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code Section 47605(g) will satisfy this requirement.
2. By July 1, a local control and accountability plan (LCAP) and an annual update to the local control and accountability plan required pursuant to Education Code Section 47606.5.
3. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of the Charter School's annual, independent financial audit report for the preceding fiscal year shall be delivered to the District, State Controller, California Department of Education and County Superintendent of Schools.
4. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
5. By September 15, a final unaudited report

	<p>for the full prior year. The report submitted to the District shall include an annual statement of all the Charter School's receipts and expenditures for the preceding fiscal year.</p> <p>The Charter School shall provide reporting to the District as required by law and as requested by the District 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), and the LCAP. The Charter School agrees to and submits to the right of the District 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.</p> <p><b>Petition Page 214</b> Pursuant to Education Code Section 47604.3, the Charter School shall promptly respond to all reasonable inquiries including, but not limited to, inquiries regarding its financial records from the District.</p>
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#### J. Suspension and Expulsion Procedures

(C) Identify the procedures by which parents, guardians, and pupils will be informed about reasons for suspension or expulsion and of their due process rights in regard to suspension or expulsion. ✓ **FAILED TO MEET**

(F) 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 his or her 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 19 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 schooldays 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 him or her 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). ✓ **FAILED TO MEET**

If Fails to Meet Standard, include Concerns and/or Additional Questions:	EUREKA! Response
<p>C. While page 197 of the petition includes information about the procedures by which parents, guardians, and pupils will be informed about reasons for suspension, it does not provide details about students' <b>due-process rights.</b></p> <p><b>a.</b></p>	<p>The complete process detailed are a detailed description are the "due process rights" on Petition Pages 184-205</p> <p><b>Petition Page 184</b></p> <p>The discipline policy is communicated to all stakeholders through a <i>Student Handbook</i>, as well as a part of the voluntary <i>two-day parent orientation during the SEL program workshop</i>. If parents are unable to attend the orientation, additional dates will be scheduled. The discipline policy clearly describes the Charter School's policy and stipulates who participates, their roles and responsibilities, and guidelines for determining consequences for student behavior.</p> <p>Page 185</p> <p>This policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline</p>

expectations.

“Students who violate school rules may expect consequences that may include but not be limited to the following:

1. Notices to parent(s)/caregiver(s) by telephone and/or letter

2. Parent/Team meetings consisting of parent/caregiver, staff/, and student

3. Development of a formal positive behavior support plan

4. In lieu of suspension from school – Development of strategies and adaptations to support the student in behavioral change as well as a system of more intensive home to school communication

5. Alternative educational schedule or home instruction (only in most extreme situations when expulsion would be the usual alternative and safety of other students has been affected by student behavior.)

**Pages 203-204** of the petition specifically address additional ***Due-process rights for students with an IEP, 504, or suspected disability:***

“If the Charter School, the parent, and relevant members of the IEP/504 Team determine that the behavior was not a manifestation of the student’s disability and that the conduct in question was not a direct result of the failure to implement the IEP/504 Plan, then 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 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 U.S.C. Section 1415(k), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting unless the parent and the Charter School agree otherwise.

In accordance with 20 U.S.C. Section 1415(k)(3),

**if a parent/guardian disagrees with any decision regarding placement, or the manifestation determination,**

or if 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.”

F. While Governing Law regarding suspension and expulsion procedures is included as text on page 183 of the petition, the school does not include an explanation of how the school will comply with Federal and State constitutional procedural and substantive due process requirements.

**The complete process is detailed on Petition Pages 198-205:**

**AUTHORITY TO EXPEL (pg. 198):**

“As required by Education Code Section 47605(b)(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.

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Executive Director or designee determines that the pupil has committed an expellable offense. In the event an Administrative Panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the pupil makes a written request for a public hearing in open session three (3) days prior to the date of the scheduled hearing.

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten (10) calendar days before the date of the hearing. Upon mailing the notice, it shall be deemed served upon the pupil. The school will hold a hearing adjudicated by a neutral officer, at which the student has a fair opportunity to present testimony, evidence, and witnesses, to confront and cross-examine adverse witnesses, and at which the student has the right to bring legal counsel or an

advocate. 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.
9. The student has a right to request at least one postponement of the hearing in writing. The postponement can be for 30 calendar days. Any additional postponements are granted at the school board's discretion;
10. The student has a right to request in writing at least 5 days before the scheduled hearing that the hearing be conducted at a public meeting. Whether the hearing is conducted in private or public, the governing board will meet in private after the hearing to decide whether the student should be expelled. If the board admits any other person to the closed meeting where the student's fate is decided, the student, the student's parent or guardian, and/or the student's counsel must also be allowed to be present at the closed meeting.
11. A decision must be made regarding the

	<p>student's punishment within 3 school days or 10 calendar days after the hearing. The hearing officer or panel may do 4 things:</p> <ul style="list-style-type: none"> <li>a. Recommend suspension.</li> <li>b. Recommend expulsion.</li> <li>c. Suspend expulsion for up to a year, during which the student must abide by all rules, or</li> <li>d. Reinstate the student fully with no further consequences.</li> </ul> <p><b>12. The student has the right to appeal an expulsion decision with the County Board of Education within 30 days of the school district's action."</b></p>
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K. California State Teacher Retirement System, California Public Employees Retirement System, and Social Security Coverage

(A) Specifies the positions to be covered under each system and the staff who will be responsible for ensuring that appropriate arrangements for that coverage have been made. ✓

**FAILED TO MEET**

<b>If Fails to Meet Standard, include Concerns and/or Additional Questions:</b>	<b>EUREKA! Response</b>
<p>A. • The petition lists CalSTRS, CalPERS and Social Security as three retirement coverage options for staff. However, the applicant does not provide descriptions of each program, nor does the applicant delineate which retirement vehicle it will offer to each staff group (page 206). • In the petition, the applicant states that CalPERS and CalSTRS will both be available to staff (petition, page 206). However, the budget documents state that the school will not offer CalPERS (Supporting Documents, .pdf page 6). The applicant does not provide a description of what Defined Contribution or other retirement plans will be offered to non-instructional and nonadministrative staff.</p>	<p>You are correct that this expense was not included in the version of the budget provided in the Charter Petition. This was a spreadsheet error. This has very little impact on the overall budget as classified salaries are very small part of the budget. The corrected version is shown below:</p>



Code	Item	Rate					
		FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25
	Full-Time Staff	-	10	15	20	20	20
3101-3202	STRS	18.13%	19.10%	18.60%	18.10%	18.10%	18.10%
3301-3302	OASDI	6.20%	6.20%	6.20%	6.20%	6.20%	6.20%
3301-3303	Medicare	1.45%	1.45%	1.45%	1.45%	1.45%	1.45%
3401-3402	Health and Welfare	\$ 10,000	\$ 10,000	\$ 10,000	\$ 12,000	\$ 12,000	\$ 12,000
3501-3502	UI	2%	2%	2%	2%	2%	2%
3601-3602	Workers' Comp	2%	2%	2%	2%	2%	2%
3701-3702	Benefits (other)	10.00%	10.00%	10.00%	10.00%	10.00%	10.00%
3101-3202	STRS	\$ 32,634	168,558	235,069	317,126	331,485	343,263
3301-3302	OASDI/Medicare	\$ 4,140	25,706	38,567	54,185	55,978	58,823
3401-3402	Health and Welfare	\$ -	102,000	146,000	236,400	237,600	240,000
3501-3502	UI	\$ 500	4,000	5,000	6,000	7,000	8,000
3601-3602	Workers' Comp	\$ 500	10,000	12,000	14,000	16,000	18,000
3701-3702	Benefits (Other)	\$ 2,000	\$ 16,875	\$ 26,460	\$ 37,620	\$ 38,461	\$ 40,947
<b>TOTAL</b>		<b>\$ 39,774</b>	<b>327,138</b>	<b>463,096</b>	<b>665,331</b>	<b>686,525</b>	<b>709,034</b>
<b>% Total</b>		<b>17%</b>	<b>24%</b>	<b>23%</b>	<b>24%</b>	<b>24%</b>	<b>24%</b>

L. Public School Attendance Alternatives **N/A**

M. Post-employment Rights of Employees **N/A**

N. Dispute Resolution Procedures

(A) Describe how the costs of the dispute resolution process, if needed, would be funded. ✓ **FAILED TO MEET**

(B) Recognize that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with EC Section 47604.5, the matter will be addressed at the authorizer's discretion in accordance with that provision of law and any regulations pertaining thereto. ✓ **FAILED TO MEET**

(C) Does the petition present a reasonably comprehensive description of dispute resolution procedures? ✓ **FAILED TO MEET**

If Fails to Meet Standard, include Concerns and/or Additional Questions:	EUREKA! Response
A. On page 209 of the petition, then the applicant proposes that the cost of a mediator (if used) would be split equally between the district and the school. However, the applicant did not describe <b>how the costs of the overall dispute resolution process, if needed, would be funded</b> . Funding for the dispute resolution is also not accounting for in the school's budget.	Legal Fees (5845) are included on page 7 of the Budget.

<p>B. While Element N (pg. 209) describes a general dispute resolution procedure, it does not explicitly include language which specifies that the authorizer has authority to handle disputes according to their discretion.</p>	<p>Page 209          “The Charter School recognizes that it cannot bind the District to a dispute resolution procedure to which the District does not agree. The following policy is intended as a starting point for a discussion of dispute resolution procedures. The Charter School is willing to consider changes to the process outlined below as suggested by the District. The intent of the dispute resolution process is to clarify roles and responsibilities and ensure a fair and timely process for resolving disputes. During this time both parties agree not to release public a public statement related to the topic. The district will be encouraged to attempt to resolve any disputes amicably and reasonably without resorting to formal procedures. Should any section of this element pertaining to resolving disputes be in conflict District policies or desired protocols, then the charter is amenable to altering said areas through a mutually agreed upon Memorandum of Understanding.”</p>
<p>C. The petition does not offer a comprehensive description of the dispute resolution procedure (pg. 209). The details pertaining to <b>funding</b> are unclear, and the language regarding authorizer authority to handle disputes is not included.</p>	<p><b>The costs of the mediator shall be split equally between the District and the Charter School.</b>          Legal Fees (5845) are included on page 7 of the Budget. Proposed MOU is included in supporting documents.          Please see pages 14-16 of proposed MOU.</p>

O. Closure Procedures **N/A**

Facilities

Do the petitioners anticipate using a district facility or finding a facility independent of the district? Place X in the correct box. ✓ **FAILED TO MEET**

If non-district facility anticipated: Does the petition include a reasonably comprehensive assessment of the school’s facilities needs and its options for meeting those needs? ✓ **FAILED TO MEET**

If district facility anticipated pursuant to Prop 39: Does the petition include a reasonably comprehensive assessment of the school's facilities needs and its options for meeting those needs? ✓ **FAILED TO MEET**

If Fails to Meet Standard, include Concerns and/or Additional Questions:	EUREKA! Response
<p><i>If non district facility is anticipated:</i> Pages 214 and 215 of the petition note that Eureka! Inclusive will consider leasing private facilities and include an assurance of compliance with applicable State and local codes. However, the petition does not identify potential sites, an informed analysis of viability, a schedule for securing a facility or an adequate budget for facilities costs. Further, pages 214 and 215 refer to Appendix J44 for a detail on classroom and other spaces; the petition materials do not include an Appendix J44.</p>	<p>It is not uncommon for Charter Schools to have not secured a facility at the time of Charter Submission. If Eureka does not reach an agreement with San Jose Unified for the rental of a suitable facility, it will seek out other facilities opportunities and adjust the budget accordingly. As Eureka is requesting a planning year, they will not need to secure a facility until the 2020-21 school year.</p> <p><b>Petition Page 213:</b> Attached as Appendix J44, please find the following documents: Budget narrative</p> <ul style="list-style-type: none"> <li>● A projected first year budget including startup costs</li> <li>● Financial projections and cash flow for the first three years of operation</li> </ul> <p>Petition Page 215: See facilities projections section of the budget in Appendix J44 for details on the number of classrooms and other spaces and total square footage to be requested. In this section budget location change was missed during the revision of the petition submitted on April 27, 2019. I apologize for missing that edit. While Appendix J44 does not exist, the Budget that is referenced does exist, and all information referenced remain the same and was submitted as part of the budget, which was reviewed.</p>
<p><i>If district facility is anticipated pursuant to Prop 39:</i> Page 215 of the petition notes that Eureka! Inclusive intends to seek the support of</p>	<p>District oversight fees of 1% are included in object code 5850 of the detailed Expense budget on page 7 of the Charter Petition budget.</p>

<p>SJUSD to secure space in a District-owned facility and includes an assurance of compliance with applicable state and local codes. However, the petition does not include an adequate budget based on 1% of anticipated per pupil revenue, pro-rata costs, FMV lease, contingency plan; an informed assessment or description of facilities needs is not included.</p>	<p>Facilities needs/assumptions are shown on page 10 of the Charter Petition Budget. The costs used in these assumptions are based on the existing lease costs of Sunrise Middle School, a similar sized Charter leasing facilities from San Jose Unified. These are real, not estimated costs.</p> <p>Facilities costs, above and beyond the 1% oversight fee, are included in object code 5610 on page 7 of the Charter Petition Budget.</p>
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### Financial Capacity

(A) Financial Operation: How would you rate the structures and practices related to financial operation? • A balanced three-year budget accurately reflecting all budget assumptions • Proper calculation of the charter school's LCFF funding rate for each year of the charter, including a reasonably comprehensive description of how the charter school is calculating its base funding rate, transitional amounts, and supplemental and concentration funding, including unduplicated pupil counts (if applicable) for each year of the charter.) • Inclusion of expenditures incurred by the charter schools to meet its specific goals as required by Education Code section 47606.5 • A start-up year plan with reasonable assessment of and plan for costs (if applicable) • A clear indication that the school has a sound plan for sustainability, including funding for the core program that does not have ongoing reliance on "soft" money (e.g., donations, grants, etc.) • Clear evidence and track record of sustainability, in the event there is an enduring reliance on "soft" money (e.g., donations, grants, etc.) • An adequate reserve and contingency plan targeted to the minimum enrollment needed for solvency (especially for year 1) • A sound plan for financial management systems ✓ **FAILED TO MEET**

(B) Revenues: How would you rate the accuracy and attainability of the revenue projections? • A narrative explaining key revenue assumptions • Realistic revenue projections showing all anticipated revenue sources -- including state, local, federal and private funds, and any fee-based programs and services • Realistic cash flow projection • A fundraising plan, including assumptions and report on current status. ✓ **FAILED TO MEET**

(C) Expenditures: How would you rate the expenditure plan in terms of sound assumptions and priorities consistent with effective operation of the school? • Spending priorities that align with the school's Local Control Accountability Plan, mission, educational program, management structure, professional development needs, and growth plan • A budget narrative explaining key expense assumptions • Realistic expense projections addressing major operating expenses including staffing and benefits, professional development, special education, facility, materials and equipment, and contracted services • Budgeting to meet minimum insurance requirements •

Evidence to support key assumptions, including that compensation is sufficient to attract qualified staff and that facilities budget is adequate. ✓ **FAILED TO MEET**

<b>If Fails to Meet Standard, include Concerns and/or Additional Questions</b>	<b>EUREKA! Response</b>
<p>(A)Pages 213 and 214 of the petition mention the potential for administrative services. However, the petition does not include a description of services to be procured, a financial management system, or staff requirements for adequate fiscal management. The financial documents included in the petitions “Supporting Documents Part 1” show a balanced budget. However, the petition does not include a plan for adequate reserves targeted to minimum enrollment needed for solvency or a start-up plan with a reasonable assessment and plan for costs.</p>	<p>On Page 5 of the petition budget on the Expense assumptions page, item 6 states:</p> <p>“Back office services for Budgeting, Financial Reporting, Accounts Payable, Payroll, and HR are assumed to be provided by Delta Managed Solutions, a Sacramento-based back office provider. The cost for these services is based on a quote from DMS and is included in the budget.”</p> <p>Eureka, like any other Charter, must adjust its operations and budget to match the actual number of students enrolled.</p> <p>Start-up costs are broken out on page 11 of the Charter Budget.</p>
<p>(B)Page 4 of the petition’s Supporting Documents includes some key revenue assumptions including State, local and federal funds. However, the petition does not explain assumptions pertaining to the fundraising plan or cash flow timing for major revenue sources required for the financial model solvency and sustainability including: \$300k private grant funding assumed for planning year PCSGP implementation of \$475 assumed in Year 1 5-year \$250k state revolving fund loan</p>	<p>The cash flow statement on pages 18-20 of the Charter Petition Budget shows the timing and distribution of funds required for solvency and sustainability. The cash flow also shows the amounts and timing of factoring required to support Eureka’s cash requirements during this period.</p> <p>Timing and distribution of the PCSGP grant, Revolving Loan, and Walton Grant (if awarded) are also shown on the cash flow.</p>
<p>(C) Pages 162-170 of the petition identify a management and staffing structure that includes position titles and qualifications. However, the identified positions are not aligned with the expense assumptions in the budget – specifically, the Business Manager and Student Data Coordinator are excluded from the expense assumptions and financial model on page 8 and 9 of the Supporting</p>	<p>The Business Manager position is not filled on the staffing plan (0 FTE). That role will be performed by the back office service provider. The Student Data Coordinator position is included in the Admin cost line of the staffing worksheet. A detailed list of Admin positions is included in this response. The position is included in the budget.</p>

<p>Documents. Furthermore, page 8 of the Supporting Documents assumes several part-time FTEs with no clear plan to recruit and obtain staff for these positions. Additionally, the petition does not identify whether the petitioner has obtained the \$300,000 private grant funding for the planning year. The petition also does not identify when these funds are expected to be received or a plan for how they will be utilized in the 2019-20 school year.</p>	<p>The Walton grant decision is expected to come in July. The spending of these funds will depend on the amount and timing of the grant, which was not known at the time of submission of this document. A proposed spending plan for these funds (if awarded) is shown in the cash flow statement during the planning year (page 18 in the Charter Petition Budget)</p>
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### Voluntary Integration Plan

(A) To what extent does the petition demonstrate understanding and alignment with SJUSD's Voluntary Integration Plan objectives? ✓ **FAILED TO MEET**

<b>If Fails to Meet Standard, include Concerns and/or Additional Questions:</b>	<b>EUREKA! Response</b>
<p>A. The petition does not fully align with SJUSD's Voluntary Integration Plan objectives. The petition highlights how the charter will work to improve achievement of Latino students by offering an English Learner Advisory Council, which will provide support in four areas enumerated in Education Code Section 52176(c) (pg. 158). The petitioners also plan to work with parents of both English Learners and English-speaking students to develop and adopt parent involvement strategies and policies (pg. 158). However, details regarding student assignment (including transportation), student recruitment, admissions and retention, primary language instruction, student achievement and monitoring, integration and mixed ability goals, and dropout discipline are not included in the petition.</p>	<p>The entire petition is our Voluntary Integration Plan, expanded to include all groups of traditionally marginalized students brought forth by SJUSD parents. These students continue to include students learning English, students with disabilities, and twice exceptional students.</p> <p>Examples from the petition:</p> <p><b>Petition Page 9:</b>  <b>"The vision of Eureka! Inclusive is to deliver an inclusive learning community where all students, including English learners, gifted students, typically developing, and those labelled with disabilities and learning differences, learn with and from each other"</b></p> <p><b>Petition Page 12:</b>  "the inclusive education school model and the Universal Design for Learning approach to curriculum. They realized that this schooling and curricular approach had been proven useful for students who experience marginalization not just because of a disability, but also because of their</p>

socio-economic level, race or ethnicity, gender orientation, or even their Giftedness.”

**Petition Page 18:**

“Our commitment to the academic success of all children is neither neutral or inconsequential. ....Eureka! Inclusive will set a new standard of expectation and outcomes for student subgroups that have suffered too long under the myth of inability.”

**Petition Page 21:**

Relationship-based teaching commits the teacher to striving to bring children into a state of belonging and addresses the child's emotional, as well as educational needs.

**Examples** of how Eureka! Inclusive supports responsive relationships among educators, children and families to lay the foundation for cultivating a positive climate in classrooms.

- A school wide relationship-based approach to managing emotions and behaviors.

- Strong and consistent communication between educators and family members sets the tone for positive relationships and should occur regularly, **in the family members' preferred language during both informal and more structured times.**

- Schedule designed to allow educators to develop relationships with young children through respectful, warm and considerate interactions and by taking the time to understand *children's prior experience, their cultures, languages and their individual strengths.*

**Petition Page 25**

“Research has found that children who lack friends can suffer from emotional and mental difficulties that continue to negatively impact them later in life. Students labelled with disabilities, gifted students, and English learners are groups of students that face high risk of social isolation within the traditional “norms based” school framework, resulting in reduced or unstable peer relationships.”

**Plans for recruitment were described in response to Element G** above, some examples include attending events such as MACLA family day, having brochures in English and Spanish, having a team that is ethnically and linguistically diverse, partnering with community groups and individuals that work with members of our community that our new to the country.

**Petition Pages 105-113** describes Primary language instruction, achievement, and mixed ability goals

**Petition Page 105-106:**

We describe Project Gotcha, our plan for identifying gifted students that are not proficient in English.

Students Learning English are addressed on **Petition Pages 107 -113:**

“The Common Core State Standards to provide English-language instruction that provides students with oral and written access to their native languages has at its core the UDL principle of multiple means of representation. At Eureka! students whose proficiency limits their access to complex English material can often have that material presented in the native language as a way to help them grasp the content in English. UDL guides the development of instructional features that provide English Learners enhanced access to grade-level curriculum.

**Petition Page 128:**

Eureka! Inclusive will pursue the following school wide and subgroup goals, actions and measurable outcomes as aligned with the Eight State Priorities as described in Education Code Section 52060(d). Each of these goals addresses the unique needs of students including Eureka! Inclusive’s anticipated numerically significant



subgroups including socioeconomically disadvantaged students, students with disabilities and English Learners.

**Petition Page 141-142** explain our expectations regarding student progress and goals:

“We expect the school’s fundamental tenet that diversity is the norm to produce a **uniform score range across all students regardless of their race, ethnicity or gender**. It is reasonable to believe that this will be the case because of the premium the school places on individualized instruction. Through the team teaching approach, it will be possible to give each student the personalized attention he or she needs to succeed. **This should result in one normal distribution of scores rather than clustering of members of any group at either end of the distribution.**”

#### **Transportation**

“As the District acknowledges, charter schools are not legally required to provide transportation to and from school except as part of an IEP. Eureka! Inclusive is committed to SJUSD’s Voluntary Integration Plan, as shown throughout the charter. The Charter School will look into ways to ease the burden of transportation for families, including providing or supplementing the cost of bus passes, and helping to set up ride sharing.”

#### **Petition Page 41: LCAP Table**

Goal: Foster youth will meet schoolwide target academic performance growth goals  
Foster youth will regularly attend school regularly; Foster youth will attend school social events

Actions: determine if the family is experiencing difficulties with housing and or transportation.

Collaborate with community groups to assist families in accessing additional resources.

#### **Petition Page 215:**

	<p>“Eureka! Inclusive is a school of choice and as such transportation to and from school is the responsibility of parents/guardians, except as voluntarily offered by the Charter School or as required by law, including, but not necessarily limited to, the IDEA and the McKinney-Vento Homeless Education Assistance Act. The charter school has made provisions to meet the needs of students that fall outside of allocated funding or to bridge the gap in funding. The special education contingency budget is included starting at \$50K in Year 1 and growing with projected enrollment to \$80K in year 3.”</p>
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## **Eureka! Inclusive Charter School: Supporting Documents**

### **Part 1: Eureka! Inclusive Charter School Multi-Year Budget**

### **Part 2: Eureka! Inclusive Charter School Meaningfully Interested Teacher Forms**

### **Part 3: Eureka! Inclusive Charter School Incorporation Documents**

501(c)(3) Letter

Eureka! Inclusive Current Bylaws

Eureka! Inclusive Restated Articles of Incorporation

Leadership Teams Bios and Resumes

### **Part 4: Eureka! Inclusive Charter School Policies**

Eureka! Inclusive Conflict of Interest Code

Sample Health and Safety Policy

Sample Suicide Prevention Policy

Sample Procedures for Background Checks

Mandated Child Abuse Reporter Policies and Procedures

School Safety Plan

Eureka! Inclusive Charter School: Supporting Documents; Part 1  
Eureka! Inclusive Charter School Multi-Year Budget

Eureka! Inclusive Charter School  
Charter Petition – Financial Projections & Cash Flow  
MULTI-YEAR PROJECTION SUMMARY

Items	FY 2019-20 Planning	FY 2020-21 Year 1	FY 2021-22 Year 2	FY 2022-23 Year 3	FY 2023-24 Year 4	FY 2024-25 Year 5
Enrollment		186	240	320	320	320
ADA		176.7	228	304	304	304
Classes		7	9	12	12	12
Student/Instruction Ratio		14.0	12.4	12.1	12.1	12.1
<b>Revenue</b>						
LCFF	-	1,755,861	2,340,682	3,182,059	3,261,610	3,343,151
Federal	-	525,160	93,500	113,000	113,000	113,000
State	-	127,577	164,616	219,488	219,488	219,488
Local	300,000	-	-	-	-	-
<b>Total</b>	<b>300,000</b>	<b>2,408,598</b>	<b>2,598,798</b>	<b>3,514,547</b>	<b>3,594,098</b>	<b>3,675,639</b>
<b>Expenses</b>						
Certificated	\$ 180,000	882,500	1,263,810	1,752,076	1,831,410	1,896,482
Classified	\$ 20,000	168,750	264,600	376,202	384,611	409,470
Benefits	\$ 37,774	310,263	436,636	627,710	648,064	668,087
Books/Supplies	\$ 2,500	401,290	81,900	97,800	54,800	55,800
Operating Expenses	\$ 27,000	345,439	353,007	419,521	420,916	422,332
Facilities	\$ -	123,620	146,750	184,336	198,792	198,792
<b>Total</b>	<b>\$ 267,274</b>	<b>2,231,861</b>	<b>2,546,702</b>	<b>3,457,645</b>	<b>3,538,593</b>	<b>3,650,962</b>
<b>Net Income</b>	<b>\$ 32,726</b>	<b>\$ 176,737</b>	<b>\$ 52,096</b>	<b>\$ 56,902</b>	<b>\$ 55,505</b>	<b>\$ 24,676</b>
<b>Beginning Fund Balance</b>	<b>\$ -</b>	<b>\$ 32,726</b>	<b>\$ 209,463</b>	<b>\$ 261,559</b>	<b>\$ 318,461</b>	<b>\$ 373,966</b>
<b>Ending Fund Balance</b>	<b>\$ 32,726</b>	<b>\$ 209,463</b>	<b>\$ 261,559</b>	<b>\$ 318,461</b>	<b>\$ 373,966</b>	<b>\$ 398,642</b>
<b>% Fund Balance</b>		<b>9.4%</b>	<b>10.3%</b>	<b>9.2%</b>	<b>10.6%</b>	<b>10.9%</b>

Cash Flow Summary	Startup	Year 1	Year 2	Year 3
Jul	\$ 283,964	\$ 348,814	\$ 335,132	\$ 166,611
Aug	\$ 259,909	\$ 149,680	\$ 214,999	\$ 353,283
Sep	\$ 235,854	\$ 485,657	\$ 377,887	\$ 365,377
Oct	\$ 211,800	\$ 594,012	\$ 188,092	\$ 246,184
Nov	\$ 189,081	\$ 412,024	\$ 121,626	\$ 154,112
Dec	\$ 166,363	\$ 178,779	\$ 61,672	\$ 71,655
Jan	\$ 143,645	\$ 179,554	\$ 135,770	\$ 16,292
Feb	\$ 127,608	\$ 77,820	\$ 146,023	\$ 26,988
Mar	\$ 103,554	\$ 190,105	\$ 241,654	\$ 311,987
Apr	\$ 79,499	\$ 144,341	\$ 77,928	\$ 312,478
May	\$ 55,444	\$ 117,535	\$ 95,506	\$ 62,989
Jun	\$ 32,726	\$ 258,777	\$ 131,853	\$ 116,930

# Eureka! Inclusive Charter School

## Charter Petition – Financial Projections & Cash Flow

### FUNDING ASSUMPTIONS

#### **ENROLLMENT/ADA ASSUMPTIONS:**

1. By-grade enrollment projections are shown on the Enrollment Assumptions sheet.
2. ADA is assumed at 95.0% of enrollment throughout based on historical averages for charter schools of this projected size and demographics.
3. LCFF Unduplicated Percentage estimated at 90%, using Sunrise Middle School as the closest comp at 94%
4. Student Instruction Ratio calculated as follows: Total Enrollment / Total Instructional FTE

#### **STATE FUNDING ASSUMPTIONS:**

1. LCFF funding is calculated using the latest version of FCMAT's LCFF Calculator. LCFF calculations assume SJUSD as the highest physical location district for both base year and unduplicated percentage calculations.
2. COLAs and gap rates taken from LCFF FCMAT Calculator assumptions.
3. No additional one-time discretionary/EE funding assumed.
4. Mandate Block Grant funding is assumed at \$14/ADA for TK-8.
5. Lottery funding for both Year 1 and Year 2 shown in Year 2.
6. AB602 Funding through MOU with authorizer @ \$515/ADA less 5% admin fee.

#### **FEDERAL FUNDING ASSUMPTIONS:**

1. IDEA SPED funding begins in Year 2 - \$125 per prior year ADA less 5% admin fee.
2. PCSGP Implementation of \$475K assumed in Year 1.
3. NSLP not currently included – not required for first year school. Will update for out years.

#### **LOCAL FUNDING ASSUMPTIONS:**

1. Private grant funding of \$300K assumed for planning year.
2. Interest earnings are roughly estimated based on County Treasury balances.

#### **CASH FLOW ASSUMPTIONS:**

1. 5-Year \$250k State Revolving Fund Loan assumed @ 0.50% in July 2020
2. No state deferrals currently assumed.
3. Factoring is built into the cash flow at the rate of 1% per month. This is the current average discount rate for factoring from Charter School Capital and Charter Asset Management. A line of credit in Year 3 is assumed to replace factoring.

Eureka! Inclusive Charter School  
 Charter Petition – Financial Projections & Cash Flow  
 ENROLLMENT & ADA ASSUMPTIONS

	2020-21	2021-22	2022-23	2023-24	2024-25
<b>ADA</b>	<b>95%</b>	<b>95%</b>	<b>95%</b>	<b>95%</b>	<b>95%</b>
<b># Classes</b>	<b>7</b>	<b>9</b>	<b>12</b>	<b>12</b>	<b>12</b>
<b>Year/Class</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>
TK1	30	30	30	30	30
TK2	0	30	30	30	30
TK3	0	20	20	20	20
Primary 4	26	26	26	26	26
Primary 5	0	0	26	26	26
Primary 6	26	26	26	26	26
LE 8	26	26	26	26	26
LE 9	26	26	26	26	26
LE 10	0	0	26	26	26
UE 11	26	28	28	28	28
UE 12	26	28	28	28	28
UE 13	0	0	28	28	28
<b>Total Students</b>	<b>186</b>	<b>240</b>	<b>320</b>	<b>320</b>	<b>320</b>

<b>ADA (Span)</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>
<b>TK-3</b>	127.3	174.8	199.5	199.5	199.5
<b>4-6</b>	49.4	53.2	104.5	104.5	104.5
<b>7-8</b>	0	0	0	0	0
<b>Total</b>	<b>176.7</b>	<b>228</b>	<b>304</b>	<b>304</b>	<b>304</b>

# Eureka! Inclusive Charter School

## Charter Petition – Financial Projections & Cash Flow

### EXPENSE ASSUMPTIONS

#### **Staffing Levels - Rationale/Explanation**

Staffing structure and levels are consistent with similar charter schools as well as the general framework outlined in the charter petition narrative. We do not anticipate substantive changes from the general staffing plan outlined in the petition, although the final staffing and allocation is subject to change based on final demographics, SPED student count and other factors.

#### **Annual Pay Increases - Rationale/Explanation**

We assume two primary factors affecting annual compensation adjustments: (a) the statewide COLA increase, which we plan to use to adjust our salary scales; and (b) the step-and-column adjustments for each staff member. Generally, we plan for normal step-and-column increases as well as overall COLA increases to the entire scale based on statewide COLAs and other factors. In this budget, we are assuming an overall COLA increase matching the FCMAT statewide COLA projections, and an average 2.0% step/column annual increase (taking terms/replacements into account).

#### **Benefits - Rationale/Explanation**

We are assuming benefits at the following rates:

STRS = 18.13% in 2018-19, increasing thereafter

PERS: not planning to join

OASDI = 6.20%

Medicare = 1.45%

Worker's Comp = 2%

SUI = 0.02%

Health Care = \$10,000 cap on employer-funded portion (preliminary)

For budget purposes, we are assuming all certificated staff are CalSTRS participants. This budget assumes that we are not participating in CalPERS. We are assuming benefits for all certificated staff as well as exempt full-time classified staff. Currently we are assuming \$10k but this may be modified to align with competitive market rates. All health insurance providers and plans will be selected through competitive bidding and may be modified during the charter renewal term if necessary.

#### **4000 Expenses**

1. Assumes PCSGP of \$475K in first year. Eureka's prior grant application was approved contingent on Charter approval. Certain expense items include grant funds, but can be reduced if the grant is not awarded.
2. Classroom Furniture and Equipment estimated at \$6000 per classroom.
3. All student computers will be provided in a computer lab. The lab will be initially equipped with 60 Chromebooks and a projection system.
4. An initial budget of \$35K is allocated for office furniture and computers.



# Eureka! Inclusive Charter School

## Charter Petition – Financial Projections & Cash Flow

### EXPENSE ASSUMPTIONS

#### **5000 Expenses**

1. Assumes PCSGP of \$475K in first year. Eureka's prior grant application was approved contingent on Charter approval. Certain expense items include grant funds, but can be reduced if the grant is not awarded.
2. Assumes Liability and Worker's Comp insurance will be provided by the JPA at current rates.
3. District Oversight Fee of 1% of LCFF Revenues.
4. Facilities costs are projected assuming Prop 39 and using Sunrise Middle School, a San Jose Unified Charter of similar size and location to Eureka! Inclusive. Utilities, maintenance, and custodial are assumed included in Prop 39 Lease costs per Sunrise Middle School.
5. Budgets for Legal fees (\$10K) and Marketing and Student Recruiting (\$20K for first year) are included.
6. Back office services for Budgeting, Financial Reporting, Accounts Payable, Payroll, and HR are assumed to be provided by Delta Managed Solutions, a Sacramento-based back office provider. The cost for these services is based on a quote from DMS and is included in the budget.
7. A SPED contingency budget is included starting at \$50K in Year 1 and growing with projected enrollment to \$80K in year 3.

**Eureka! Inclusive Charter School  
Charter Petition – Financial Projections & Cash Flow  
EXPENSE DETAIL – 4000 & 5000**

Object	Line Item Description	Rate	Assumption	Startup	Year 1	Year 2	Year 3	Year 4	Year 5
4100	Textbooks & Core Curricula Materials	250	per enrolled		66,500	10,000	10,000	-	-
4200	Books and Other Reference Materials	50	per enrolled		44,300	2,700	4,000	-	-
4300	Materials & Supplies			2,500	5,000	10,800	16,000	5,000	5,000
4320	Software				47,200	6,000	8,000	8,000	8,000
4325	Instructional Materials & Supplies	200	per enrolled		14,650	6,000	7,000	8,000	9,000
4326	Art & Music Supplies	25	per enrolled		5,000	6,000	6,400	6,400	6,400
4330	Office Supplies				3,720	4,800	6,400	6,400	6,400
4335	PE Supplies	20	per enrolled		13,720	4,800	6,400	6,400	6,400
4340	Professional Development Supplies				7,000	9,000	12,000	12,000	12,000
4345	Ed Support Student Materials & Supplies	1,000	per class		77,000	5,000	5,000	3,000	3,000
4346	Teacher Supplies	6,000	per class		30,000	5,000	10,800	16,000	16,000
4410	Classroom Furniture, Equipment & Supplies	200	per student		35,000	5,000	2,000	2,000	2,000
4420	Computers (computer lab)				2,000	2,000	2,000	2,000	2,000
4423	Classroom Noncapitalized Items 1 - Computers & Networking				2,000	2,000	2,000	2,000	2,000
4430	Office Furniture, Equipment & Supplies				2,000	2,000	2,000	2,000	2,000
4433	Non Classroom Noncapitalized items 1 (storage shed)				2,000	2,000	2,000	2,000	2,000
4710	Student Food Services				2,000	2,000	2,000	2,000	2,000
4720	Other Food				2,000	2,000	2,000	2,000	2,000
	<b>TOTAL 4000</b>			<b>2,500</b>	<b>401,290</b>	<b>81,900</b>	<b>97,800</b>	<b>54,800</b>	<b>55,800</b>
	<b>Subtotals</b>								
4,100	Approved Textbooks and Core Curricula Materials		4100	-	66,500	10,000	10,000	-	-
4,200	Books and Other Reference Materials		4200	-	44,300	2,700	4,000	-	-
4,300	Materials and Supplies		4300	2,500	96,290	41,400	55,800	45,800	46,800
4,400	Non-capitalized Equipment(computers, printers, servers)		4400	-	192,200	25,800	26,000	7,000	7,000
4,700	Food		4700	-	2,000	2,000	2,000	2,000	2,000
	<b>Total</b>			<b>2,500</b>	<b>401,290</b>	<b>81,900</b>	<b>97,800</b>	<b>54,800</b>	<b>55,800</b>

## Eureka! Inclusive Charter School Charter Petition – Financial Projections & Cash Flow EXPENSE DETAIL – 4000 & 5000

Object	Line Item Description	Rate	Assumption	Startup	Year 1	Year 2	Year 3	Year 4	Year 5
5210	Conference Fees	500	per teacher		3,500	4,500	6,000	6,000	6,000
5215	Travel - Mileage, Parking, Tolls	200	per teacher		1,400	1,800	2,400	2,400	2,400
5220	Travel and Lodging	400	per teacher		2,800	3,600	4,800	4,800	4,800
5225	Travel - Meals & Entertainment	100	per teacher		700	900	1,200	1,200	1,200
5305	Dues & Membership - Professional				3,000	3,000	3,000	3,000	3,000
5310	Subscriptions				500	500	500	500	500
5450	Insurance - Other	115	per student		21,390	27,600	36,800	36,800	36,800
5535	Utilities - All Other Utilities				-	-	-	-	-
5605	Equipment Leases - Copy machine				1,500	1,500	1,500	1,500	1,500
5610	Rent				124,774	149,002	188,373	203,515	203,515
5616	Repairs and Maintenance - Computers				3,000	3,000	3,000	3,000	3,000
5803	Accounting Fees - (Auditor)				7,500	7,500	7,500	7,500	7,500
5806	Assemblies				500	500	500	500	500
5809	Banking Fees				500	500	500	500	500
5812	Business Services				90,000	100,000	120,000	120,000	120,000
5827	Consultants - Educational				5,000	5,000	5,000	5,000	5,000
5830	Field Trips / Student Activities				2,500	2,500	2,500	2,500	2,500
5836	Fingerprinting				500	600	700	800	900
5841	Party/Expense				1,000	1,000	1,000	1,000	1,000
5842	Grant Writer				5,000	5,000	5,000	5,000	5,000
5845	Legal Fees				10,000	10,000	10,000	10,000	10,000
5848	Licenses and Other Fees				500	500	500	500	500
5850	District Oversight Fees				17,559	23,407	31,821	32,616	33,432
5851	Marketing and Student Recruiting				20,000	15,000	15,000	15,000	15,000
5860	Printing and Reproduction				3,000	3,500	4,000	4,500	5,000
5863	Professional Development - Teachers				10,500	13,500	18,000	18,000	18,000
5872	Special Ed Encroachment	1500	per teacher		40,000	45,000	50,000	55,000	55,000
5875	Staff Recruiting				6,000	3,000	3,000	3,000	3,000
5878	Student Assessment	30	per enrolled	3,000	6,000	7,200	9,600	9,600	9,600
5881	Software Subscription Services (illuminate, NS, Aesop, etc)	35	per enrolled	3,000	16,510	8,400	11,200	11,200	11,200
5887	Technology Services - IT Support				8,000	10,000	10,000	10,000	10,000
5899	Miscellaneous Operating Expenses				2,000	2,000	2,000	2,000	2,000
5905	Communications - Cell Phones				1,000	1,000	1,000	1,000	1,000
5910	Communications - Internet/Website Fees				2,000	2,000	2,000	2,000	2,000
5915	Communications - Postage and Delivery				1,000	1,000	1,000	1,000	1,000
5920	Communications - Telephone & Fax				3,000	3,000	3,000	3,000	3,000
	<b>TOTAL 5000</b>			<b>27,000</b>	<b>421,713</b>	<b>466,509</b>	<b>562,393</b>	<b>583,931</b>	<b>585,347</b>

**Eureka! Inclusive Charter School**  
**Charter Petition – Financial Projections & Cash Flow**  
**STAFFING DETAIL**

Position	Code	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25
			7	9	12	12	12
		Planning	Year 1	Year 2	Year 3	Year 4	Year 5
Executive Director	1300	1	1	1	1	1	1
Business Manager	2300	0	0	0	0	0	0
Director SPED	1200	0	0.5	0.5	0.75	1	1
GE Teacher	1100	1	7	9	12	12	12
SPED Teacher	1200	0	2	3	4	4	4
Teacher Assistant	2100	0	2	3	4	4	4
School Psych	1200	0	0.25	0.3	0.35	0.4	0.5
Speech Therapist	1200	0	1	2	3	3	3
OT	1200	0	1	2	3	3	3
Family Therapist	2400	0	0.25	0.25	0.4	0.4	0.4
PT Nurse	2200	0	0	0	0	0	0
MH Specialist	2200	0	0	0	0	0	0
<b>Expense</b>							
Executive Director	1300	120,000	120,000	123,600	127,308	131,127	135,061
Business Manager	2300	-	-	-	-	-	-
Director SPED	1200	-	40,000	41,200	63,654	87,418	90,041
GE Teacher	1100	60,000	420,000	556,200	763,848	786,763	810,366
SPED Teacher	1200	-	120,000	185,400	254,616	262,254	270,122
Teacher Assistant	2100	-	70,000	108,150	148,526	152,982	157,571
School Psych	1200	-	22,500	27,810	33,418	39,338	50,648
Speech Therapist	1200	-	80,000	164,800	254,616	262,254	270,122
OT	1200	-	80,000	164,800	254,616	262,254	270,122
Family Therapist	2400	-	18,750	18,750	30,000	30,000	30,000
PT Nurse	2200	-	-	-	-	-	-
MH Specialist	2200	-	-	-	-	-	-
Admin	2400	20,000	80,000	137,700	197,676	201,630	221,899
<b>Total Salary</b>		<b>\$ 200,000</b>	<b>1,051,250</b>	<b>1,528,410</b>	<b>2,128,278</b>	<b>2,216,022</b>	<b>2,305,952</b>
Total Certificated		\$ 180,000	882,500	1,263,810	1,752,076	1,831,410	1,896,482
Total Classified		\$ 20,000	168,750	264,600	376,202	384,611	409,470

Code	Item	Rate					
		FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25
	Full-Time Staff	-	10	15	20	20	20
3101-3202	STRS	18.13%	19.10%	18.60%	18.10%	18.10%	18.10%
3301-3302	OASDI	6.20%	6.20%	6.20%	6.20%	6.20%	6.20%
3301-3303	Medicare	1.45%	1.45%	1.45%	1.45%	1.45%	1.45%
3401-3402	Health and Welfare	\$ 10,000	\$ 10,000	\$ 10,000	\$ 12,000	\$ 12,000	\$ 12,000
3501-3502	UI	2%	2%	2%	2%	2%	2%
3601-3602	Workers' Comp	2%	2%	2%	2%	2%	2%
3701-3702	PERS	14.50%	16.00%	17.00%	18.00%	19.00%	21.00%
3101-3202	STRS	\$ 32,634	168,558	235,069	317,126	331,485	343,263
3301-3302	OASDI/Medicare	\$ 4,140	25,706	38,567	54,185	55,978	58,823
3401-3402	Health and Welfare	\$ -	102,000	146,000	236,400	237,600	240,000
3501-3502	UI	\$ 500	4,000	5,000	6,000	7,000	8,000
3601-3602	Workers' Comp	\$ 500	10,000	12,000	14,000	16,000	18,000
3701-3702	PERS	\$ -	-	-	-	-	-
<b>TOTAL</b>		<b>\$ 37,774</b>	<b>310,263</b>	<b>436,636</b>	<b>627,710</b>	<b>648,064</b>	<b>668,087</b>
<b>% Total</b>		<b>16%</b>	<b>23%</b>	<b>22%</b>	<b>23%</b>	<b>23%</b>	<b>22%</b>

Eureka! Inclusive Charter School  
 Charter Petition – Financial Projections & Cash Flow  
 STAFFING DETAIL

Variable	Value
Executive Director	\$ 120,000
Business Manager	\$ 80,000
Director SPED	\$ 80,000
GE Teacher	\$ 60,000
SPED Teacher	\$ 60,000
Teacher Assistant	\$ 35,000
School Psych	\$ 90,000
Speech Therapist	\$ 80,000
OT	\$ 80,000
General Assistant	\$ 35,000
PT Nurse	\$ 80,000
MH Specialist	\$ 80,000
Family Therapist	\$ 75,000
FTE TA/Class	0.33
FTE SPED/Class	0.33
FTE SLP/Class	0.25
FTE OT/Class	0.25

Eureka! Inclusive Charter School  
 Charter Petition – Financial Projections & Cash Flow  
**FACILITIES ASSUMPTIONS**

Room	Year 1	Year 2	Year 3	Year 4	Year 5
Classrooms	7	9	12	12	12
Ed Support Room	1	1	1.5	2	2
Computer Lab	1	1	1	1	1
MP Room	0	0	0	0	0
Office Rooms	3	3	3	3	3
Library	0	0	0	1	1
Classrooms	80,955	104,085	138,780	138,780	138,780
Ed Support Room	5,783	5,783	8,674	11,565	11,565
Computer Lab	11,565	11,565	11,565	11,565	11,565
MP Room	-	-	-	-	-
Office Rooms	20,817	20,817	20,817	20,817	20,817
Library	-	-	-	11,565	11,565
<b>Total</b>	<b>119,120</b>	<b>142,250</b>	<b>179,836</b>	<b>194,292</b>	<b>194,292</b>

\*All rates based on Sunrise Middle School, a similar sized Charter in SJUSD

Item	Value
\$ Classroom	11,565
Computer Lab	11,565
Office Room	6,939
Library	11,565
Ed Support	5,783
MP Room	23,130
Cost/Square Ft.	9.8
Size/Rm	900
% In-District	75%
% Out-District	25%
MR Cost/Sq. Ft.	\$ 22

**Eureka! Inclusive Charter School**  
**Charter Petition – Financial Projections & Cash Flow**  
**STARTUP-COSTS (as portion of Year 1 Budget)**

<b>2018-19 Startup Portion of Year 1 Budget:</b>	<b>\$ 483,300</b>
<b>Description:</b> Education Code requires that the financial projection of a charter petition identify the "startup costs" component of the overall budget. The following information shows the estimated one-time startup/implementation expenses for the School - these are a portion of the overall Year 1 budget. The remaining portion of the Year 1 budget is recurring operational costs. These startup cost estimates may vary depending on the availability of Year 1 funding sources.	
<b>Startup Expenses - Salaries &amp; Benefits</b>	
<b>1000 Series: Certificated Salaries</b>	
<b>2000 Series: Classified Salaries</b>	
<b>3000 Series: Benefits</b>	
<b>Description:</b> Program Development and Curriculum Design, initial clerical and office setup time, other one-time formation and implementation tasks.	
<b>Startup Expenses - Books, Supplies &amp; Materials</b>	
<b>4100-4200 - Instructional Materials</b>	<b>\$ 113,300</b>
<b>Description:</b> We are allocating this amount for an additional startup portion of instructional materials, which is intended simply to provide initial one-time classroom items and materials estimated at \$100/ADA. The Year 1-3 budgets contain additional amounts for textbooks and materials.	
<b>4300 - Materials and Supplies</b>	<b>\$ 98,790</b>
<b>Description:</b> This is for initial office supplies and materials during the startup year to prepare for the school's first year. By having the office setup beforehand, volunteers and founding staff will be able to effectively coordinate preparation of the school site. This includes marketing materials such as flyers, etc. to maximize community outreach.	
<b>4400 - Non-Capitalized Equipment</b>	<b>\$ 192,200</b>
<b>Description:</b> This amount represents the following technology and equipment infrastructure for Year 1:	
<b>Startup Expenses - Services &amp; Operations</b>	
<b>5800 - Educational Support &amp; Services</b>	<b>\$ 79,010</b>
<b>Description:</b> This covers Student Information Systems (SIS) and assessment technology acquisition, training, and implementation. The professional services expense is to cover legal/fiscal training costs relating to implementation. The communications expense is for website and electronic communications to be translated into Spanish and other languages, and improve community outreach and marketing efforts.	
<b>Total Startup Portion of Year 1 Budget:</b>	<b>\$ 483,300</b>

## Eureka! Inclusive Charter School Charter Petition – Financial Projections & Cash Flow 5-YEAR FINANCIAL PROJECTIONS

Description	Object Code	FY 2019-20 Planning	2020-21 Year 1	2021-22 Year 2	2022-23 Year 3	2023-24 Year 4	2024-25 Year 5
<b>A. REVENUES</b>							
<b>1. LCOFF Revenue Limit Sources</b>							
State Aid - Current Year	8011		298,496	397,916	540,950	554,474	568,336
EPA - Current Year	8012		52,676	70,220	95,462	97,848	100,295
State Aid - Prior Years	8019						
In Lieu of Property Taxes	8096		1,404,689	1,872,546	2,545,647	2,609,288	2,674,521
Other LCOFF Transfers							
<b>Total, LCOFF Sources</b>			<b>1,755,861</b>	<b>2,340,682</b>	<b>3,182,059</b>	<b>3,261,610</b>	<b>3,343,151</b>
<b>2. Federal Revenues</b>							
No Child Left Behind	8290		60,000	65,000	75,000	75,000	75,000
Special Education - Federal	8181, 8182		-	28,500	38,000	38,000	38,000
Child Nutrition - Federal	8220						
Donated Food Commodities	8221						
Other Federal Revenues			465,160	-	-	-	-
<b>Total, Federal Revenues</b>			<b>525,160</b>	<b>93,500</b>	<b>113,000</b>	<b>113,000</b>	<b>113,000</b>
<b>3. Other State Revenues</b>							
Special Education - State	StateRevSE		88,350	114,000	152,000	152,000	152,000
All Other State Revenues	StateRevAO		39,227	50,616	67,488	67,488	67,488
<b>Total, Other State Revenues</b>			<b>127,577</b>	<b>164,616</b>	<b>219,488</b>	<b>219,488</b>	<b>219,488</b>
<b>4. Other Local Revenues</b>							
All Other Local Revenues	LocalRevAO	300,000					
<b>Total, Local Revenues</b>		<b>300,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>5. TOTAL REVENUES</b>							
		<b>300,000</b>	<b>2,408,598</b>	<b>2,598,798</b>	<b>3,514,547</b>	<b>3,594,098</b>	<b>3,675,639</b>



## Eureka! Inclusive Charter School Charter Petition – Financial Projections & Cash Flow 5-YEAR FINANCIAL PROJECTIONS

B. EXPENDITURES										
1. Certified Salaries										
Certificated Teachers' Salaries	1100	60,000	420,000	556,200	763,848	786,763	810,366			
Certificated Pupil Support Salaries	1200	-	342,500	584,010	860,920	913,520	951,055			
Certificated Supervisors' and Administrators' Salaries	1300	120,000	120,000	123,600	127,308	131,127	135,061			
Other Certificated Salaries	1900	-	-	-	-	-	-			
<b>Total, Certificated Salaries</b>		<b>180,000</b>	<b>882,500</b>	<b>1,263,810</b>	<b>1,752,076</b>	<b>1,831,410</b>	<b>1,896,482</b>			
2. Non-certificated Salaries										
Non-certificated Instructional Aides' Salaries	2100	-	70,000	108,150	148,526	152,982	157,571			
Non-certificated Support Salaries	2200	-	-	-	-	-	-			
Non-certificated Supervisors' Salaries	2300	-	-	-	-	-	-			
Clerical and Office Salaries	2400	20,000	98,750	156,450	227,676	231,630	251,899			
Other Non-certificated Salaries	2900	-	-	-	-	-	-			
<b>Total, Non-certificated Salaries</b>		<b>20,000</b>	<b>168,750</b>	<b>264,600</b>	<b>376,202</b>	<b>384,611</b>	<b>409,470</b>			
3. Employee Benefits										
STRS	3101-3102	32,634	168,558	235,069	317,126	331,485	343,263			
PERS	3201-3202	-	-	-	-	-	-			
OASDI / Medicare / Alternative	3301-3302	4,140	25,706	38,567	54,185	55,978	58,823			
Health and Welfare Benefits	3401-3402	-	102,000	146,000	236,400	237,600	240,000			
Unemployment Insurance	3501-3502	500	4,000	5,000	6,000	7,000	8,000			
Workers' Compensation Insurance	3601-3602	500	10,000	12,000	14,000	16,000	18,000			
OPEB, Allocated	3701-3702									
OPEB, Active Employees	3751-3752									
Other Employee Benefits	3901-3902									
<b>Total, Employee Benefits</b>		<b>37,774</b>	<b>310,263</b>	<b>436,636</b>	<b>627,710</b>	<b>648,064</b>	<b>668,087</b>			

**Eureka! Inclusive Charter School  
Charter Petition – Financial Projections & Cash Flow  
5-YEAR FINANCIAL PROJECTIONS**

<b>4.</b> Books and Supplies	Approved Textbooks and Curricula Materials	4100	-	66,500	10,000	10,000	10,000	-	-
	Books and Other Reference Materials	4200	-	44,300	2,700	4,000	-	-	
	Materials and Supplies	4300	2,500	96,290	41,400	55,800	45,800	46,800	
	Noncapitalized Equipment	4400	-	192,200	25,800	26,000	7,000	7,000	
	Food	4700	-	2,000	2,000	2,000	2,000	2,000	
	<b>Total, Books and Supplies</b>		<b>2,500</b>	<b>401,290</b>	<b>81,900</b>	<b>97,800</b>	<b>54,800</b>	<b>55,800</b>	
	<b>5.</b> Services and Other Operating Expenditures	Subagreements for Services	5100	-	-	-	-	-	
Travel and Conferences	5200	-	8,400	10,800	14,400	14,400	14,400		
Dues and Memberships	5300	-	3,500	3,500	3,500	3,500	3,500		
Insurance	5400	-	21,390	27,600	36,800	36,800	36,800		
Operations and Housekeeping Services	5500	-	-	-	-	-	-		
Rentals, Leases, Repairs, and Noncap. Improvements	5600	-	123,620	146,750	184,336	198,792	198,792		
Transfers of Direct Costs	5700-5799	-	-	-	-	-	-		
Professional/Consulting Services & Operating Expenditures	5800	27,000	305,149	304,107	357,821	359,216	360,632		
Communications	5900	-	7,000	7,000	7,000	7,000	7,000		
<b>Total, Services and Other Operating Expenditures</b>		<b>27,000</b>	<b>469,058</b>	<b>499,756</b>	<b>603,856</b>	<b>619,708</b>	<b>621,124</b>		
<b>6.</b> Capital Outlay	Total, Capital Outlay		-	-	-	-	-		
<b>7.</b> Other Outgo	Total, Other Outgo		-	-	-	-	-		
<b>8.</b> TOTAL EXPENDITURES			<b>267,274</b>	<b>2,231,861</b>	<b>2,546,702</b>	<b>3,457,645</b>	<b>3,538,593</b>	<b>3,650,962</b>	

Eureka! Inclusive Charter School  
 Charter Petition – Financial Projections & Cash Flow  
 5-YEAR FINANCIAL PROJECTIONS

<b>C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5-B8)</b>		32,726	176,737	52,096	56,902	55,505	24,676
<b>D. OTHER FINANCING SOURCES / USES</b>							
1. Other Sources	8930-8979						
2. Less: Other Uses	7630-7699						
3. Contributions Between Unrestricted and Restricted Accounts (must net to zero)	8980-8999						
4. TOTAL OTHER FINANCING SOURCES / USES							-
<b>E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4)</b>		32,726	176,737	52,096	56,902	55,505	24,676
<b>F. FUND BALANCE RESERVES</b>							
1. Beginning Fund Balance	9791	-	32,726	209,463	261,559	318,461	373,966
a. As of July 1							
b. Adjustments to Beginning Balance	9793, 9795						
c. Adjusted Beginning Balance							
2. Ending Fund Balance, June 30 (E + F.1.c.)		32,726	209,463	261,559	318,461	373,966	398,642

Eureka! Inclusive Charter School  
Charter Petition – Financial Projections & Cash Flow  
LCFF FCMAT SUMMARY

<b>LCFF Calculator Universal Assumptions</b>					
Eureka! - Eureka! New Charter Budget					
<b>Summary of Funding</b>					
	2020-21	2021-22	2022-23	2023-24	2024-25
<b>Target Components:</b>					
<i>COLA &amp; Augmentation</i>	2.86%	2.92%	2.90%	0.00%	0.00%
Base Grant	1,408,523	1,869,250	2,568,791	2,568,791	2,568,791
Grade Span Adjustment	105,150	148,580	174,363	174,363	174,363
Supplemental Grant	242,188	322,852	438,905	438,905	438,905
Concentration Grant	-	-	-	-	-
Add-ons	-	-	-	-	-
<b>Total Target</b>	<b>1,755,861</b>	<b>2,340,682</b>	<b>3,182,059</b>	<b>3,182,059</b>	<b>3,182,059</b>
<b>Transition Components:</b>					
Target	\$ 1,755,861	\$ 2,340,682	\$ 3,182,059	\$ 3,182,059	\$ 3,182,059
Funded Based on Target Formula (PYP-2)	TRUE	TRUE	TRUE	TRUE	TRUE
Floor	-	-	-	-	-
<i>Remaining Need after Gap (informational only)</i>	-	-	-	-	-
<i>Gap %</i>	100%	100%	100%	0%	0%
Current Year Gap Funding	-	-	-	-	-
Miscellaneous Adjustments	-	-	-	-	-
Economic Recovery Target	-	-	-	-	-
Additional State Aid	-	-	-	-	-
<b>Total LCFF Entitlement</b>	<b>\$ 1,755,861</b>	<b>\$ 2,340,682</b>	<b>\$ 3,182,059</b>	<b>\$ 3,182,059</b>	<b>\$ 3,182,059</b>

Eureka! Inclusive Charter School  
Charter Petition – Financial Projections & Cash Flow  
**FUNDING CALCULATIONS**

Funding Source	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25
	Planning	Year 1	Year 2	Year 3	Year 4	Year 5
Enrollment		186	240	320	320	320
ADA		177	228	304	304	304
AB 602 Funding Rate		\$ 500	\$ 500	\$ 500	\$ 500	\$ 500
Federal IDEA Funding Rate		\$ 125	\$ 125	\$ 125	\$ 125	\$ 125
<b>General Purpose Entitlement</b>						
State Aide (LCFF)	\$ -	\$ 298,496	\$ 397,916	\$ 540,950	\$ 554,474	\$ 568,336
EPA (LCFF)	\$ -	\$ 52,676	\$ 70,220	\$ 95,462	\$ 97,848	\$ 100,295
Property Tax (LCFF)	\$ -	\$ 1,404,689	\$ 1,872,546	\$ 2,545,647	\$ 2,609,288	\$ 2,674,521
<b>TOTAL</b>		<b>\$ 1,755,861</b>	<b>\$ 2,340,682</b>	<b>\$ 3,182,059</b>	<b>\$ 3,261,610</b>	<b>\$ 3,343,151</b>
<b>Federal Revenues</b>						
Federal Title I/II	\$ -	\$ 60,000	\$ 65,000	\$ 75,000	\$ 75,000	\$ 75,000
Federal IDEA Special Education	\$ -	\$ -	\$ 28,500	\$ 38,000	\$ 38,000	\$ 38,000
PCSGP		\$ 465,160	\$ -	\$ -	\$ -	\$ -
<b>TOTAL</b>		<b>\$ 525,160</b>	<b>\$ 93,500</b>	<b>\$ 113,000</b>	<b>\$ 113,000</b>	<b>\$ 113,000</b>
<b>Other State Revenues</b>						
State Special Education (AB602)	\$ -	\$ 88,350	\$ 114,000	\$ 152,000	\$ 152,000	\$ 152,000
State Lottery	\$ -	\$ 36,754	\$ 47,424	\$ 63,232	\$ 63,232	\$ 63,232
Mandate BG	\$ -	\$ 2,474	\$ 3,192	\$ 4,256	\$ 4,256	\$ 4,256
SB740	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
1-Time Funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL</b>		<b>\$ 127,577</b>	<b>\$ 164,616</b>	<b>\$ 219,488</b>	<b>\$ 219,488</b>	<b>\$ 219,488</b>
<b>Local Revenues</b>						
Grants (other)	\$ 300,000	\$ -	\$ -	\$ -	\$ -	\$ -
Local (Fundraising)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL</b>	<b>\$ 300,000</b>	<b>\$ 2,408,598</b>	<b>\$ 2,598,798</b>	<b>\$ 3,514,547</b>	<b>\$ 3,594,098</b>	<b>\$ 3,675,639</b>

## Eureka! Inclusive Charter School Charter Petition – Financial Projections & Cash Flow 3-YEAR CASHFLOW PROJECTIONS

2019-20 (Startup Year)	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Received	Accrued	Total	Budget
BEGINNING CASH	\$ -	\$283,964	\$259,909	\$235,854	\$211,800	\$189,081	\$166,363	\$143,645	\$127,608	\$103,554	\$79,499	\$55,444				
INFL/W (Receipts)																
LCF																
State Aide																
EPA																
In Lieu Property Tax																
Federal Revenue																
POSSGP																
Title III																
Child Nutrition																
Special Education																
Other State Revenue																
SPED																
California Lottery																
Mandate Block Grant																
SB740 Facilities																
All Other State Revenues																
Other Local Revenue																
Interest																
Fundraising																
Grants	\$300,000															
All Other Local Revenue																
All Other Revenue																
All Other Financing Sources																
Prior Year Accrued Revenue																
TOTAL RECEIPTS	\$300,000												\$300,000		\$300,000	\$300,000
OUTFLOW (Disbursements)																
Certified Salaries	\$10,800	\$16,200	\$16,200	\$16,200	\$15,300	\$15,300	\$15,300	\$10,800	\$16,200	\$16,200	\$16,200	\$15,300	\$180,000		\$180,000	\$180,000
Classified Salaries	\$1,200	\$1,800	\$1,800	\$1,800	\$1,700	\$1,700	\$1,700	\$1,200	\$1,800	\$1,800	\$1,800	\$1,700	\$20,000		\$20,000	\$20,000
Employee Benefits	\$2,265	\$3,400	\$3,400	\$3,400	\$3,211	\$3,211	\$3,211	\$2,265	\$3,400	\$3,400	\$3,400	\$3,211	\$37,774		\$37,774	\$37,774
Books and Supplies	\$150	\$225	\$225	\$225	\$213	\$213	\$213	\$150	\$225	\$225	\$225	\$213	\$2,500		\$2,500	\$2,500
Services and Op. Exp.	\$1,620	\$2,430	\$2,430	\$2,430	\$2,295	\$2,295	\$2,295	\$1,620	\$2,430	\$2,430	\$2,430	\$2,295	\$27,000		\$27,000	\$27,000
Capital Outlay																
All Other Financing Uses																
TOTAL DISBURSEMENTS	\$16,036	\$24,055	\$24,055	\$24,055	\$22,718	\$22,718	\$22,718	\$16,036	\$24,055	\$24,055	\$24,055	\$22,718	\$267,274		\$267,274	\$267,274
Net Increase/Decrease	\$283,964	(\$24,055)	(\$24,055)	(\$24,055)	(\$22,718)	(\$22,718)	(\$22,718)	(\$16,036)	(\$24,055)	(\$24,055)	(\$24,055)	(\$22,718)				
ENDING CASH	\$283,964	\$259,909	\$235,854	\$211,800	\$189,081	\$166,363	\$143,645	\$127,608	\$103,554	\$79,499	\$55,444	\$32,726				

## Eureka! Inclusive Charter School Charter Petition – Financial Projections & Cash Flow 3-YEAR CASHFLOW PROJECTIONS

2020-21 (Year 1)	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Received	Accrued	Total	Budget
BEGINNING CASH	32,728	348,814	149,680	485,657	594,012	412,024	178,779	179,554	77,820	190,105	144,341	117,535				
<b>INFL OW (Receipts)</b>																
LCF																
State Aide	-	-	110,444	-	-	53,729	-	26,865	26,865	26,865	26,865	26,865	\$ 298,496	\$ -	\$ 298,496	\$ 298,496
EPA	-	-	13,169	-	-	13,169	-	13,169	13,169	-	-	-	\$ 52,676	\$ -	\$ 52,676	\$ 52,676
In Lieu Property Tax	-	-	393,313	-	-	252,844	-	-	252,591	126,675	126,675	126,675	\$ 1,278,772	\$ 84,492	\$ 1,363,265	\$ 1,404,689
<b>Federal Revenue</b>																
PCSSP				155,053			155,053					155,053	\$ 465,160	\$ -	\$ 465,160	\$ 465,160
Title III	-	-	-	-	-	-	15,000	-	15,000	-	15,000	-	\$ 45,000	\$ -	\$ 45,000	\$ 60,000
Child Nutrition	-	-	-	-	-	-	5,522	-	-	-	5,522	-	\$ -	\$ -	\$ -	\$ -
Special Education	-	-	-	-	-	-	-	-	-	-	-	-	\$ 11,044	\$ 11,044	\$ 22,088	\$ -
<b>Other State Revenue</b>																
SPED	-	1,733	19,920	4,169	7,720	7,720	14,909	5,313	3,054	1,564	-	-	\$ 66,101	\$ 37,683	\$ 103,785	\$ 88,350
California Lottery	-	-	-	-	-	-	-	-	-	-	-	-	\$ 9,188	\$ 27,565	\$ 36,754	\$ 36,754
Mandate Block Grant	-	-	-	-	-	-	-	-	2,474	-	-	-	\$ 2,474	\$ -	\$ 2,474	\$ 2,474
SB740 Facilities	-	-	-	-	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	\$ -
All Other State Revenues	-	-	-	-	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	\$ -
<b>Other Local Revenue</b>																
All Other Local Revenue	-	-	-	-	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	\$ -
<b>All Other Revenue</b>																
Short Term Loans	350,000					(371,000)							\$ (21,000)	\$ -	\$ (21,000)	\$ -
All Other Financing Sources	100,000			150,000									\$ 250,000	\$ -	\$ 250,000	\$ 250,000
Prior Year Accrued Revenue	-	-	-	-	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	\$ -
<b>TOTAL RECEIPTS</b>	<b>450,000</b>	<b>1,733</b>	<b>536,845</b>	<b>309,222</b>	<b>7,720</b>	<b>(43,537)</b>	<b>190,484</b>	<b>32,177</b>	<b>313,153</b>	<b>155,103</b>	<b>174,061</b>	<b>330,950</b>	<b>\$ 2,457,912</b>	<b>\$ 277,074</b>	<b>\$ 2,734,986</b>	<b>\$ 2,658,598</b>
<b>OUTFL OW (Disbursements)</b>																
Certificated Salaries	52,950	79,425	79,425	79,425	75,013	75,013	75,013	52,950	79,425	79,425	79,425	75,013	\$ 882,500	\$ -	\$ 882,500	\$ 882,500
Classified Salaries	10,125	15,188	15,188	15,188	14,344	14,344	14,344	10,125	15,188	15,188	15,188	14,344	\$ 168,750	\$ -	\$ 168,750	\$ 168,750
Employee Benefits	18,616	27,924	27,924	27,924	26,372	26,372	26,372	18,616	27,924	27,924	27,924	26,372	\$ 310,263	\$ -	\$ 310,263	\$ 310,263
Books and Supplies	24,077	36,116	36,116	36,116	34,110	34,110	34,110	24,077	36,116	36,116	36,116	34,110	\$ 401,290	\$ -	\$ 401,290	\$ 401,290
Services and Op. Exp.	26,143	42,215	42,215	42,215	39,870	39,870	39,870	26,143	42,215	42,215	42,215	39,870	\$ 469,058	\$ -	\$ 469,058	\$ 469,058
<b>TOTAL DISBURSEMENTS</b>	<b>133,912</b>	<b>200,868</b>	<b>200,868</b>	<b>200,868</b>	<b>189,708</b>	<b>189,708</b>	<b>189,708</b>	<b>133,912</b>	<b>200,868</b>	<b>200,868</b>	<b>200,868</b>	<b>189,708</b>	<b>\$ 2,231,861</b>	<b>\$ -</b>	<b>\$ 2,231,861</b>	<b>\$ 2,231,861</b>
Net Increase/Decrease	316,088	(199,135)	335,978	108,355	(181,986)	(233,246)	776	(101,734)	112,285	(45,764)	(26,806)	141,242				
<b>ENDING CASH</b>	<b>348,814</b>	<b>149,680</b>	<b>485,657</b>	<b>594,012</b>	<b>412,024</b>	<b>178,779</b>	<b>179,554</b>	<b>77,820</b>	<b>190,105</b>	<b>144,341</b>	<b>117,535</b>	<b>258,777</b>				

## Eureka! Inclusive Charter School Charter Petition – Financial Projections & Cash Flow 3-YEAR CASHFLOW PROJECTIONS

2021-22 (Year 2)	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Received	Accrued	Total	Budget
BEGINNING CASH	256,777	335,132	214,999	377,887	188,092	121,626	61,672	135,770	146,023	241,654	77,928	95,506				
<b>INFLOW (Receipts)</b>																
LCHF																
State Aid	14,925	14,925	26,665	26,665	26,665	26,665	26,665	46,749	46,749	46,749	46,749	46,749	\$ 397,916	\$ -	\$ 397,916	\$ 397,916
EPA	-	-	17,555	17,555	-	17,555	-	-	17,555	-	-	-	\$ 70,220	\$ -	\$ 70,220	\$ 70,220
In Lieu Property Tax	-	84,281	168,563	112,375	112,375	112,375	112,375	112,375	352,256	176,657	176,657	176,657	\$ 1,696,946	\$ 176,657	\$ 1,873,603	\$ 1,872,546
<b>Federal Revenue</b>																
PCSGP																
Title III	-	-	-	-	-	-	-	16,250	16,250	-	16,250	-			\$ -	\$ -
Child Nutrition																
Special Education							7,125	-	-	-	7,125	-			\$ 48,750	\$ 65,000
<b>Other State Revenue</b>																
SPED	-	1,733	19,920	4,169	7,720	7,720	14,909	8,740	5,024	2,572	-	-	\$ 72,507	\$ 56,185	\$ 128,691	\$ 128,691
California Lottery	-	-	-	-	-	-	21,044	-	-	-	-	11,856	\$ 32,900	\$ 27,664	\$ 60,564	\$ 47,424
Child Nutrition																
Mandate Block Grant								3,192	-	-	-	-	\$ 3,192	\$ -	\$ 3,192	\$ 3,192
SB 740 Facilities	-	-	-	-	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	\$ -
<b>All Other State Revenues</b>																
Other Local Revenue																
Interest																
Fundraising																
Grants																
<b>All Other Local Revenue</b>																
<b>All Other Revenue</b>																
Short-term Loans	100,000		150,000	(105,000)			100,000		(105,000)	(160,500)			\$ (20,500)	\$ -	\$ (20,500)	\$ -
All Other Financing Sources																
Prior Year Accrued Revenue	114,233	8,131	9,188	9,000	11,044	-	-	-	-	-	-	-	\$ 151,596	\$ -	\$ 151,596	\$ 151,596
<b>TOTAL RECEIPTS</b>	<b>229,157</b>	<b>109,070</b>	<b>392,091</b>	<b>47,409</b>	<b>158,004</b>	<b>164,515</b>	<b>298,568</b>	<b>171,055</b>	<b>332,834</b>	<b>65,478</b>	<b>246,781</b>	<b>252,817</b>	<b>\$ 2,467,778</b>	<b>\$ 274,756</b>	<b>\$ 2,742,533</b>	<b>\$ 2,613,489</b>
<b>OUTFLOW (Disbursements)</b>																
Certificated Salaries	75,829	113,743	113,743	113,743	107,424	107,424	107,424	75,829	113,743	113,743	113,743	107,424	\$ 1,263,810	\$ -	\$ 1,263,810	\$ 1,263,810
Classified Salaries	15,876	23,814	23,814	23,814	22,491	22,491	22,491	15,876	23,814	23,814	23,814	22,491	\$ 264,600	\$ -	\$ 264,600	\$ 264,600
Employee Benefits	26,198	39,297	39,297	39,297	37,114	37,114	37,114	26,198	39,297	39,297	39,297	37,114	\$ 436,636	\$ -	\$ 436,636	\$ 436,636
Books and Supplies	4,914	7,371	7,371	7,371	6,962	6,962	6,962	4,914	7,371	7,371	7,371	6,962	\$ 81,900	\$ -	\$ 81,900	\$ 81,900
Services and Op. Exp.	29,985	44,978	44,978	44,978	42,479	42,479	42,479	29,985	44,978	44,978	44,978	42,479	\$ 499,756	\$ -	\$ 499,756	\$ 499,756
Capital Outlay	-	-	-	-	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	\$ -
All Other Financing Uses				8,000	8,000	8,000	8,000	8,000	8,000	8,000	-	-	\$ 48,000	\$ -	\$ 48,000	\$ 48,000
<b>TOTAL DISBURSEMENTS</b>	<b>152,802</b>	<b>229,203</b>	<b>229,203</b>	<b>237,203</b>	<b>224,470</b>	<b>224,470</b>	<b>224,470</b>	<b>160,502</b>	<b>237,203</b>	<b>229,203</b>	<b>229,203</b>	<b>216,470</b>	<b>\$ 2,594,702</b>	<b>\$ -</b>	<b>\$ 2,594,702</b>	<b>\$ 2,546,702</b>
Net Increase/Decrease	76,355	(120,133)	162,888	(189,794)	(66,466)	(59,955)	74,098	10,253	95,631	(163,725)	17,677	36,347				
<b>ENDING CASH</b>	<b>335,132</b>	<b>214,999</b>	<b>377,887</b>	<b>188,092</b>	<b>121,626</b>	<b>61,672</b>	<b>135,770</b>	<b>146,023</b>	<b>241,654</b>	<b>77,928</b>	<b>95,506</b>	<b>131,853</b>				



# Eureka! Inclusive Charter School Charter Petition – Financial Projections & Cash Flow 3-YEAR CASHFLOW PROJECTIONS

2022-23 (Year 3)	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Received	Accrued	Total	Budget
BEGINNING CASH	131,853	166,611	353,283	365,377	246,184	154,112	71,655	16,292	26,988	311,987	312,478	62,989				
<b>INFLOW (Receipts)</b>																
LCHF																
State Aid	19,896	19,896	35,612	35,612	35,612	35,612	35,612	64,419	64,419	64,419	64,419	64,419	\$ 540,950	\$ -	\$ 540,950	\$ 540,950
EPA	-	-	23,865	23,865	-	23,865	-	-	23,865	-	-	-	\$ 95,462	\$ -	\$ 95,462	\$ 95,462
In Lieu Property Tax	-	112,353	224,705	149,804	149,804	149,804	149,804	149,804	486,037	243,748	243,748	243,748	\$ 2,303,358	\$ 243,748	\$ 2,547,107	\$ 2,545,647
Federal Revenue																
Title III	-	-	-	-	-	-	18,750	-	18,750	-	18,750	-	\$ 56,250	\$ -	\$ 56,250	\$ 75,000
Child Nutrition	-	-	-	-	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	\$ -
Special Education	-	-	-	-	-	-	7,125	-	-	-	7,125	-	\$ 14,250	\$ 23,750	\$ 38,000	\$ 38,000
Other State Revenue																
SPED	-	2,236	23,090	5,379	9,962	9,962	19,237	11,932	6,959	3,512	-	-	\$ 92,169	\$ 73,420	\$ 165,589	\$ 165,589
California Lottery	-	-	-	-	-	-	15,808	-	-	-	-	-	\$ 31,616	\$ 31,616	\$ 63,232	\$ 63,232
Child Nutrition																
Mandate Block Grant									4,256				\$ 4,256	\$ -	\$ 4,256	\$ 4,256
SB 740 Facilities	-	-	-	-	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	\$ -
All Other State Revenues																
Other Local Revenue																
Interest													\$ -	\$ -	\$ -	\$ -
Fundraising													\$ -	\$ -	\$ -	\$ -
Grants													\$ -	\$ -	\$ -	\$ -
All Other Local Revenue													\$ -	\$ -	\$ -	\$ -
All Other Revenue																
Short-term Loans		350,000												\$ 90,781	\$ 90,781	\$ -
All Other Financing Sources																
Prior Year Acquired Revenue	222,321	13,376	15,808	9,000	14,250	-	-	-	-	-	-	-	\$ 274,756		\$ 274,756	
<b>TOTAL RECEIPTS</b>	<b>242,217</b>	<b>497,860</b>	<b>323,282</b>	<b>199,995</b>	<b>209,828</b>	<b>219,443</b>	<b>246,536</b>	<b>226,155</b>	<b>604,187</b>	<b>311,679</b>	<b>61,699</b>	<b>347,841</b>	<b>\$ 3,490,723</b>	<b>\$ 463,316</b>	<b>\$ 3,954,038</b>	<b>\$ 3,528,136</b>
<b>OUTFLOW (Disbursements)</b>																
Certificated Salaries	105,125	157,687	157,687	157,687	148,926	148,926	148,926	105,125	157,687	157,687	157,687	148,926	\$ 1,752,076	\$ -	\$ 1,752,076	\$ 1,752,076
Classified Salaries	22,572	33,858	33,858	33,858	31,977	31,977	31,977	22,572	33,858	33,858	33,858	31,977	\$ 376,202	\$ -	\$ 376,202	\$ 376,202
Employee Benefits	37,663	56,494	56,494	56,494	53,355	53,355	53,355	37,663	56,494	56,494	56,494	53,355	\$ 627,710	\$ -	\$ 627,710	\$ 627,710
Books and Supplies	5,868	8,802	8,802	8,802	8,313	8,313	8,313	5,868	8,802	8,802	8,802	8,313	\$ 97,800	\$ -	\$ 97,800	\$ 97,800
Services and Op. Exp.	36,231	54,347	54,347	54,347	51,328	51,328	51,328	36,231	54,347	54,347	54,347	51,328	\$ 603,856	\$ -	\$ 603,856	\$ 603,856
Capital Outlay	-	-	-	-	-	-	-	-	-	-	-	-	\$ -	\$ -	\$ -	\$ -
All Other Financing Uses				8,000	8,000	8,000	8,000	8,000	8,000				\$ 48,000	\$ -	\$ 48,000	\$ 48,000
<b>TOTAL DISBURSEMENTS</b>	<b>207,459</b>	<b>311,188</b>	<b>311,188</b>	<b>319,188</b>	<b>301,500</b>	<b>301,500</b>	<b>301,500</b>	<b>215,459</b>	<b>319,188</b>	<b>311,188</b>	<b>311,188</b>	<b>293,900</b>	<b>\$ 3,505,645</b>	<b>\$ -</b>	<b>\$ 3,505,645</b>	<b>\$ 3,457,645</b>
Net Increase/Decrease	34,759	186,672	12,093	(119,193)	(92,072)	(82,457)	(55,364)	10,696	284,999	491	(249,489)	53,941				
<b>ENDING CASH</b>	<b>166,611</b>	<b>353,283</b>	<b>365,377</b>	<b>246,184</b>	<b>154,112</b>	<b>71,655</b>	<b>16,292</b>	<b>26,988</b>	<b>311,987</b>	<b>312,478</b>	<b>62,989</b>	<b>116,930</b>				

## Eureka! Inclusive Charter School: Supporting Documents; Part 2

### Eureka! Inclusive Charter School Meaningfully Interested Teacher Forms



**San José  
Unified  
School District**

Complete one form per teacher.  
Only fully completed forms accepted.  
Complete all four sections, initial five times below, sign at bottom.  
This meaningful interest form is in support of the petition  
for the establishment of the charter school named below.

**Section 1 – Teacher Information**

Anzo		Monica
Teacher's Last Name	Teacher's First Name	Teacher's Middle Name
Multiple Sub Teaching Credential		150036139
Teaching Credential Document Title		Teaching Credential Document Number
1810 Marsala Way Salinas, CA 93905		831-594-7088
Residence Address (number and street, city, zip code)		Phone Number

**Section 2 – Current Teaching Information**

(a) Are you currently a teacher at a San José Unified school? Yes  No  Don't Know (circle one)  
If yes, write name of the San José Unified school and go to Section 3.  
If no or don't know, go to part (b) of this section.

(b) Are you currently a teacher at a public school in California? Yes  No  Don't Know (circle one)  
If yes, write name of the California public school and go to Section 3.  
If no or don't know, go to Section 3.

Name of San José Unified school  
Name of California public school: Alisal Union Sch Dist

**Section 3 – Professional Fitness Questions**

(a) Have you ever been dismissed, terminated, non-reelected, suspended without pay for more than ten days, retired, resigned from, or otherwise left school because of allegations of misconduct or while allegations of misconduct were pending? Yes  No  (circle one)

(b) Have you ever been convicted of any felony or misdemeanor in California or any other place? Yes  No  (circle one)

(c) Are you currently the subject of any criminal inquiry or investigation by law enforcement agency or any licensing agency in California or any other state? Yes  No  (circle one)

(d) Are any criminal charges currently pending against you? Yes  No  (circle one)

(e) Have you ever had any credential, including but not limited to, any Certificate of Clearance, permit, credential, license or other document authorizing public school service revoked, denied, suspended, publicly reprovod, and/or otherwise subjected to any other disciplinary action (including an action that was stayed) in California or any other state or place? Yes  No  (circle one)

(f) Have you ever had any professional or vocational (not teaching or educational) license, revoked, denied, suspended, and/or otherwise subjected to any other disciplinary action (including an action that was stayed) in California or any other state or place? Yes  No  (circle one)

**Section 4 – Declarations**

(a) I am meaningfully interested in teaching at the charter school named to the right next school year.	Initial Here: ma	<b>NAME OF CHARTER SCHOOL:</b>   <b>EUREKA! INCLUSIVE CHARTER SCHOOL</b> <small>WHERE INCLUSION ELEVATES ALL</small>
(b) I am completing and submitting this form exclusively in support of the charter school named to the right for 2019-2020.	Initial Here: ma	
(c) I had access to a complete copy of the petition for the charter named to the right as it was attached to this form.	Initial Here: ma	
(d) I understand that this form and all of the information contained on it will be publicly available as part of the review process.	Initial Here: ma	
(e) I understand that San José Unified may contact me as necessary to confirm and/or clarify the information on this form.	Initial Here: ma	
(f) I declare under penalty of perjury under the laws of the State of California that all of the foregoing is true and correct.		
Signature of Teacher: Monica Anzo	Today's Date: 04/23/2019	Location When Signed (city and county): Salinas, Monterey



**San José  
Unified  
School District**

Complete one form per teacher.  
Only fully completed forms accepted.  
Complete all four sections. initial five times below. sign at bottom.  
This meaningful interest form is in support of the petition  
for the establishment of the charter school named below.

**Section 1 – Teacher Information**

Garcia Diana  
Teacher's Last Name Teacher's First Name Teacher's Middle Name

Multiple Teaching Cred. 160204040  
Teaching Credential Document Title Teaching Credential Document Number

1451 Madrone Drive, Salinas, Ca. 93905 (831) 682-3854  
Residence Address (number and street, city, zip code) Phone Number

**Section 2 – Current Teaching Information**

(a) Are you currently a teacher at a San José Unified school? Yes  No  Don't Know (circle one)  
If yes, write name of the San José Unified school and go to Section 3.  
If no or don't know, go to part (b) of this section. Name of San José Unified school

(b) Are you currently a teacher at a public school in California? Yes  No  Don't Know (circle one)  
If yes, write name of the California public school and go to Section 3. Dr. Oscar F. Loya  
If no or don't know, go to Section 3. Name of California public school

**Section 3 – Professional Fitness Questions**

(a) Have you ever been dismissed, terminated, non-re-elected, suspended without pay for more than ten days, retired, resigned from, or otherwise left school because of allegations of misconduct or while allegations of misconduct were pending? Yes  No  (circle one)

(b) Have you ever been convicted of any felony or misdemeanor in California or any other place? Yes  No  (circle one)

(c) Are you currently the subject of any criminal inquiry or investigation by law enforcement agency or any licensing agency in California or any other state? Yes  No  (circle one)

(d) Are any criminal charges currently pending against you? Yes  No  (circle one)

(e) Have you ever had any credential, including but not limited to, any Certificate of Clearance, permit, credential, license or other document authorizing public school service revoked, denied, suspended, publicly reprovded, and or otherwise subjected to any other disciplinary action (including an action that was stayed) in California or any other state or place? Yes  No  (circle one)

(f) Have you ever had any professional or vocational (not teaching or educational) license, revoked, denied, suspended, and or, otherwise subjected to any other disciplinary action (including an action that was stayed) in California or any other state or place? Yes  No  (circle one)

**Section 4 – Declarations**

(a) I am meaningfully interested in teaching at the charter school named to the right next school year. Initial Here: DM

(b) I am completing and submitting this form exclusively in support of the charter school named to the right for 2019-2020. Initial Here: DM

(c) I had access to a complete copy of the petition for the charter named to the right as it was attached to this form. Initial Here: DM


(d) I understand that this form and all of the information contained on it will be publicly available as part of the review process. Initial Here: DM

(e) I understand that San José Unified may contact me as necessary to confirm and/or clarify the information on this form. Initial Here: DM

(f) I declare under penalty of perjury under the laws of the State of California that all of the foregoing is true and correct.

Garcia 04/23/19 Salinas, Mty.  
Signature of Teacher Today's Date Location When Signed (city and county)

**NAME OF CHARTER SCHOOL:**

  
EUREKA! INCLUSIVE CHARTER SCHOOL  
WHERE INCLUSION INSPIRES ALL




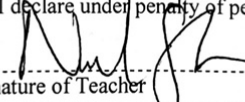
**San José  
Unified  
School District**

Complete one form per teacher.  
Only fully completed forms accepted.  
Complete all four sections, initial five times below, sign at bottom.  
This meaningful interest form is in support of the petition  
for the establishment of the charter school named below.

Section 1 – Teacher Information		
Teacher's Last Name	Teacher's First Name	Teacher's Middle Name
Guerra	Nelson	
Teaching Credential Document Title	Teaching Credential Document Number	
Multiple Subjects	150128949	
Residence Address (number and street, city, zip code)	Phone Number	
1522 Little River dr. Salinas CA 93906	(831) 261-1255	

Section 2 – Current Teaching Information	
(a) Are you currently a teacher at a San José Unified school? If yes, write name of the San José Unified school and go to Section 3. If no or don't know, go to part (b) of this section.	Yes <input type="radio"/> No <input checked="" type="radio"/> Don't Know (circle one)
(b) Are you currently a teacher at a public school in California? If yes, write name of the California public school and go to Section 3. If no or don't know, go to Section 3.	Yes <input checked="" type="radio"/> No <input type="radio"/> Don't Know (circle one)
	Name of San José Unified school
	Name of California public school
	Monte Bella

Section 3 – Professional Fitness Questions	
(a) Have you ever been dismissed, terminated, non-reelected, suspended without pay for more than ten days, retired, resigned from, or otherwise left school because of allegations of misconduct or while allegations of misconduct were pending?	Yes <input type="radio"/> No <input checked="" type="radio"/> (circle one)
(b) Have you ever been convicted of any felony or misdemeanor in California or any other place?	Yes <input type="radio"/> No <input checked="" type="radio"/> (circle one)
(c) Are you currently the subject of any criminal inquiry or investigation by law enforcement agency or any licensing agency in California or any other state?	Yes <input type="radio"/> No <input checked="" type="radio"/> (circle one)
(d) Are any criminal charges currently pending against you?	Yes <input type="radio"/> No <input checked="" type="radio"/> (circle one)
(e) Have you ever had any credential, including but not limited to, any Certificate of Clearance, permit, credential, license or other document authorizing public school service revoked, denied, suspended, publicly reprovod, and/or otherwise subjected to any other disciplinary action (including an action that was stayed) in California or any other state or place?	Yes <input type="radio"/> No <input checked="" type="radio"/> (circle one)
(f) Have you ever had any professional or vocational (not teaching or educational) license, revoked, denied, suspended, and/or, otherwise subjected to any other disciplinary action (including an action that was stayed) in California or any other state or place?	Yes <input type="radio"/> No <input checked="" type="radio"/> (circle one)

Section 4 – Declarations		
(a) I am meaningfully interested in teaching at the charter school named to the right next school year.	Initial Here: NG	<b>NAME OF CHARTER SCHOOL:</b>   <b>EUREKA! INCLUSIVE CHARTER SCHOOL</b> <small>WHERE INCLUSION ELEVATES ALL</small>
(b) I am completing and submitting this form exclusively in support of the charter school named to the right for 2019-2020.	Initial Here: NG	
(c) I had access to a complete copy of the petition for the charter named to the right as it was attached to this form.	Initial Here: NG	
(d) I understand that this form and all of the information contained on it will be publicly available as part of the review process.	Initial Here: NG	
(e) I understand that San José Unified may contact me as necessary to confirm and/or clarify the information on this form.	Initial Here: NG	
(f) I declare under penalty of perjury under the laws of the State of California that all of the foregoing is true and correct.	Initial Here: NG	
Signature of Teacher	Today's Date	Location When Signed (city and county)
	4-23-16	Salinas, Monterey



San José  
Unified  
School District

Complete one form per teacher.  
Only fully completed forms accepted.  
Complete all four sections, initial five times below, sign at bottom.  
This meaningful interest form is in support of the petition  
for the establishment of the charter school named below.

Section 1 – Teacher Information

MANDUTAN Teacher's Last Name      SALLY Teacher's First Name      ANN Teacher's Middle Name  
 EDUCATION SPECIALIST: MOD/SEV Teaching Credential Document Title      140206258 Teaching Credential Document Number  
 353 BRIDGE PL WEST SACRAMENTO, CA (916) 752-5865 Residence Address (number and street, city, zip code)      Phone Number


Section 2 – Current Teaching Information

(a) Are you currently a teacher at a San José Unified school? Yes  No  Don't Know (circle one)  
 If yes, write name of the San José Unified school and go to Section 3. \_\_\_\_\_ Name of San José Unified school  
 If no or don't know, go to part (b) of this section.  
 (b) Are you currently a teacher at a public school in California? Yes  No  Don't Know (circle one)  
 If yes, write name of the California public school and go to Section 3. SAC NEW TECH HIGH SCHOOL Name of California public school  
 If no or don't know, go to Section 3.

Section 3 – Professional Fitness Questions

(a) Have you ever been dismissed, terminated, non-reelected, suspended without pay for more than ten days, retired, resigned from, or otherwise left school because of allegations of misconduct or while allegations of misconduct were pending? Yes  No  (circle one)  
 (b) Have you ever been convicted of any felony or misdemeanor in California or any other place? Yes  No  (circle one)  
 (c) Are you currently the subject of any criminal inquiry or investigation by law enforcement agency or any licensing agency in California or any other state? Yes  No  (circle one)  
 (d) Are any criminal charges currently pending against you? Yes  No  (circle one)  
 (e) Have you ever had any credential, including but not limited to, any Certificate of Clearance, permit, credential, license or other document authorizing public school service revoked, denied, suspended, publicly reprovod, and/or otherwise subjected to any other disciplinary action (including an action that was stayed) in California or any other state or place? Yes  No  (circle one)  
 (f) Have you ever had any professional or vocational (not teaching or educational) license, revoked, denied, suspended, and/or, otherwise subjected to any other disciplinary action (including an action that was stayed) in California or any other state or place? Yes  No  (circle one)

Section 4 – Declarations

(a) I am meaningfully interested in teaching at the charter school named to the right next school year.	Initial Here: SM	<b>NAME OF CHARTER SCHOOL:</b>   <b>EUREKA! INCLUSIVE CHARTER SCHOOL</b> <small>WHERE INCLUSION ELEVATES ALL</small>
(b) I am completing and submitting this form exclusively in support of the charter school named to the right for 2019-2020.	Initial Here: SM	
(c) I had access to a complete copy of the petition for the charter named to the right as it was attached to this form.	Initial Here: SM	
(d) I understand that this form and all of the information contained on it will be publicly available as part of the review process.	Initial Here: SM	
(e) I understand that San José Unified may contact me as necessary to confirm and/or clarify the information on this form.	Initial Here: SM	
(f) I declare under penalty of perjury under the laws of the State of California that all of the foregoing is true and correct.		

Signature of Teacher: *Sally Mandut*      Today's Date: 4/18/2019      Location When Signed (city and county): SACRAMENTO, CA Yolo Co



San José  
Unified  
School District

Complete one form per teacher.  
Only fully completed forms accepted.  
Complete all four sections, initial five times below, sign at bottom.  
This meaningful interest form is in support of the petition  
for the establishment of the charter school named below.

Section 1 – Teacher Information

Teacher's Last Name: CASTILLO RIOS Teacher's First Name: YVONNE Teacher's Middle Name: \_\_\_\_\_  
 Teaching Credential/Document Title: Multiple Subject Teaching Credential - 160139686 Teaching Credential Document Number: \_\_\_\_\_  
Single Subject Teaching Credential - 160139687  
 Residence Address (number and street, city, zip code): 408 Ranchwood Drive, Los Baños, 93635 Phone Number: (408) 439-9321

Section 2 – Current Teaching Information

- (a) Are you currently a teacher at a San José Unified school? Yes  No  Don't Know (circle one)  
 If yes, write name of the San José Unified school and go to Section 3. \_\_\_\_\_  
 If no or don't know, go to part (b) of this section. Name of San José Unified school \_\_\_\_\_
- (b) Are you currently a teacher at a public school in California? Yes  No  Don't Know (circle one)  
 If yes, write name of the California public school and go to Section 3. \_\_\_\_\_  
 If no or don't know, go to Section 3. Name of California public school \_\_\_\_\_

Section 3 – Professional Fitness Questions

- (a) Have you ever been dismissed, terminated, non-reelected, suspended without pay for more than ten days, retired, resigned from, or otherwise left school because of allegations of misconduct or while allegations of misconduct were pending? Yes  No  (circle one)
- (b) Have you ever been convicted of any felony or misdemeanor in California or any other place? Yes  No  (circle one)
- (c) Are you currently the subject of any criminal inquiry or investigation by law enforcement agency or any licensing agency in California or any other state? Yes  No  (circle one)
- (d) Are any criminal charges currently pending against you? Yes  No  (circle one)
- (e) Have you ever had any credential, including but not limited to, any Certificate of Clearance, permit, credential, license or other document authorizing public school service revoked, denied, suspended, publicly reprovod, and/or otherwise subjected to any other disciplinary action (including an action that was stayed) in California or any other state or place? Yes  No  (circle one)
- (f) Have you ever had any professional or vocational (not teaching or educational) license, revoked, denied, suspended, and/or, otherwise subjected to any other disciplinary action (including an action that was stayed) in California or any other state or place? Yes  No  (circle one)

Section 4 – Declarations

- (a) I am meaningfully interested in teaching at the charter school named to the right next school year. Initial Here: \_\_\_\_\_
- (b) I am completing and submitting this form exclusively in support of the charter school named to the right for 2019-2020. Initial Here: \_\_\_\_\_
- (c) I had access to a complete copy of the petition for the charter named to the right as it was attached to this form. Initial Here: \_\_\_\_\_
- (d) I understand that this form and all of the information contained on it will be publicly available as part of the review process. Initial Here: \_\_\_\_\_
- (e) I understand that San José Unified may contact me as necessary to confirm and/or clarify the information on this form. Initial Here: \_\_\_\_\_

NAME OF CHARTER SCHOOL:



EUREKA INCLUSIVE CHARTER SCHOOL

(f) I declare under penalty of perjury under the laws of the State of California that all of the foregoing is true and correct.

Signature of Teacher: [Signature] Today's Date: 4/23/19 Location When Signed (city and county): San Jose, USA



San José  
Unified  
School District

Complete one form per teacher.  
Only fully completed forms accepted.  
Complete all four sections, initial five times below, sign at bottom.  
This meaningful interest form is in support of the petition  
for the establishment of the charter school named below.

Section 1 – Teacher Information

Andrade	Veronica	Rosana
Teacher's Last Name	Teacher's First Name	Teacher's Middle Name
Multiple Subject / Education Specialist		
Teaching Credential Document Title		15010020 / 150100122
Teaching Credential Document Number		
456 Cypress Park Ct. SJ CA 95136		(408) 464-6464
Residence Address (number and street, city, zip code)		Phone Number

Section 2 – Current Teaching Information

(a) Are you currently a teacher at a San José Unified school? Yes  No  Don't Know (circle one)  
If yes, write name of the San José Unified school and go to Section 3.  
If no or don't know, go to part (b) of this section. Name of San José Unified school

(b) Are you currently a teacher at a public school in California? Yes  No  Don't Know (circle one)  
If yes, write name of the California public school and go to Section 3. Captain Susan Jahl School  
If no or don't know, go to Section 3. Name of California public school

Section 3 – Professional Fitness Questions

(a) Have you ever been dismissed, terminated, non-reelected, suspended without pay for more than ten days, retired, resigned from, or otherwise left school because of allegations of misconduct or while allegations of misconduct were pending? Yes  No  (circle one)

(b) Have you ever been convicted of any felony or misdemeanor in California or any other place? Yes  No  (circle one)


(c) Are you currently the subject of any criminal inquiry or investigation by law enforcement agency or any licensing agency in California or any other state? Yes  No  (circle one)

(d) Are any criminal charges currently pending against you? Yes  No  (circle one)

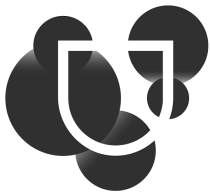
(e) Have you ever had any credential, including but not limited to, any Certificate of Clearance, permit, credential, license or other document authorizing public school service revoked, denied, suspended, publicly reprovved, and/or otherwise subjected to any other disciplinary action (including an action that was stayed) in California or any other state or place? Yes  No  (circle one)

(f) Have you ever had any professional or vocational (not teaching or educational) license, revoked, denied, suspended, and/or otherwise subjected to any other disciplinary action (including an action that was stayed) in California or any other state or place? Yes  No  (circle one)

Section 4 – Declarations

(a) I am meaningfully interested in teaching at the charter school named to the right next school year.	Initial Here: VA	<p>NAME OF CHARTER SCHOOL:</p>  <p>EUREKA! INCLUSIVE CHARTER SCHOOL WHERE INCLUSION SERVES ALL</p>
(b) I am completing and submitting this form exclusively in support of the charter school named to the right for 2019-2020.	Initial Here: VA	
(c) I had access to a complete copy of the petition for the charter named to the right as it was attached to this form.	Initial Here: VA	
(d) I understand that this form and all of the information contained on it will be publicly available as part of the review process.	Initial Here: VA	
(e) I understand that San José Unified may contact me as necessary to confirm and/or clarify the information on this form.	Initial Here: VA	
(f) I declare under penalty of perjury under the laws of the State of California that all of the foregoing is true and correct.		
Mi Adde	4/16/19	San Jose, CA
Signature of Teacher	Today's Date	Location When Signed (city and county)







Complete one form per teacher.  
Only fully completed forms accepted.  
Complete all four sections, initial five times below, sign at bottom.  
This meaningful interest form is in support of the petition  
for the establishment of the charter school named below.

Section 1 – Teacher Information		
Espinoza	Mary	Carmen
Teacher's Last Name	Teacher's First Name	Teacher's Middle Name
Multiple Subject Teaching Credential	180222224	
Teaching Credential Document Title	Teaching Credential Document Number	
1920 Constitution Blvd #22, Salinas CA 93905	(831) 905-4039	
Residence Address (number and street, city, zip code)	Phone Number	

Section 2 – Current Teaching Information	
(a) Are you currently a teacher at a San José Unified school? If yes, write name of the San José Unified school and go to Section 3. If no or don't know, go to part (b) of this section.	Yes <input type="checkbox"/> <b>No</b> <input checked="" type="checkbox"/> Don't Know <input type="checkbox"/> (circle one) Name of San José Unified school
(b) Are you currently a teacher at a public school in California? If yes, write name of the California public school and go to Section 3. If no or don't know, go to Section 3.	<b>Yes</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/> (circle one) Monte Bella Elementary Name of California public school

Section 3 – Professional Fitness Questions	
(a) Have you ever been dismissed, terminated, non-reelected, suspended without pay for more than ten days, retired, resigned from, or otherwise left school because of allegations of misconduct or while allegations of misconduct were pending?	Yes <input type="checkbox"/> <b>No</b> <input checked="" type="checkbox"/> (circle one)
(b) Have you ever been convicted of any felony or misdemeanor in California or any other place?	Yes <input type="checkbox"/> <b>No</b> <input checked="" type="checkbox"/> (circle one)
(c) Are you currently the subject of any criminal inquiry or investigation by law enforcement agency or any licensing agency in California or any other state?	Yes <input type="checkbox"/> <b>No</b> <input checked="" type="checkbox"/> (circle one)
(d) Are any criminal charges currently pending against you?	Yes <input type="checkbox"/> <b>No</b> <input checked="" type="checkbox"/> (circle one)
(e) Have you ever had any credential, including but not limited to, any Certificate of Clearance, permit, credential, license or other document authorizing public school service revoked, denied, suspended, publicly reprovved, and/or otherwise subjected to any other disciplinary action (including an action that was stayed) in California or any other state or place?	Yes <input type="checkbox"/> <b>No</b> <input checked="" type="checkbox"/> (circle one)
(f) Have you ever had any professional or vocational (not teaching or educational) license, revoked, denied, suspended, and/or, otherwise subjected to any other disciplinary action (including an action that was stayed) in California or any other state or place?	Yes <input type="checkbox"/> <b>No</b> <input checked="" type="checkbox"/> (circle one)

Section 4 – Declarations		
(a) <b>I am meaningfully interested in teaching at the charter school named to the right next school year.</b>	Initial Here: ME	<b>NAME OF CHARTER SCHOOL:</b>   <b>EUREKA! INCLUSIVE CHARTER SCHOOL</b> <small>WHERE INCLUSION ELEVATES ALL</small>
(b) I am completing and submitting this form exclusively in support of the charter school named to the right for 2019-2020.	Initial Here: ME	
(c) I had access to a complete copy of the petition for the charter named to the right as it was attached to this form.	Initial Here: ME	
(d) I understand that this form and all of the information contained on it will be publicly available as part of the review process.	Initial Here: ME	
(e) I understand that San José Unified may contact me as necessary to confirm and/or clarify the information on this form.	Initial Here: ME	
(f) I declare under penalty of perjury under the laws of the State of California that all of the foregoing is true and correct.		
 Signature of Teacher	5/15/19 Today's Date	Salinas, Monterey County Location When Signed (city and county)

Eureka! Inclusive Charter School: Supporting Documents; Part 3

Eureka! Inclusive Charter School Incorporation Documents

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **SEP 05 2018**

EUREKA! INCLUSIVE CHARTER SCHOOL,  
INC.  
556 NORTH 20TH ST  
SAN JOSE, CA 95123

Employer Identification Number:  
81-5385853  
DLN:  
17053228321008  
Contact Person:  
JOSEPH LAUX ID# 31077  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
June 30  
Public Charity Status:  
170(b)(1)(A)(vi)  
Form 990/990-EZ/990-N Required:  
Yes  
Effective Date of Exemption:  
January 10, 2017  
Contribution Deductibility:  
Yes  
Addendum Applies:  
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to [www.irs.gov/charities](http://www.irs.gov/charities). Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 947

**BYLAWS OF**  
**EUREKA! INCLUSIVE CHARTER SCHOOL, INC.**  
**(A California Nonprofit Public Benefit Corporation)**

**ARTICLE I**

**NAME**

Section 1. NAME. The name of this Corporation is Eureka! Inclusive Charter School, Inc.

**ARTICLE II**

**PRINCIPAL OFFICE OF THE CORPORATION**

Section 1. PRINCIPAL OFFICE OF THE CORPORATION. The principal office for the transaction of the activities and affairs of this Corporation is located at 556 N. 20<sup>th</sup> Street, San Jose, CA 95112. The Board of Directors may change the location of the principal office. Any such change of location must be noted by the Secretary on these bylaws opposite this Section; alternatively, this Section may be amended to state the new location.

Section 2. OTHER OFFICES OF THE CORPORATION. The Board of Directors may at any time establish branch or subordinate offices at any place or places where this Corporation is qualified to conduct its activities.

**ARTICLE III**

**GENERAL AND SPECIFIC PURPOSES; LIMITATIONS**

Section 1. GENERAL AND SPECIFIC PURPOSES. The purpose of the Corporation is to manage, operate, guide, direct and promote one or more California public charter schools. Also in the context of these purposes, the Corporation shall not, except to an insubstantial degree, engage in any other activities or exercise of power that do not further the purposes of the Corporation.

The Corporation shall not carry on any other activities not permitted to be carried on by: (a) a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future tax code; or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code. No substantial part of the activities of the Corporation shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

**ARTICLE IV**

## **CONSTRUCTION AND DEFINITIONS**

Section 1. CONSTRUCTION AND DEFINITIONS. Unless the context states otherwise, the general provisions, rules of construction, and definitions in the California Nonprofit Corporation Law shall govern the construction of these bylaws. Without limiting the generality of the preceding sentence, the masculine gender includes the feminine and neuter, the singular includes the plural and vice versa, and the term “person” includes both a legal entity and a natural person.

## **ARTICLE V**

### **DEDICATION OF ASSETS**

Section 1. DEDICATION OF ASSETS. This Corporation’s assets are irrevocably dedicated to public benefit purposes. No part of the net earnings, properties, or assets of the Corporation, on dissolution or otherwise, shall inure to the benefit of any private person or individual, or to any director or officer of the Corporation. On liquidation or dissolution, all properties and assets remaining after payment, or provision for payment, of all debts and liabilities of the Corporation shall be distributed to a nonprofit fund, foundation, or corporation or association that is organized and operated exclusively for educational, public or charitable purposes and that has established its exempt status under Internal Revenue Code section 501(c)(3).

## **ARTICLE VI**

### **CORPORATIONS WITHOUT MEMBERS**

Section 1. CORPORATIONS WITHOUT MEMBERS. This Corporation shall have no voting members within the meaning of the Nonprofit Corporation Law. The Corporation’s Board of Directors may, in its discretion, admit individuals to one or more classes of nonvoting members; the class or classes shall have such rights and obligations as the Board of Directors finds appropriate.

## **ARTICLE VII**

### **BOARD OF DIRECTORS**

Section 1. GENERAL POWERS. Subject to the provisions and limitations of the California Nonprofit Public Benefit Corporation Law and any other applicable laws, and subject to any limitations of the articles of incorporation or bylaws, the Corporation’s activities and affairs shall be managed, and all corporate powers shall be exercised, by or under the direction of the Board of Directors (to be known as the “Board of Directors” or the “Board”). The Board may delegate the management of the Corporation’s activities to any person(s), management company, or committees, provided that the activities and affairs of the Corporation shall be managed and all corporate powers shall be exercised under the ultimate direction of the Board.

Section 2. SPECIFIC POWERS. Without prejudice to the general powers set forth in Section 1

of these bylaws, but subject to the same limitation, the Board of Directors shall have the power to:

- (1) Appoint and remove, at the pleasure of the Board, all corporate officers, agents and employees; prescribe powers and duties for them as are consistent with the law, the articles of incorporation, and these bylaws; and fix their compensation.
- (2) Change the principal office or the principal business office in California from one location to another
- (3) Borrow money and incur indebtedness on the Corporation's behalf and cause to be executed and delivered for the Corporation's purposes, in the corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, and other evidences of debt and securities.
- (4) Adopt and use a corporate seal.

Section 3. DIRECTORS AND TERMS. The number of directors shall be no less than five (5) and no more than fifteen (15). All directors shall have full voting rights, including any representative appointed by the charter authorizer as consistent with Education Code Section 47604(b). If the charter authorizer appoints a representative to serve on the Board of Directors, the Board of Directors may appoint an additional director to ensure an odd number of Board members. All directors, except for the representative appointed by the charter authorizer, shall be designated by the existing Board of Directors.

Except for the initial Board of Directors, each director shall hold office unless otherwise removed from office in accordance with these bylaws for two (2) years and until a successor director has been designated and qualified. Terms for the initial Board of Directors shall be staggered with two (2) seats serving one (1) year term, two (2) seats serving a two (2) year term and two (2) seats serving a three (3) year term. The Board composition shall include at least one (1) parent or guardian of a student attending or who has attended Eureka! Inclusive Charter School. Three seats shall be reserved to be filled respectively by parents of students in one of the following subgroups: student with disability, English Learner, economically disadvantaged, gifted learner.

The Board seeks to attract a diverse set of members with a wide variety of skills, interests, and backgrounds to enrich our organization. The Board also seeks to intentionally recruit from certain backgrounds that will bring particular expertise to the Board of Directors and our educational philosophy. With that in mind, the Board seeks to recruit three (3) to four (4) parents to serve on the Board, including, a parent who has a child with a disability, a parent whose child is an English learner, and a parent from the neighborhood where the school is located.

The Board strives to assure that its membership reflects the linguistic and cultural diversity of the families it serves and seeks to maintain membership on the Board which provides representation from each of the Eureka programs: Research, Inclusion, Arts, Technology, Design, Child Development and Education. The Board of Directors shall include, but is not limited to, members with expertise in education, law, finance, nonprofit management, and more. Directors must demonstrate: dedication to education, professional expertise in an area of need/relevance to

the Corporation's operations, service to the community, and ability to support the vision and mission of Eureka! Inclusive Charter School, Inc.

Section 4. RESTRICTION ON INTERESTED PERSONS AS DIRECTORS. No persons serving on the Board of Directors may be "interested persons." An interested person is (a) any person currently being compensated by the Corporation for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor, or otherwise, excluding any reasonable compensation paid to a director as director; (b) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law or father-in-law of such person. The Board may adopt other policies circumscribing potential conflicts of interest.

Section 5. DIRECTORS TERM. Each director shall hold office for two (2) years and until a successor director has been designated and qualified.

Section 6. BOARD CANDIDATE NOMINATIONS. Director candidates may be nominated by any member of the community. Additionally, the Chairman of the Board of Directors or, if none, the President may appoint a committee to designate qualified candidates for appointment to the Board of Directors at least thirty (30) days before the date of any appointment of directors. The nominating committee shall make its report at least seven (7) days before the date of such designation or at such other time as the Board of Directors may set and the Secretary shall forward to each Board member, with the notice of meeting required by these bylaws, a list of all candidates nominated by committee.

Section 7. EVENTS CAUSING VACANCIES ON BOARD. A vacancy or vacancies on the Board shall occur in the event of (a) the death resignation or removal of any director; (b) the declaration by resolution of the Board of a vacancy in the office of a director who has been convicted of a felony, declared of unsound mind by a court order, or found by final order or judgment of any court to have breached a duty under the California Nonprofit Benefit Law, Chapter 2, Article 3; (c) the increase of the authorized number of directors; or (d) the failure of the directors, at any meeting at which any director or directors are to be appointed, to appoint the number of directors required to be appointed at such meeting.

Section 8. RESIGNATION OF DIRECTORS. Except as provided below, any director may resign by giving written notice to the President or Secretary of the Corporation. The resignation shall be effective when the notice is given unless the notice specifies a later time for the resignation to become effective. If a director's resignation is effective at a later time, the Board may elect a successor to take office as of the date when the resignation becomes effective.

Section 9. REMOVAL OF DIRECTORS. Any director, except for the representative appointed by the charter authorizer, may be removed, with or without cause, by the vote of two-thirds of the directors in office at the time the vote is taken at a special meeting called for that purpose, or at a regular meeting, provided that notice of that meeting and such removal are given in compliance with the provisions of the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of the Government Code) as said chapter may be modified by subsequent legislation ("Brown Act"). The representative appointed by the charter authorizer may be removed without cause by the charter authorizer or with the written consent of

the charter authorizer. Any vacancy caused by the removal of a Board designated director shall be filled as provided in Section 11.

Section 10. DIRECTOR MAY NOT RESIGN IF NO DIRECTOR REMAINS. Except on notice to the California Attorney General, no director may resign if the Corporation would be left without a duly elected director or directors.

Section 11. VACANCIES FILLED BY BOARD. Vacancies on the Board of Directors, except for the representative appointed by the charter authorizer, may be filled by approval of the Board of Directors or, if the number of directors then in office is less than a quorum, by (a) the affirmative vote of a majority of the directors then in office at a regular or special meeting of the Board, or (b) a sole remaining director. A vacancy in the seat of the representative of the charter authorizer shall be filled by the charter authorizer.

Section 12. NO VACANCY ON REDUCTION OF NUMBER OF DIRECTORS. Any reduction of the authorized number of directors shall not result in any director's being removed before his or her term of office expires.

Section 13. PLACE OF BOARD OF DIRECTORS MEETINGS. Meetings shall be held at the principal office of the Corporation unless the Board of Directors designates another location in accordance with these bylaws. The Board may also designate that a meeting be held at any place within the granting agency's boundaries designated in the notice of the meeting. All meetings of the Board of Directors shall be called, held and conducted in accordance with the terms and provisions of the Brown Act.

Section 14. TELECONFERENCE MEETINGS. Members of the Board of Directors may participate in teleconference meetings so long as all of the following requirements in the Brown Act are complied with:

- a) At a minimum, a quorum of the members of the Board of Directors shall participate in the teleconference meeting from locations within the boundaries of the granting agency in which the Corporation operates;
- b) All votes taken during a teleconference meeting shall be by roll call;
- c) If the Board of Directors elects to use teleconferencing, it shall post agendas at all teleconference locations with each teleconference location being identified in the notice and agenda of the meeting;
- d) All locations where a member of the Board of Directors participates in a meeting via teleconference must be fully accessible to members of the public and shall be listed on the agenda;<sup>10</sup>
- e) Members of the public must be able to hear what is said during the meeting and shall be provided with an opportunity to address the Board of Directors directly at each teleconference location; and



- f) Members of the public attending a meeting conducted via teleconference need not give their name when entering the conference call.<sup>11</sup>

<sup>10</sup> This means that members of the Board of Directors who choose to utilize their homes or offices as teleconference locations must open these locations to the public and accommodate any members of the public who wish to attend the meeting at that location.

<sup>11</sup> The Brown Act prohibits requiring members of the public to provide their names as a condition of attendance at the meeting.

Section 15. ANNUAL AND REGULAR MEETINGS. All meetings of the Board of Directors and its committees shall be called, noticed, and held in compliance with the provisions of the Brown Act. The Board of Directors shall meet annually for the purpose of organization, appointment of officers, and the transaction of such other business as may properly be brought before the meeting. This meeting shall be held at a time, date, and place as noticed by the Board of Directors in accordance with the Brown Act.

Regular meetings of the Board shall be held at least quarterly during the school year. Regular meetings of the Board of Directors, including annual meetings, shall be held at such times and places as may from time to time be fixed by the Board of Directors. At least 72 hours before a regular meeting, the Board of Directors, or its designee shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting.

Section 16. AUTHORITY TO CALL SPECIAL MEETINGS. Special meetings of the Board of Directors for any purpose may be called at any time by the Chairman of the Board of Directors, if there is such an officer, or a majority of the Board of Directors. If a Chairman of the Board has not been elected then the President is authorized to call a special meeting in place of the Chairman of the Board. The party calling a special meeting shall determine the place, date, and time thereof.

Section 17. NOTICE OF SPECIAL MEETINGS. In accordance with the Brown Act, special meetings of the Board of Directors may be held only after twenty-four (24) hours-notice is given to the public through the posting of an agenda. Directors shall also receive at least twenty-four (24) hours-notice of the special meeting, in the following manner:

(a) Any such notice shall be addressed or delivered to each director at the director's address as it is shown on the records of the Corporation, or as may have been given to the Corporation by the director for purposes of notice, or, if an address is not shown on the Corporation's records or is not readily ascertainable, at the place at which the meetings of the Board of Directors are regularly held.

(b) Notice by mail shall be deemed received at the time a properly addressed written notice is deposited in the United States mail, postage prepaid. Any other written notice shall be deemed received at the time it is personally delivered to the recipient or is delivered to a common carrier for transmission or is actually transmitted by the person giving the notice by electronic means to the recipient. Oral notice shall be deemed received at the time it is communicated, in person or by telephone or wireless, to the recipient or to a person at the office of the recipient whom the person giving the notice has reason to believe will promptly communicate it to the receiver.

The notice of special meeting shall state the time of the meeting, and the place if the place is other than the principal office of the Corporation, and the general nature of the business proposed to be transacted at the meeting. No business, other than the business the general nature of which was set forth in the notice of the meeting, may be transacted at a special meeting.

Section 18. QUORUM. A majority of the directors then in office shall constitute a quorum. All acts or decisions of the Board of Directors will be by majority vote of the directors in attendance, based upon the presence of a quorum. Should there be less than a majority of the directors present at the inception of any meeting, the meeting shall be adjourned. Directors may not vote by proxy. The vote or abstention of each Board member present for each action taken shall be publicly reported.

Section 19. ADJOURNMENT. A majority of the director's present, whether or not a quorum is present, may adjourn any meeting to another time and place. Notice of such adjournment to another time or place shall be given, prior to the time scheduled for the continuation of the meeting, to the directors who were not present at the time of the adjournment, and to the public in the manner prescribed by the Brown Act.

Section 20. COMPENSATION AND REIMBURSEMENT. Directors shall serve without compensation except that directors may receive such reimbursement of expenses, as the Board of Directors may establish by resolution to be just and reasonable as to the Corporation at the time that the resolution is adopted.

Section 21. CREATION OF POWERS OF COMMITTEES. The Board, by resolution adopted by a majority of directors then in office, may create one or more committees, each consisting of two or more directors and no one who is not a director, to serve at the pleasure of the Board. Appointments to committees of the Board of Directors shall be by majority vote of the authorized number of directors. The Board of Directors may appoint one or more directors as alternate members of any such committee, who may replace any absent member at any meeting. Any such committee shall have all of the authority of the Board, to the extent provided in the Board of Directors resolution, except that no committee may:

- (a) Take any final action on any matter that, under the California Nonprofit Public Benefit Law, also requires approval of the members or approval of a majority of all members;
- (b) Fill vacancies on the Board of Directors or any committee of the Board;
- (c) Amend or repeal bylaws or adopt new bylaws;
- (d) Amend or repeal any resolution of the Board of Directors that by its express terms is not so amendable or repealable;
- (e) Create any other committees of the Board of Directors or appoint the members of any committees of the Board;
- (f) Expend corporate funds to support a nominee for director if more people have been nominated for director than can be elected;

The Board may also create one or more advisory committees, each consisting of one or more director and non-directors. These committees shall serve in an advisory capacity only and will not exercise the authority of the Board. The scope of activities, purpose, committee composition, qualifications for committee membership, and permanent or temporary nature of each committee shall be defined by Board resolution.

Section 22. MEETINGS AND ACTIONS OF COMMITTEES. Meetings and actions of committees of the Board of Directors shall be governed by, held, and taken under the provisions of these bylaws concerning meetings and other Board of Directors' actions, except that the time for general meetings of such committees and the calling of special meetings of such committees may be set either by Board of Directors resolution or, if none, by resolution of the committee. Minutes of each meeting shall be kept and shall be filed with the corporate records. The Board of Directors may adopt rules for the governance of any committee as long as the rules are consistent with these bylaws. If the Board of Directors has not adopted rules, the committee may do so.

Section 23. NON-LIABILITY OF DIRECTORS. No director shall be personally liable for the debts, liabilities, or other obligations of this Corporation.

Section 24. COMPLIANCE WITH LAWS GOVERNING STUDENT RECORDS. The Charter School and the Board of Directors shall comply with all applicable provisions of the Family Education Rights Privacy Act ("FERPA") as set forth in Title 20 of the United States Code Section 1232g and attendant regulations as they may be amended from time to time.

## **ARTICLE VIII**

### **OFFICERS OF THE CORPORATION**

Section 1. OFFICES HELD. The officers of this Corporation shall be a President, a Secretary, and a Treasurer. The Corporation, at the Board's direction, may also have a Chairman of the Board and a Vice-Chair. The officers, in addition to the corporate duties set forth in this Article VIII, shall also have administrative duties as set forth in any applicable contract for employment or job specification.

Section 2. DUPLICATION OF OFFICE HOLDERS. Any number of offices may be held by the same person, except that neither the Secretary or the Treasurer may serve concurrently as the President or Chairman of the Board.

Section 3. ELECTION OF OFFICERS. The officers of this Corporation, except any appointed under Article VIII, Section 4 of these bylaws, shall be chosen annually by the Board of Directors and shall serve at the pleasure of the Board, subject to the rights of any officer under any employment contract.

Section 4. APPOINTMENT OF OTHER OFFICERS. The Board of Directors may appoint and authorize the President or another officer to appoint any other officers that the Corporation may require. Each appointed officer shall have the title and authority, hold office for the period, and

perform the duties specified in the bylaws or established by the Board.

**Section 5. REMOVAL OF OFFICERS.** Without prejudice to the rights of any officer under an employment contract, the Board of Directors may remove any officer with or without cause. An officer who was not chosen by the Board of Directors may be removed by any other officer on whom the Board of Directors confers the power of removal.

**Section 6. RESIGNATION OF OFFICERS.** Any officer may resign at any time by giving written notice to the Board. The resignation shall take effect on the date the notice is received or at any later time specified in the notice. Unless otherwise specified in the notice, the resignation need not be accepted to be effective. Any resignation shall be without prejudice to any rights of the Corporation under any contract to which the officer is a party.

**Section 7. VACANCIES IN OFFICE.** A vacancy in any office because of death, resignation, removal, disqualification or any other cause shall be filled in the manner prescribed in these bylaws for normal appointment to that office, provided, however, that vacancies need not be filled on an annual basis.

**Section 8. CHAIRMAN OF THE BOARD.** If a Chairman of the Board of Directors is elected, he or she shall preside at the Board of Directors' meetings and shall exercise and perform such other powers and duties as the Board of Directors may assign from time to time. If a Chairman of the Board of Directors is elected, there shall also be a Vice-Chairman of the Board of Directors. In the absence of the Chairman, the Vice-Chairman shall preside at Board of Directors meetings and shall exercise and perform such other powers and duties as the Board of Directors may assign from time to time.

**Section 9. PRESIDENT.** Subject to the control of the Board, the President, also known as the Executive Director, shall be the general manager of the Corporation and shall supervise, direct, and control the Corporation's activities, affairs, and officers as fully described in any applicable employment contract, agreement, or job specification. The President shall have such other powers and duties as the Board of Directors or bylaws may require. If there is no Chairman of the Board, the President shall also preside at the Board of Directors' meetings.

**Section 10. SECRETARY.** The Secretary shall keep or cause to be kept, at the Corporation's principal office or such other place as the Board of Directors may direct, a book of minutes of all meetings, proceedings, and actions of the Board. The minutes of the meetings shall include the time and place that the meeting was held; whether the meeting was annual, general, or special, and if special, how authorized; the notice given; the names of persons present at Board of Directors and committee meetings; the names of the directors present at Board of Directors and committee meetings; and the vote or abstention of each Board member present for each action taken.

The Secretary shall keep or cause to be kept, at the principal California office, a copy of the articles of incorporation and bylaws, as amended to date.

The Secretary shall give, or cause to be given, notice of all meetings of directors and of committees of the Board of Directors that these bylaws require to be given. The Secretary shall

keep the corporate records in safe custody and shall have such other powers and perform such other duties as the Board of Directors or these bylaws shall require.

Section 11. TREASURER. The Treasurer shall keep and maintain, or cause to be kept and maintained, adequate and correct books and accounts of the Corporation's properties and transactions. The Treasurer shall send or cause to be given to the directors such financial statement and reports as are required to be given by law, by these bylaws, or by the Board. The book of account shall be open to inspection by any director at all reasonable times.

The Treasurer shall (i) deposit or cause to be deposited all money and other valuables in the name and to the credit of the Corporation with such depositories as the Board of Directors may designate; (ii) disburse the Corporation's funds as the Board of Directors may order; (iii) render to the President Chairman of the Board, if any, and the Board, when requested, an account of all transactions as Treasurer and of the financial condition of the Corporation; and (iv) have such other powers and perform such other duties as the Board, contract, job specification, or the bylaws may require.

If required by the Board, the Treasurer shall give the Corporation a bond in the amount and with the surety or sureties specified by the Board of Directors for faithful performance of the duties of the office and for restoration to the Corporation of all of its books, papers, vouchers, money, and other property of every kind in the possession or under the control of the Treasurer on his or her death, resignation, retirement, or removal from office.

## **ARTICLE IX**

### **CONTRACTS WITH DIRECTORS**

Section 1. CONTRACTS WITH DIRECTORS. The Corporation shall not enter into a contract or transaction in which a director directly or indirectly has a material financial interest (nor shall the Corporation enter into any contract or transaction with any other corporation, firm, association, or other entity in which one or more of the Corporation's directors are directors and have a material financial interest).

## **ARTICLE X**

### **CONTRACTS WITH NON-DIRECTOR DESIGNATED EMPLOYEES**

Section 1. CONTRACTS WITH NON-DIRECTOR DESIGNATED EMPLOYEES. The Corporation shall not enter into a contract or transaction in which a non-director designated employee (e.g., officers and other key decision-making employees) directly or indirectly has a material financial interest unless all of the requirements in the Corporation's Conflict of Interest Code have been fulfilled.

## **ARTICLE XI**

### **LOANS TO DIRECTORS AND OFFICERS**

Section 1. LOANS TO DIRECTORS AND OFFICERS. This Corporation shall not lend any money or property to or guarantee the obligations of any director or officer without the approval of the California Attorney General; provided, however, that the Corporation may lend money to a director or officer of the Corporation for expenses reasonably anticipated to be incurred in the performance of his or her duties if that director or officer would be entitled to reimbursement for such expenses of the Corporation.

## **ARTICLE XII**

### **INDEMNIFICATION**

Section 1. INDEMNIFICATION. To the fullest extent permitted by law, this Corporation shall indemnify its directors, officers, employees, and other persons described in Corporations Code section 5238(a), including persons formerly occupying any such positions, against all expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred by them in connection with any "proceeding", as that term is used in that section, and including an action by or in the right of the Corporation by reason of the fact that the person is or was a person described in that section. "Expenses", as used in this bylaw, shall have the same meaning as in that section of the Corporations Code.

On written request to the Board of Directors by any person seeking indemnification under Corporations Code section 5238(b) or section 5238(c) the Board of Directors shall promptly decide under Corporations Code section 5238(e) whether the applicable standard of conduct set forth in Corporations Code section 5238(b) or 5238(c) has been met and, if so, the Board of Directors shall authorize indemnification.

## **ARTICLE XIII**

### **INSURANCE**

Section 1. INSURANCE. This Corporation shall have and maintain insurance to the full extent permitted by law on behalf of its directors, officers, employees, and other agents, to cover any liability asserted against or incurred by any director, officer, employee, or agent in such capacity or arising from the director's, officer's, employee's or agent's status as such.

## **ARTICLE XIV**

### **MAINTENANCE OF CORPORATE RECORDS**

Section 1. MAINTENANCE OF CORPORATE RECORDS. This Corporation shall keep:

- a) Adequate and correct books and records of account;
- b) Written minutes of the proceedings of its members, Board, and committees of the Board;  
and
- c) Such reports and records as required by law.

## **ARTICLE XV**

### **INSPECTION RIGHTS**

Section 1. **DIRECTOR'S RIGHT TO INSPECT.** Every director shall have the right at any reasonable time to inspect the Corporation's books, records, documents of every kind, physical properties, and the records of each subsidiary as permitted by California and federal law. The inspection may be made in person or by the director's agent or attorney. The right of inspection includes the right to copy and make extracts of documents as permitted by California and federal law. The right to inspect may be circumscribed in instances where the right to inspect conflicts with California or federal law pertaining to access to books, records, and documents.

Section 2. **ACCOUNTING RECORDS AND MINUTES.** On written demand on the Corporation, any member may inspect, copy, and make extracts of the accounting books and records and the minutes of the proceedings of the members, the Board of Directors, and committees of the Board of Directors at any reasonable time for any purpose reasonably related to the member's interest as a member. Any such inspection and copying may be made in person or by the member's agent or attorney. This right of inspection extends to the records of any subsidiary of the Corporation.

Section 3. **MAINTENANCE AND INSPECTION OF ARTICLES AND BYLAWS.** This Corporation shall keep at its principal California office the original or a copy of the articles of incorporation and bylaws, as amended to the current date, which shall be open to inspection by the members at all reasonable times during office hours.

## **ARTICLE XVI**

### **REQUIRED REPORTS**

Section 1. **ANNUAL REPORTS.** The Corporation shall cause an annual report to be sent to the Eureka! Inclusive Charter School, Inc.'s Board of Directors within 120 days after the end of the Corporation's fiscal year. That report shall contain the following information, in appropriate detail:

- a) The assets and liabilities, including the trust funds, of the Corporation as of the end of the fiscal year;
- b) The principal changes in assets and liabilities, including trust funds;
- c) The Corporation's revenue and receipts, both unrestricted and restricted to particular purposes;
- d) The Corporation's expenses or disbursements for both general and restricted purposes;
- e) Any information required under these bylaws; and
- f) An independent accountant's report or, if none, the certificate of an authorized officer of

the Corporation that such statements were prepared without audit from the Corporation's books and records.

Section 2. ANNUAL STATEMENT OF CERTAIN TRANSACTIONS AND INDEMNIFICATIONS. The Corporation shall comply with Corporations Code section 6322.

## ARTICLE XVII

### BYLAW AMENDMENTS

The Board of Directors may adopt, amend or repeal any of these Bylaws by a majority vote of the director's present at a meeting duly held at which a quorum is present, except that no amendment shall change any provisions of any charter governing any charter school operated as or by the Corporation or make any provisions of these Bylaws inconsistent with such charter, the Corporation's Articles of Incorporation, or any laws.

## ARTICLE XVIII


### FISCAL YEAR

Section 1. FISCAL YEAR OF THE CORPORATION. The fiscal year of the Eureka! Inclusive Charter School, Inc. shall be from January 1 to December 31 of each year.

## CERTIFICATE OF SECRETARY

I certify that I am the duly elected and acting Secretary of the Eureka! Inclusive Charter School, Inc, a California nonprofit public benefit corporation; that these bylaws, consisting of 18 pages, are the bylaws of the Corporation as adopted by the Board of Directors on 02/18/2018 and that these bylaws have not been amended or modified since that date.

Executed on 02/18/2018 at 556 N. 201th Street, San Jose, California.

DocuSigned by:  
  
\_\_\_\_\_, Secretary  
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Laurie Blandini



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RESTATED ARTICLES OF INCORPORATION  
OF  
EUREKA! INCLUSIVE CHARTER SCHOOL, INC.

FILED *JMB*  
Secretary of State  
State of California  
100  
OCT 19 2017 *JP*

The undersigned certify that:

1. They are the President and the Secretary of Eureka! Inclusive Charter School, Inc., a California nonprofit public benefit corporation (the "Corporation").
2. The Articles of Incorporation of the Corporation are amended and restated to read in full as follows:

I.

The name of the Corporation is Eureka! Inclusive Charter School, Inc.

II.

The Corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for public and charitable purposes. The specific purposes for which this Corporation is organized are to manage, operate, guide, direct and promote one or more California public charter schools.

The Corporation is organized and operated exclusively for educational and charitable purposes pursuant to and within the meaning of Section 501(c)(3) of the Internal Revenue Code or the corresponding provision of any future United States Internal Revenue Law. Notwithstanding any other provision of these articles, the Corporation shall not, except to an insubstantial degree, engage in any other activities or exercise of power that do not further the purposes of the Corporation. The Corporation shall not carry on any other activities not permitted to be carried on by: (a) a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code; or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

III.

All corporate property is irrevocably dedicated to the purposes set forth in the second article above. No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to any of its directors, members, trustees, officers or other private persons except that

the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered, and to make payments and distributions in furtherance of the purposes set forth in Article II.

No substantial part of the activities of the Corporation shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

Subject to the provisions of the nonprofit public benefit provisions of the Nonprofit Corporation Law of the State of California, and any limitations in the articles or bylaws relating to action to be approved by the members or by a majority of all members, if any, the activities and affairs of this Corporation shall be conducted and all the powers shall be exercised by or under the direction of the board of directors.

The number of directors shall be as provided for in the bylaws. The bylaws shall prescribe the qualifications, mode of election, and term of office of directors.

#### IV.

The authorized number and qualifications of members of the corporation, if any, the different classes of membership, the property, voting and other rights and privileges of members, and their liability for dues and assessments and the method of collection thereof, shall be set forth in the bylaws.

#### V.

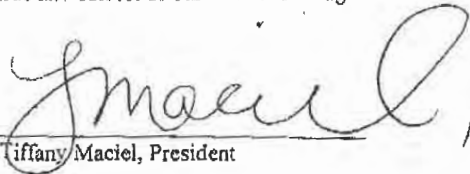
Upon the dissolution or winding up of the Corporation, its assets remaining after payment of all debts and liabilities of the Corporation, shall be distributed to a nonprofit fund, foundation, corporation or association which is organized and operated exclusively for educational, public or charitable 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.

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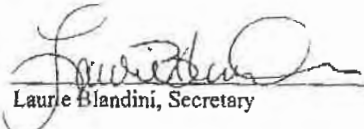
3. The foregoing amendment to and restatement of the Articles of Incorporation has been duly approved by the Board of Directors.
4. The Corporation has no members.

We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our own knowledge.

Dated: 10/18/2017

  
Tiffany Maciel, President

10/18/17

  
Laurie Blandini, Secretary



I hereby certify that the foregoing transcript of 5 page(s) is a full, true and correct copy of the original record in the custody of the California Secretary of State's office.

OCT 27 2017

Date:

*Alex Padilla*

ALEX PADILLA, Secretary of State

**John Ramirez, Jr.**  
Founding Executive Director

Mr. Ramirez grew up in east-Salinas. He completed a BA in History and a minor in Ethnic Studies at Santa Clara University. He then went on to study at Harvard University and completed a Master of Education in the area of Human Development and Psychology.

In his 23-year educational career Mr. Ramirez has served students in many ways first as a classroom teacher then as an Assistant Principal at Martin Luther King Jr. Middle School in Seaside where he was later promoted to the position of Principal. He returned to Salinas and served as Principal at El Sausal Middle School and later at Alisal High School both his alma maters.

He then served as Principal of Sequoia High School in Visalia and was promoted to Area Administrator in the Visalia Unified School District. He returned back to Salinas to serve as Superintendent of the Alisal Union School District where he led the District out of state oversight and was awarded three Gold Ribbons for exemplary programs. Currently he serves as the Executive Vice President and CEO for The Foundation for Hispanic Education.

Mr. Ramirez has also been a member of the Steinbeck Rotary Club Visalia Breakfast Rotary Club and an honorary member of the Alisal Rotary. He is a member of the Association of California School Administrators who named him Administrator of the Year in 2005. Mr. Ramirez is also member of the California Association of Latino(a) Superintendents and Administrators and the Association for Latino Administrators and Superintendents. Mr. Ramirez founded the Tulare County Hispanic Leadership Network and the Educational Leaders of Monterey County both focused on developing Latina/o leaders and closing the Latina/o student achievement gap.

He is the proud father of Arianna Tonantzin Ramirez Sophomore at UC Riverside and John Diego Ramirez III 8th grader at Ridgeview Middle School in Visalia California.

**Sally Mandujan**  
Founding Teacher

Sally Mandujan is an Education Specialist committed to the promotion of inclusive education as a benefit to all learner types in public school systems. She began her career as a tutor scribe and reader for peers with disabilities at both Sacramento City College and University of California at Davis while attending as an undergraduate.

Armed with a degree in mathematics and theatre arts and unsure of a career direction Sally took a position as an instructional assistant supporting students with disabilities fully included in the general education classroom. These early experiences helped to shape her personal philosophy of education and compelled her to pursue a teaching credential in special education that was also dedicated to elevating the educational outcomes for children and adults challenged a disability. A family member's personal journey with recovery from serious mental illness compelled her to get more involved with her county's service delivery model and join the grassroots efforts of the local chapter of the National Alliance on Mental Illness.

Sally served the board as NAMI certified family support group facilitator and resource guide and coordinator for NAMI's signature education programs. Sally holds appointed seats on the Yolo County Local Mental Health Board the Yolo County Proposition 47 Local Advisory Committee and the CA Mental Health Services Oversight Accountability Commission as a member of the Client Family Leadership Committee.

Additionally she serves as a trained Restorative Justice panelist for Yolo County's Neighborhood Court Program and shares her family's journey as part of Yolo County's Post Certified Crisis Intervention Training (CIT) program that trains police officers in de-escalation techniques when responding to psychiatric emergencies.

Sally holds an Administrative Credential and has completed a Master's program focusing her thesis on the systems change and the Multi-Tiered System of Supports framework to support an LEA's process for alignment with the current policies and frameworks driving California public education system.

## **Tiffany Maciel**

### **Co-Founder & Board President**

**Tiffany Maciel** is a lifetime resident of San José and attended Olinder Elementary School and San José High School in San José Unified School District. She is the proud mother of two children, one with Dyslexia, and one with Asperger's Syndrome.

A strong advocate for children and equity-based social justice across all sectors of society, Tiffany has a demonstrated history of building and leading efficient teams to successfully implement organization wide process changes, in both the global-corporate and nonprofit sectors. Her ability to determine impact and to foresee the human reaction to proposed changes were key to her success.

Tiffany believes in the power of shared delight and enjoys sharing music, literature, art, and time in nature with her children.

### **EDUCATION**

Mills College – BA in Research Psychology with a Minor in Anthropology and a Certification in Circle of Security Attachment Based Early Intervention

### **AFFILIATIONS**

Former Chair, San José Unified Community Advisory Committee for Special Education (CACSE)

Santa Clara County Strong Start

The Inclusion Collaborative

City of San José Human Services Commission

City of San José Disability Awareness Day Planning Committee

**Emily A. Nusbaum, Ph.D**  
Board Secretary

Emily A. Nusbaum, Ph.D. is an Assistant Professor at University of San Francisco. She has worked in teacher education and currently teaches doctoral level courses in disability studies in education. Her research focuses on the advancement of critical, qualitative research through the centering of disability and disabled researchers, the ideology of inclusive education, and the experiences of post-secondary students who identify as disabled. Emily is invested in supporting individuals and families accessing general education and higher education environments, which they have historically been denied access to.

Emily's dissertation, titled "Vulnerable to Exclusion: A Disability Studies Perspective on Practices at an Inclusive School," won the 2010 AERA Disability Studies in Education Special Interest Group Outstanding Dissertation award. Emily was selected as the Ellen Brantlinger Emerging Scholar at the annual DSE conference in June 2017. Her work has been published in places such as the *International Journal of Inclusive Education*, *Research and Practice for Persons with Severe Disabilities* and *Critical Questions in Education, Qualitative Inquiry*, as well as edited volumes such as *Disability and the Politics of Education*, *Whatever Happened to Inclusion? The Place of Intellectual Disability in Education*, *Becoming a Great Inclusive Educator*, and *Vital Questions Facing Disability Studies in Education (Vols 1&2)*.



### **Laurie Blandini, Board Member**

**Laurie Blandini** is a graduate of Mt. Pleasant High School. A passionate, dedicated, creative, and results-driven professional, she has worked in the event and tradeshow industry for over 22 years.

She was the owner of Silicon Valley Tradeshow Management and has worked with a number of well-known Silicon Valley technology companies, most recently Tivo and Immersion.

Laurie supports the Eureka! team with her expertise in budgeting, vendor management, and staffing.

### **Elizabeth Bynum, Board Member**

**Elizabeth Bynum**, is a graduate of Lincoln High School in San José Unified. She received her B.A. in East Asian Languages and Civilizations from Harvard University and her law degree from Columbia Law School. Her experience includes working in corporate and special education law. In addition to her law practice, Ms. Bynum is currently pursuing a special education teaching credential.

Elizabeth is the mother of two beautiful daughters and is fluent in Mandarin Chinese.

### **Christine Fitzgerald, Board Member**

Christine Fitzgerald attended Chandler Tripp Elementary School and is a graduate of San José State University.

Christine is a Community Advocate for the Silicon Valley Independent Living Center. She has been an active advocate for people with disabilities and the LGBT and women's movement and also serves on the Board of Directors for the Low Income Self-Help Center. She is the current Chair of the Valley Transportation Authority's Advisory Committee for Transportation and Mobility Access.

Christine was taught at an early age that everyone has a voice and every voice counts!

## **Leland Wallace, Board Member**

**Leland Wallace** is a Senior Software Engineer at Apple, Inc., and has served at the company since 1989. He is currently a Mac OS X Server Platform Lead and has developed three patents during his time at Apple. In his spare time, Leland is active in the Maker, RepRap, and 3D printing communities and was a founding investor in TechShop San José. He is the owner of Wallace Educational Services, which provides STEM curriculum design and consultation.

Leland is the proud father of five children, four of whom have been diagnosed on the Autism spectrum and one with learning disabilities. Along with his wife, Vanessa, he is an advocate for special education and mental health causes. He is a long standing member of IEEE the world's largest technical professional organization dedicated to advancing technology for the benefit of humanity.

Leland graduated from UC Santa Cruz in 1989 with a B.S. in Computer & Information Sciences.

### **Dr. Jean Novak, Ph.D., Advisory Board**

**Dr. Jean Novak** is a bilingual professor in Speech Pathology and was the first Department Chair of the Communicative Disorders & Sciences Department at San José State University. She has worked extensively with group home children and adolescents with behavior disorders and patients with schizophrenia, and on many interdisciplinary projects at SJSU. She has also worked with the Autism Tree Project Foundation for over 10 years.

Dr. Novak's areas of expertise and interest include: Autism, Down Syndrome, ADHD, Central Auditory Processing Disorders, Cerebral Palsy, Fetal Alcohol Syndrome, Schizophrenia, and Severe Behavior Disorders.

Dr. Novak advises Eureka! on Research Development.

### **Dr. David Johnson, Ph.D., Advisory Board**

**Dr. David Johnson** is an expert in methods to improve education for the educationally underserved. He received his Ph.D. in Social Psychology from Stanford University in 1980.

Dr. Johnson advises Eureka! on Program Development.

#### **ADDITIONAL EDUCATION**

Master's Level Study, Mexican American Graduate Studies, Psychology, San José State University, 1973-1976

BA Psychology, Philosophy, English Literature, University of Colorado, 1971

Lower Division Undergraduate Education, Philosophy, San Luis Rey College, 1967-1969

#### **PROFESSIONAL EXPERIENCE**

Student Performance Analyst, Sunrise Middle School

Director of Development and Chair of Department of Mathematics, Science, and Computer Science, National Hispanic University

## **Andrew Silvert, Advisory Board**

Andrew Silvert has over ten years of professional experience in charter school finance and fiscal management. He advises Eureka! on financial matters.

### **EDUCATION**

B.S. Electrical Engineering and Computer Science, UC Berkeley

M.A. Business Administration and Management, UC Berkeley

### **PROFESSIONAL EXPERIENCE**

COO, Golden Valley Charter School

CEO, Edpro Consulting

## **Vanessa Wallace, Advisory Board**

**Vanessa Wallace** holds a B.A. in Music from San Jose State University and has been teaching for over 25 years, including six years as a K-3 teacher. Along with her husband Leland she is the owner of Wallace Educational Services offering arts and technology curriculum development and consulting services Wallace Music Studio which provides private music instruction to both children and adults.

Vanessa has served on several committees and boards, including the CDE Kaiser Permanente sponsored Study to Explore Early Development (SEED), the Community Advisory Committee for Special Education (San Jose Unified), and California PTA (Rachel Carson Elementary). She is an active Girl Scout Leader for two troops, a service unit volunteer, and was awarded the Outstanding Leader Award in 2011. Professional associations include the Music Teachers National Association and the National Music Educators Association.

Vanessa is the proud mother of five neurodiverse children between the ages of 13 and 29. She is a strong advocate for issues related to special education autism spectrum disorder and wildlife conservancy.

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## JOHN RAMIREZ, JR.

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3054 WESTBORO DRIVE, SAN JOSE, CA 95127 | (559) 804-0184 | 2QUETZAL2@GMAIL.COM

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### EXPERIENCED SUPERINTENDENT | STRATEGIC LEADER | ORGANIZATIONAL LEADERSHIP & MANAGEMENT CURRICULUM, HUMAN RESOURCES & BUDGETARY EXPERT

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A performance-driven, forward-thinking, dynamic and accomplished leader of 23 years with broad experience in education, governing board relations, communications, human resources and fiscal management fields; A creative problem solver, with a proven record of creating successful strategic and operational improvement with large and diverse teams; Recognized as a strategic and operational leader among government, nonprofit organizations, foundations, business leaders and community partners regionally, statewide and nationally; Specialized in engaging culturally and linguistically diverse populations.

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#### AREAS OF EXPERTISE

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- Administrative, Curriculum, Fiscal, and Personnel Management
  - Governance and Board Relations
  - Program Design and Development
  - Educational Policy Advocacy
  - Student, Parent and Community Engagement
  - Bond and Fund Development
  - Team Building and Leadership
  - Experience Working with Community Stakeholders
  - Record of Engaging Diverse Communities
  - Fluent in Spanish and English
  - Equity for English Learners and Special Needs Students
- 

#### PROFESSIONAL EXPERIENCE

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##### **Eureka Inclusive Charter School Founding Executive Director**

**San Jose, California  
2018-Present**

- Serve as Founding Executive Director for a TK-6 Charter School
- Petition development and revision
- Developed a 5-year budget with growing reserve
- Instructional program development and design
- Board recruitment and development
- Staff and student recruitment
- Collaboration with SJUSD and SCCOE

##### **The Foundation for Hispanic Education (TFHE) Executive Vice-President/CEO**

**San Jose, California  
2016-2018**

- Serve as the Executive Vice President for a 9-12 grade Charter Management Organization with 1,100 students and over 100+ certificated and classified staff.
- Aligned Curriculum to State and new local benchmark assessments
- 98% graduation rate
- 100% of graduates enrolled in post-secondary institutions
- Aligned Budget to Instructional Program and created a sustainable budget moving forward. Eliminated the Structural Deficit
- Created a Student Services Department. Created counselor and Special Education departments. Hired the first Director of Special Education and reduced out sourcing services.
- Worked with counselors and Principals to create and monitor master schedules
- Successfully renewed the Charter Petitions for two schools
- Reached a settlement on the first Collective Bargaining Agreement for all three schools.
- Began to develop processes and policies in all areas of compliance.
- Began to develop processes and policies to assure compliance in the area of Human Resources, specifically as they pertain to credentials.
- Developed Partnerships with Local Community Colleges and Universities.
- Developed the structures for the first Career Pathways.
- Secured a \$31.5 million Charter School Facilities Program grant to modernize and build new facilities for Luis Valdes Leadership Academy.

**Alisal Union School District (AUSD)  
Superintendent**

**Salinas, California  
2010 – 2016**

- Serve as the Chief Executive Officer for K-6 grade district with 9,000 students and over 800+ certificated and classified staff.
- Improved student achievement, 11% ELA, 19% Mathematics, 70-point API growth.
- 3 Gold Ribbon Awards.
- All 12 Schools reached Safe Harbor 2015.
- Effectively manage \$100 million budget with 10% reserve utilizing prudent and collaborative fiscal management.
- Maintain professional and collaborative relationship with Board of Trustees, established new vision, board goals and policies.
- Effectively led District out of State Intervention one year early in partnership with the California Department of Education.
- Established student-centered culture, restructured instructional program resulting in 10% increase in test scores. Developed LCAP with CCSS implementation, community engagement and student achievement as focus.
- Facilitate collective bargaining contracts with Certificated and Classified Staff.
- Implemented the AUSD Labor-Management Initiative to develop a shared decision-making process
- Oversee district facilities and technology master plan, built new school \$500,000 under budget, redrew attendance and Trustee boundaries.
- Established partnerships with parents and families, elected officials, neighboring districts, law enforcement, Rotary and business community.
- Utilize data-driven evaluative processes to review district performance and progress.
- Amplify district's communications and public relations strategies to inform the community about AUSD.
- Implemented 1:1 technology at new school with savings from construction, 1:1 continues by grade level across the District (AUSD has a 1:3 student to computer ratio).

**Visalia Unified School District (VUSD)  
Area Administrator**

**Visalia, CA  
2008-2010**

- Educational leader in VUSD in Tulare County spanning 214 square miles with over 32,000 students in 25 elementary schools, a newcomer language center, four middle schools, four comprehensive high schools, continuation high school, adult school, charter schools, and a school that serves orthopedic handicapped students.
- Supervised and Evaluated 5 Principals and served as a member of the Superintendent's Cabinet.
- Responsible for curriculum development and corresponding assessments. Led district in improving student achievement.
- Led efforts to establish the Visalia Technical Education Center, new dependent Charter High School.
- Revised Career Technical Education (CTE) course outlines, restructured CTE budgets to align to CTE Plan and workforce investment.

**Sequoia High School, Visalia Unified School District  
Principal**

**Visalia, CA  
2006-2008**

- Served as the Instructional Leader for comprehensive alternative education high school. Oversaw a positive WASC Review.
- Aligned SPSA to Alternative Schools Accountability Model and restructured categorical budgets to align to SPSA.
- Developed a school culture focused on Alternative Instructional Practices with Social structures similar to that of a Traditional High School
- Provided organizational and management support to school personnel, including strategic planning and increased parental and community engagement, especially too hard to reach families from low-income, monolingual Spanish speaking communities.

**Alisal High School, Salinas Union High School District  
Principal**

**Salinas, CA  
2005-2006**

- Principal of comprehensive high school, serving as instructional leader and supervisor of daily operations for 2500+ students, 110 certificated and 40 classified staff.
- Developed 9th Grade Academy, ELD Academy and Alternative Education programs.
- Ensured the successful implementation of all district testing, providing in-service training, supervising test security, and monitoring district test data.
- Active participant in District negotiations team for certificated and classified collective bargaining.
- Worked collaboratively with two other certified administrators and a leadership team of classified administrators to manage a full range of district programs from curriculum and instruction to safety and crisis management and public relations.
- Established district initiatives including Response to Intervention, creation and implementation of a collaboration model of curriculum alignment and review, and a positive behavior support model for behavior management and intervention.

**El Sausal Middle School, Salinas Union High School District  
Principal**

**Salinas, CA  
2000-2005**

- Responsible for overall management of middle school of 1000+ students.
- Supervised and evaluated 50 Certificated and 20 Classified Staff.
- Implemented a school-wide system of teacher-led subject-area curriculum committees to study achievement data, review curriculum, and recommend professional development. Improved the API Score from 413 to 632 in 5 years. Increased School Ranking from 1:3 to 2:9.
- Aligned Budget to SPSA – continued to see academic growth after loss of over \$1 million dollars in grant funds.
- Implemented high quality extracurricular programs that embrace the arts, music, and culture. Established a positive school climate that embraces healthy lifestyles.

**Martin Luther King, Jr. Middle School, Monterey Peninsula Unified School District  
Principal**

**Monterey, California  
1998-2000**

- Established an exemplary educational program that met the needs of a highly diverse student body. Grew 49 API Points in the First Year of the Accountability Act.
- Managed and supervised 40 Certificated and 20 Classified Staff. Accountable for fiscal management, budget development, curriculum/program development, administration and public relations for the school.
- Oversaw the alignment of curriculum to State standards.
- Established school-wide Advisory Program that fostered a positive environment. Organized Crisis Team, which developed procedures for reacting to a variety of potential school-wide crises.
- Developed Student Assistance Model, a problem-solving team for at-risk students.
- Established new computer lab: selected hardware and software, set up teacher training, integrated computer classes into master schedule, assisted with writing computer curriculum.

**Martin Luther King, Jr. Middle School, Monterey Peninsula Unified School District  
Assistant Principal**

**Monterey, California  
1997-1998**

- Evaluated and monitored teacher performance using walk-through and formal assessment instruments for 10 Certificated and 15 Classified Staff.
- Provided leadership in establishing and maintaining a positive school-wide climate through regular positive interactions with stakeholders.
- Supported Parent Teacher Association, supervised school activities and served as an LEA and DELAC representative, actively participated in IEP meetings.
- Led the implementation of the School-Wide Discipline Plan.

**Loma Vista Elementary School, Salinas City School District  
Teacher/Counselor  
1995-1997**

**Salinas, California**

- Differentiated instruction for diverse 5-6th graders. Initiated creative writing in all content areas to strengthen reading/writing skills.
- Utilized effective individual and classroom management techniques.
- Established an inclusive and positive learning environment for students and families.
- Assisted Student Services Department in creating a counseling department to serve the needs of at-risk youth

**Cambridge Rindge & Latin School, Cambridge Public Schools  
Counselor**

**Cambridge, MA  
1994-1995**

- Freshman and Senior English sections; Counselor for at-risk students.
- Utilized effective individual and classroom management techniques.
- Established an inclusive and positive learning environment for students and families.

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**EDUCATION**

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San Jose State University, San Jose, CA  
Clear Professional Administrative Services Credential  
2001

San Jose State University, San Jose, CA  
Clear Pupil Personnel Services Credential  
1996

Harvard University, Cambridge, MA  
Master of Education – Human Development and Psychology  
1995

Santa Clara University, Santa Clara, CA  
Bachelor of Arts – History  
Minor – Ethnic Studies  
1994

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### RECOGNITIONS

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- 2010 Commendation, City of Salinas
- Region 10 ACSA 2005 Administrator of the Year
- 2004 Alisal Betterment Association Educator of the Year

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### PROFESSIONAL LEADERSHIP TRAINING

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- Stanford University Principals Academy, 1999
- ACSA Principals Academy – UCLA, 2003
- Walk Through Training, 2003
- CMSi Audit Training, 2004
- ACSA Curriculum and Instruction Academy, 2011
- New Teacher Center Principal Training, 2003
- CMSi – External Evaluator II/USP, 2003
- Advanced Walk Through Training, 2004
- AB 75 Training, 2005
- ACSA Leading the Leaders, 2012

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### COMMUNITY PARTICIPATION

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- 2001-2005 New Teacher Center, Advisory Board
- 2005 Steinbeck Rotary, Member
- 2009 Visalia Breakfast Rotary, Member
- 2009 Tulare County Hispanic Leadership Network, Founder
- Current Educational Leaders of Monterey County, Founder (2012)
- Current Association of California School Administrators (ACSA), Member
- Current California Association of Latino Superintendents and Administrators (CALSA), Member

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### REFERENCES

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Edward Alvarez, President  
The Foundation for Hispanic Education  
14271 Story Road  
San Jose, CA 95127  
(408) 209-3178

Dr. Ramon Jimenez, Trustee and Chair  
The Foundation for Hispanic Education  
14271 Story Road  
San Jose, CA 95127  
(408) 497-2663

Maria Schabbing, Trustee and Vice Chair  
The Foundation for Hispanic Education  
14271 Story Road  
San Jose, CA 95127  
(510) 377-5308

Ray Ruiz, Trustee and Clerk  
The Foundation for Hispanic Education  
14271 Story Road  
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Roland Montemayor, Vice President – Student Affairs  
San Jose City College  
2100 Moorpark Avenue  
San Jose, CA 95128  
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Jesus Covarrubias, President, Academic Senate  
San Jose City College  
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Noemi Armenta, President  
Alisal Union School District  
1205 E. Market St., Salinas, CA 93905  
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Sue Jones  
CTA Field Rep  
982 E. Blanco Rd. #100, Salinas, CA 93901  
(831) 594-4228



Adella Lujan, Trustee, Past President  
Alisal Union School District  
1205 E. Market St., Salinas, CA 93905  
(831) 206-9168

Maricela Cruz, Trustee, Past President  
Alisal Union School District  
1205 Market St., Salinas, CA 93905  
(831) 776-4316

Dr. Nancy Kotowski, Superintendent  
Monterey County Office of Education  
901 Blanco Circle, Salinas, CA 93901  
(831) 747-4066

Kelly McMillan, Former Chief of Police  
City of Salinas  
200 Lincoln Ave., Salinas, CA 93901  
(831) 758-7090

Dr. William D. Barr (retired)  
Monterey County Superintendent of Schools  
PO Box 927, Salinas CA 93901  
(831) 277-7572

Barry Phillips, Executive Director  
The First Tee of Monterey County  
1551 Beacon Hill Dr., Salinas, CA 93906  
(831) 277-0687

Ray Corpuz, City Manager  
City of Salinas  
200 Lincoln Ave., Salinas, CA, 93901  
(831) 206-7311

Ricky Cabrera, Past President  
Alisal Rotary  
71 Hebert Rd., Salinas, CA 93906  
(831) 794-0809



# Sally A. Mandujan

Educator, Advocate, Community Organizer



## Summary

\*Educator with a depth understanding of systems/systems change gained from over 15 years of experience in a variety of capacities and settings from post-secondary to transitional kindergarten in that order. Active stakeholder participant in CA Dept. of Education's *One System Serving the Whole Child Initiative*.  
 \*Community advocate holding appointed seats on three boards focused on equitable access to supports and services for children and adults with disabilities. \*Experienced with creating collaborative partnerships between local government, county health systems, local law enforcement, and community based organizations to promote quality life outcomes for people challenged by serious mental illness.



## Experience

2016-01 -  
2018-07

### Education Specialist (moderate/severe)

Natomas USD

Education Specialist/Inclusion Specialist managing a hybrid diagnostic program for transitional kindergarten and kindergarten aged students.

\*Maintain team schedule and create time lines in compliance with the legal parameters (FAPE, LRE) granted students with disabilities.

\*Curriculum development and enhancement (2x Exceptional Students, adaptation, remediation, and alternatives)

\*Collaboration with related services staff (SLP, OT, APE, PT), parents to promote progress in the areas of academics, safety, self-determination, self-regulation, functional use of language, communication, and social engagement.

\*Collaboration with outside service agencies to exploit the home-school connection to promote maximum generalization of learned skills in all dominant areas of students' lives.

\*Progress monitoring to ensure appropriate implementation of the IEP ensuring equity and access to obtain educational benefit in the least restrictive environment.

\*CAC (Community Advisory Committee) Organizer

2006-08 -  
2015-12

### Education Specialist mod/severe

Twin Rivers USD

Education Specialist/Inclusion Specialist managing a hybrid diagnostic program for kindergarten and 1st grade.

\*Maintain team schedule and create time lines in compliance with the legal parameters (FAPE, LRE) granted students with disabilities.

\*Curriculum development and enhancement (2x Exceptional Students, adaptation, remediation, and alternatives)

\*Collaboration with related services staff (SLP, OT, APE, PT), parents to promote progress in the areas of academics, safety, self-determination, self-regulation, functional use of language, communication, and social engagement.

\*Collaboration with outside service agencies to extend the home-school communication and to promote maximum generalization of learned skills in all dominant areas of students' lives.

\*Progress monitoring to ensure appropriate implementation of the IEP ensuring equity and access to obtain educational benefit in the least restrictive environment.

2015-03 -  
2015-06

### Teacher on Special Assignment

Twin Rivers USD

Teacher support:

\*Maintaining team schedules and creating time lines in compliance with the legal parameters (FAPE, LRE) granted students with disabilities.

\*Drafting of robust IEPs aligned to Common Core State Standards

\*Curriculum development and enhancement (2x Exceptional Students, adaptation, remediation, and alternatives)

\*Navigating the CDE website resources (Blueprint Series, NCSC Wiki, Dashboard...)

\*Transitioning segregated programs towards more inclusive practice using the Multi-Tiered System of Supports framework as a guide.

\*Supporting site administration and site staff to tailor collaboration and co-teaching strategies to school culture and resources.

\*Agenda setting site team meetings

\*One on one confidential teacher support

2006-04 -  
2006-08

### Classroom Teacher

Advanced Education/Land Park Academy

Classroom Teacher(granted emergency credential status):

\*2nd/3rd combination class in a non-public school campus with membership exclusive to students eligible under autism spectrum disorder.

\*Preschool transition support to nearby Head Start programs to generalize learned skills in school readiness.



## Personal Info

04.01.19

### Address

353 Bridge Place  
West Sacramento, CA 95691

### Phone

(916)752-5865

### E-mail

smandujan@alumni.ucdavis.edu



## Skills

Inclusion Specialist



Community Advocacy



Fiscal Impact Analysis



Federal & State Policy Analysis



Program Director



Mentor Teacher



Community Based Organizer



Public Service Agency Liaison



Restraint & Self-Protection Certification



Technical Writing & Editing



Art Studio



Systems Change, Logic Models

Resource Mapping

Organization Theory & Design

2016-03 - present

**Community Panelist**

Yolo Co. Neighborhood Court-Homelessness  
 In collaboration with local community based organizations, the district attorney's office and in partnership with local police departments, assist offenders to make amends to themselves and their communities through restorative practices aimed at repairing harm and promoting reconciliation.

2014-07 - present

**District 1 Representative**

Yolo Co. Local Mental Health Board  
 Advisory Member Responsibilities:  
 \*Act as an advocate representing the concerns brought forth by the community  
 \*Gather feedback from all concerned parties to promote public health and safety on all issues surrounding mental health and substance use disorder  
 \*Working as a team to consider community impact of policies and programs  
 \*Act as a liaison to local government and public service agencies to increase collaboration (law enforcement, school district, other commissions...)  
 \*Act as a liaison to Yolo County Board of Supervisors to ensure an equitable distribution of available and needed resources  
 \*Engage community based organizations as partners in creating robust partnerships  
 \*Monitor legislative activity pertaining to the responsibilities of the board  
 \*Monitor Request For Proposals  
 \*Score RFPs (Request for Proposal)  
 \*Monitor and provide feedback on Yolo County's outcomes data

2017 - present

**Project Advisor**

Yolo Co. Prop. 47 Local Advisory Committee  
 This project is geared towards reducing recidivism and promoting recovery in the target population of those who have been charged, arrested, or face conviction and who also have a history of mental health challenges and or substance use disorders. Through Outreach & Assessment, Criminal Justice Diversion, Intensive Case Mgmt., Civil Legal Services, and Housing Assistance, the board seeks to lessen the impact on the criminal justice system and restore community vibrancy by supporting the target population towards towards recovery and self-sufficiency.

2012 - 2016-10

**Director**

National Alliance on Mental Illness  
 \*Family to Family Education Course Coordinator  
 \*Family Support Group Facilitator  
 \*CIT (Crisis Intervention Training) Family Panelist (de-escalation practices for police officers responding to psychiatric emergencies)  
 \*Liaison to Local Mental Health Board  
 \*Liaison and advisor to local student driven NAMI on Campus groups  
 \*Fundraising  
 \*Membership drives  
 \*Outreach and Support

2018-05 - present

**Director**

Choices Supported Living Services  
 Directors work collaboratively to promote a person-centered approach to its service delivery model promoting quality life outcomes in the areas self-determination, family relationships, community involvement, political action/activism, housing, and employment.

2017-05 - present

**Stakeholder/Advisor**

CA Dept. of Education  
 Participant in CDE's *One System Serving the Whole Child Initiative* Workgroups:  
 \*Significant Disproportionality-Racial & Ethnic Disparities in Special Education  
 \*MTSS/SUMS Initiative-Bright Spots in Student Engagement

2003-02 - 2006-04

**Para-educator**

North Sacramento School District  
 \*Para-educator supporting fully included students on a comprehensive K-6 campus.  
 \*Para-educator supporting students in self-contained classrooms programs for students with moderate to severe disabilities including emotional disturbance.

2000-01 - 2000-03

**Student Support**

UCDavis Student Disability Center  
 Reader and scribe for Student Disability Center.

1996-09 - 1999-06

**Student Support**

Sacramento City College Student Disability Center  
 Reader, Scribe, Tutor for Student Disability Center.

1988-02 - 1993-09

**Claims Adjustor**

Occupational Urgent Health Care  
 \*Claims adjustor for a third party cost management company.



**Education**

2012-05

**National University/SCOE Leadership Inst.**

\*M.S. Applied School Leadership (thesis: MTSS/CCSS components for systems change blueprint)

- 2008-08 -  
2009-06

● **CSU Sacramento**  
\*Administrative Credential (project focus: collaborative models to support systems change addressing equity and access)  
\*Education Specialist Credential moderate/severe  
\*Comprehensive training based on a Zero Reject philosophy promoting inclusive education and equity in access for all.  
\*Cross Collaboration with School Nursing Program, BCBA program, and School of Speech and Language Pathology
- 2000-01 -  
2001-06

● **UC Davis**  
\*B/A Theatre & Dance  
\*Stagecraft
- 1997-08 -  
1999-12

● **Sacramento City College**  
\*A/S Math, Science & Engineering

# TIFFANY MACIEL

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<https://www.linkedin.com/in/tiffany-maciel-06604828/>

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A strong advocate for children and equity-based social justice across all sectors of society with a demonstrated history of building and leading effective teams to successfully implement organization wide process changes, in both the global-corporate and nonprofit sectors.

## EXPERIENCE

2016 – PRESENT

### **FOUNDER AND PRESIDENT, EUREKA! INCLUSIVE TK-GRADE 6 CHARTER SCHOOL**

- Research, develop, and design an intentionally inclusive, relationship based, publicly funded school
- Founded 501c3 Non-Profit Corporation
- Establish professional partnerships with inclusive education leader CHIME Institute and SWIFT Schools
- Recruit Founding Executive Director and Founding Teachers
- Wrote public charter school petition
- Developed a 5-year budget with growing reserve
- Instructional program research, development and design
- Board recruitment and development
- Recruit, train, and manage volunteers.
- Community outreach and family events
- Establish and maintain collaborative relationship with San Jose Unified School District and Santa Clara County Office of Education

2011 – PRESENT

### **ATTACHMENT BASED EARLY INTERVENTIONIST**

- Provide attachment based early intervention support and training to parents/caregivers.
- Provide families with information regarding normative child development, relationship enhancing activities, and how a developmental delay, or disability can impact the child's ability to signal attachment needs.

2000 – 2005

### **GLOBAL PROJECT MANAGER, MARK W. BOOTH CONSULTING**

- Generated RFP's based on individual client needs.
- Developed end user training materials for SAP software.
- Provided on-site training and support, USA, Europe, and Middle East.
- Designed innovative collateral to promote organization wide awareness, enthusiasm, and acceptance of new software launches.

## EDUCATION

2010

### **BACHELOR OF ARTS RESEARCH PSYCHOLOGY, MILLS COLLEGE**

- **Concentration:** Human Attachment and Infant Mental Health; Minor: Anthropology
- **Related Research:** Mills Children's School-Infant /Toddler Teacher Practicum; Social Referencing Predicts Toddler Play Quality, Male Caregiving System (THESIS)
- **Additional Certifications:** 04/2011 Certified Circle of Security Parent Educator, 2015 Mindfulness Coach
- **Alumnae Association:** Secretary, Class of 2010

## ACTIVITIES

- City of San José Human Services Commission, Disability Representative
- City of San José Disability Awareness Day Planning Committee
- Children's Agenda Network
- Santa Clara County Office of Education Special Education Task Force
- The Inclusion Collaborative
- Former Chair, San José Unified Community Advisory Committee for Special Education (CACSE) 2013-2016
- Autism Speaks, Community Grant Reviewer 2011-2013

**Emily A. Nusbaum**  
University of San Francisco  
2130 Fulton Street, San Francisco, CA  
(415) 845-0009; eanusbaum@usfca.edu

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## EDUCATION

**University of California, Berkeley & San Francisco State University** **Ph.D., May 2009**  
Areas of specialization: inclusive education and school reform; disability studies in education; teachers' work in inclusive classrooms; qualitative research and evaluation methods.

**Boston College, Chestnut Hill, MA** **M.Ed., May 1997**  
*Donovan Teaching Scholars Program:* Received a fellowship for urban-intensive teacher preparation  
*Teaching Credentials:* Moderate/Severe Disabilities and Multiple Subjects

**College of the Holy Cross, Worcester, MA** **B.A., May 1994**

## TEACHING EXPERIENCE

*Assistant Professor, Department of Learning and Instruction*  
*Program Co-coordinator: Disability & Equity, Ed.D. in Special Education*  
**University of San Francisco** **August 2015–present**  
Courses taught:  
L&I 659: Consultation and Collaboration  
L&I 707: Literature Reviews  
L&I 710: Disability and Impairment (co-taught)  
L&I 718: Disability Law and Policy  
L&I 722: Research, Teaching, and Collaboration for Community Engagement (co-taught)  
L&I 798: Disability Studies in Education  
GEDU 712: Qualitative Research in Education  
TED 643: Education of Exceptional Children

*Assistant Professor, Department of Special Education*  
**University of Colorado, Colorado Springs** **August 2012–May 2015**  
Courses taught:  
SPED 3000/4000: Disability Studies in Education  
SPED 3001/4001: Introduction to Special Education  
SPED 4022/5022: Consultation and Collaboration  
SPED 5091: Current Topics in Research  
SOC 4230/5230: Foundations of Disability Studies

*Assistant Professor, Department of Counseling, Special Education, and Rehabilitation*  
*Program Coordinator: Moderate/Severe Disabilities Credential*  
**California State University, Fresno** **August 2009–June 2012**  
Courses taught:  
SPED 120: Introduction to Special Education  
SPED 219: Home, School, and Community Collaboration

SPED 236: Seminar in Social Curriculum and Communication  
 SPED 240: Seminar in Program Management for Students with Moderate/Severe Disabilities  
 SPED 176: Practicum Supervision  
 SPED 298/299: Master's Thesis/Project Advising

***Course Instructor***

**San Francisco State University** **Fall 2008**

SPED 330: Designed and taught an undergraduate Introduction to Disability Studies course. The course explored areas such as: disability history; disability rights; education; intersections between disability and race, sexuality, and gender; cultural and media representation of disability.

**California State University, Hayward** **Summers 2008, 2007, 2005**

EPSY 5021: Co-taught a core course on teaching all students in the general education classroom for general and special education teacher candidates in the Department of Educational Psychology.

**University of California, Berkeley** **Spring 2007**

ED 195B: Proposed, designed, and taught an Introduction to Disability Studies in Education course, which was added to both the undergraduate education and disability studies minors.

**San Jose State University** **Fall 2005**

EDSE 160: Taught a core methods course on assessment for students with labels of moderate/severe disability in the College of Education, Moderate/Severe Disabilities Program.

**San Francisco State University** **Spring 2004**

SPED 745: Taught a core-methods course for students in the College of Education, Moderate/Severe Disabilities Credential Program.

***Fieldwork Supervisor***

**California State University, East Bay** **September 2006–May 2009**

**San Francisco State University** **January 1999–May 2009**

***Independent Evaluator (OSERS/OSEP Grant #H325K052043)***

**San Francisco State University** **October 2005–May 2009**

External evaluator for a Personnel Preparation Project associated with the Moderate/Severe Disabilities Credential Program at SFSU.

***Inclusion Support Teacher***

**Bryant Elementary School, San Francisco, CA** **2000–2001**

**Lakeshore Alternative Elementary School, San Francisco, CA** **1998–2000**

***Special Education Teacher***

**Ellis Mendell Elementary School, Boston, MA** **1997–1998**

***Special Education Instructional Assistant***

**Patrick O'Hearn Elementary School, Boston, MA** **1995–1997**



## AWARDS AND HONORS

**Arthur I. Karshmer Award for Distinguished Service to Disability Issues**  
**University of San Francisco** **May 2018**

Nominated by my peers, I was selected for this award during my third year at University of San Francisco for my teaching, research, and service contributions across university contexts.

**American Education Research Association, Critical Educators for Social Justice**  
**Special Interest Group: Early Career Scholar Forum** **April 2018**

Selected to attend the pre-conference workshop “Radical Dreaming for Radical Change” to receive mentorship and support in pursuing scholarly, academic, and public scholarship that addresses the social justice aims of the SIG.

**Ellen Brantlinger Emerging Scholar Award, Disability Studies in Education**  
**Second City Annual Conference, Minneapolis, MN** **June 2017**

Received award in recognition of my efforts to advocate for understanding disability across multiple contexts—as a professor, researcher, scholar, former teacher, community support liaison, court-appointed expert witness, and through multiple collaborations in alliance with disability agencies and organizations, locally and nationwide.

**Public Science Project: Critical Participatory Action Research Institute**  
**City University New York** **May 2016**

Selected to attend a week-long workshop with CUNY faculty and PSP researchers to support the development of university and community-based partnerships in CPAR projects.

**American Education Research Association, Disability Studies in Education Special Interest Group**  
**Outstanding Doctoral Dissertation 2010** **April 2010**

Received award for the contribution of my doctoral dissertation, *Vulnerable to exclusion: A disability studies perspective on practices in an inclusive school* to the field of Disability Studies in Education through a peer-review process.

**American Education Research Association, Division G: Social Contexts in Education**  
**Emerging Scholar Mentorship Award** **April 2010**

Selected as one of 30 emerging scholars to attend the pre-conference workshop “Beyond Deficit Paradigms” and receive writing and publication mentorship.

## GRANTS AND FELLOWSHIPS

Aldana, U., Katz, S., McClung, N. A., **Nusbaum, E. A.**, & Zerquera, D. (2018). *Re-aligning the educational doctorate core methods courses with the Jesuit vision*. University of San Francisco Center for Teaching Excellence Collaboration Grant (\$1,000).

**Nusbaum, E. A.**, & McClung, N. A. (2018). *USF community engagement for disability justice: A collaboration between university and community scholars*. University of San Francisco Jesuit Foundation Award (\$2,500).

**Nusbaum, E. A.** (2017). *Intersectionality and disability: Presence, absence, and interconnections in the education literature*. University of San Francisco Faculty Development Grant (\$2,300).

- Nusbaum, E. A.** (2016). *Disability studies curriculum as evidence of presumed competence and capacity within a participatory action research project*. University of San Francisco Faculty Development Grant (\$2,300).
- Nusbaum, E. A.** (2015). *Intellectual disability and able-bodied normativity: Positionality in collaborative, participatory methods*. University of San Francisco Faculty Development Grant (\$2,300).
- Nusbaum, E. A.** (2014). *Disrupting the able-bodied normativity of shared power in the duoethnographic process: A critical disability studies lens*. University of Colorado, Colorado Springs Faculty Minority Affairs Committee Research Grant (\$3,000).
- Nusbaum, E. A.** (2014). *Using duoethnography to explore spaces of discomfort: A three-year conversation between a young woman labeled with intellectual disability and a university professor*. University of Colorado, Colorado Springs Faculty Assembly Women's Committee Research Grant (\$3,000).
- Kupferman, S., & **Nusbaum, E. A.** (2014). *The multi-dimensionality of accessibility: An exploratory framework*. University of Colorado, Colorado Springs Research Roundtable Grant (\$1,500).
- Nusbaum, E. A.** (2010). *Policy-making as an individual practice: Teachers' interpretations of student "problems."* California State University, Fresno Faculty Development Grant (\$1,500).
- Nusbaum, E. A.** (2005). *Student disability and teachers' worldviews*. Spencer Foundation Research Training Grant. University of California, Berkeley (\$5,000).
- University of California, Berkeley & San Francisco State University**  
 University Fellowship, 2005–2009  
 Dean's Normative Time Fellowship, Fall 2007  
 University Summer Grant, Summer 2005

## PUBLICATIONS

### Referred

- Nusbaum, E. A.,** & Steinborn, M. (in-press). Ontological erasure: New possibilities for “visibilizing” disability studies in curriculum [Special issue]. *Journal of Curriculum Theorizing*.
- Nusbaum, E. A.,** & Sitter, K. C. (2016). Disrupting the able-bodied normativity of shared power in the duoethnographic process: A critical disability studies lens [Special issue]. *Critical Questions in Education*, 7(3), 306–317. Retrieved from <https://academyforeducationalstudies.org/journals/journal/current-and-past-issues/volume-7-issue-3-special-issue-on-critical-inquiry/>
- Nusbaum, E. A.** (2013). Vulnerable to exclusion: The place for segregated education within conceptions of inclusion [Special issue]. *International Journal of Inclusive Education*, 17(12), 1295–1311. <http://dx.doi.org/10.1080/13603116.2013.826292>

Ferguson, P., & **Nusbaum, E.** (2012). Disability studies? What is it and what difference does it make? *Research and Practice for Persons with Severe Handicaps*, 37(2), 70–80.

### Edited Special Issues

Lester, J. N., & **Nusbaum, E. A.** (Guest Eds.). (2018). Reclaiming disability in critical, qualitative research [Special issue]. *Qualitative Inquiry*, 24(1). <https://doi.org/10.1177/1077800417727761>

### Conditional Acceptance/Under Review

Acevedo, S. M., & **Nusbaum, E. A.** (under review). Autism, neurodiversity, and inclusive education. In U. Sharma & S. Salend (Eds.), *The Oxford encyclopedia of inclusive and special education*. Oxford, UK: Oxford University Press. [INVITED]

Boskovich, L., Cannon, M.N., Hernández-Saca, D.I., Kahn, L., & **Nusbaum, E.A.**<sup>1</sup> (under review). Self-study of intersectional and emotional narratives: Narrative inquiry, Disability studies in education, and praxis in social science research. In Green, S.E., Loseke, Altman, B.M., Barnartt, S.N. (Eds). *New Narratives of Disability: Constructions, Clashes, and Controversies; Research in Social Science and Disability*, Volume 11.

**Nusbaum, E. A.**, Cowley, D., Hernández-Saca, D. I., Petersen, A., & Smith, P. (conditional acceptance). These violent [delights] have violent ends. In P. Boda (Ed.), *Essays on exclusion: Our critical, collective journey toward equity in education*. New York: DIOPress. [INVITED]

Steinborn, M., & **Nusbaum, E. A.** (under review). Dis-ability: Crippling human rights education with disability studies [Special issue]. *Educational Studies*.

### In Preparation

Brooks, J., Ransom, B., & **Nusbaum, E. A.** (2018). Misusing special education as tool for unnecessary segregation.

**Nusbaum, E. A.**, & Lueveno, A. (2018). The making of a special education classroom: How space, discourse, and actions shaped the identity of segregated education at one school.

**Nusbaum, E. A.** (2018). The discursive creation of pathologized identities: A narrative analysis of student representation in special education reports.

### Book Chapters

**Nusbaum, E. A.** (in press). New to the “family of malcontents”: Reflections on an early career of creative discontent. In L. Ware & **E. A. Nusbaum** (Eds.), *Lous Heshusius, the “strong poet.”* To appear in the series *From critical special education to disability studies in education*. The Netherlands: SENSE Publishers.

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<sup>1</sup> All are co/lead authors. We worked collaboratively and democratically and are listed in alphabetical order by last name.

- Sitter, K. C., & **Nusbaum, E. A.** (2018). Critical disability studies and community engagement. In D. E. Lund (Ed.), *Wiley international handbook of service-learning for social justice*. Hoboken, NJ: Wiley-Blackwell. [INVITED]
- Barragan, E., & **Nusbaum, E. A.** (2017). Perceptions of disability on a post-secondary campus: Implications for oppression and human love. In S. L. Kerschbaum, L. T. Eisenmen, & J. M. Jones (Eds.), *Negotiating disability: Disclosure and higher education* (pp. 39–55). Ann Arbor: University of Michigan Press.
- Albanesi, H., & **Nusbaum, E. A.** (2017). Encountering institutional barriers and resistance: Disability discomfort on one campus. In E. Kim (Ed.), *The disability-diversity disconnect in higher education* (pp. 185–199). New York: Routledge.
- Nusbaum, E. A.**, Dickens, B., & Reamy, M. (2016). Disability studies in education as a tool for transformation of the self and teaching. In S. Gabel & S. Danforth (Eds.), *Vital questions facing disability studies in education, Volume 2* (pp. 143–156). New York: Peter Lang. [INVITED]
- Ferber, A. F., Albanesi, H., Herrera, A., **Nusbaum, E. A.**, & Ware, L.<sup>2</sup> (2015). Integrating feminist theory and disability studies. In K. Haltinner & R. Pilgeram (Eds.), *Teaching gender and sex in contemporary America* (pp. 239–254). New York: Springer Press. [INVITED]
- Nusbaum, E. A.** (2014). Inclusive education: A messy and liberating venture. In S. Danforth (Ed.), *Becoming a great inclusive educator* (pp. 231–240). New York: Peter Lang. [INVITED]
- Nusbaum, E. A.** (2010). Fighting professional opinion: Stories of segregation by three California families. In P. Smith (Ed.), *Whatever happened to inclusion? The place of students with intellectual disabilities in education* (pp. 117–131). New York: Peter Lang.
- Hunt, P., Doering, K., Maier, J., & **Mintz, E.** (2009). Strategies to support the development of positive social relationships and friendships for students who use AAC. In G. Soto & C. Zangari (Eds.), *Practically speaking: Supporting students with AAC needs in school settings*. Baltimore: Paul Brookes. [INVITED]
- Young, K., & **Mintz, E.** (2008). A comparison: Difference, dependency, and stigmatization in special education and disability studies. In S. Gabel & S. Danforth (Eds.), *Disability and the politics of education: An international reader* (pp. 499–511). New York: Peter Lang.

### Edited Books

- Ware, L., & **Nusbaum, E. A.** (Eds.). (in press). *Lous Heshusius, the “strong poet.”* To appear in the series *From critical special education to disability studies in education*. The Netherlands: SENSE Publishers.
- Moore, L. F. (2017). *Black disabled art history 101*. N. A. McClung & **E. A. Nusbaum** (Eds.). San Francisco: Xóchitl Justice Press.

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<sup>2</sup> Following Dr. Ferber, we are co-authors. We worked collaboratively and democratically and are listed in alphabetical order by last name.

## Book Reviews

**Nusbaum, E. A.** (2014). Inclusive education: Examining equity on five continents [Review of the book *Inclusive education: Examining equity on five continents*, by A. J. Artiles, E. B. Kozleski, & F. R. Waitoller]. *Disability Studies Quarterly*, 34(1).

## Book Introductions

**Nusbaum, E. A.** (under review). Introduction. In D. P. Carson, *Beyond awareness: Bringing disability into diversity work in K-12 schools and communities*.

## Reprints

**Nusbaum, E. A.** (in press). Vulnerable to exclusion: The place for segregated education within conceptions of inclusion. In L. Ware & R. Slee (Eds.), *Ellen Brantlinger, a steady visionary*. To appear in the series *From critical special education to disability studies in education*. The Netherlands: SENSE Publishers. [REPRINT]

**Nusbaum, E. A.** (2017). Inclusive education: A messy and liberating venture. In S. Danforth (Ed.), *Becoming a great inclusive educator, 2nd edition*. (pp. 231–240). New York: Peter Lang. [REPRINT]

## MEDIA

**Nusbaum, E. A.**, Maier, J., & Rodriguez, J. M. (2013, August). Capacity or deficit? An examination of the lens that educators use to view student disability. Retrieved from <https://www.peakparent.org/blog/capacity-or-deficit-examination-lens-educators-use-view-student-disability>

## LEGAL REPORTS

**Nusbaum, E. A.** (2016, July 1). *Report on analysis of audio recording data in the matter of A. A. v. Clovis Unified School District*. Expert report on United States District Court, Eastern District of California, Case No. 1:13-CV-1043.

## PRESENTATIONS

### Refereed National/International

Lester, J. N., **Nusbaum, E. A.**, & Dickens, B. J. (accepted May 2019). *Engaging with “crip horizons”*: *The practice of centering disability in critical qualitative inquiry*. Pre-conference workshop proposed to the International Congress of Qualitative Inquiry annual conference, Urbana-Champaign, IL.

- Nusbaum, E. A.**, & Lester, J. N. (accepted April 2019). *From the center to the horizon: Engaging “crip horizons” in critical qualitative inquiry*. Paper submitted to the American Education Research Association annual conference, Toronto, ON, Canada (April 2019).
- Nusbaum, E. A.**, & McClung, N. A. (accepted May 2019). Liminal spaces and traditional special educators: A duoethnography exploring the possibilities and limitations for praxis. In D. Hernandez-Saca (Chair), *Academic mobbing in institutions of higher education: An international, collaborative self-study*. Panel submitted to the International Congress of Qualitative Inquiry, Urbana-Champaign, IL (May 2019).
- Nusbaum, E. A.**, & Pearson, H. (accepted April 2019). Now what? Where have we arrived? Perambulating around the historical boundaries of DSE pathways. In **E. A. Nusbaum** & H. Pearson (Chairs), *Disrupting boundaries of disability while re-imagining educational justice landscapes: Contentions in disability studies in education*. Panel submitted to the American Education Research Association annual conference, Toronto, ON, Canada (April 2019).
- Kofke, M., Pearson, H., **Nusbaum, E. A.**, & McClung, N. A. (2018, November). *Critical reflection and the role of liminal spaces in transformative learning praxis: Disrupting the normalcy of disability in higher education*. Symposium submitted to the International Transformative Learning Conference, Teacher’s College, New York, NY.
- Pearson, H., Acevedo, S., **Nusbaum, E. A.**, & McClung, N. A. (2018, April). *Disabling borders and enabling bridges*. Symposium presented at The Society for Disability Studies Strand at The Ohio State University Multiple Perspectives on Access, Inclusion, and Disability annual conference, Columbus, OH.
- Cowley, D., **Nusbaum, E. A.**, & Peterson, A. (2018, April). Being/preparing boundary crossers: Reflections on recognizing, dismantling, and recreating the rules of special education. In D. I. Hernandez-Saca (Chair), *Consilience-ing, self-study-ing, radical love-ing at the boundaries of disability studies in education and (special) education*. Panel presented at the American Education Research Association annual conference, New York, NY.
- Lester, J. N., & **Nusbaum, E. A.** (2018, April). From the margins to the center: Disability and disrupting normativity in qualitative research. In J. N. Lester & **E. A. Nusbaum** (Chairs), *Centering Disability in Critical Qualitative Research*. Roundtable presented at the American Education Research Association annual conference, New York, NY.
- Nusbaum, E. A.**, Lester, J. N., & Ulmer, J. (2018, April). Intersectionality and disability: Presence, absence, and interconnections in the education literature. In **E. A. Nusbaum** (Chair), *Intersectionality and disability: “Nowhere and everywhere at once.”* Panel presented at the American Education Research Association annual conference, New York, NY.
- Nusbaum, E. A.** (2018, April). Constructing the “other”: How teacher education reifies and reinforces otherness. In **E. A. Nusbaum** & P. Lalvani (Chairs), *The halls of higher (mis)education: Ableism in the academy*. Panel presented at the American Education Research Association annual conference, New York, NY.
- Cowley, D., Hernández-Saca, D. I., **Nusbaum, E. A.**, Petersen, A., & Smith, P. (2017, June). *These violent [delights] have violent ends: Rising up, pushing back, and the study of radical love*. Panel presented at the Second City Disability Studies in Education annual conference, Minneapolis, MN.

- Nusbaum, E. A.** (2017, April). Disability studies curriculum as evidence of presumed competence and capacity within a participatory action research project. In **E. A. Nusbaum** & P. Lalvani (Chairs), *The elephant in the room: Confronting the silence(s) about disability in K-12 curricula*. Panel presented at the American Education Research Association annual conference, San Antonio, TX.
- Nusbaum, E. A.,** & Albanesi, H. (2017, April). Exploring institutional barriers to positioning disability within diversity efforts in higher education. In H. Albanesi (Chair), *Disability studies in higher education*. Panel presented at the Western Social Science Association annual conference, San Francisco, CA.
- Nusbaum, E. A.,** & Steinborn, M. (2017, April). Disability studies and human rights education: Developing DS curriculum in K-12 schools. In H. Albanesi (Chair), *Critical disability studies*. Panel presented at the Western Social Science Association annual conference, San Francisco, CA.
- Nusbaum, E. A.** (2016, May). Intellectual disability and able-bodied normativity: Positionality in collaborative, participatory methods. In P. Smith (Chair), *Disability and qualitative research: Disrupting methods and methodologies*. Panel presented at the International Congress of Qualitative Inquiry annual conference, Urbana-Champaign, IL.
- Kerschbaum, S. L., **Nusbaum, E. A.,** Vidali, A., Frederick, A., Miller, E., & Fink, M. (2015, June). *Disabling research methods: Rights and wrong turns*. Panel presented at the Society for Disability Studies annual conference, Atlanta, GA.
- Dickens, B., Reamy, M., & **Nusbaum, E. A.** (2015, April). *Disability studies in education as a tool for transformation of the self and teaching*. Paper presented at the Second City: Disability Studies in Education annual conference, Chicago, IL.
- Nusbaum, E. A.** (2015, April). *Using duoethnography to explore spaces of discomfort: A three-year conversation between a young woman labeled with intellectual disability and a university professor*. Paper presented at the American Education Research Association, Chicago, IL.
- Ware, L., Albanesi, H., Ferber, A., Herrera, A., & **Nusbaum, E. A.** (2014, November). *Integrating disability studies into our intersectional lens*. Panel presented at the National Women's Studies Association annual conference, San Juan, Puerto Rico.
- Nusbaum, E.** (2013, November). Reconsidering the "technology" of facilitated communication. In J. Wolfe (Chair), *Future-focused tools, current inspirations and dilemmas: A discussion of technologies and supports to overcome challenges*. Panel presented at The American Anthropological Association annual conference, Chicago, IL.
- Ferguson, P., Ashby, C., Cosier, M., & **Nusbaum, E.** (2012, December). *Disability studies: What is it and why should TASH care?* Panel presented at The Association for Persons with Severe Handicaps annual conference, Long Beach, CA.
- Maier, J., & **Nusbaum, E.** (2012, December). *Using a capacity-building perspective to redefine student deficits and empower school teams to develop meaningful, effective, inclusive programs and supports for students with significant support needs*. Paper presented at The Association for Persons with Severe Handicaps annual conference, Long Beach, CA.

- Nusbaum, E.,** Haney-Owens, I., Hayer, K., McGinnis, R., & Pittruzeli, S. (2012, December). Multiple relationships: Stories of success and lessons learned beyond predetermined boundaries. In *Successful transition planning for students with disabilities*. Symposium presented at The Association for Persons with Severe Handicaps annual conference, Long Beach, CA.
- Nusbaum, E.** (2012, November). Vulnerable to exclusion: An ethnographic perspective on disability, normality, and inclusive education. In S. Mac (Chair), *Dis/abilities and Special Education*. Panel presented at The American Anthropological Association annual conference, San Francisco, CA.
- Nusbaum, E.** (2012, April). New to the “family of malcontents”: Reflections on an early career of creative discontent. In L. Ware (Chair), *Of life real and unreal: An ethics of the heart*. Panel presented at the American Education Research Association, Vancouver, BC, Canada.
- Nusbaum, E.** (2012, April). *Vulnerable to exclusion: The place for segregated education within conceptions of inclusion*. Paper presented at the American Education Research Association, Vancouver, BC, Canada.
- Oliver, D., **Nusbaum, E.**, & Pitt, J. (2011, September). *Applying an ethical decision-making model across the curriculum in higher education administration, special education, and rehabilitation counseling pedagogy*. Paper presented at the Emerging Scholars Conference, Exploring Difference: Disability and Diversity in Education, Law, and Society at Chapman University, Orange, CA.
- Nusbaum, E.**, & Stolz, S. (2011, May). “As long as you’re accessible it will be fine”: *Considering the relational aspects of accessibility*. Paper presented at Second City: Disability Studies in Education annual conference, Chicago, IL.
- Broderick, A., **Nusbaum, E.**, & Ware, L. (2011, May). *Disability studies in education as a discursive/cultural/ideological “intervention” in 21st century teacher education*. **E. Nusbaum** (Chair), symposium conducted at Second City: Disability Studies in Education annual conference, Chicago, IL.
- Nusbaum, E.** (2010, May). The making of a special education classroom: How space, discourse, and actions shaped the identity of segregated education at one school. In K. Young (Chair), *Learning from analysis of space and time in teaching and teacher education*. Panel presented at the American Education Research Association annual conference, Denver, CO.
- Mintz, E.** (2009, April). No simple splice: Inclusion and disability studies. In L. Ware (Chair), *Attaching new questions: Research informed by a disability studies in education framework*. Panel conducted at the American Education Research Association annual conference, San Diego, CA.
- Mintz, E.** (January, 2007). *General educators talk about their students with labels of severe disability*. Paper presented at the Hawaii International Conference on Education annual conference, Honolulu, HI.
- Mintz, E.** (2007, March). *General educators’ teaching worldviews: What additional cases help us understand*. Paper presented at Second City: Disability Studies in Education annual conference, Chicago, IL.



**Mintz, E., & Young, K.** (2006, May). *An alternate framework: Examining inclusive education through a disability studies lens*. Paper presented at Second City: Disability Studies in Education annual conference, East Lansing, MI.

**Mintz, E., & Young, K.** (2006, April). *Difference, dependency, and stigmatization in disability studies and special education*. Paper presented at the American Education Research Association annual conference, San Francisco, CA.

### **State/Local**

Takeuchi, K., & **Nusbaum, E. A.** (accepted October 2018). *A long and winding road: Kayla's college journey*. Workshop proposed to the Spectrum of Opportunity annual conference, California Lutheran University, Thousand Oaks, CA.

Acevedo, S., White, B., Coffield, T., & **Nusbaum, E. A.** (2017, January). *How a grassroots neurodivergent model of education can inform practices in higher education*. Workshop presentation at the University of San Francisco Symposium on Engaged Scholarship, San Francisco, CA.

Steinborn, M., & **Nusbaum, E. A.** (2017, January). *FAIR-era contexts for inclusion: Disability studies in K-12 classrooms*. Workshop presentation at the University of San Francisco Symposium on Engaged Scholarship, San Francisco, CA.

Buswell, W., Kupferman, S., & **Nusbaum, E. A.** (2015, February). *Utilizing accommodations and modifications to enhance the capacity of students with significant support needs*. Workshop presentation at the PEAK Parent Center Conference on Inclusive Education annual conference, Denver, CO.

Kupferman, S., & **Nusbaum, E.** (2014, April). *The multi-dimensionality of accessibility: An exploratory framework*. Poster presentation at Mountain Lion Research Day, University of Colorado, Colorado Springs, CO.

**Nusbaum, E., & Harmon, N.** (2014, January). *Using a capacity-building perspective to redefine student "problems."* Workshop presentation at the PEAK Parent Center Conference on Inclusive Education annual conference, Denver, CO.

**Nusbaum, E., & Haney-Owens, I.** (2013, October). *How co-teaching between a university professor and undergraduate student reshaped pre-service teachers' "ways of knowing" individuals with autism*. Presentation at AutCom (the national conference of Autism National Committee), Denver, CO.

Gerland, O., Albanesi, H., Jones, T., **Nusbaum, E.**, Robinson, C., Schmiesing, A., & Vidali, A. (2013, October). *The what, why, and how of disability studies at the University of Colorado*. Panel presented at Coleman Institute for Cognitive Disabilities annual conference, Broomfield, CO.

**Nusbaum, E., & Harmon, N.** (2013, July). *College! Working with schools, families, and communities to make college a reality*. Presentation at National Down Syndrome Congress annual convention, Denver, CO.

- Ware, L., & **Nusbaum, E.** (2013, June). *Understanding ableism in cultural contexts*. Workshop presented at The Knapsack Institute, Colorado Springs, CO.
- Nusbaum, E.** (2013, February). *Using a capacity-building perspective to redefine student "problems."* Workshop presentation at the PEAK Parent Center Conference on Inclusive Education annual conference, Denver, CO.
- Albanesi, H., Carty, S., & **Nusbaum, E.** (2013, February). *Challenging perceptions of diversity in America*. Workshop presentation at the Cherry Creek Diversity Conference, Cherry Hill, CO.
- Kasa, C., & **Nusbaum, E.** (2012, September). *"Seeing my gifts of great abilities": The power of presuming competence in inclusive classrooms*. Workshop presented at the C.I.R.C.L.E. Conference (Dialogue Across Difference: Taking it to the Classroom), Denver, CO.
- Haney-Owens, I., & **Nusbaum, E.** (2012, March). *How co-teaching between a university faculty and an undergraduate student reshaped an introduction to special education course*. Paper presented at the California chapter of The Association for Persons with Severe Handicaps annual conference, Oakland, CA.
- Nusbaum, E.**, & Hovnanian, K. (2011, March). *Text as a tool for critical reflection: Using ability profiling and school failure by Kathleen Collins in one teacher education course*. Paper presented at the California chapter of The Association for Persons with Severe Handicaps annual conference, Irvine, CA.
- Nusbaum, E.**, & Rodriguez, J. (2010, March). *Using a capacity-building perspective to redefine student "problems."* Paper presented at the California chapter of The Association for Persons with Severe Handicaps annual conference, Burlingame, CA.
- Ferguson, P., & **Mintz, E.** (2009, March). *What is disability studies and why should we care?* Paper presented at the California chapter of The Association for Persons with Severe Handicaps annual conference, Manhattan Beach, CA.
- Gonsier-Gerdin, J., & **Mintz, E.** (2008, March). *Elementary differentiation, adaptation, and support to include all students*. Workshop presented at the California chapter of The Association for Persons with Severe Handicaps annual conference, San Francisco, CA.
- Hunt, P., Doering, K., Maier, J., & **Mintz, E.** (2007, February). *Promoting positive social relationships and friendships*. Paper presented at the California chapter of The Association for Persons with Severe Handicaps annual conference, Manhattan Beach, CA.
- Mintz, E.** (February, 2007). *General educators' teaching worldviews and implications for understanding student disability*. Paper presented at the California chapter of The Association for Persons with Severe Handicaps annual conference, Manhattan Beach, CA.
- Bjorgan, H., & **Mintz, E.** (2001, October). *Writing standards-based IEP goals*. Paper presented at Supported Life Institute annual conference, Sacramento, CA.
- Kendall, T., & **Nusbaum, E.** (2000, October). *Using peers to support community-based instruction*. Paper presented at Supported Life Institute annual conference, Sacramento, CA.

Kendall, T., & **Nusbaum, E.** (2000, April). *Using peers to support community-based instruction*. Paper presented at the California chapter of The Association for Persons with Severe Handicaps annual conference, Manhattan Beach, CA.

Chan, A., Fukuda, M., & **Nusbaum, E.** (1999, April). *Using peers and other natural supports*. Paper presented at the California chapter of The Association for Persons with Severe Handicaps annual conference, San Francisco, CA.

### **Invited Talks**

**Nusbaum, E. A.** (2018, January). *Rethinking exclusion and difference: Including disability within equity and science education*. Invited town hall speaker at the inaugural Science Educators for Equity, Diversity, and Social Justice conference, Davis, CA.

Curtis, S., Karp, D., Kupers, E., Nakagawa, A., **Nusbaum, E. A.**, & Smith, J. (2017, October). Invited panel member. *Dance and disability: A day of dance and disability awareness*. Luna Dance Institute, Berkeley, CA.

Anesi, J. T., Cowley, D., Grace, E., & **Nusbaum, E. A.** (2017, June). Invited panel member. *Disability studies in education networking panel*. Disability Studies in Education Second City annual conference, Minneapolis, MN.

Hawley, R., Hunter, A., Kupers, E., **Nusbaum, E. A.**, Prather, R., Simon, A., & Smith, J. (2016, October). Invited panel member. *Keeping the bar high: A day of dance and disability awareness*. Luna Dance Studio, Berkeley, CA.

### **DISSERTATION COMMITTEE WORK**

#### **Chair**

Brooks, S. (dissertation proposal in preparation).

Dace, K. (dissertation proposal in preparation).

Tryninewski, N. (dissertation proposal in preparation).

Arnold, C. (in progress). *Prioritizing the autistic voice: Understanding the use of scripting and the relationship to communication and familiar listeners*. University of San Francisco.

Gross, T. R. (2017). *The role of self-determination and co-construction to support meaningful student participation in an individualized education program meeting in high school*. University of San Francisco.

#### **Committee Member**

Tcheng, B. (in progress). *Building bridges across worlds of difference: Exploring the experiences of students of color in the global glimpse program*. University of San Francisco.

Adams, K. C. (2017). *Navigating the tensions of inclusive education: An autoethnography from an elementary school principal*. University of San Francisco.

Mere-Cook, Y. (2016). *Collaboration and strategies to address sensory regulation of students with and without disabilities in an inclusive kindergarten classroom*. University of San Francisco.

## PROFESSIONAL SERVICE

### Professional Memberships

<b>American Education Research Association</b>	<b>2005–Present</b>
Division G: Social Contexts in Education (proposal reviewer)	
Division K: Teaching and Teacher Education division (proposal reviewer)	
Critical Educators for Social Justice, special interest group (proposal reviewer)	
Disability Studies in Education, special interest group (proposal reviewer)	
Elected SIG co-chair	2012–2014
Elected SIG program co-chair	2009–2011
Qualitative Research, special interest group (proposal reviewer)	
Elected SIG treasurer	2018–present
<b>National Women’s Studies Association</b>	<b>2014–2017</b>
<b>American Anthropological Association</b>	<b>2012–2017</b>
<b>Colorado State Chapter of The Association for Persons with Severe Handicaps</b>	<b>2012–2014</b>
Board member	2012–2014
(Invited to work on increasing visibility and membership for TASH in Colorado.)	
<b>Community Connections, Fresno, CA</b>	<b>2009–2011</b>
Board member	2009–2011
(Invited to be a board member and advisor to this community-based non-profit organization that was working to develop individualized, supported living options for adults with intellectual disabilities in the local community.)	
<b>California State Chapter of The Association for Persons with Severe Handicaps</b>	<b>1997–2012</b>
Elected board member	2006–2012
(Coordinated annual state-wide conference, generated membership, and attended three annual board meetings.)	
<b>The Association for Persons with Severe Handicaps (Member)</b>	<b>1995–2014</b>
<b>Invited Reviewer</b>	
<b>Teaching and Teacher Education</b>	<b>2016–present</b>
<b>Curriculum Inquiry</b>	<b>2016–present</b>
<b>International Journal of Inclusive Education</b>	<b>2014–present</b>
<b>Cultural and Pedagogical Inquiry</b>	<b>2017</b>

**Journal of Medical Humanities** 2014

**Editorial Board Member**

**Palgrave Series: Constructions of mental health and language/discourse** 2015–present

## **COMMUNITY SERVICE**

**Marin Advocates for Children, Board Member** 2016–present  
Board member of the organization that provided child abuse prevention services and the Court Appointed Special Advocates services in Marin County until January 2017.

**Citizenship Building and Intellectual Disability Community of Practice** 2012–present  
Member of a multi-state CoP dedicated to developing person-centered practices to increase citizenship and access for individuals with disabilities in a number of local communities, based on the Citizen Centered Leadership Development model from Cornell University.

**Disability, Pedagogy, Technology, and Interdisciplinarity** 2008  
Invited to participate with faculty and graduate students from across the University of California system to address the development of Disability Studies within the UC system.

**Private Educational Consulting** 1999–present  
Co-founded an educational consulting company in 1999. Since then I have provided training and technical assistance to districts, schools, and individual student teams, focusing on the development of educational practices to support all students in inclusive, general education settings. My current, pro bono consulting work is with families in various stages of litigation against school districts (advocacy in Individual Education Plan meetings, mediation, and expert witness testifying in court cases).

**The Inclusion Task Force, San Francisco Unified School District** 1999–2009  
Attended monthly meetings of a working group of general and special educators, administrators, and parents. Was both a teacher-member and co-facilitator with a Bay Area university faculty member.

**The CLEAR Project and LRE Resources Project, Oakland, CA** 2002–2005  
Facilitated workshop activities and planning to develop inclusive education, with school teams from around the state at annual summer institute.

**Special Education Teacher Leaders, San Francisco Unified School District** 1999–2001  
Selected as a teacher leader in the district for special education leadership. Developed a manual for general and special educators for differentiated lesson-planning, curricular modifications, and accommodations, which was used district wide.

**California Confederation on Inclusive Education, San Francisco, CA** 1999–2001  
Edited grant documents with a team of general and special educators, as well as assisted in planning annual summer institute for school teams.

**Center for Leadership Development, Boston Public School** 1997–1998

Participated in a study group for teachers of students with autism to create standardization in curriculum, assessment, and portfolio development for early-childhood students with and without disabilities.

**Expert Testimony Work**

**Ravenswood City School District, 870 F. Supp. 2d 780 (N.D. Ca. 2012)**

**A. v. Clovis Unified School District. United States District Court, Eastern District of California, Case No. 1:13-CV-1043**

**UNIVERSITY SERVICE**

**University of San Francisco**

**School of Education**

Program Co-coordinator, Ed.D. in Special Education, Minor in Disability Studies in Education	<b>2015–present</b>
Member, Joint Faculty Development Committee	<b>2015–present</b>
Co-chair, Joint Faculty Development Committee	<b>2016–present</b>
Secretary, SOE Faculty Association	<b>2015–2016</b>
Co-chair, SOE Faculty Association	<b>2016–2017</b>

**University-wide Service and Committees**

Faculty Advisor, Students with Disabilities Coalition	<b>2018–present</b>
Co-chair, Working Group on Universal Access	<b>2017–present</b>
Appointed Member, University Council on Diversity and Inclusion	<b>2016–present</b>
Facilitator, Faculty Learning Community on Accessible Pedagogy and Universal Design for Learning	<b>2016–2017</b>

**University of Colorado, Colorado Springs**

**College of Education**

Fieldwork Coordinator, Special Education credentialing program	2012–2015
Development Committee Member, Bachelor’s Degree in Innovation: Inclusive Early Childhood Education	2013–2015

**University-wide Service and Committees**

Coordinator, Disability Studies interdisciplinary, graduate certificate program	2013–2015
Faculty Advisor, All Access: The Disabled Student Union	2013–2015
Member, University of Colorado Disability Studies Working Group	2012–2015

**California State University, Fresno**

**School of Education**

Coordinator, Moderate/Severe Disabilities teacher credentialing program	2009–2012
Co-chair, Faculty Equity Committee	2010–2012
Member, Strategic Planning Committee	2010–2012

**University-wide Service and Committees**

Appointed Member, President’s Commission on Disability	2010–2012
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Faculty Advisor, Advocates for Students with Disabilities

2009–2011

Faculty Advisor, Wayfinders

2009–2010

Served as a university advisor to a community-based non-profit organization that developed post-secondary access for youth with intellectual disabilities, ages 18–26, to the CSU Fresno campus. My role with Wayfinders focused on supporting self-determination and decision-making by those targeted for participation. I conducted focus-group research with transition-age youth in area school districts as a pilot study in order to guide Wayfinders' program development. Wayfinders remains a federally-funded program that supports approximately 15 students with intellectual disabilities at Fresno State.

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**CORPORATE AND MARKETING EVENT EXPERT**

**Passion for technology & marketing disruption using innovation & data to deliver global results**

Passionate, dedicated, creative, and results-driven event professional focused in high-tech. I have a successful track record in program management and execution of all types of company and customer meetings, including product launches and roadshows, HR training roadshows, sales kickoffs, analyst days, sales incentive programs, and executive programs. Skilled in budgeting, vendor management, event staffing, and all manner of event logistics.

- IMMERSION**, San Jose, CA 2017-Present  
 As the leading innovator of haptic technology, Immersion (NASDAQ: IMMR) provides high quality, low-power tactile feedback in consumer devices.  
**Event Manager** (consultant) – Reporting to acting head of Marketing,
- TIVO**, San Jose, CA 2008-2017  
 Formerly Macrovision then Rovi, TiVo acquired in 2016 (NASDAQ: TIVO)  
**Sr. Manager, Corporate Events** – Reporting to the Sr. Dir. Of Corporate Events,
- POLYCOM, SAN JOSE, CA** 2005 - 2007  
 Polycom (NASDAQ: PLCM) is the industry leader in unified collaboration solutions  
**Sr. Manager, Tradeshow & Events** – Reporting to the Sr. Director of Marketing.
- BROCADE**, San Jose, CA 2004 - 2005  
 Brocade (NASDAQ: BRCD) is the undisputed frontrunner in storage networking.  
**Events Manager** – Reporting to the Sr. Dir. Of Corporate Marketing
- SABBATICAL, WORLD TRAVEL, & VOLUNTEER WORK** 2003  
 8 months focused on volunteering with The Career Closet organization for disadvantaged women re-entering the job force. In between international travels, also managed events for the Community Solutions organization for abused women and children
- JUNIPER NETWORKS**, Sunnyvale, CA 2001-2002  
 Juniper is an American multinational corporation that develops networking products (NASDAQ: JNPR)  
**Event Manager** – Reporting to VP of Marketing
- SILICON VALLEY TRADESHOW MANAGEMENT**, San Jose, CA 1997-2001  
 Small business  
**Owner and Principal** – 4-year period running my own firm, delivering a full spectrum of event management services for multiple clients, targeting high-tech companies both very large and venture funded
- SIMPLY INTERACTIVE, INC.**, San Jose, CA 1996 - 1997  
 Early vendor in computer-based training technology  
**Manager, Corporate Exhibits** – Reporting to the Director of Marketing.



## Elizabeth G. Bynum

1035 51<sup>st</sup> Street, Sacramento, CA 95819

Phone: (916) 798-0969; Email: [betsybynum@yahoo.com](mailto:betsybynum@yahoo.com)

**OBJECTIVE:** Enthusiastic new educator transitioning from Attorney to Special Education Teacher in Mild/Moderate classroom.

### EDUCATION AND CERTIFICATION:

- **Pre-Intern Education Specialist Credential** candidate, Sacramento County Office of Education, Present.
  - Passed all three subtests of CSET Multiple Subjects exam.
  - Passed CBEST.
- **Harvard University, B.A.**, East Asian Languages and Civilizations, 1991.
  - Graduated *summa cum laude*.
  - Elected to Phi Beta Kappa honor society.
- **Columbia Law School, J.D.**, 1996.
  - Human Rights Internship with Human Rights Watch/Asia, Hong Kong office, 1994.

### TEACHING AND SPECIAL EDUCATION EXPERIENCE:

- **Eureka! Inclusive Charter School**, Board Member, September 2016 – Present.
  - Member of the Board of Directors of prospective charter school dedicated to meeting the educational needs of all students, including students with disabilities. Fully inclusive model with co-teaching proposed.
- **Ruderman & Knox LLP**, Special Education Attorney, May 2017 – August 2018.
  - Attorney representing students with disabilities. Developed expertise in special education law, IEPs, assessments, goals, and services. Performed analysis of special education documents and student needs; attended IEP meetings; worked with parents of special education students; and participated in mediations.
- **San Juan Unified School District**, Substitute Teacher, September 2008 – April 2009.
  - Carried out the lesson plans of teachers and met the duties of teaching in accordance with the District's goals and objectives. Maintained a classroom environment conducive to effective learning.
- **Girl Scout Troop 675**, Leader, September 2018 – Present.
- **Caleb Greenwood Elementary School**, Parent Classroom Volunteer, September 2018 – Present.
- **Princeton Review**, Instructor, September 1990 – December 1991.
  - Taught SAT and LSAT test preparation.

### OTHER PROFESSIONAL EXPERIENCE:

- **Veterinary Medical Board**, Associate Governmental Program Analyst, November 2014 – May 2017.
  - Organized, implemented, and presented at Expert Witness conference. Worked closely with the Attorney General's office to pursue formal disciplinary cases against licensees.
- **Hackard Law Corporation and Pino and Associates**, Attorney, April 2009 – October 2014.
  - Specialized in transactional and business law; civil, trust and employment litigation; trust matters; estate planning; bankruptcy; and asset protection.
- **Clontarf Capital**, Researcher and Writer, January 2005 – May 2008.
  - Wrote reports on topics of interest to clients of financial services firm.
- **McGeorge School of Law**, International Programs Coordinator, January 2004 – December 2004.
  - Organized and oversaw graduate and international legal study programs, co-education programs with overseas institutions, international alumni development and student internships.
- **Debevoise & Plimpton**, Hong Kong and **Sullivan & Cromwell**, New York City, Attorney, October 1996 – May 2002.
  - Corporate attorney in Asian and New York branch offices of large law firms. Participated in a wide range of domestic and international transactional deals, including securities transactions and cross-border private equity investments.

**LANGUAGES:** Proficient in Mandarin Chinese.

**Leland Wallace**  
456 Heatherbray Ct.  
San Jose CA, 95136

**Skills:** Systems design and analysis, Various computer languages, Networking and Security technologies. Construction, Plumbing, Woodworking, Metalcrafting, Furniture Design. Security design and implementation. Cryptography.

**Work Experience:**

Apple Computer: Senior Engineer

Aug 1989 - present

Mac OS X Server Platform Lead, Server Security DRI, Developed and shipped several products in the network and server space both hardware and software. Maintained netSNMP on the Mac OS X platform.

Eureka! Inclusive Community School: Board Member

May 2017 - present

Providing Technical Leadership

Wallace Educational Services

Sept 2004 - present

Tutoring in several subjects, STEM Curriculum design

**Educational Experience:**

University of California, Santa Cruz  
BS, Computer & Information Sciences 1989

**Accomplishments:**

Eagle Scout 1984

Patents:

Ad-hoc user account creation #us 8,201,214

Server computer issued credential authentication #us 7,735,120

Mutually authenticated secure key exchange (MASKE) #us 7,424,615

**Publications:**

draft-ietf-svrloc-afp-service-01.txt Oct 1998 "Definition of afp service URLs"

Various talks at Apple's Worldwide Developers Conference

**Memberships:**

Apple Emergency Response Team: 2000 - present

TechShop 2007 - present

NESA 1985 - present

IEEE Computer Society 1986-1992

IEEE Education Society 2017 - present

Internet Engineering Task Force SPKI (Simple Public Key Infrastructure) working group 1996

**Volunteering:**

Animatronic design & implementation for a haunted House, Rachel Carson Elementary 2015

Beautiful Day (School, Neighborhood & Park cleanup) with Westgate Church 2004 - 2015

TechShop Booth Staff at Maker Faire 2006-2008

Computer Lab design and implementation at Rainbow Bridge School 2001

Housebuilding trips to Mexico with Santa Cruz Bible Church. 1999 – 2001

Eureka! Inclusive Charter School: Supporting Documents; Part 4

Eureka! Inclusive Charter School Policies

## **EUREKA! INCLUSIVE CHARTER SCHOOL, INC.**

### **CONFLICT OF INTEREST CODE**

#### **I. ADOPTION**

In compliance with the Political Reform Act of 1974, California Government Code Section 87100, et seq., Eureka! Inclusive Charter School, Inc. hereby adopts this Conflict of Interest Code (“Code”), which shall apply to all governing board members and all other designated employees of Eureka! Inclusive Charter School, Inc. (“Charter School”), as specifically required by California Government Code Section 87300.

New Education Code section 47604.1 (Senate Bill 126) provides that charter schools and entities managing charter schools (defined as a nonprofit public benefit corporation that operates a charter school) are subject to the Ralph M. Brown Act (or the Bagley-Keene Open Meeting Act). It also prescribes specific rules regarding meeting locations and meeting content, and clarifies that the California Public Records Act applies to both charter schools and entities managing charter schools.

Additionally, charter schools and entities managing charter schools are subject to both Government Code section 1090 and the Political Reform Act of 1974. This means that charter school officials may not be financially interested in any contract made by them in their official capacity. They must also comply with all conflict prohibitions and reporting requirements of the Political Reform Act and must adopt a conflict of interest code .

#### **II. DEFINITION OF TERMS**

As applicable to a California public charter school, the definitions contained in the Political Reform Act of 1974, the regulations of the Fair Political Practices Commission, specifically California Code of Regulations Section 18730, and any amendments or modifications to the Act and regulations are incorporated by reference to this Code.

#### **III. DESIGNATED EMPLOYEES**

Employees of this Charter School, including governing board members, who hold positions that involve the making or participation in the making, of decisions that may foreseeably have a material effect on any financial interest, shall be “designated employees.” The designated positions are listed in “Exhibit A” attached to this policy and incorporated by reference herein.

#### **IV. STATEMENT OF ECONOMIC INTERESTS: FILING**

Each designated employee, including governing board members, shall file a Statement of Economic Interest (“Statement”) at the time and manner prescribed by California Code of Regulations, title 2, section 18730, disclosing reportable investments, interests in real property, business positions, and income required to be reported under the category or categories to which the employee’s position is assigned in “Exhibit A.”

An investment, interest in real property or income shall be reportable, if the business entity in which the investment is held, the interest in real property, the business position, or source of income may foreseeably be affected materially by a decision made or participated in by the designated employee by virtue of his or her position. The specific disclosure responsibilities assigned to each position are set forth in “Exhibit B.”

Statements Filed With the Charter School. All Statements shall be supplied by the Charter School. All Statements shall be filed with the Charter School. The Charter School’s filing official shall make and retain a copy of the Statement and forward the original to the County Board of Supervisors.

## **V. DISQUALIFICATION**

No designated employee shall make, participate in making, or try to use his/her official position to influence any Charter School decision which he/she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family.

## **VI. MANNER OF DISQUALIFICATION**

### **A. Non-Governing Board Member Designated Employees**

When a non-Governing Board member designated employee determines that he/she should not make a decision because of a disqualifying interest, he/she should submit a written disclosure of the disqualifying interest to his/her immediate supervisor. The supervisor shall immediately reassign the matter to another employee and shall forward the disclosure notice to the Executive Director, who shall record the employee's disqualification. In the case of a designated employee who is head of an agency, this determination and disclosure shall be made in writing to his/her appointing authority.

### **B. Governing Board Member Designated Employees**

The Corporation shall not enter into a contract or transaction in which a director directly or indirectly has a material financial interest (nor shall the Corporation enter into any contract or transaction with any other corporation, firm, association, or other entity in which one or more of the Corporation's directors are directors and have a material financial interest).

## Exhibit A

### Designated Positions

<u>Designated Position</u>	<u>Assigned Disclosure Category</u>
Members of the Governing Board	1,2
President/Executive Director	1,2
Treasurer	1,2
Director of Special Education	3
Consultants/New positions	*

\*Consultants/New Positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation:

The Executive Director may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code (Government Code § 81008).

## **EXHIBIT B**

### **Disclosure Categories**

#### Category 1

Designated positions assigned to this category must report:

- a. Interests in real property that are located in whole or in part within a two-mile radius:
  - of any school district that has authorized a Eureka! Inclusive Charter School, Inc. charter school, or
  - of any facility utilized by Eureka! Inclusive Charter School, Inc., or
  - of a proposed site for a Eureka! Inclusive Charter School, Inc. facility.
- b. Investments and business positions in business entities, and sources of income (including gifts, loans, and travel payments) of the type that engage in the purchase or sale of real property or are engaged in building construction or design.

#### Category 2

Designated positions assigned to this category must report:

- a. Investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) that are contractors engaged in the performance of work or services, or sources that manufacture, sell, repair, rent or distribute school supplies, books, materials, school furnishings or equipment of the type to be utilized by Eureka! Inclusive Charter School, Inc.

#### Category 3

Designated positions assigned to this category must report:

- a. Investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) that are contractors engaged in the performance of work or services, or sources that manufacture, sell, repair, rent or distribute school supplies, books, materials, school furnishings or equipment of the type to be utilized by the designated position's department.



## RESOURCES

The following resources are available to immigrant families responding to detentions or deportations:

- The Immigration and Customs Enforcement (ICE) detainee locator: [https://locator.ice.gov/odis/homePage.do](https://locator.ice.dhs.gov/odis/homePage.do). **Please Note:** This site is intended *only* for locating individuals who are already detained, and not for general immigration status inquiries.
- Immigration lawyers in private practice, accredited representatives (who assist immigrants in immigration proceedings), or legal-aid organizations:
  - State Bar of California Attorney Search: <http://www.calbar.ca.gov/Attorneys>
  - California organizations accredited by Board of Immigration Appeals (BIA) to represent immigrants before the Department of Homeland Security (DHS) and Executive Office of Immigration Review (EOIR):  
<https://www.justice.gov/eoir/page/file/942306/download#CALIFORNIA>.
  - California Courts Self-Help Centers: <http://www.courts.ca.gov/selfhelp-selfhelpcenters.htm>.
  - Legal-aid offices and lawyer-referral services: <http://www.courts.ca.gov/1001.htm>.
- The consulate or embassy of the parent's or guardian's country of origin.



For more information on resources for responding to immigration enforcement activities at California schools, or to file a complaint, please contact:

Bureau of Children's Justice  
California Attorney General's Office  
P.O. Box 944255  
Sacramento, CA 94244-2550  
Phone: (800) 952-5225  
E-mail: [BCJ@doj.ca.gov](mailto:BCJ@doj.ca.gov)  
<https://oag.ca.gov/bcj/complaint>

This Publication can be downloaded at:  
<http://www.oag.ca.gov>

## Immigration-Enforcement Actions at California Schools Guide for Students and Families



Xavier Becerra  
California Attorney General  
April 2018

## KNOW YOUR EDUCATIONAL RIGHTS

### Your Child has the Right to a Free Public Education

- All children have a right to equal access to free public education, regardless of their or their parents'/guardians' immigration status.
- All children in California:
  - Have the right to a free public education.
  - Must be enrolled in school if they are between 6 and 18 years old.
  - Have the right to attend safe, secure, and peaceful schools.
  - Have a right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation.
  - Have equal opportunity to participate in any program or activity offered by the school without discrimination.

### Information Required for School Enrollment

- Schools must accept a variety of documents from the student's parent or guardian to demonstrate proof of child's age or residency.
- Information about citizenship/immigration status is never needed for school enrollment. A Social Security number is never needed for school enrollment.

### Confidentiality of Personal Information

- Federal and state laws protect student education records and personal information. These laws generally require that schools get written consent from parents or guardians before releasing student information, unless the release of information is for educational purposes, is already public, or is in response to a court order or subpoena.
- Some schools collect and provide publicly basic student "directory" information. If so, the school district must provide parents'/guardians with written notice of the directory information policy, and provide the option to

refuse release of your child's information.

### Family Safety Plans if You Are Detained or Deported

- You can update your child's emergency contact information, including secondary contacts, to identify a trusted adult guardian who can care for your child if you are detained or deported.
- You can complete a Caregiver's Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person to give a trusted adult the authority to make educational and medical decisions for your child.

### Right to File a Complaint

- Your child has the right to report a hate crime or file a complaint to the school district if he or she is discriminated against, harassed, intimidated or bullied because of his or her actual or perceived nationality, ethnicity, or immigration status.

## CHECKLIST FOR IMMIGRANT STUDENTS AND FAMILIES ATTENDING PUBLIC SCHOOLS

### 1. You do not have to share the following information with school officials:

- You do not have to share information, including passports or visas, regarding the immigration status of students, parents, guardians, or other family members.
- You do not have to provide Social Security numbers (SSN) or cards.
  - When completing the "Free and Reduced-Price Meals" form, only provide the last four digits of the SSN of the adult household member who signs the application.
- If the family meets the income eligibility requirements and no adult household member has a SSN, your child still qualifies. Check the "No SSN" box on

forms where applicable, to ensure that applications are complete.

- If any household member participates in CalFresh, CalWORKS (California Work Opportunity and Responsibility for Kids), or FDPIR (Food Distribution Program on Indian Reservations), no adult household member needs to provide the last four digits of his or her SSN to qualify the student for free or reduced-price meals at school.

- When providing information for proof of a student's residency or age, you do not have to use documents that could reveal information related to immigration status.

### 2. Take steps to protect student information:

- Ask for the school's written privacy policies regarding student information.
- Review the school's policy for "directory information"—which allows for public release of basic student information—and consider whether to opt out of releasing of that information.

### 3. Take steps to prepare for situations where one or more parents or guardians are detained or deported:

- Develop and keep in a safe place a "Family Safety Plan" (example: [https://www.ilrs.org/assets/2474/bna\\_beinformed\\_safetyplanningtoolkit.pdf](https://www.ilrs.org/assets/2474/bna_beinformed_safetyplanningtoolkit.pdf)) that includes the following information:
  - Name of a trusted adult to care for your child if no parent or guardian can.
  - Emergency phone numbers and instructions on where to find important documents (birth certificates, passports, Social Security cards, doctor contact information, etc.)
- Make sure that your child's school always has current emergency contact information, including alternative contacts if no parent or guardian is available.

## **MGTA TAGATULONG**

Ang mga sumusunod na tagatulong ay malalapian ng mga imigranhang pamilya na tumulong sa mga pagkulong o deportasyon.

- Ang tagahanap ng nakakulong ng Pagpapatupad ng Imigrasyon at Adwana (Immigration and Customs Enforcement, ICE): <https://locator.ice.gov/odis/homePage.do> **Mangyaring tandan:** Ang lugar na ito ay para lamang sa paghanap ng mga taong nakakulong na, at hindi para sa mga pangkalahatang tanong tungkol sa katayuang pang-imigrasyon.
- Ang mga pribadong abugadong pang-imigrasyon na mga may akreditasyong kinatawan (na tumutulong sa mga imigrante sa mga pamamaraang pang-imigrasyon), o mga organisasyon para sa tulong na pambatas:
  - Paghanap ng Abugado sa Bar ng Estado ng California (State Bar of California): <http://www.calbar.ca.gov/Attorneys>
  - Mga organisasyon ng California na may akreditasyon ng Lupon ng mga Apela sa Imigrasyon (Board of Immigration Appeals, BIA) upang katawain ang mga imigrante sa Kagawaran ng Seguridad ng Sariling Bayan (Department of Homeland Security, DHS) at Tagapagpaganap na Opisina ng Pagrepero ng Imigrasyon (Executive Office of Immigration Review, EOIR): <https://www.justice.gov/eoir/page/file/942306/download#CALIFORNIA>
- Mga Sariling-Tulong ng mga Sentro ng California: <http://www.courts.ca.gov/selfhelp-selfhelpcenters.htm>
- Mga serbisyo ng mga opisina ng tulong na pambatas at pagrekomenda sa abugado: <http://www.courts.ca.gov/1001.htm>
- Ang konsulada o embahada ng pinagmulang bansa ng magulang o tagapangalaga.



Para sa karagdagang impormasyon tungkol sa mga tagatulong sa pagtulong sa mga aktibidad na pagpapatupad na pang-imigrasyon sa mga paaralan ng California, o upang magsampa ng reklamo, mangyaring kontakin ang:

Bureau of Children's Justice  
California Attorney General's Office  
P.O. Box 944255  
Sacramento, CA 94244-2550  
Telepono: (800) 952-5225  
E-mail: [BCJ@doj.ca.gov](mailto:BCJ@doj.ca.gov)  
<https://oag.ca.gov/bcj/complaint>

Ang Publikasyong Ito ay maaaring i-download sa:  
<http://www.oag.ca.gov>

## **Mga Aksiyon sa Imigrasyon-Pagpapatupad sa mga paaralan ng California**

### **Patnubay para sa mga Estudyante at Pamilya**



Xavier Becerra  
Pangkalahatang Abugado ng California  
Abril 2018  
Tagalog

## ALAMIN ANG IYONG MGA KARAPATAN SA EDUKASYON

### Ang Iyong Anak ay may Karapatan sa isang Libreng Pamublikong Edukasyon

- Lahat ng bata ay may karapatan sa pantay na daan sa libreng pamublikong edukasyon, anumang ang katayuang pang-imirasyon nila o ng kamulang mga magulang/tagapangalaga.
- Lahat ng bata sa California ay:
- May karapatan sa isang libreng pamublikong edukasyon.
- Dapat na nakaenrol sa paaralan kung sila ay nasa pagitan ng 6 at 18 taong gulang.
- May karapatang mag-aral sa mga ligtas, protektado, at payapang paaralan.
- May karapatang pumasok sa isang kapaligiran sa pag-aaral sa pamublikong paaralan na malaya sa diskriminasyon, panliligalig, pang-aapi, karahasan, at pananakot.
- May pantay na pagkakatatong lumahok sa anumang programa o aktibidad na inaalay ng paaralan nang walang diskriminasyon.

### Impormasyon ng Kinakailangan para sa Pagpapatala sa Paaralan

- Ang mga paaralan ay dapat tumanggap ng ibat ibang mga dokumento mula sa magulang o tagapangalaga ng estudyante upang ipakita ang kalunayan ng edad o paninirahan ng bata.
- Ang impormasyon tungkol sa katayuan sa pagkalamamayan/imirasyon ay hindi kailanman kailangan para sa pagpapatala sa paaralan. Ang isang numero ng Social Security ay hindi kailanman kailangan para sa pagpapatala sa paaralan.

### Pagiging Kompendiyal ng Personal na Impormasyon

- Ang mga pederal at pang-estadong batas ay nagprotektla sa mga rekord na pang-edukasyon at personal na impormasyon ng estudyante. Ang mga batas na ito ay pangkaraniwang nag-aatas na ang mga paaralan ay kumuha ng nakasulat na pahintulot mula sa mga magulang o tagapangalaga bago labas ang impormasyon ng estudyante, maliban kung ang paglabas ng impormasyon ay para sa mga layuning pang-edukasyon, nakahanlad sa publiko, o bilang lugon sa isang utos o subpoena ng hukuman.
- Ang ilang paaralan ay nagtitipon at nagbibigay sa publiko ng basikong "impormasyon para sa direktoryo" tungkol sa estudyante. Kung gayon, ang distrito ng paaralan ay dapat magbigay sa mga magulang /tagapangalaga ng

nakasulat na panunawa ng patakaran sa impormasyon para sa direktoryo, at magbigay ng mapipili upang tumanggapin labas ang impormasyon tungkol sa iyong anak.

### Mga Plano sa Kaligtasan ng Pamilya Kung Ikaw ay Nakakulong o Isinaalim sa Deportasyon

- Maaari mong isapamali ang impormasyon tungkol sa matatagagan sa emerhensiya ng iyong anak, kabilang ang mga sekundaryong kontak, upang tukuyin ang isang pinagkakatiwalaang tagapangalagang nasa hustong gulang na maaaring mangalaga sa iyong anak kung ikaw ay makulong o isalalim sa deportasyon.
- Maaari mong kumpletuhin ang isang Apidabit ng Awtorisasyon sa Tagabigay ng Pag-aalaga o isang Peltisyon para sa Pagtatataga o Pansamantalang Tagapangalaga ng Tao, upang bigyan ang isang pinagkakatiwalaang nasa hustong gulang ng awtoridad na gumawa ng mga desisyon pang-edukasyon at medikal para sa iyong anak.

### Karapatang Magsampa ng Reklamo

- Ang iyong anak ay may karapatang mag-ulat ng isang krimen ng pagkamuhi o magsampa ng reklamo sa distrito ng paaralan kung siya ay dumadanas ng diskriminasyon, ginugulo, tinataktol o inapoi dahil sa kanyang aktwal o nadedamang nasyonalidad, etnisidad, o katayuan pang-imirasyon.

## LISTAHAN NG DAPAT TIYAKIN PARA SA MGA IMIGRANTENG ESTUDYANTE AT PAMIL YANG NAG- AARAL SA MGA PAMPUBLIKONG PAARALAN

### 1. Hindi mo kailangang ibahagi ang mga sumusunod na impormasyon sa mga opisyal ng paaralan:

- Hindi mo kailangang magbahagi ng impormasyon, kabilang ang mga pasaporte o visa, tungkol sa katayuang pang-imirasyon ng mga estudyante, magulang, tagapangalaga, o ibang mga miyembro ng pamilya.
- Hindi mo kailangang magbigay ng mga numero o mga kard ng Social Security (SSN).
- Kapag nagkukumpulo ng porma para sa "Free and Reduced-Price Meals" (Libre at Bihawasan ang Huling Presyo na mga Pagkain), ibigay lamang ang huling apat na numero ng SSN ng nasa hustong gulang na miyembro ng sambalayan na puririma sa aplikasyon.
- Kung ang pamilya ay nakatutugon sa mga iniatas sa pagiging karapat-dapat ng kita at walang nasa hustong gulang na miyembro ng sambalayan na may SSN, ang iyong anak ay kuwalipikado pa rin. Markahan ang kahon na "No SSN" (Walang SSN) sa mga porma kung saan angkop, upang matiyak na ang mga aplikasyon ay kumpleto.

- Kung may miyembro ng sambalayan na lumalahok sa CalFresh, CalWORKs (Pagkakatona sa Trabaho at Responsibilidad para sa mga Bata ng California), o FDPPIR (Programang Pamamahagi ng Pagkain sa mga Reserbasyon ng Indyan), walang nasa hustong gulang na miyembro ng sambalayan na kailangang magbigay ng huling apat na numero ng kanyang SSN upang maging kuwalipikado ang estudyante para sa libre o binawasan ang presyo na mga pagkain sa paaralan.
- Kapag nagbibigay ng impormasyon para sa kalunayan ng paninirahan o edad ng estudyante, hindi mo kailangang gumamit ng mga dokumentong maaaring maghanlad ng impormasyong may kaugnayan sa katayuang pang-imirasyon.

### 2. Gumawa ng mga hakbang upang protektahan ang impormasyon tungkol sa estudyante:

- Humingi ng nakasulat ng mga patakaran ng paaralan sa pagkapanibado na naukol sa impormasyon tungkol sa estudyante.
- Repasuhin ang patakaran ng paaralan para sa "Impormasyon para sa direktoryo"—na nagpapakahulot ng paglabas sa publiko ng basikong impormasyon tungkol sa estudyante—at isaalang-alang kung pipiling hindi ipalabas ang impormasyong iyon.

### 3. Gumawa ng mga hakbang upang maghanda para sa mga kalagayan kung saan ang isa o higit na mga magulang o tagapangalaga ay nakulong o isinaalim sa deportasyon:

- Buuin at itago sa isang ligtas na lugar ang isang "Plano sa Kaligtasan ng Pamilya" (halimbawa: [https://www.iirs.org/assets/2474/bna\\_Deinformed\\_safetyplaninfookit.pdf](https://www.iirs.org/assets/2474/bna_Deinformed_safetyplaninfookit.pdf)) na kabilang ang sumusunod na impormasyon:
  - Pangalan ng isang pinagkakatiwalaang nasa hustong gulang na mangangalaga sa iyong anak kung walang magulang o tagapangalaga na makagagawa nilo.
  - Ang mga pang-emerhensiyang numero ng telepono at mga tagubilin kung saan makakahantap ng mahahalagang dokumento (mga seripiko ng kapangalan, pasaporte, mga kard ng Social Security, impormasyon tungkol sa matatagagan para sa doktor, atbp.).
  - Tiyakin na ang paaralan ng iyong anak ay laging may pangkasalukuyang impormasyon tungkol sa matatagagan sa emerhensiya, kabilang ang mga panghaliling kontak kung walang magulang o tagapangalaga na matatagawan.

## RECURSOS

Las familias inmigrantes tienen los siguientes recursos a su disposición para responder a detenciones o deportaciones:

- Localizador de detenidos del Servicio de Inmigración y Control de Aduanas (Immigration and Customs Enforcement, ICE): [https://locator.ice.gov/ods/homePage.do](https://locator.ice.dhs.gov/ods/homePage.do) **Tome nota:** Este sitio es solo para ubicar a individuos que ya están detenidos y no para consultas generales sobre una condición migratoria.
- Abogados de inmigración particulares, representantes acreditados (que ayudan a los inmigrantes en actuaciones de inmigración) u organizaciones de ayuda legal:
  - Búsqueda de abogados del Colegio de Abogados de California (State Bar of California): <http://www.calbar.ca.gov/Attorneys>
  - Organizaciones de California acreditadas por la Junta de Apelaciones de Inmigración (Board of Immigration Appeals, BIA) para representar a inmigrantes ante el Departamento de Seguridad Interior (Department of Homeland Security, DHS) y la Oficina Ejecutiva de Revisión de Casos de Inmigración (Executive Office of Immigration Review, EOIR):  
<https://www.justice.gov/eoir/page/file/942306/download#CALIFORNIA>.
  - Centros de ayuda de las cortes de California: <http://www.courts.ca.gov/selfhelp-selfhelpcenters.htm>.
  - Oficinas de ayuda legal y servicios de remisión a abogados: <http://www.courts.ca.gov/1001.htm>.
  - El consulado o embajada del país de origen del padre, madre o tutor.



Para obtener más información sobre recursos para responder a actividades de los agentes de inmigración en las escuelas de California, o para presentar una queja, póngase en contacto con:

Bureau of Children's Justice  
California Attorney General's Office  
P. O. Box 944255  
Sacramento, CA 94244-2550  
Teléfono: (800) 952-5225  
Email: [BCJ@daj.ca.gov](mailto:BCJ@daj.ca.gov)  
<https://oag.ca.gov/bcj/complaint>

Esta publicación se puede descargar en:  
<http://www.oag.ca.gov>

## Acciones de cumplimiento de las leyes de inmigración en las escuelas de California

### Guía para estudiantes y familias



Xavier Becerra  
Procurador General de California  
Abril de 2018  
Spanish

## CONOZCA SUS DERECHOS EDUCATIVOS

### Su hijo tiene derecho a una educación pública gratuita

- Todos los niños tienen derecho al acceso equitativo a una educación pública gratuita, independientemente de la condición migratoria de sus padres/tutores.
- Todos los niños de California:
- Tienen derecho a una educación pública gratuita.
- Tienen que estar inscritos en la escuela entre los 6 y 18 años de edad.
- Tienen el derecho a asistir a escuelas seguras y pacíficas.
- Tienen el derecho a un entorno de aprendizaje en la escuela libre de discriminación, acoso, intimidación y violencia.
- Tienen la misma oportunidad para participar en cualquier programa o actividad ofrecida por la escuela, sin ser discriminados.

### Información requerida para inscribirse en la escuela

- Las escuelas están obligadas a aceptar una variedad de documentos del padre o tutor del estudiante para demostrar su edad y residencia.
- No se requiere nunca presentar información sobre la condición migratoria o ciudadanía del estudiante para poder inscribirlo en la escuela. No se requiere nunca presentar un número del Seguro Social para inscribirse en la escuela.

### Confidencialidad de los datos personales

- Las leyes federales y estatales protegen los registros educativos y datos personales del estudiante. Estas leyes en general requieren que las escuelas obtengan un consentimiento escrito de los padres o tutores antes de divulgar información sobre el estudiante, a menos que dicha divulgación se haga con fines educativos, ya sea pública o responda a una orden judicial u orden de comparecencia de la corte.
- Algunas escuelas recopilaban y publicaban información básica para el directorio estudiantil. En ese caso, el distrito escolar tiene que dar a los padres/tutores un aviso escrito de la política de información del directorio, y la opción de negarse a divulgar la información de su hijo.

### Plan de seguridad familiar en caso de que lo detengan o deporten

- Puede actualizar la información de contacto de emergencia de su hijo y agregar contactos secundarios o nombrar a un tutor adulto de confianza que pueda cuidar a su hijo en caso de que usted sea detenido o deportado.
- Puede llenar una *Declaración jurada de autorización para el cuidador o una Solicitud de nombramiento del tutor temporal de la persona* para autorizar a un adulto de confianza a tomar decisiones educativas y médicas en nombre de su hijo.

### Derecho a presentar una queja

- Su hijo tiene el derecho a denunciar todo crimen de odio o presentar una queja al distrito escolar si sufre de discriminación, acoso o intimidación debido a su nacionalidad, origen étnico o condición migratoria, ya sea real o percibida.

## LISTA DE VERIFICACIÓN PARA ESTUDIANTES INMIGRANTES QUE ASISTEN A LAS ESCUELAS PÚBLICAS Y SUS FAMILIAS

### 1. No está obligado a compartir la siguiente información con los funcionarios escolares:

- No está obligado a compartir información (por ejemplo, pasaportes o visas) sobre la condición migratoria de los estudiantes, padres, tutores u otros familiares.
- No está obligado a proporcionar números o tarjetas del Seguro Social (SSN).
- Cuando llene el formulario "Free and Reduced-Price Meals" (Comidas gratis o a precio reducido), proporcione solo las cuatro últimas cifras del SSN del miembro adulto del hogar que firma la solicitud.
- Si la familia cumple con los requisitos de elegibilidad y ningún miembro adulto del hogar tiene un SSN, su hijo sigue siendo elegible. Marque la casilla "No SSN" (No tengo SSN) en los formularios donde corresponda, para asegurar que la solicitud esté completa.

- Si cualquier miembro de la familia participa en

CalFresh, CalWORKs (California Work Opportunity and Responsibility for Kids), o FDIPIR (Programa de Distribución de Comida en Reservaciones Indígenas), ningún miembro del hogar está obligado a proporcionar las cuatro últimas cifras de su SSN para que el estudiante pueda recibir comida gratis o a precio reducido en la escuela.

- Al proporcionar información para demostrar la residencia o edad del estudiante, no está obligado a usar documentos que revelen información sobre su condición migratoria.

### 2. Tome pasos para proteger la información del estudiante:

- Pida una copia de las políticas de privacidad de la escuela sobre los datos del estudiante.
- Lea la política de la escuela con respecto a la "información del directorio estudiantil" (que permite la divulgación pública de información básica sobre el estudiante) y considere si le conviene negarse a divulgar dicha información.

### 3. Tome pasos para prepararse para situaciones en las que uno o más padres o tutores quedan detenidos o deportados:

- Elabore un "Plan de seguridad familiar" y guárdelo en un lugar seguro (ejemplo: [https://www.irs.gov/assess/2474/bna\\_beinformed\\_safeyplaningtoolkit.pdf](https://www.irs.gov/assess/2474/bna_beinformed_safeyplaningtoolkit.pdf)) e incluya la siguiente información:
  - El nombre de un adulto de confianza que pueda cuidar a su hijo en caso de que no haya un padre o tutor presente.
  - Números de teléfono de emergencia e instrucciones sobre dónde encontrar documentos importantes (actas de nacimiento, pasaportes, tarjetas del Seguro Social, datos de contactos médicos, etc.).
- Es importante que la escuela de su hijo tenga siempre la información al día sobre contactos de emergencia, incluyendo contactos alternativos en caso de que no esté disponible ninguno de los padres o tutores.

## TÀI NGUYÊN TRỢ GIÚP

Có nh. ng nguồn tài nguyên trợ giúp sau đây cho gia đình di dân để ứng phó với trường hợp cầu lưu hoặc trục xuất:

- Tìm người bị cầu lưu của Cơ Quan Công Lực Di Trú và Quan Thuế (Immigration and Customs Enforcement, ICE):  
<https://locator.ice.gov/odis/homePage.do>  
**Xin Lưu Ý:** Website này chỉ để tìm những người đã bị cầu lưu; chứ *không* phải để hỏi về tình trạng di trú tổng quát.
- Luật sư di trú hành nghề tư, các nhân viên đại diện được chứng nhận (người trợ giúp di dân trong những phiên tòa di trú), hoặc các tổ chức trợ giúp pháp lý:
- Tin Luật Sư của Luật Sư Đoàn Tiêu Bang California (State Bar of California):  
<http://www.calbar.ca.gov/Attorneys>
- Các tổ chức tại California được Ủy Ban Kháng Cáo Di Trú (Board of Immigration Appeals, BIA) chứng nhận đại diện cho di dân trước Bộ An Ninh Quốc Nội (Department of Homeland Security, DHS) và Văn Phòng Điều Hành Tái Duyệt Di Trú (Executive Office of Immigration Review, EOIR):  
<https://www.justice.gov/eoir/page/file/9423306/download#CALIFORNIA>.
- Các Trung Tâm Tư Giúp của Tòa Án California: <http://www.courts.ca.gov/selfhelp-selfhelpcenters.htm>.
- Các văn phòng trợ giúp pháp lý và dịch vụ giới thiệu luật sư:  
<http://www.courts.ca.gov/1001.htm>.
- Tòa lãnh sự hoặc đại sứ của quốc gia gốc của cha/mẹ hoặc người giám hộ.



Muốn biết thêm chi tiết về những nguồn tài nguyên trợ giúp để ứng phó với các hoạt động công lực di trú tại trường học ở California, hoặc để nộp đơn khiếu nại, xin liên lạc với:

Bureau of Children's Justice  
California Attorney General's Office  
P. O. Box 944255  
Sacramento, CA 94244-2550  
Điện Thoại: (800) 952-5225  
E-mail: [BCJ@doj.ca.gov](mailto:BCJ@doj.ca.gov)  
<https://oag.ca.gov/bcj/complaint>

Có thể lấy Ấn Phẩm này xuống từ:  
<http://www.oag.ca.gov>

## Di Trú-Hành Động Công Lực tại Trường Học ở California

Hướng Dẫn cho Học Sinh và Gia Đình



Xavier Becerra  
Tổng Chương Lý California  
Tháng Tư 2018  
Vietnamese

## BIẾT CÁC QUYỀN GIÁO DỤC CỦA QUÝ VỊ

### Con Quý Vị Có Quyền Được Giáo Dục Công

#### Miễn Phí

- Tất cả trẻ em có quyền bình đẳng được giáo dục công miễn phí, bất luận tình trạng di trú của trẻ hoặc cha mẹ/người giám hộ.
- Tất cả trẻ em tại California:
- Có quyền được giáo dục công miễn phí.
- Phải ghi danh đi học nếu trẻ từ 6 đến 18 tuổi.
- Có quyền theo học tại các trường an toàn, an ninh và an bình.
- Có quyền ở trong một môi trường học tập ở trường công không có kỳ thị, sách nhiễu, hiếp đáp, bạo động, và hăm dọa.
- Có cơ hội đồng đều để tham gia bất cứ chương trình hoặc hoạt động nào của nhà trường mà không bị kỳ thị.

### Dữ Liệu Cá Nhân Có Được Bảo Vệ

- Trường học phải chấp nhận nhiều văn kiện khác nhau của cha/mẹ hoặc người giám hộ của học sinh để chứng minh tuổi hoặc nơi cư trú của trẻ.
- Không bao giờ cần đến dữ liệu về tình trạng quốc tịch/di trú để ghi danh đi học. Không bao giờ cần có số An Sinh Xã Hội để ghi danh đi học.

### Giữ Kim Dữ Liệu Cá Nhân

- Luật liên bang và tiểu bang bảo vệ hồ sơ giáo dục và dữ liệu cá nhân của học sinh. Các đạo luật này nói chung đòi hỏi nhà trường phải có giấy phép của cha mẹ hoặc người giám hộ trước khi tiết lộ dữ liệu về học sinh, trừ phi việc tiết lộ dữ liệu là cho các mục đích giáo dục, hoặc để tuân hành lệnh tòa hoặc trật tòa.
- Một số trường thu thập và công bố "dữ liệu danh bạ" cơ bản về học sinh. Nếu thể, địa hạt học đường phải gửi thông báo cho cha mẹ/người giám hộ về chính sách dữ liệu danh bạ, và cho phép chọn không cho tiết lộ dữ liệu về con quý vị.

### Các Kế Hoạch An Toàn Gia Đình nếu Quý Vị Bị Cấu Lưư hoặc Trục Xuất

- Quý vị có thể cập nhật chi tiết liên lạc khẩn cấp của con mình, gồm cả những người liên lạc phụ, để cho biết một người lớn giám hộ được tin nhiệm có thể chăm sóc cho trẻ nếu quý vị bị cấu lưư hoặc trục xuất.
- Quý vị có thể điền một Bản Chương Thẻ Ủy Quyền của Người Chăm Sóc hoặc Đơn Xin Bổ Nhiệm Người Giám Hộ Tam Thời cho Người đó, để ủy quyền cho một người lớn được tin nhiệm quyết định các vấn đề giáo dục và y tế cho trẻ.

### Quyền Nộp Đơn Khiếu Nại

- Con quý vị có quyền trình báo một tội ác vì thù ghét hoặc nộp đơn khiếu nại cho địa hạt học đường nếu trẻ bị kỳ thị, sách nhiễu, hăm dọa, hoặc hiếp đáp vì quốc tịch, sắc tộc, hoặc tình trạng di trú thực sự hoặc bị gán.

## DANH SÁCH KIỂM ĐIỂM CHO HỌC SINH VÀ GIA ĐÌNH DI DÀN THEO HỌC TRƯỜNG CÔNG

### 1. Quý vị không phải cung cấp dữ liệu sau đây cho các viên chức nhà trường:

- Quý vị không phải cung cấp dữ liệu, kê cả sổ thông hành (hộ chiếu) hoặc chiếu khán (thị thực), và tình trạng di trú của học sinh, cha mẹ, người giám hộ, hoặc những người khác trong gia đình.
- Quý vị không phải cung cấp số hoặc thẻ An Sinh Xã Hội (SSN).
- Khi điền "Free and Reduced-Price Meals" form (mẫu Bữa Ăn Miễn Phí và Giảm Giá), chỉ cung cấp bốn số cuối của SSN của người lớn trong nhà ký tên trong đơn.
- Nếu gia đình hội đủ các điều kiện về lợi tức và không có người lớn nào trong nhà có SSN, con quý vị vẫn hội đủ điều kiện. Đánh dấu vào ô "No SSN" (Không có SSN) trong các mẫu đơn nếu có, để chắc chắn là điền đơn đầy đủ.

- Nếu có bất cứ người nào trong nhà tham gia CalFresh, CalWORKs (Cơ Hội Làm Việc và Trách Nhiệm về Trẻ California), hoặc FDIPIR (Chương Trình Phân Phối Thực Phẩm tại Các Khu Vực Thổ Dân), không có người lớn nào trong nhà cần phải cung cấp bốn số cuối của SSN của họ để học sinh hội đủ điều kiện hưởng bữa ăn miễn phí hoặc giảm giá ở trường.
- Khi cung cấp dữ liệu để chứng minh nơi cư trú hoặc tuổi của học sinh, quý vị không phải dùng các văn kiện nào có thể cho thấy dữ liệu liên quan đến tình trạng di trú.

### 2. Áp dụng những bước bảo vệ dữ liệu của học sinh:

- Hỏi xin bản ghi các chính sách của nhà trường về quyền riêng tư về dữ liệu của học sinh.
- Xem chính sách của nhà trường về "dữ liệu danh bạ"—vấn cho phép công bố dữ liệu cơ bản về học sinh—và nghĩ đến việc chọn cách không cho tiết lộ dữ liệu đó.

### 3. Áp dụng những bước chuẩn bị cho những trường hợp có một hoặc nhiều cha mẹ người giám hộ bị cấu lưư hoặc trục xuất:

- Soạn và cất vào chỗ an toàn một "Kế Hoạch An Toàn Gia Đình" (thí dụ: [https://www.ilrs.org/assets/2474/bna\\_beinformed\\_safetypianningtoolkit.pdf](https://www.ilrs.org/assets/2474/bna_beinformed_safetypianningtoolkit.pdf)) gồm các chi tiết sau đây:
  - Tên một người lớn được tin nhiệm để chăm sóc cho con quý vị nếu cha/mẹ hoặc người giám hộ không thể chăm sóc.
  - Các số điện thoại khẩn cấp và chỉ dẫn tìm các văn kiện quan trọng ở đầu (giấy khai sinh, sổ thông hành (hộ chiếu), thẻ An Sinh Xã Hội, chi tiết liên lạc với bác sĩ, v.v.).
  - Nhớ cho trường của trẻ luôn luôn có chi tiết liên lạc khẩn cấp mới nhất, kể cả những người liên lạc thay thế nếu không tìm được cha/mẹ hoặc người giám hộ.



## **Draft Policy Against Harassment and Sexual Harassment**

### **Eureka! Inclusive TK-Grade 8 Charter School Anti-Harassment and Discrimination Policy**

The Eureka! Inclusive TK- Grade 8 Charter School is committed to providing all students with a safe and supportive school environment, that is inclusive and welcomes diversity. Members of the school community are expected to treat each other with respect. Teachers and other staff members are expected to teach and to demonstrate by example that all members of the community are entitled to respect.

It is school policy that no person shall be treated differently, separately, or have any action directly affecting him or her taken on the basis of race, religion, national origin, marital status, sex, sexual orientation, gender identity, or disability where a person is otherwise qualified or could be with reasonable accommodation.

The immediate remedy for any act of harassment or discrimination shall be to end it, treat the individual equally, and, as much as practically possible, to eradicate any effects of discrimination. Discipline should be imposed where appropriate.

Harassment and discrimination of a student by another student or by a teacher or other staff member is a violation of school policy. This includes (but is not limited to) harassment based on race, national origin, marital status, sex, sexual orientation, gender identity, religion, or disability. Immediate action will be taken by the head of school for harassment conduct, including verbal conduct, (1) that creates (or will certainly create) a hostile environment by substantially interfering with a student's educational benefits, opportunities, or performance, or with a student's physical or psychological well-being; or (2) that is threatening or seriously intimidating.

Sexual harassment is a form of harassment that also violates school policy. Sexual harassment is an unwelcome sexual advance or sexual conduct, including verbal conduct, (1) that is tied to a student's educational benefits, opportunities, or performance, or to a student's physical or psychological well-being; (2) that creates (or will certainly create) a hostile environment by substantially interfering with a student's educational benefits, opportunities, or performance, or with a student's physical or psychological well-being; or (3) that is threatening or seriously intimidating. Immediate action will be taken in any instance of sexual harassment.

To prevent harassment and discrimination in the first instance, staff members should teach -- teach why harassment and discrimination is wrong and teach that tolerance and respect are essential to a free society. In response to an act of harassment, staff members should intervene immediately to stop the harassment and/or discrimination, if appropriate, should seek an appropriate remedy to the harassment promptly, consistently, and proportionately to the seriousness of the act. But the response should not end there; rather, staff members should deter future harassment and /or discrimination with continuing lessons of tolerance and respect.

Eureka! Inclusive will develop and publicize rules that explain how harassment and/or discrimination can be reported and how reports of harassment and/or discrimination will be handled. These rules will be reviewed during employee orientation, parent information, and during the first week of school by teachers with students as appropriate to their age and developmental ability. These rules and guidelines will be included in employee, student, and parent handbooks. These rules will be reviewed by all members of the Eureka! Inclusive Charter School community at least annually. These rules will require staff, students, and parents to report harassment and/or discrimination to a designated school official; will prohibit retaliation against anyone who reports harassment; and, to the extent possible, will protect the confidentiality of anyone who is involved in a report of harassment.

## Draft Health and Safety Policy

### Eureka Inclusive TK-Grade 8 Charter School SAMPLE EMERGENCY PLAN

WALKIE TALKIE CHANNEL TO BE ON XX

CELL PHONE EMERGENCY NUMBERS:

- President xxx-xxx-xxxx
- Head of School xxx-xxx-xxxx
- Office Manager xxx-xxx-xxxx
- Secretary xxx-xxx-xxxx

EMERGENCY TEAM-The Emergency Team will be composed of:

- President
  - Head of School
  - Office Manager
  - Secretary
  - A Head Teacher
1. ROOM CHECKERS
    - Office Manager
    - Secretary
  2. EMERGENCY SUPPLIES:
    - Emergency Backpacks Located in every room.
    - Food and Water Located in Staff Room
    - Emergency Tools Located in Staff Room
    - Major First Aid Supplies Located in Staff Room
  3. PROCEDURES (EXIT Plan to be determined based on facilities provided):
    - Students should exit building without talking.
    - Proceed to XX.
    - Teachers will bring with them:
      - a. EMERGENCY FOLDER containing the Red and Green Cards, class roster, school map, and emergency plan.
      - b. EMERGENCY BACKPACK
  4. Once outside, teachers will take role and hold up GREEN CARD if all OK. Hold up RED CARD if missing a student.
  5. The campus will be checked by assigned personnel to be sure that all students are accounted for.
  6. All faculty will deliver students to their homeroom teachers if students are elsewhere on campus, (ie lunch, bathrooms).
  7. The Emergency Team will check in with the Head of School in numerical order of the rooms/campus areas that each member checks.

8. When all students have been accounted for, the Head of School or Teacher in Charge will check with all teachers and will, in the case of a fire drill, signal the All Clear to return to the classrooms, or in case of actual fire, signal the next steps.

9. The Office Manager or Secretary will turn off the alarm.

FOR ALL NATURAL DISASTERS, THE EMERGENCY TEAM WILL MEET AT THE EMERGENCY CENTER (To be determined) AFTER ALL INITIAL RESPONSES HAVE BEEN COMPLETED.

#### FIRE

1. Teachers and all faculty should accompany their students to the assigned evacuation areas being sure to take a GREEN AND RED CARDS, Emergency Folder with class roster, emergency plan, and school map.
2. Teachers also take the following items and close the classroom door and leave it unlocked. Be sure that students remain quiet and orderly.
  - a. EMERGENCY FOLDER containing the Red and Green Cards, class roster, school map, and emergency plan.
  - b. EMERGENCY BACKPACK
3. Once outside, teachers take role and account for any students who were not in the classroom at the time of evacuation. Show GREEN CARD for all is OK, RED CARD is for a MISSING STUDENT.
4. Designated personnel will check the campus.
5. Once checking is completed, the Head of School or Teacher-in-Charge will check with each teacher before signaling a return to the classroom.
6. In the event of an actual fire, students will be held at their evacuation locations until the buildings are secured and the situation is assessed. Depending on the time of the day, alternative dismissal plans may be implemented.

ALL CLEAR SIGNAL FOR FIRE: When the "ALL CLEAR" signal is given by the site administrator or designee, staff is responsible to: 1. Render first aid if necessary. Notify the Office regarding any injured students. 2. The Head of School or Teacher in Charge will assess the situation and determine whether the "First Aid Team" needs to be activated.

3. RED and GREEN CARDS: Place RED outside the door or in window if a life-threatening situation is in the room. Place the GREEN card if all are accounted for and no emergencies exist inside the room.

4. Teachers must account for the status of students by taking roll. DO NOT PERMIT ANY STUDENT TO LEAVE THE CLASSROOM FOR ANY REASON.

5. Report any person whose whereabouts are unknown, or who is injured, to the administration.

6. Emergency personnel will notify staff and students of evacuation through personal contact or phone.

EARTHQUAKE If inside school buildings,

1. All school staff and students should:
  - Get under desk or table or other shelter or against inside wall;
  - Assume the "duck, cover, and hold" position and be silent so directions can be heard;
  - Stay in the "duck and cover" position until earthquake is over and/or until further instructions are given.
  - If no instructions are heard and shaking stops, evacuate building.
2. After the initial shock and things settle down, teachers evacuate classrooms with GREEN and RED CARDS, Emergency Folder with emergency plan, class roster, and school map. Teachers should also take their BLUE first aid kit. When exiting, they should leave doors open, and be alert to the possibility of aftershocks.
3. Teachers will take students to assigned evacuation areas, account for all students, and remain there until re-entry to school buildings has been approved and/or wait for further directions.
4. After the students and school staff have evacuated and the facilities have been checked, the Emergency Team will report for further instructions.
5. The Director will establish communications with emergency agencies as necessary
6. Report any serious injuries to the Emergency Center by sharing classroom supervision and releasing a volunteer or, if necessary, a teacher or aide to make the report.
7. The Office Manager and the Secretary will set up the ED's Office as the Emergency Center. All students will be released to parents or approved adult at the Emergency Center unless their teacher is authorized to do so by the Director or designee.
8. The school will automatically become a Disaster Center and will remain open until every child has been released to an authorized person.
9. All personnel will be required to remain on campus until released by the Director or designee.

If outside the school building,

1. All school staff and students should:
  - Get clear of all buildings, trees, exposed wires, or other hazards that may fall
  - Assume the "duck and cover" position until quake is over,
  - Proceed to assigned evacuation areas and follow steps listed above.

ALL CLEAR FOR EARTHQUAKE When the "ALL CLEAR" signal is given by the site administrator or designee, staff is responsible to:

1. Render first aid if necessary. Notify the Office regarding any injured students.

2. The ED or Teacher in Charge will assess the situation and determine whether the "First Aid Team" needs to be activated.
3. RED and GREEN CARDS: Place RED outside the door or in window if a life-threatening situation is in the room. Place the GREEN card if all are accounted for and no emergencies exist inside the room.
4. Teachers must account for the status of students by taking roll. DO NO PERMIT ANY STUDENT TO LEAVE THE CLASSROOM FOR ANY REASON.
5. Report any person whose whereabouts are unknown, or who is injured, to the administration.
6. Emergency personnel will notify staff and students of evacuation through personal contact or phone.

STRANGER ON CAMPUS (LOCKDOWN) A Code-Blue Alert will be broadcast over the intercom or by the PA system

1. Lock doors, close your windows and blinds, and move away from the windows and doors.
2. Keep students calm and go to drop position as you would for an earthquake drill.
3. Wait for additional instructions or all clear signal via walkie talkie, phone, or email.

INTRUDER, SHOOTING, AND HOSTAGE SITUATION RESPONSIBILITIES OF STAFF IN DIRECT CONTACT WITH INTRUDER

1. Staff and students should sit quietly if the situation is in their presence. TRY to remain calm. If gun fire starts, dive to the floor, try to go under cover and lie STILL.
2. DO NOT ENGAGE IN A CONVERSATION OR TRY TO PURSUADE THE INTRUDER TO LEAVE YOUR CLASSROOM OR SCHOOL. Remember, you are in an illogical situation, so any logical argument may go unheard.
3. If the intruder speaks to you or to your students; then answer him/her. DO NOT PROVOKE HIM/HER. Students should be told not to whisper to one another, laugh, or to make fun of the intruder.
4. Students should be taught to respond on their own when threatened. Incidents can occur which leave no time for signals. If students are outside and are unable to find a barrier such as a tree or are unable to get into a room, they should run to a safe area (NOT A RESTROOM).
5. If and when possible, call the San Jose Police Department at 9-1-1 (If using a cell phone, dial (408) 277- 8911 or dial 0 for the operator, who will transfer you to 911 in the proper location) and give your name, location, and the situation. Provide as many details as possible.

**ALL CLEAR SIGNAL FOR CODE BLUE/LOCKDOWN:** When the "ALL CLEAR" signal is given by the site administrator or designee, staff is responsible to:

1. Render first aid if necessary. Notify the Office regarding any injured students.
2. The Head of School or Teacher in Charge will assess the situation and determine whether the "First Aid Team" needs to be activated.
3. RED and GREEN CARDS: Place RED outside the door or in window if a life-threatening situation is in the room. Place the GREEN card if all are accounted for and no emergencies exist inside the room.
4. Teachers must account for the status of students by taking roll. DO NO PERMIT ANY STUDENT TO LEAVE THE CLASSROOM FOR ANY REASON.
5. Report any person whose whereabouts are unknown, or who is injured, to the administration.
6. Emergency personnel will notify staff and students of evacuation through personal contact or phone. CERTIFIED CPR/FIRST AID TRAINED PERSONNEL:  
Head of School, Office Manager, Secretary, All Teachers (Staff is trained annually on CPR/First Aid, Epi-Pen, and allergy safety)

**STUDENT GUIDELINES FOR CODE BLUE ON CAMPUS STRANGER ON CAMPUS**

1. FOLLOW THE DIRECTIONS OF Eureka! Inclusive TEACHERS, STAFF, OR VOLUNTEERS – THEY WILL TAKE CARE OF YOU.
2. STRANGER IN CLASS **CODE BLUE**
  - The safe place is in the classroom.
3. OUTSIDE • Be aware of surroundings — Where would you go? (NOT BATHROOMS!)
4. RUN IN A WEAVING PATTERN WHEN RUNNING
5. REMEMBER TO TELL A Eureka! TEACHER OR STAFF MEMBER IF YOU SEE ANYONE ENGAGED IN SUSPICIOUS ACTIVITY OR IF YOU SEE SOMEONE YOU THINK SHOULD NOT BE ON OUR CAMPUS.

## Draft Student Suicide Prevention Policy

### Introduction

California *Education Code (EC)* Section 215, as added by Assembly Bill 2246, (Chapter 642, Statutes of 2016) mandates that the Governing Board of any local educational agency (LEA) that serves pupils in grades seven to twelve, inclusive, adopt a policy on pupil suicide prevention, intervention, and postvention. The policy shall specifically address the needs of high-risk groups, including suicide awareness and prevention training for teachers, and ensure that a school employee acts within the authorization and scope of the employee's credential or license.

For more information on AB 2246 Pupil Suicide Prevention Policies, go to the California Legislative Information Web page at [https://leginfo.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160AB2246](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB2246).

For resources regarding youth suicide prevention, go to the State Superintendent of Public Instruction (SSPI) letter regarding Suicide Prevention Awareness Month on the California Department of Education (CDE) Web page at <http://www.cde.ca.gov/nr/el/le/yr16ltr0901.asp> and the Directing Change For Schools Web page at <http://www.directingchange.org/schools/>.

Additionally, the CDE encourages each LEA to work closely with their county behavioral health department to identify and access resources at the local level.

While the mandate does not apply to private schools or students below grade seven, we do encourage them to consider adopting a suicide prevention policy as a safety net for all students. This is particularly important since suicide is the second leading cause of death for youth ages fifteen to twenty-four. Students in earlier grades are also known to consider, attempt, and die by suicide—which is also a leading cause of death among ten to twelve-year-olds. Research demonstrates that suicidal ideation may start as early as preschool (however, suicide deaths are very rare among children nine years of age and younger). Although elementary and private schools are not legally required to adhere to AB 2246, they may want to consult with their legal staff about the advisability of adopting such a policy.



## **Eureka! Inclusive Charter School Youth Suicide Prevention Policy**

The Governing Board of Eureka! Inclusive Charter School recognizes that suicide is a leading cause of death among youth and that an even greater amount of youth consider (17 percent of high school students) and attempt suicide (over 8 percent of high school students) (Centers for Disease Control and Prevention, 2015).

The possibility of suicide and suicidal ideation requires vigilant attention from our school staff. As a result, we are ethically and legally responsible for providing an appropriate and timely response in preventing suicidal ideation, attempts, and deaths. We also must work to create a safe and nurturing campus that minimizes suicidal ideation in students.

Recognizing that it is the duty of the district and schools to protect the health, safety, and welfare of its students, this policy aims to safeguard students and staff against suicide attempts, deaths and other trauma associated with suicide, including ensuring adequate supports for students, staff, and families affected by suicide attempts and loss. As it is known that the emotional wellness of students greatly impacts school attendance and educational success, this policy shall be paired with other policies that support the emotional and behavioral wellness of students.

This policy is based on research and best practices in suicide prevention, and has been adopted with the understanding that suicide prevention activities decrease suicide risk, increase help-seeking behavior, identify those at risk of suicide, and decrease suicidal behaviors. Empirical evidence refutes a common belief that talking about suicide can increase risk or “place the idea in someone’s mind.”

In an attempt to reduce suicidal behavior and its impact on students and families, the Head of School shall develop strategies for suicide prevention, intervention, and postvention, and the identification of the mental health challenges frequently associated with suicidal thinking and behavior. These strategies shall include professional development for all school personnel in all job categories who regularly interact with students or are in a position to recognize the risk factors and warning signs of suicide, including substitute teachers, volunteers, expanded learning staff (afterschool) and other individuals in regular contact with students such as crossing guards, tutors, and coaches.

The Head of School shall develop and implement preventive strategies and intervention procedures that include the following:

### **Overall Strategic Plan for Suicide Prevention**

The Head of School shall involve school-employed mental health professionals (e.g., school counselors, psychologists, social workers, nurses), administrators, other school staff members, parents/guardians/caregivers, students, local health agencies and professionals, law enforcement, and community organizations in planning, implementing, and evaluating the district’s strategies for suicide prevention and intervention. The school

must work in conjunction with local government agencies, community-based organizations, and other community supports to identify additional resources.

To ensure the policies regarding suicide prevention are properly adopted, implemented, and updated, the district shall appoint an individual (or team) to serve as the suicide prevention point of contact for the district. In addition, each school shall identify at least one staff member to serve as the liaison to the district's suicide prevention point of contact, and coordinate and implement suicide prevention activities on their specific campus. This policy shall be reviewed and revised as indicated, at least annually in conjunction with the previously mentioned community stakeholders.

Resources:

- The K–12 Toolkit for Mental Health Promotion and Suicide Prevention has been created to help schools comply with and implement AB 2246, the Pupil Suicide Prevention Policies. The Toolkit includes resources for schools as they promote youth mental wellness, intervene in a mental health crisis, and support members of a school community after the loss of someone to suicide.

Additional information about this Toolkit for schools can be accessed on the Heard Alliance Web site at <http://www.heardalliance.org/>.

- You can find information about a comprehensive suicide prevention toolkit for schools on the Palo Alto Unified School District Counseling Services Web page at <https://www.pausd.org/student-services/counseling-services>

## **Prevention**

### **A. Messaging about Suicide Prevention**

Messaging about suicide has an effect on suicidal thinking and behaviors. Consequently, Eureka! Inclusive Charter School along with its partners has critically reviewed and will continue to review all materials and resources used in awareness efforts to ensure they align with best practices for safe messaging about suicide.

Resources:

- For information on public messaging on suicide prevention, see the National Action Alliance for Suicide Prevention Web site at <http://suicidepreventionmessaging.actionallianceforsuicideprevention.org/>
- For information on engaging the media regarding suicide prevention, see the Your Voice Counts Web page at <http://resource-center.yourvoicecounts.org/content/making-headlines-guide-engaging-media-suicide-prevention-california-0>

- For information on how to use social media for suicide prevention, see the Your Voice Counts Web page at <http://resource-center.yourvoicecounts.org/content/how-use-social-media>

## **B. Suicide Prevention Training and Education**

The Eureka! Inclusive Charter School along with its partners has carefully reviewed available staff training to ensure it promotes the mental health model of suicide prevention and does not encourage the use of the stress model to explain suicide.

Training shall be provided for all school staff members and other adults on campus (including substitutes and intermittent staff, volunteers, interns, tutors, coaches, and expanded learning staff).

Training:

- At least annually, all staff shall receive training on the risk factors and warning signs of suicide, suicide prevention, intervention, referral, and postvention.
- 
- All suicide prevention trainings shall be offered under the direction of school-employed mental health professionals (e.g., school counselors, psychologists, or social workers) who have received advanced training specific to suicide and may benefit from collaboration with one or more county and/or community mental health agencies. Staff training can be adjusted year-to-year based on previous professional development activities and emerging best practices.
- At a minimum, all staff shall participate in training on the core components of suicide prevention (identification of suicide risk factors and warning signs, prevention, intervention, referral, and postvention) at the beginning of their employment. Previously employed staff members shall attend a minimum of one-hour general suicide prevention training. Core components of the general suicide prevention training shall include:
  - Suicide risk factors, warning signs, and protective factors;
  - How to talk with a student about thoughts of suicide;
  - How to respond appropriately to the youth who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and an immediate referral for a suicide risk assessment;
  - Emphasis on immediately referring (same day) any student who is identified to be at risk of suicide for assessment while staying under constant monitoring by staff member;

- Emphasis on reducing stigma associated with mental illness and that early prevention and intervention can drastically reduce the risk of suicide;
- Reviewing the data annually to look for any patterns or trends of the prevalence or occurrence of suicide ideation, attempts, or death. Data from the California School Climate, Health, and Learning Survey (Cal-SCHLS) should also be analyzed to identify school climate deficits and drive program development. See the Cal-SCHLS Web site at <http://cal-schls.wested.org/>.
- In addition to initial orientations to the core components of suicide prevention, ongoing annual staff professional development for all staff should include the following components:
  - The impact of traumatic stress on emotional and mental health;
  - Common misconceptions about suicide;
  - School and community suicide prevention resources;
  - Appropriate messaging about suicide (correct terminology, safe messaging guidelines);
  - The factors associated with suicide (risk factors, warning signs, protective factors);
  - How to identify youth who may be at risk of suicide;
  - Appropriate ways to interact with a youth who is demonstrating emotional distress or is suicidal. Specifically, how to talk with a student about their thoughts of suicide and (based on district guidelines) how to respond to such thinking; how to talk with a student about thoughts of suicide and appropriately respond and provide support based on district guidelines;
  - District-approved procedures for responding to suicide risk (including multi-tiered systems of support and referrals). Such procedures should emphasize that the suicidal student should be constantly supervised until a suicide risk assessment is completed;
  - District-approved procedures for responding to the aftermath of suicidal behavior (suicidal behavior postvention);
  - Responding after a suicide occurs (suicide postvention);
  - Resources regarding youth suicide prevention;
  - Emphasis on stigma reduction and the fact that early prevention and intervention can drastically reduce the risk of suicide;

- Emphasis that any student who is identified to be at risk of suicide is to be immediately referred (same day) for assessment while being constantly monitored by a staff member.
- The professional development also shall include additional information regarding groups of students judged by the school, and available research, to be at elevated risk for suicide. These groups include, but are not limited to, the following:
  - Youth affected by suicide;
  - Youth with a history of suicide ideation or attempts;
  - Youth with disabilities, mental illness, or substance abuse disorders;
  - Lesbian, gay, bisexual, transgender, or questioning youth;
  - Youth experiencing homelessness or in out-of-home settings, such as foster care;
  - Youth who have suffered traumatic experiences;

Resources:

- Youth Mental Health First Aid (YMHFA) teaches a 5-step action plan to offer initial help to young people showing signs of a mental illness or in a crisis, and connect them with the appropriate professional, peer, social, or self-help care. YMHFA is an 8-hour interactive training for youth-serving adults without a mental health background. See the Mental Health First Aid Web page at <https://www.mentalhealthfirstaid.org/cs/take-a-course/course-types/youth/>
- Free YMHFA Training is available on the CDE Mental Health Web page at <http://www.cde.ca.gov/ls/cg/mh/projectcalwell.asp>
- Question, Persuade, and Refer (QPR) is a gatekeeper training that can be taught online. Just as people trained in cardiopulmonary resuscitation (CPR) and the Heimlich Maneuver help save thousands of lives each year, people trained in QPR learn how to recognize the warning signs of a suicide crisis and how to question, persuade, and refer someone to help. See the QPR Web site at <http://www.qprinstitute.com/>
- SafeTALK is a half-day alertness training that prepares anyone over the age of fifteen, regardless of prior experience or training, to become a suicide-alert helper. See the LivingWorks Web page at <https://www.livingworks.net/programs/safetalk/>
- Applied Suicide Intervention Skills Training (ASIST) is a two-day interactive workshop in suicide first aid. ASIST teaches participants to recognize when someone may have thoughts of suicide and work with them to create a plan that

will support their immediate safety. See the LivingWorks Web page at <https://www.livingworks.net/programs/asist/>

- Kognito At-Risk is an evidence-based series of three online interactive professional development modules designed for use by individuals, schools, districts, and statewide agencies. It includes tools and templates to ensure that the program is easy to disseminate and measures success at the elementary, middle, and high school levels. See the Kognito Web page at <https://www.kognito.com/products/pk12/>

### **C. Employee Qualifications and Scope of Services**

Employees of the Eureka! Inclusive Charter School] and their partners must act only within the authorization and scope of their credential or license. While it is expected that school professionals are able to identify suicide risk factors and warning signs, and to prevent the immediate risk of a suicidal behavior, treatment of suicidal ideation is typically beyond the scope of services offered in the school setting. In addition, treatment of the mental health challenges often associated with suicidal thinking typically requires mental health resources beyond what schools are able to provide.

### **D. Specialized Staff Training (Assessment)**

Additional professional development in suicide risk assessment and crisis intervention shall be provided to mental health professionals (school counselors, psychologists, social workers, and nurses) employed by Eureka! Inclusive Charter School.

Resource:

- Assessing and Managing Suicide Risk (AMSR) is a one-day training workshop for behavioral health professionals based on the latest research and designed to help participants provide safer suicide care. See the Suicide Prevention Resource Center Web page at <http://www.sprc.org/training-events/amsr>

### **E. Parents, Guardians, and Caregivers Participation and Education**

- To the extent possible, parents/guardians/caregivers should be included in all suicide prevention efforts. At a minimum, schools shall share with parents/guardians/caregivers the Eureka! Inclusive Charter School] suicide prevention policy and procedures.
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- This suicide prevention policy shall be prominently displayed on the Eureka! Inclusive Charter School] Web page and included in the parent handbook.
- 
- Parents/guardians/caregivers should be invited to provide input on the development and implementation of this policy.

- All parents/guardians/caregivers should have access to suicide prevention training that addresses the following:
  - Suicide risk factors, warning signs, and protective factors;
  - How to talk with a student about thoughts of suicide;
  - How to respond appropriately to the student who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and referral for an immediate suicide risk assessment.

Resource:

- Parents as Partners: A Suicide Prevention Guide for Parents is a booklet that contains useful information for parents/guardians/caregivers who are concerned that their children may be at risk for suicide. It is available from Suicide Awareness Voices of Education (SAVE). See the SAVE Web page at <https://www.save.org/product/parents-as-partners/>

## **F. Student Participation and Education**

The Eureka! Inclusive Charter School] along with its partners has carefully reviewed available student curricula to ensure it promotes the mental health model of suicide prevention and does not encourage the use of the stress model to explain suicide.

Under the supervision of school-employed mental health professionals, and following consultation with county and community mental health agencies, students shall:

- Receive developmentally appropriate, student-centered education about the warning signs of mental health challenges and emotional distress;
- Receive developmentally appropriate guidance regarding the district's suicide prevention, intervention, and referral procedures.
- The content of the education shall include:
  - Coping strategies for dealing with stress and trauma;
  - How to recognize behaviors (warning signs) and life issues (risk factors) associated with suicide and mental health issues in oneself and others;
  - Help-seeking strategies for oneself and others, including how to engage school-based and community resources and refer peers for help;
  - Emphasis on reducing the stigma associated with mental illness and the fact that early prevention and intervention can drastically reduce the risk of suicide.

Student-focused suicide prevention education can be incorporated into classroom curricula (e.g., health classes, freshman orientation classes, science, and physical education).

The Eureka! Inclusive Charter School] will support the creation and implementation of programs and/or activities on campus that raise awareness about mental wellness and suicide prevention (e.g., Mental Health Awareness Weeks, Peer Counseling Programs, Freshman Success Programs, and National Alliance on Mental Illness on Campus High School Clubs).

#### Resources:

- More Than Sad is school-ready and evidence-based training material, listed on the national Suicide Prevention Resource Center's best practices list, specifically designed for teen-level suicide prevention. See the American Foundation for Suicide Prevention Web page at <https://afsp.org/our-work/education/more-than-sad/>
- Break Free from Depression (BFFD) is a 4-module curriculum focused on increasing awareness about adolescent depression and designed for use in high school classrooms. See the Boston Children's Hospital Web page at <http://www.childrenshospital.org/breakfree>
- Coping and Support Training (CAST) is an evidence-based life-skills training and social support program to help at-risk youth. See the Reconnecting Youth Inc. Web page at <http://www.reconnectingyouth.com/programs/cast/>
- Students Mobilizing Awareness and Reducing Tragedies (SMART) is a program comprised of student-led groups in high schools designed to give students the freedom to implement a suicide prevention on their campus that best fits their school's needs. See the SAVE Web page at <https://www.save.org/what-we-do/education/smart-schools-program-2/>
- Linking Education and Awareness for Depression and Suicide (LEADS) for Youth is a school-based suicide prevention curriculum designed for high schools and educators that links depression awareness and secondary suicide prevention. LEADS for Youth is an informative and interactive opportunity for students and teachers to increase knowledge and awareness of depression and suicide. See the SAVE Web page at <https://www.save.org/what-we-do/education/leads-for-youth-program/>

#### **Intervention, Assessment, Referral**

##### **A. Staff**

Two Eureka! Inclusive Charter School] staff members who have received advanced training in suicide intervention shall be designated as the primary and secondary



suicide prevention liaisons. Whenever a staff member suspects or has knowledge of a student's suicidal intentions, they shall promptly notify the primary designated suicide prevention liaison. If this primary suicide prevention liaison is unavailable, the staff shall promptly notify the secondary suicide prevention liaison.

Under normal circumstances, the primary and/or secondary contact persons shall notify the principal, another school administrator, school psychologist or school counselor, if different from the primary and secondary contact persons. The names, titles, and contact information of multi-disciplinary crisis team members shall be distributed to all students, staff, parents/guardians/caregivers and be prominently available on school and district Web sites. [LEA to Insert Primary and Secondary Suicide Prevention Liaisons].

The principal, another school administrator, school counselor, school psychologist, social worker, or nurse shall then notify, if appropriate and in the best interest of the student, the student's parents/guardians/caregivers as soon as possible and shall refer the student to mental health resources in the school or community. Determination of notification to parents/guardians/caregivers should follow a formal initial assessment to ensure that the student is not endangered by parental notification.

If the student is in imminent danger (has access to a gun, is on a rooftop, or in other unsafe conditions), a call shall be made to 911.

- Whenever a staff member suspects or has knowledge of a student's suicidal intentions, they shall promptly notify the primary or secondary suicide prevention liaisons.
- Students experiencing suicidal ideation shall not be left unsupervised.
- A referral process should be prominently disseminated to all staff members, so they know how to respond to a crisis and are knowledgeable about the school and community-based resources.
- The Superintendent or Designee shall establish crisis intervention procedures to ensure student safety and appropriate communications if a suicide occurs or an attempt is made by a student or adult on campus or at a school-sponsored activity.

## **B. Parents, Guardians, and Caregivers**

A referral process should be prominently disseminated to all parents/guardians/caregivers, so they know how to respond to a crisis and are knowledgeable about the school and community-based resources.

### **C. Students**

Students shall be encouraged to notify a staff member when they are experiencing emotional distress or suicidal ideation, or when they suspect or have knowledge of another student's emotional distress, suicidal ideation, or attempt. (LEA to include crisis intervention procedures, including counseling and other support systems).

### **D. Parental Notification and Involvement**

Each school within the Eureka! Inclusive Charter School] shall identify a process to ensure continuing care for the student identified to be at risk of suicide. The following steps should be followed to ensure continuity of care:

- After a referral is made for a student, school staff shall verify with the parent/guardian/caregiver that follow-up treatment has been accessed. Parents/guardians/caregivers will be required to provide documentation of care for the student.
- If parents/guardians/caregivers refuse or neglect to access treatment for a student who has been identified to be at-risk for suicide or in emotional distress, the suicide point of contact (or other appropriate school staff member) will meet with the parents/guardians/caregivers to identify barriers to treatment (e.g., cultural stigma, financial issues) and work to rectify the situation and build understanding of the importance of care. If follow-up care for the student is still not provided, school staff should consider contacting Child Protective Services (CPS) to report neglect of the youth. (LEA to Insert CPS Contact Information).

### **E. Action Plan for In-School Suicide Attempts**

If a suicide attempt is made during the school day on campus, it is important to remember that the health and safety of the student and those around him/her is critical. The following steps should be implemented:

- Remain calm, remember the student is overwhelmed, confused, and emotionally distressed;
- Move all other students out of the immediate area;
- Immediately contact the administrator or suicide prevention liaison;
- Call 911 and give them as much information about any suicide note, medications taken, and access to weapons, if applicable;
- If needed, provide medical first aid until a medical professional is available;
- Parents/guardians/caregivers should be contacted as soon as possible;

- Do not send the student away or leave them alone, even if they need to go to the restroom;
- Listen and prompt the student to talk;
- Review options and resources of people who can help;
- Be comfortable with moments of silence as you and the student will need time to process the situation;
- Provide comfort to the student;
- Promise privacy and help, and be respectful, but do not promise confidentiality;
- Student should only be released to parents/guardians/caregivers or to a person who is qualified and trained to provide help.

#### **F. Action Plan for Out-of-School Suicide Attempts**

If a suicide attempt by a student is outside of Eureka! Inclusive Charter School] property, it is crucial that the LEA protects the privacy of the student and maintain a confidential record of the actions taken to intervene, support, and protect the student. The following steps should be implemented:

- Contact the parents/guardians/caregivers and offer support to the family;
- Discuss with the family how they would like the school to respond to the attempt while minimizing widespread rumors among teachers, staff, and students;
- Obtain permission from the parents/guardians/caregivers to share information to ensure the facts regarding the crisis is correct;
- Designate a staff member to handle media requests;
- Provide care and determine appropriate support to affected students;
- Offer to the student and parents/guardians/caregivers steps for re-integration to school.

#### **G. Supporting Students after a Mental Health Crisis**

It is crucial that careful steps are taken to help provide the mental health support for the student and to monitor their actions for any signs of suicide. The following steps should be implemented after the crisis has happened:

- Treat every threat with seriousness and approach with a calm manner; make the student a priority;
- Listen actively and non-judgmental to the student. Let the student express his or her feelings;
- Acknowledge the feelings and do not argue with the student;
- Offer hope and let the student know they are safe and that help is provided. Do not promise confidentiality or cause stress;
- Explain calmly and get the student to a trained professional, guidance counselor, or designated staff to further support the student;
- Keep close contact with the parents/guardians/caregivers and mental health professionals working with the student.

#### **H. Re-Entry to School After a Suicide Attempt**

A student who threatened or attempted suicide is at a higher risk for suicide in the months following the crisis. Having a streamlined and well planned re-entry process ensures the safety and wellbeing of students who have previously attempted suicide and reduces the risk of another attempt. An appropriate re-entry process is an important component of suicide prevention. Involving students in planning for their return to school provides them with a sense of control, personal responsibility, and empowerment.

The following steps shall be implemented upon re-entry:

- Obtain a written release of information signed by parents/guardians/caregivers and providers;
- Confer with student and parents/guardians/caregivers about any specific requests on how to handle the situation;
- Inform the student's teachers about possible days of absences;
- Allow accommodations for student to make up work (be understanding that missed assignments may add stress to student);
- Mental health professionals or trusted staff members should maintain ongoing contact to monitor student's actions and mood;
- Work with parents/guardians/caregivers to involve the student in an aftercare plan.

Resource:

The School Reentry for a Student Who Has Attempted Suicide or Made Serious Suicidal Threats is a guide that will assist in school re-entry for students after an attempted suicide. See the Mental Health Recovery Services Resource Web page at [http://www.mhrsonline.org/resources/suicide%5Cattempted\\_suicide\\_resources\\_for\\_schools-9/](http://www.mhrsonline.org/resources/suicide%5Cattempted_suicide_resources_for_schools-9/)

## I. Responding After a Suicide Death (Postvention)

A death by suicide in the school community (whether by a student or staff member) can have devastating consequences on students and staff. Therefore, it is vital that we are prepared ahead of time in the event of such a tragedy. LEA to Insert Primary and Secondary Suicide Prevention Liaisons] for the Eureka! Inclusive Charter School] shall ensure that each school site adopts an action plan for responding to a suicide death as part of the general Crisis Response Plan. The Suicide Death Response Action Plan (Suicide Postvention Response Plan) needs to incorporate both immediate and long-term steps and objectives.

Suicide Postvention Response Plan shall:

- Identify a staff member to confirm death and cause (school site administrator);
- Identify a staff member to contact deceased's family (within 24 hours);
- Enact the Suicide Postvention Response Plan, include an initial meeting of the district/school Suicide Postvention Response Team;
- Notify all staff members (ideally in-person or via phone, not via e-mail or mass notification).
- Coordinate an all-staff meeting, to include:
  - Notification (if not already conducted) to staff about suicide death;
  - Emotional support and resources available to staff;
  - Notification to students about suicide death and the availability of support services (if this is the protocol that is decided by administration);
  - Share information that is relevant and that which you have permission to disclose.
- Prepare staff to respond to needs of students regarding the following:
  - Review of protocols for referring students for support/assessment;
  - Talking points for staff to notify students;
  - Resources available to students (on and off campus).
- Identify students significantly affected by suicide death and other students at risk of imitative behavior;
- Identify students affected by suicide death but not at risk of imitative behavior;
- Communicate with the larger school community about the suicide death;
- Consider funeral arrangements for family and school community;
- Respond to memorial requests in respectful and non-harmful manner; responses should be handed in a thoughtful way and their impact on other students should be considered;
- Identify media spokesperson skilled to cover story without the use of explicit, graphic, or dramatic content (go to the Reporting on Suicide.Org Web site at

[www.reportingonsuicide.org](http://www.reportingonsuicide.org)). Research has proven that sensationalized media coverage can lead to contagious suicidal behaviors.

- Utilize and respond to social media outlets:
  - Identify what platforms students are using to respond to suicide death
  - Identify/train staff and students to monitor social media outlets
- Include long-term suicide postvention responses:
  - Consider important dates (i.e., anniversary of death, deceased birthday, graduation, or other significant event) and how these will be addressed
  - Support siblings, close friends, teachers, and/or students of deceased
  - Consider long-term memorials and how they may impact students who are emotionally vulnerable and at risk of suicide

Resources:

- After a Suicide: A Toolkit for School is a comprehensive guide that will assist schools on what to do if a suicide death takes place in the school community. See the Suicide Prevention Resource Center Web page at <http://www.sprc.org/comprehensive-approach/postvention>
- [Help & Hope for Survivors of Suicide Loss is a guide to help those during the bereavement process and who were greatly affected by the death of a suicide. See the Suicide Prevention Resource Center Web page at <http://www.sprc.org/resources-programs/help-hope-survivors-suicide-loss>](#)
- For additional information on suicide prevention, intervention, and postvention, see the Mental Health Recovery Services Model Protocol Web page at [http://www.mhrsonline.org/resources/suicide%5Cattempted suicide resources for schools-9/](http://www.mhrsonline.org/resources/suicide%5Cattempted%20suicide%20resources%20for%20schools-9/)
- Information on school climate and school safety is available on the CDE Safe Schools Planning Web page at <http://www.cde.ca.gov/ls/ss/vp/safeschlplanning.asp>
- Additional resources regarding student mental health needs can be found in the SSPI letter Responding to Student Mental Health Needs in School Safety Planning at <http://www.cde.ca.gov/nr/el/le/yr14ltr0212.as>

## **Draft Policy for Background Checks**

### **Applicants for Employment**

All applicants for classified positions, including temporary, substitute and part-time positions, shall be required to submit to fingerprint clearance. (Education Code [45125](#))

The Executive Director or designee shall ensure that each classified applicant has Livescan fingerprint form with his/her personal information. The Santa Clara County Office of Education shall forward these forms, along with the required fee, to the Bureau of Criminal Identification Investigation, State Department of Justice, for processing. (Education Code [45125](#))

Eureka! Inclusive may charge the applicant a fee for processing the application as specified in law. If the applicant is subsequently hired by Eureka! Inclusive within 30 days of the application, the fee may be reimbursed to the applicant. (Education Code [45125](#))

The Executive Director or designee shall request the Department of Justice to forward one copy of the fingerprint cards to the Federal Bureau of Investigation for the purpose of obtaining any record of previous convictions of the applicant if: (Education Code [45125](#))

1. The person has not resided in the State of California for at least one year immediately preceding the person's application for employment
2. The person has resided for more than one year, but less than seven years, in the State of California and the Department of Justice has ascertained that the person was convicted of a sex offense where the victim was a minor or a drug offense where an element of the offense is either the distribution to, or the use of a controlled substance, by a minor

The Governing Board shall not employ an applicant until the Department of Justice completes its check of the state criminal history files. (Education Code [45125](#))

The Executive Director or designee may hire a classified employee without waiting for the disposition of the employee's criminal history files upon a determination that an emergency or exceptional situation exists and that a delay in filling the position would endanger student health or safety. (Education Code [45125](#))

The Executive Director or designee may ask the local law enforcement agency to conduct an automated record check to ascertain whether a prospective classified employee has a criminal record. This information shall be requested only for applicants whom Eureka! Inclusive intends to hire at the time the check is requested. (Education Code [45125.5](#))

### **Current Employees**

The Executive Director or designee shall maintain a list of all current classified employees who have not completed a criminal background check. (Education Code [45125](#))

Upon notification by telephone from the Department of Justice that a current temporary, substitute or probationary classified employee has been convicted of a violent or serious felony, the Executive Director or designee shall immediately place that employee on leave without pay, unless the employee has received a certificate of rehabilitation and a pardon. (Education Code [45122.1](#))

Upon receipt of written notification of the fact of conviction from the Department of Justice, the Executive Director or designee shall immediately terminate the temporary, substitute or probationary employee without regard to any other procedure for termination specified in the Education Code or district procedures, unless that employee has received a certificate of rehabilitation and a pardon. (Education Code [45122.1](#))

If the employee challenges the Department of Justice record and the Department of Justice withdraws in writing its notification, the Executive Director or designee shall immediately reinstate the employee with full restoration of salary and benefits. (Education Code [45122.1](#))

The Executive Director or designee shall request subsequent arrest service from the Department of Justice as provided under Penal Code [11105.2](#). (Education Code [45125](#))



## Sample Mandated Child Abuse Reporter Policy and Procedures

### Duty to Report.

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code [11166](#).

### Definitions

1. "Child Abuse" includes the following:

- a. A physical injury inflicted by other than accidental means on a child by another person
- b. Sexual abuse of a child
- c. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
- d. Unlawful corporal punishment or injury resulting in a traumatic condition
- e. Neglect of a child or abuse in out-of-home care

2. "Mandated Reporters" are those people defined by law as "child care custodians," "health practitioners," "child visitation monitors" and "employees of a child protective agency." Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of a child care institutions, HeadStart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

3. "Child Protective Agencies" are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

4. "Reasonable Suspicion" means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code [11166](#))

### Reporting Procedures

1. To report known or suspected child abuse, any employee (as defined above) shall report by telephone to the local child protective agency.

Santa Clara County Social Services Agency

1725 Technology Dr., San Jose, CA 95510

Central County - (408) 299-2071

North County - (650) 493-1186

South County - (408) 683-0601

The telephone report must be made immediately, or as soon as practically possible, upon suspicion. This report will include:

- a. The name of the person making the report
- b. The name of the child
- c. The present location of the child
- d. The nature and extent of any injury
- e. Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse

When the verbal report is made, the mandated reporter shall note the name of the official contacted, the date and time contacted, and any instructions or advice received.

2. Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reporters may obtain copies of the above form either from the district or the local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

3. Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the Executive Director or designee as soon as possible after the initial verbal report by telephone.

Executive Director or designee so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the Executive Director or designee may assist in completing and filing these forms.

If the mandated reporter does not disclose his/her identity to the Executive Director or designee, he/she shall at least provide or mail a copy of the written report to the Executive Director or designee without his/her signature or name.

### **Legal Responsibility and Liability**

1. Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.
2. If a mandated reporter fails to report an instance of child abuse which he/she knows to exist or reasonably should know to exist, he/she is guilty of a misdemeanor punishable by confinement in jail for up to six months, a fine of up to \$1,000, or both. The mandated reporter may also be held civilly liable for damages resulting from any injury to the child after a failure to report.
3. When two or more persons who are required to report have joint knowledge of a suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person. However, if any person knows or should know that the designated person failed to make the report, that person then has a duty to do so.
4. The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

### **Victim Interviews**

Upon request, a child protective agency representative may interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code [11174.3](#))

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the Executive Director or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Reporting Act, a violation of which is punishable as specified in Penal Code [11167.5](#).

If a staff member agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. (Penal Code [11174.3](#))

### **Release of Child to Peace Officer or Child Protective Services Agent**

When a child is released to a peace officer or child protective services agent and taken into custody as a victim of suspected child abuse, the Executive Director or designee shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the peace officer or agent with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code [48906](#))

Peace officers and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

### **When School Employees are Accused of Child Abuse**

Regardless of who child abusers may be, the major responsibilities of mandated reporters are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to the proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending the outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, Eureka! Inclusive may take disciplinary action in accordance with law, school policies, regulations and/or collective bargaining agreements. The Executive Director or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

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## DRAFT SCHOOL SAFETY PLAN

*The school safety plan shall include the safety topics listed in subparagraphs (A) to (H), inclusive, of Section 32282(a)(2) and procedures for conducting tactical responses to criminal incidents. The school safety plan will be reviewed and updated by March 1 of every year by the charter school*

Eureka! Inclusive Charter School shall maintain and adhere to a School Safety Plan drafted specifically to the needs of the facility in conjunction with law enforcement and the Fire Marshal. Routine fire inspections shall be conducted by an authorized This School Safety Plan will specify response protocols to varied emergency situations, including but not limited to: fire, flood, earthquake, terrorist threats, and hostage situations. If assuming a facility that was previously used as a school site, any existing emergency preparedness plan for the school site shall be used as a starting basis for updating the School Safety Plan for Eureka! Inclusive Charter School.

Eureka! Inclusive will adhere to this plan to address the need of the school site and include it in an Emergency Preparedness Handbook drafted specifically to the needs of the school site. This handbook shall include, but not be limited to, the following responses: OSHA policy compliance, fire, flood, earthquake, terrorist threats, and hostage situations and shall be submitted for District receipt and review. This handbook shall include an evacuation plan, and general school safety, facility/fire inspection, injury and illness prevention.

Emergency drills will be held periodically and as required for fire, earthquake and code red/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. Emergency team roles and responsibilities will be described in the plan and reviewed annually.

The School Safety Plan will be submitted to SJUSD no later than 30 days prior to the beginning of the school year and will be maintained on file and available for inspection.